

Parish and School Employee Handbook Template and Analysis

Revised June 2024
by the Office of Parish and School Human Resources
for the Archdiocese of Milwaukee

June 1, 2024

The Parish and School Employee Handbook Template and Analysis document has been revised. Every parish and school within the Archdiocese of Milwaukee is expected to have an employee handbook. Note that this document is a template, and therefore it is at the discretion of the parish/school to determine which of these sample policies will be included as written, except where federal and/or state law requires specific policies to be included.

Updates throughout the document include grammar, formatting, and language clarity. The index was removed, and key word searches can be done using the Editing/Find feature. Some sections were regrouped where appropriate to align with the main topic headings. 'Conduct' Analysis was updated to clarify performance management steps. Below are the key areas of the document that have been updated:

Employment Policies and Procedures

- Incorporates Diversity Commitment into Equal Opportunities and adds new language for filing EEO concerns.
- Includes the ADA accommodations process.
- Expands and clarifies Harassment and reporting process, including use of on-line reporting through Archmil.org.
- Incorporates and clarifies Conflicts of Interest with examples and encourages reporting so that support and guidance can be provided to manage risks.
- Incorporates Confidential Information by relocating.

Employment Relationship and Classification

- Simplifies Exempt vs Non-Exempt and removes specific examples so that each organization examines and confirms classifications.
- Incorporates Orientation Period by relocating from 'Conduct' section. By this language, employees in the orientation are not protected from discipline. If an organization wants to create a probationary period whereby an employee may be terminated at any time for any reason, a separate policy must be created and approved.
- Incorporates Termination and Continuation of Benefits by relocating from 'Conduct' section.

(Former) Employee Commitment

- Moved Workplace Policies (Attendance and Dependability, Appearance and Dress) to new section 'Workplace Policies,' and eliminated Growth and Wellness, which may be built into separate employee engagement programs but are somewhat ambiguous and difficult to enforce as part of policy and expectations in a Handbook.

Continued....

Workplace Conduct and Safety

- Incorporates Safety aspects by relocating from other sections, including Smoke-Free, Safe Driving, and Workplace Violence Prevention
- Provides examples of conduct that may be terminable on the first offense depending on the circumstances.

Electronic Resources and Communications

- Clarifies applicability of the policy, discusses cybersecurity risks, and expands language for security and data breaches.

Any questions should be directed to the Office of Parish and School Human Resources at ParishandSchoolHR@archmil.org or 414-389-88HR(47).

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Letter from the Pastor/Parish Director

Welcome to _____ Parish/School!

I want to welcome you as a vital part of our parish/school ministry staff. Whether you are involved in the education of our children, the maintenance of our buildings and grounds, the planning of our liturgical celebrations or some other ministry, you play a key role in at for _____ Parish/School.

As an employee it is vital that you support the vision and mission we have adopted. Only in working together with a commitment toward this mission can we hope to meet the expectations of our parish/school and our Church.

We hope that you will view your employment here as an opportunity to offer the people of this parish/school the best that you can give. Just as we are providing you with just compensation for your efforts, we ask that you commit to providing your best for _____ Parish/School.

This handbook provides the framework of sharing your talents. If you have any questions or if I can provide clarity, please let me know.

Once again, welcome to _____. I hope you enjoy working with us as we share the glory of God within our community.

God's Blessings,

{Pastor/Parish Director}

Introduction

This handbook has been written to help acquaint each employee with the parish/school, its policies, procedures, and benefits. It replaces all previous editions of the Employee Handbook as well as any written or verbal descriptions of the parish/school policies, procedures, and benefits. The contents of this handbook are presented as a matter of information only. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, questions concerning your eligibility for a particular benefit, or the applicability of a policy should be addressed with your supervisor.

While the parish/school supports the plans, policies and procedures described herein, they are not conditions of employment. The parish/school reserves the right to modify, add to, revoke, or change any of the policies, plans, or procedures at any time. The language used in the handbook is not intended to create, nor is it to be construed to constitute, a contract between the parish/school or any one or all its employees.

No person other than the pastor/parish director has the authority to make any agreement for employment for any specified period or to make any agreement contrary to the foregoing, and in such event, the agreement must be in writing, signed by the Pastor/Parish Director and the individual employee.

Our Parish/School

Parish/School History

"The long history of _____ Parish/School began in 1875 as Polish settlers..."

Mission Statement

{Insert a copy of your parish/school mission statement}

Organizational Chart(s)

Insert an organizational chart showing how the **administration and governance** structures of the parish/school are arranged. The charts below are included for visual representation only, a sample, not as an endorsement of a particular organizational structure.

Parish/School Governance is the system responsible for setting direction, formulating policy, and monitoring and evaluating activities meant to accomplish the parish/school mission.

Governance - Pastoral Council and Committee Chart

PASTORAL COUNCIL			
15 MEMBERS			
4 are Ex-Officio (Priests, Lay Trustees)			
11 Selected – Three-Year Terms			
SUB COMMITTEES AND SPECIALIZED MINISTRY AREAS			
Prayer and Worship	Christian Formation	Human Concerns	Administrative Services

Parish/School **administration** is the system responsible for influencing and empowering people to accomplish the parish/school mission. The parish/school staff is the primary administrative group of the parish/school.

Staff Administration Chart

PASTOR			
DRE	LITURGIST	DIRECTOR ADMINISTRATIVE SERVICES	PRINCIPAL
SECRETARY ½ Time	SECRETARY ½ Time	BOOKKEEPER	TEACHERS
		SECRETARY	

Employment Policies and Procedures

Equal Opportunity and Commitment to Diversity

We are fully committed to a policy of equal opportunity in all employment practices insofar as they are consistent with the beliefs, official teachings, and doctrines of the Catholic Church, and we are committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute and are valued for their skills, experience, and unique perspectives. In employment practices, no person shall be discriminated against in employment decisions because of factors not relevant to performance. The parish/school endorses all efforts to eliminate and prevent discrimination in hiring and promotion decisions based on age, race, color, sex, disability, national origin, or other bases protected by law. Decisions for hiring or promotion will be based upon qualification, ability, and availability. Since a person's faith and church participation may be essential to their role on behalf of the parish/school, the law does permit religious convictions to be considered.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues immediately to the attention of the Archdiocese Office of Parish and Schools HR or file a concern by entering 'Report Misconduct' into the Archmil.org search feature. The parish/school will investigate complaints in a timely manner and, where necessary, take appropriate action. We will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. Employees who feel they have been subjected to any such retaliation should immediately bring it to the attention of the Parish and Schools Human Resources Office.

Americans with Disabilities Act (ADA) and Reasonable Accommodations

The parish/school is committed to the fair and equal employment of individuals with disabilities under the Americans with Disabilities Act (ADA) and the Wisconsin Fair Employment Act (WFEA). It is the parish/school policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the company.

In accordance with the ADA and WFEA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment.

- An employee or applicant with a disability may request an accommodation from the pastor/school principal and should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law.
- The parish/school will then review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made, or if other possible accommodations are appropriate.
- If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodations.
- All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

Whistleblower

All administrators and employees are required to follow federal, state, and local laws and employer policies, e.g., employee handbook, Code of Ethical Standards for the Archdiocese of Milwaukee, etc.

The purpose of this policy is to protect individuals who raise issues of illegal, dishonest, or unethical behavior. A whistleblower is defined by this policy as an employee of a parish, school, or other associated entity who reports an activity that he/she reasonably believes to be illegal, dishonest, or unethical. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. The appropriate management officials are charged with these responsibilities.

If an employee has knowledge or a concern of illegal, dishonest, or of unethical behavior, the employee should contact a trusted resource such as the Pastor/Principal/President, a Human Resource representative, or the appropriate Archdiocesan leader such as Director of the Office of Parish and School Human Resources, Vicar for Clergy. An employee may choose to report misconduct through a third-party company by typing 'Report Misconduct' into the Search bar of the Archmil.org website.

An investigative committee of individuals who are not alleged to be involved in the suspected violation, will investigate reports of suspected violations promptly. The committee will prepare a report on the findings, determine if the allegations are true, decide if corrective action is needed, and determine if the situation should be referred to law enforcement officials. To the extent practical, confidentiality of the reporting individual will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law or policy and to provide accused individuals their legal rights of defense.

The employer and associated individuals will not retaliate against a whistleblower. This includes, but is not limited to protection from retaliation in the form of adverse employment action, poor work assignments, etc. Any whistleblower who believes he/she is being retaliated against must contact the Pastor/Principal/President, or respective human resource representative or the appropriate Archdiocesan director immediately either through written or verbal communication, e.g., written letter, in-person visit, etc. The right of the reporting individual does not include immunity from personal responsibility in wrongdoing or any other misconduct.

An employee who with intention files a false report of wrongdoing will be subject to discipline up to and including termination.

Harassment

At the parish/school we foster a productive work environment and expressly prohibit any form of unlawful harassment of or against anyone by another employee, supervisor, vendor, customer, or third party based on race, color, ancestry, national origin, creed or religious belief, sex or gender (including marital status, pregnancy, childbirth, gender identity, expression or transgender status, or sexual orientation), age, disability, genetic information, military service, or any other non-job related personal characteristic.

Unlawful harassment involves conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment or has the purpose or effect of substantially and unreasonably interfering with an individual's work performance. Examples of inappropriate conduct include but are not limited to: Vulgar, obscene, or other inappropriate comments, physical contact such as touching, patting, pinching, or brushing against another's body, slurs, jokes, pranks, and written or graphic display or distribution of material including such material displayed on an electronic device.

While all forms of unlawful harassment are prohibited, special attention should be paid to sexual harassment. "Sexual harassment" can include all the above actions as well as other unwelcome conduct and is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whereby submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions.

Any retaliation against an individual who has reported harassment or unwelcome conduct or retaliation against an individual for cooperating with an investigation of a harassment report is similarly unlawful and will not be tolerated. The parish/school will take all reasonable steps necessary to prevent and eliminate unlawful.

Harassment can occur because of a single incident or a pattern of unwelcome behavior where the effect is to create a hostile, offensive, or intimidating work environment that affects terms of employment. Harassment encompasses a broad range of physical or verbal behavior which can include, but is not limited to, physical or mental abuse, racial insults, derogatory ethnic slurs, unwelcome sexual advances or touching, sexual comments or sexual jokes, and/or requests for sexual favors used as a condition of employment or affecting any personnel decision such as hiring, promotion or compensation.

Harassment and other unacceptable activities that could become a condition of employment or a basis for personnel decisions, or which create a hostile environment are specifically prohibited. Any employee who engages in such harassment is subject to immediate discipline, up to and including discharge. It is the responsibility of the parish/school and of all employees to ensure that these prohibited activities do not occur.

An employee should report immediately if he or she feels they are being harassed or discriminated against and must report immediately if they know or suspect that someone else is being harassed or discriminated against.

- All incidents or allegations of harassment are to be reported to or referred to the pastor or principal or supervisor, or may be reported to the Archdiocese of Milwaukee Office of Parish and School Human Resources, or may be reported confidentially through the third-party system accessible by typing 'report misconduct' into the search bar of the Archmil.org website.
- The Archdiocese of Milwaukee Office of Parish and School Human Resources is to be contacted immediately if the alleged incident involves the Pastor.
- Each reported incident will be treated seriously and responded to with a timely and thorough investigation. The investigation will include a private interview with the person filing the complaint or providing information concerning the incident, with witnesses, and with the person alleged to have committed the offense. Employees must cooperate with investigations.
- When we have completed the investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the offense of the results of the investigation.
- All complaints of harassment and discrimination, and the investigation of such complaints, will be kept confidential to the extent possible, but confidentiality cannot be guaranteed.
- Any supervisory employee who becomes aware of potential harassment or discrimination situation must report the matter to the Pastor even if there has not been a formal complaint.

Grievances

Personnel policies are intended to promote equitable treatment of all employees. On occasion, an employee may have a concern that policies may have been applied improperly, unjustly, or inequitably. If the concern has not been resolved satisfactorily, resolution may be made by following the grievance procedure, described here.

The grievance process does not apply to concerns related to federal and state law, employer policies, compensation, benefits, general department direction, or style of leadership.

Procedures for the prompt resolution of employment grievances shall be provided by each parish/school. The procedures are intended to facilitate an informal and inexpensive forum for prompt resolution. Grievance hearings involve sensitive personal matters and are therefore considered closed sessions. For this reason, legal counsel and media is excluded from grievance hearings. If legal counsel is retained by either party, the grievance process stops. Similarly, tape recording of hearings is not allowed except by advanced mutual consent.

Parishes/schools may establish grievance committees. If used, the Parish/School Grievance Committee provides the Pastor/Parish Director or School President with a recommended resolution to the employee's grievance. The Pastor/Parish Director or School President should contact the Office for Parish and School Human Resources for assistance with any portion of this process.

This policy is promulgated unilaterally by the archdiocese and is not a contract or a condition of

employment. Its purpose is to provide an opportunity for a prompt and private resolution of disputes. The employee's participation in this procedure is entirely voluntary. If this procedure is initiated by the employee, the employer shall cooperate. Either party's failure to strictly comply with the procedures outlined herein shall not be deemed to be a violation of the underlying contract between the parish and the employee. This archdiocese procedure may be revised, withdrawn, or modified at any time by the archdiocese with or without notice.

The parish/school is committed to fostering a process to solve problems or resolve disputes that is timely and fosters two-way communication openly and honestly. The parish/school is also committed to a process in which there is no reprisal against anyone who brings forward a complaint, grievance, or problem. These steps are designed to ensure that decisions are being made on an informed and consistent basis. A fair and just process upholds the dignity of all individuals involved and has the greatest potential to resolve differences.

A grievance which is not raised in a timely manner (generally this should not exceed ten days) will be deemed to be waived. If at any time either party to the grievance appeals to the civil courts or government agencies for resolution, the grievance will be suspended, pending the outcome of the court/agency action or a change in the status of the employee.

It is intended that this grievance procedure will provide for a timely resolution of the dispute, and good faith efforts should be made to conclude the process within thirty (30) days or less.

The Pastor/Parish Director/School President may contact the Archdiocesan Office for Parish and School Human Resources for assistance in resolving the grievance.

Level One: Verbal Appeal to Supervisor

Any employee who has a grievance shall discuss the matter with his/her immediate supervisor as soon as possible. The employee should clearly clarify the concern and present a solution to the supervisor. If the matter can be resolved at this level, the process ends. If there is no resolution with the immediate supervisor, the employee may continue the process to level two.

Level Two: Written Appeal to Pastor/Parish Director/School President

The employee shall promptly submit in writing to the Pastor/Parish Director/School President, and supervisor a letter including the following information:

- The nature of the grievance
- Against whom the grievance is directed
- Any factual data, other than hearsay, which the employee deems appropriate.

Once the written grievance is received by the Pastor/Parish Director/School President he/she may attempt to resolve the grievance in one of the following manners:

- The Pastor/Parish Director/School President will convene the parties and attempt to resolve the grievance. (Disputes in which the pastor/parish director/school president is the immediate supervisor begin here.)
- The Pastor/Parish Director/School President may direct the Parish Grievance Committee to proceed with its review of the grievance and submit its

recommendation to him/her.

- A mediator may assist the parties in resolving the dispute. The cost for services by the mediator, if any, will be paid by the parish/school.

The Pastor/Parish Director/School President will issue the final decision to all parties. If one or several of the above procedures has not resulted in a resolution of the grievance, the employee may continue the process to level three.

Level Three: Appeal to the Archdiocese

An employee who has followed the grievance procedure through Level Two without satisfactory resolution may ask the archdiocese to review. The employee must submit written documentation detailing the progress of the grievance through Level Two. These documents, along with a letter explaining why an appeal is requested, should be submitted to the Office of Parish and School Human Resources within ten days of the pastor/parish director/school president's final decision in Level Two.

Following the examination of the documents on the archdiocesan level, the grievance will either be accepted for further appeal, or it will be remanded back to the pastor/parish director/school president.

All grievances may be subject to review by the Archbishop, to assure it does not violate civil or canon law, Church teaching, or parish/school policy and the appeal will be considered resolved.

Conflicts of Interest

Employment by the parish/school carries with it a responsibility to act in an ethical manner. Employees are expected to refrain from any transaction where their own interests may conflict with those of the parish/school.

An actual or potential conflict of interest exists when an employee is or may be in a position to influence a decision that may result in a personal gain, either for the employee or for the employee's relative or close friend. The personal gain may be unfair, unethical, or even illegal, and may result in a negative impact on the Church or its reputation for honesty and integrity.

A violation of this policy may be found not only in cases where an employee or relative has a significant ownership in an organization with which the Archdiocese of Milwaukee has a relationship, but also when an employee or relative receives any compensation, benefits, substantial gift, or special consideration because of the employee's position with the Archdiocese or any transaction involving the Archdiocese.

Situations that may constitute a conflict of interest include but are not limited to:

- A parish administrator who is related to a school staff member.
- A board member or trustee whose spouse is related to a school or parish staff member.
- A parish staff member whose spouse works for a vendor of the annual parish picnic.
- A candidate for an open position at the parish has a parent on the Personnel Committee.

- An employee or volunteer or family member owns or works at a business that provides resources or services to the Archdiocese.
- An employee who has a personal or previous business relationship with a supplier or service provider.
- Employees who have their own business or a second job.

Employees must disclose actual or potential conflicts that may exist to the pastor/school principal for advice and guidance on how to proceed to mitigate the risk. In addition:

- There should be no direct line management between two or more members of the same family or household or between two employees who have a personal relationship. For purposes of this policy, family shall include spouse, parents, children, grandchildren, siblings, aunts, uncles, nieces, and nephews and shall also include relationships with parents, children, and siblings by virtue of a marriage (in-law) and of a remarriage (step) and any individual with whom the employee has a personal relationship.
- It is strongly advised that an employee who is a member of a board, committee, council, or organization, which influences or determines the employee's or family member's position, rating, performance evaluation, salary or benefits not be present for discussions and decisions on these matters.
- Employees and their immediate family may not accept gifts, except those of nominal value, or any special discounts or loans from any person or firm doing, or seeking to do, business with the parish/school.

Confidential Information

It is the parish's/school's goal to respect the individual privacy of its employees and at the same time maintain a safe and secure workplace.

Personally identifiable information (PII) such as Social Security numbers and other data obtained from employees, vendors, contractors, customers, or others are confidential information and will be obtained, retained, used, and disposed of only for legitimate business reasons and in accordance with the law and this policy. All records containing Social Security numbers (whether partial or complete) and PII will be maintained in secure, confidential files with limited access.

Documents or other records containing employee Social Security numbers and PII generally will be requested, obtained, or created only for legitimate business reasons consistent with this policy. For example, Social Security numbers may be requested from employees for tax reporting purposes (i.e., Internal Revenue Service (IRS) Form W-4), for new hire reporting, or for purposes of enrollment in the company's employee benefit plans. Confidential information includes but is not limited to personally identifiable information of a parishioner, student, family, or employee.

Confidential information also includes other information that is marked otherwise designated as confidential or information that would otherwise appear to a reasonable person to be confidential in the context and circumstances in which the information is known or used.

Treat confidential information accordingly and do not jeopardize potential disclosure through business or personal use of electronic communications systems, including email, text messaging, internet access, social media, and telephone conversations and voice mail.

Confidential information does not include an employee's terms and conditions of employment.

Employees must treat all confidential information as strictly confidential both during employment and after employment ends. To maintain the confidentiality of information, all employees must follow these protocols, except as otherwise provided in this policy:

- Employees are strictly prohibited from accessing and/or using any parishioner, student, family, and/or employee information for personal or non-business use.
- Employees should not access or use any confidential information to which parish/school has not provided the employee access or authorization to use.
- Employees should not directly or indirectly disclose, publish, communicate, or make available confidential information to any entity or person that does not have a need or authority to know and use the confidential information, except as required for the employee to perform authorized job duties or otherwise permitted by this policy.
- Parishioner, student, family, employee, and other sensitive information is confidential, and must be kept/stored in a secure location with limited access.
- Employees should not discuss confidential information in public spaces.
- In the event of an inadvertent disclosure of confidential information, employees must immediately inform their supervisor so that measures can be taken to minimize any potential damage.
- Departing employees must return any confidential information in the employee's possession to parish/school on separation of employment.

This policy is not intended to restrict employees' communications or actions that are protected or required by state or federal law.

Drug and Alcohol Policy

The parish/school is committed to providing a positive, safe, and secure workplace for its employees. Central to these goals is providing an environment which is free from the harmful effects of drug and alcohol abuse. This policy is adopted in furtherance of this vision and applies to all employees.

Employees are expected to be physically and mentally fit to perform their duties when reporting to work and when performing duties in the course and scope of their employment. In addition, no employee shall report to work or perform work-related duties while impaired by or under the influence of alcohol, illegal drugs, or other substances (including prescription medication) that would affect his/her ability to perform the job in a safe and efficient manner. Furthermore, employees are prohibited from using, possessing, selling, or transferring alcohol or illegal drugs on parish/school premises, in parish/school vehicles or during the workday.

Conduct in violation of this policy could jeopardize the safety of students, other employees or parent and could harm the parish/school relations and reputation with the public. Violations of the policy may therefore result in disciplinary action, up to and including immediate discharge, regardless of any progressive discipline policy that may be in place and regardless of the employee's past employment service history.

To ensure compliance with this policy, an employee may be relieved from his/her duties and may be asked to submit to a substance abuse screening in the following situations:

- If the parish/school has a reasonable suspicion that an employee is under the influence of alcohol or drugs in violation of this policy that could affect or have adversely affected the employee's job performance.
- If the employee has been using illegal drugs and/or alcohol during the course and duties of employment

Tests may include urinalysis, a blood test and or a breath screening/breathalyzer. Tests will not be conducted if an employee refuses to submit; however, refusal to submit may result in appropriate disciplinary action, including but not limited to immediate removal from service and/or immediate termination.

This policy does not prohibit pre-approved and responsible, moderate use of alcohol at parish/school approved activities and meetings, but only if students are not present and if supervision of students is not required later that same day. If the employee chooses to drink, the employee should do so in moderation and sensibly, should conduct themselves professionally, should never drive under the influence of alcohol, and should obey state and local laws concerning drinking and driving. If an employee is too impaired to drive, they are advised to choose an alternative mode of transportation such as a cab or rideshare.

The parish/school recognizes that drug and alcohol dependency and abuse can cause health, safety, and security risks. Employees experiencing problems with alcohol and/or drugs are encouraged to voluntarily seek assistance to resolve such problems before they become serious enough to require management referral or disciplinary action. If you have questions regarding this policy or issues related to drug or alcohol use at work, you can raise your concerns with your immediate supervisor or the pastor/principal. The parish/school will make efforts to help an employee who is seeking assistance for substance abuse problems by assisting in obtaining rehabilitation counseling or referral to appropriate programs that can address substance abuse issues.

Employment Relationship and Classification

Employees may be hired at-will or under a contract. An employee without a written contract is an at-will employee.

If a contract exists, an employer and employee must adhere to its terms and conditions including notice requirement; otherwise, there is a breach of contract. When a contract exists for a fixed period, employers have an implied obligation to discharge only for just cause. Whereas the phrase "at will" is just another way of saying "at the will of either party."

Employee Classification- Exempt vs Non-Exempt

The parish/school complies with the Fair Labor Standards Act (FLSA), which establishes status, minimum wage, overtime pay, recordkeeping, and child labor standards. Each job is examined according to its job duties, salary level and salary basis. Each employee is designated as either nonexempt or exempt under state and federal wage and hour laws for the purpose of determining benefits, eligibility, conditions of employment and compliance with the FLSA and applicable Wage and Hour Laws.

Nonexempt employees are employees whose work is covered by the FLSA. They are not exempt from the law's requirements concerning minimum wage and overtime.

- Overtime may be required due to the needs of the business and must be preapproved by the immediate supervisor.
- Employees who perform duties other than executive, administrative or professional work (as defined by the wage hour law) receive overtime pay of one-and-one half times their regular rate of pay for all hours worked over forty in any given work week.
- Official parish/school holidays, vacation, sick days, or personal days are not considered hours worked.
- The parish/school may compensate employees who work overtime in one of the following ways:
 - Offer equal time off in the same week, thereby not exceeding 40 work hours in that week.
 - Pay for hours of work in excess of 40 per week at 1.5 times the regular hourly rate of pay.

Exempt employees are expected to put in the time needed to accomplish the job, even in excess of 40 hours.

- An employee in an exempt position is not eligible for overtime pay and generally not eligible for compensatory time off for time worked in excess of their standard workweeks. This includes travel to and from conventions and seminars.
- The Pastor/Parish Director may alter the work schedule during the same pay period on a case-by-case situation for exempt employees who, because of critical project work demands (e.g., mission trips, camps, retreats, liturgical celebrations, etc.), must work extraordinarily longer hours for a brief period of time.
- Financial reimbursement will not be paid for unused compensatory time off.

Employee Classification Based on Work Schedule:

- Full-Time - Employees who regularly work a minimum of 30 hours per week for at least eight months of the year, and who were not hired on a short-term basis.
- Part-Time - Employees who work a minimum of 20 hours per week (but less than 30), for at least eight months of the year.
- Temporary – Employees hired for a specific task or project, usually involving fewer than 180 days, working for a limited number of hours per week, or a limited number of weeks per year.

NOTE: Full-time, part-time, or temporary classification affects eligibility for benefit offerings.

Orientation Period

New at-will employees and/or employees who move from one position to another must complete an initial training period of ninety (90) calendar days. During the orientation period, the employee is trained for his/her job and can become familiar with the day-to-day operation. The will determine if the employee has the necessary ability, skills, aptitude, and potential to properly perform the assigned work. Employees may have a longer orientation period based upon position and/or supervisor's discretion.

Compensation

All employees are assigned an hourly wage rate or annual salary when initially hired. This rate is selected based on the particular demands of the position, comparisons with other positions inside the parish/school, other parishes/schools and businesses within the diocese, and the experience and talents that the employee brings to the job.

Actual wage rates and salaries are an agreement between the employee and the parish/school and will normally not be disclosed by the parish/school without the approval of the employees. Exceptions to this would be in those instances in which budget planning or legal disclosure are necessary.

Wages will be reviewed by the parish/school at least annually. Adjustments may be made based on parish/school financial resources, internal and external wage and salary comparison, and each individual's overall job performance.

Pay Date

The parish/school payroll is computed and paid on a _____{*weekly, bi-weekly, semi-monthly, monthly*} basis. Employees will be paid by check or by direct deposit of funds to a checking account at the bank of their choice. It is parish/school policy that the employee paychecks will only be given personally to the respective employee. All other arrangements (mailing or pickup) must be made in advance and in writing. Requests for early distribution of checks will not be honored except for unusual situations approved by the Pastor.

FICA

The Federal Insurance Contribution Act (FICA) requires the employer to pay social security tax (part of which is Medicare Tax) for each employee. The tax is specified as a percentage of the gross salary. The employee's portion is withheld from the paycheck in accordance with the employee completed Form W-4. The employer sends the combined portions to a bank authorized to collect FICA and income tax withholding.

Voluntary Deductions

Please see your supervisor if you desire more information or if you wish to arrange for voluntary deductions for such options as credit union or 403(b) savings plans.

Work Hours and Recording of Work Hours

The normal office hours for the parish/school are from _____AM to _____PM, *Monday through Friday*. Individual work schedules may vary within or outside of normal office hours depending on the needs of the position and ministry, as determined by the supervisor.

The supervisor will communicate changes if needed during employment. In addition:

- Each employee should have a scheduled number of "core" hours each week, so that each position meets the needs of other staff, parishioners/parents, and supervisor. Changes in hours should be limited to unusual circumstances.
- Employees are discouraged from working out of their home, except in unusual circumstances.
- The supervisor will establish the practice for scheduling lunches and unpaid breaks in order to ensure adequate coverage on the job.
- In addition to the paid break time provided, employees may take a 30 or 60 minute unpaid eating period approximately half-way through their scheduled shift depending on schedules and the supervisor's discretion.

Minors must follow the hours in accordance with their work permit.

All employees are required to maintain a work record that is kept by the employer:

- Non-exempt employees must accurately record all hours worked each day, i.e., start time, lunch, and end time regardless of when or where the work takes place, and any time off on a weekly timecard, which may be in paper form or maintained electronically.
 - The timecard should include time taken for sickness, vacation, jury duty or court appearance duty, funeral, and unpaid leave of absence.
 - Checking and responding to employer emails, text messages and phone calls outside of scheduled work hours counts as work time unless the time is de minimus – seconds or minutes in duration and infrequent such that tracking is infeasible.
 - Employees may be required to receive approval from their supervisor in advance of doing work outside of scheduled work hours.
- Exempt employees are required to maintain a record for sickness, vacation, jury duty or court appearance duty, funeral and unpaid leave of absence.

Job Descriptions and Performance Evaluations

All full-time, part-time, temporary, and key volunteer positions within the parish/school have a job description. The job description identifies the major roles and responsibilities of the position, along with the skills, knowledge and ability that are required to perform the position. An accurate job description enables a clear understanding of the job and is a standard by which work performance is measured.

The supervisor will evaluate the performance of each employee annually, with interim reviews, as necessary. Employees should initiate conversations with their supervisors if additional ongoing feedback is needed. The purpose of the evaluation is to recognize the accomplishment, identify areas of improvement, and identify pertinent work-related personal development needs and opportunities. These reviews may include a written performance appraisal and discussion between the employee and the supervisor about job performance, improvement and development areas, and expectations for future performance and/or conduct.

Under normal circumstances, the parish/school endorses a policy of performance management in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. The supervisor may also administer a formal Performance Improvement Plan or progressive discipline for unsatisfactory performance. This policy does not modify the status of employees as employees at will or in any way restrict the company's right to bypass the disciplinary procedures suggested.

Employees should discuss changes/additional responsibilities with the supervisor and should inform the supervisor immediately if unable to perform all the duties expected.

Personnel Records

A cumulative personnel file is kept for each employee by parish/school office. Personnel records will be maintained in a confidential manner and are available only to parish/school representatives with a legitimate "need to know" unless disclosure is authorized or otherwise compelled by law.

Employees may inspect their own personnel files periodically, provided they make a timely and written request in advance. Records are not to be removed from the parish/school office and are normally viewed together with the supervisor/human resource representative. A request for any copies of any documents from the employee's file must be made in writing.

If an employee disagrees with any information contained in the personnel file, the employee may submit a written statement to the attached to the disputed portion of the file.

The employee's right to review his/her personnel file does not apply to:

- Records related to criminal investigation.
- Records of any pending claim between the employer and employee.
- Staff management planning.

It is important that employees keep their supervisors and the office informed of any changes in: name or marital status, address or telephone, number of dependents, tax deductions, and emergency contacts. The file is to be retained after the employee's separation from employment.

Criminal Records

All employment offers from a Catholic parish/school are contingent upon the results of both state and national background checks in accordance with Archdiocesan Safe Environment Program. All employees will thereafter have both state and national background checks and other requirement(s) completed at least every five (5) years.

Convictions and pending charges will be considered in the hiring process only to the extent they substantially relate to the circumstances of employment sought by the applicant.

If you are arrested and/or convicted of an offence that relates to your duties and responsibilities in your job description, you must inform your supervisor.

Physical Examinations

Based on Wis. Stat. § 118.25 all employees of the archdiocesan schools (principals, teachers, substitute teachers, and other personnel such as priests teaching in the school, janitors, teacher aides, cafeteria personnel, etc.,) are required to have a physical examination that “includes a screening questionnaire for tuberculosis approved by the department of health services and, if indicated, a test to determine the presence or absence of tuberculosis in a communicable form. Freedom from tuberculosis in a communicable form is a condition for employment.”

Evidence of the absence of tuberculosis in a communicable form should be submitted using Record of School Employee Examination (F-02284). Evidence of the absence of tuberculosis in a communicable form shall be submitted every seven (7) years thereafter.

The parish/school shall pay the cost of the examination, including X-rays and tuberculin tests if needed.

The Record of School Employee Examination (F-02284) is filed in the employee health file separate from the employee personnel file.

Maintenance and cemetery positions are usually the only positions required to have a physical examination and a drug test in addition to the screening questionnaire for tuberculosis.

Termination of Employment

Ending the employment relationship with the parish/school is classified as termination of employment. Terminations may be voluntary or involuntary. In both situations, the employee must return all property and information (confidential, technical, financial, etc.) belonging to the parish/school, e.g., computers, laptops, cellphone, tablets, USB drives, credit cards, keys, etc.

- Voluntary Termination of Employment
 - The employer requests at least thirty days advance notice prior to actually leaving a position. An exit interview may be conducted prior to the last day of work in which such things as health insurance continuation, return of keys, reasons for leaving, etc. will be discussed.

- Involuntary Termination of Employment
 - Involuntary terminations take the following forms:
 - Dismissal - Reasons for dismissal may include an unwillingness or inability to perform the requirements of the position, violations of standards of conduct/policies which necessitate severance, or other reasons. Dismissal may be immediate or within a time frame determined by the parish/school.
 - Reduction In Staff - Reduction in force (RIF) is an employment procedure with legal implications. Economic/Financial conditions, lower parishioner membership/student enrollment, or change in position responsibilities may require reduction in staff and reduce the employment status of an employee. RIF differs from termination for cause because affected employees may have the right to recall when conditions merit an increase in staff. In addition, a RIF reflects the demands of the employer not the individual employee's situation
 - Refer to #4532 in the "Parish and School Policy Manual".
 - Parish employees:
 - Procedure calls for a 2 week (14 calendar day) notice prior to effective date and eligible for recall for 12 months.
 - The following criteria for employees, other than teachers, will be considered and evaluated by administration in determining staff reductions or eliminations:
 - Practicing Catholic, if a ministerial position; maintaining qualifications as identified in applicable job description; performance evaluation documents; and seniority.
 - Non-Renewal Of Contract - Contracted employees are hired for a specific period of time. The contracts stipulate dates which non-renewal or renewal offers must be discussed.
 - Absent Without Notice - When an employee is absent from scheduled work for 3 consecutive days without notifying his/her supervisor, giving the reasons for such absence, or giving an expected return date, it is determined that the employee has voluntarily resigned. The effective date of resignation is the conclusion of the third consecutive day.

Health Insurance Continuation Following Termination

Under Wisconsin state law, if your employment terminates for reasons other than misconduct on the job, or if your marriage is dissolved due to divorce or annulment, you have the right to continue medical coverage under the group policy for yourself and your insured dependents until the earlier of:

- the expiration of eighteen months from the date your employment or marriage terminated;
- the date you are eligible for other group insurance;
- the end of the period of time for which you paid the group premiums;
- the date you move out of the state; or
- for a former spouse of an insured employee, the date the employee is no longer eligible for group coverage.

Your right to continue coverage under the group policy is in lieu of your rights under the Conversion Privilege provisions available to you at this time. The eighteen-month continuation privilege applies to medical only.

IN ORDER TO RETAIN YOUR BENEFITS UNDER THE GROUP POLICY, YOU WILL BE REQUIRED TO MAKE MONTHLY PREMIUM PAYMENTS TO THE EMPLOYER.

Workplace Conduct and Safety

In any organization, there are rules and responsibilities which contribute to a harmonious work environment for all employees. Cooperation and compliance are critical because the potential for scandal and parish/school embarrassment are perhaps greater than any other employer.

The 1983 Revised Code of Canon Law speaks of the personal responsibilities of those who work for the Church:

"Those involved in public ministries or who devote themselves permanently or temporarily to some special services of the Church are to bring the spirit of the Gospel to their daily work (canon 225,n.2); they are to work for the building up of the good of the people of God, as opposed to working only for personal gain (canon 226, n. 1); they are to share their expertise with the Church and with the Church's pastors (canon 228,n.2); where appropriate, they are to acquire a deeper knowledge of the sacred services (canon 229,n.2); they have a duty to live holy lives (canon 210). Those who are involved in the Church's teaching ministry are to have a deep respect for the Church's magisterium (canon 218). Teachers in Catholic schools are to be outstanding for their correct doctrine and integrity of life (canon 803,n.2).

Since the Archbishop presides over the diocesan Church and exercises on its behalf a special teaching, sanctifying and governing ministry, public ministers and those who devote themselves permanently or temporarily to some special service of the Church are expected to respect diocesan legislation, as well as the Church's general law, the 1983 Revised Code of Canon Law." (Source: Archdiocese of St. Paul and Minneapolis)

Code of Ethical Standards and Mandatory Reporting Requirements

The Code of Ethical Standards for the Archdiocese of Milwaukee was written in 1994 and revised in 2022. Employees must read, understand, and act within the standards outlined in this code. The code is available at

<https://www.archmil.org/ArchMil/Resources/2022CodeofEthicalStandards.pdf>

As a condition of employment, each employee is expected to acknowledge reading and understanding it by signing the acknowledgment form at the end of the code on paper and/or online through the CMG (Catholic Mutual Group) Connect platform.

All adults must comply with reporting responsibilities for any suspected abuse or neglect of minors, whether or not designated as a mandatory reporter under Wisconsin law. Mandatory reporting is available at <https://www.archmil.org/Resources/Mandatory-Reporting-Responsibilities.htm> .

Standards of Conduct

Teachings of Jesus' show us the correct use of body, speech and intellect, self-knowledge, self-responsibility, and an evolving self-image of proper self-love. His framework teaches us about what it means to come from a place of love for others as well as ourselves. Standards of conduct offer a brief overview of what is expected in terms behavioral standards.

The parish/school expects all employees to conduct themselves in a manner that reflects the highest standards of conduct, and in accordance with all federal, state, local laws, and regulations, and conduct as set forth in Code of Ethical Standards for the Archdiocese of Milwaukee. This policy covers any conduct that occurs in the workplace or at parish/school-sponsored functions.

The following offenses may result in termination on the first incident:

- Insubordination - failure to comply with an appropriate directive from a supervisor.
- Threats, including any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation.
- Using profane, obscene, or abusive language acts of physical confrontation, violence, or hostile communication with another employee, parent, student, parish member or individual outside the organization.
- Possession of weapons on school/parish property, or carrying a weapon of any kind while during work hours. The parish/school reserves the right to inspect all belongings of employees on its premises, including briefcases, purses and handbags, gym bags, and personal vehicles on company property.
- Harassment, discrimination, or conduct that creates a hostile, intimidating, or offensive work environment.
- Misrepresenting facts in obtaining employment, or intentionally falsifying documents or records.

The following offenses may result in disciplinary action, up to and including termination.

Examples include, but are not limited to:

- Unauthorized possession and/or use of or being under the influence of intoxicants or illegal drugs on premise or during work time.
- Unauthorized possession of property of a co-worker or the employer.
- Immoral or unethical conduct on the work premises or off the premises if the conduct has an adverse impact on the Church (e.g., intentionally downloading, viewing, soliciting, seeking, displaying, or distributing pornographic material on the employer's computers, networks, communications systems, and other IT resources, etc.)
- Negligence resulting in property damage or injury to self or others.
- Distributing non-work-related material, asking for signatures on petitions, soliciting contributions, or selling non-work related merchandise during work hours or on church/school property.
- Posting unauthorized materials on school/parish property.
- Intentional waste of materials or supplies.
- Unauthorized release of employer proprietary information to individuals, including any person or group outside the organization.

- Unauthorized or inappropriate access of voice mail, electronic mail, or computer files/data to others.
- Accessing internet websites that are abusive to individuals or groups, are sexually or violently graphic, or which is otherwise inappropriate in our workplace.
- Knowingly making copies of software without the expressed permission from the software company
- Excessive absenteeism and/or lateness.

Workplace Safety

The parish/school complies with all health and safety laws and regulations and is committed to maintaining a safe work environment. We rely on employees to be conscientious about workplace safety and to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to follow proper equipment operating methods, maintain a work environment free from hazards and unsafe conditions.

Employees must comply with all posted notices, safe practices related to the facilities they work in and job responsibilities.

Employees are required to know the emergency and evacuation procedures for weather, fire, acts of nature, or incidents such as violence, protests, or active shooter.

Employees who work remotely or who participate in work related activities at locations other than their normal assigned parish or school are expected to follow any additional location specific safety policies and procedures.

Employees must report unsafe conditions and hazards to the supervisor so that they may be addressed and are required to report property incidents and injuries immediately to the supervisor. Failure to report an incident or injury or falsification of a report may result in denial of Workers Compensation and discipline up to and including termination.

Safe Driving

An employee who drives as part of his/her job duties must: Hold a valid driver's license (non-probationary) for the class of vehicle, have a valid and current registration, and a valid and current license plate, is expected to carry automobile liability insurance in the name of the titleholder with the following minimum limits: \$100,000 per person and \$300,000 per accident, obey all traffic rules and regulations, inform his/her supervisor of any changes that affect holding a valid driver's license, be personally responsible for infractions or fines resulting from use of a personal vehicle while on business. The employee may wish to consult his/her insurance carrier if driving on behalf of the parish/school. All drivers must complete and comply with Catholic Mutual Safe Driver's course and must report any changes that may impact certification to the supervisor.

Employees must exercise due diligence to drive safely in accordance with applicable federal, state, and local laws, and to maintain the security of the vehicle and its contents. Employees shall not operate handheld or non-handheld cell phone or electronic devices unless vehicle is safely parked. Reading or texting while driving is strictly prohibited.

Smoke-Free Workplace

Smoking is not allowed in buildings or work areas at any time. "Smoking" includes the use of any tobacco products, electronic smoking devices, and e-cigarettes containing nicotine cartridges. Smoking is only permitted during break times in designated outdoor areas. Employees using these areas are expected to dispose of any smoking debris safely and properly.

Workplace Violence Prevention

The parish/school is committed to providing a safe, violence-free workplace for our employees. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at Church-sponsored functions.

Due to our commitment to a safe, violence-free workplace for our employees, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner.

All employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor/Pastor. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline because of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the parish/school, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

We prohibit the possession of weapons on parish/school property at all times, including our parking lots or company vehicles. Additionally, while on duty, employees may not carry a weapon of any type. The company reserves the right to inspect all belongings of employees on its premises, including briefcases, purses and handbags, gym bags, and personal vehicles on company property.

Progressive Discipline

Progressive discipline may be a verbal warning, written warning, suspension without pay, or termination. Depending upon the nature of the violation and the circumstances including, but not limited to, the employee's work record, past conduct, and the severity and impact of the conduct, one or more steps of the progressive discipline system may be repeated or skipped. In some circumstances, discharge may be the first step. The level of discipline is within the sole discretion of the employer. An employee may submit a rebuttal that will be put in the personnel file with the disciplinary notice.

Workplace Policies and Guidelines

Attendance and Dependability

The parish/school depends heavily upon its employees and therefore it is important that employees attend work as scheduled. Dependability, attendance, and punctuality are essential. As such, employees are expected at work on all scheduled workdays and during all scheduled work hours and to report to work on time as part of performance expectations. Failure to maintain satisfactory attendance may result in progressive discipline up to and including termination.

Employees must notify their supervisor in advance, and not later than one hour before his/her scheduled starting time, of unplanned occurrences of lateness or absence, and must confirm acknowledgement by the supervisor. The supervisor may indicate a preferred method of communication for reporting lateness or absences.

This policy applies for each incident of lateness or absence. An employee who fails to contact his/her immediate supervisor for three consecutive scheduled shifts of work may be considered as having voluntarily resigned.

Appearance and Dress

As representatives of the Church, employees are expected to present a professional image in terms of attire and grooming. When working, employees are expected to dress in a manner consistent with good hygiene and safety and suitable for the tasks required of the position. This includes a determination of the duties involved, contact with others, and the work setting. Overly casual attire and extreme styles are not acceptable and may include but are not limited to jeans, T-shirts with printed logos, shorts, tank tops, athletic clothing, torn or patched clothing, and flip-flops.

Non-exempt employees will not be compensated for work time missed if they must leave to change attire.

Expenses - Travel and Reimbursement

- The parish/school will reimburse employees for authorized business expenses provided the employee timely submits appropriate receipts and documentation. Any employee seeking to be financially reimbursed for expenses must receive written approval from their supervisor/pastor/principal prior to purchase.
- Reimbursable expenses include mileage and other transportation expenses (tolls, parking) for travel required by the individual's position. The mileage reimbursement rate will be set by the parish/school. Meal costs incurred during travel are generally the employee's expense unless special arrangements have been made and approved in advance.

Electronic Resources and Communications

This policy governs all IT resources and communications systems owned or available by and at the employer, and all use of such resources and systems including but not limited to: email systems and accounts; internet and intranet access; telephones and voicemail on wired and mobile phones; printers, photocopies, and scanners; fax machines, e-fax systems, and modems; all other associated computer, network, and communications systems, hardware, peripherals, and software; closed-circuit television and all other physical security systems and devices, including access key cards and fobs, and may provide other new technologies in the future.

This policy is not intended to restrict communications or actions protected or required by state or federal law.

Electronic devices such as computers, networks, communications systems, and other IT resources which are provided by the parish/school are intended for business purposes only (except for limited personal use as described below). Each user is responsible for using these resources and systems in a productive, ethical, and lawful manner.

Policies regarding the Code of Ethical Standards for the Archdiocese of Milwaukee, Standards of Conduct, confidentiality, unlawful discrimination, and privacy apply to the use of the employer's IT resources and communications systems. No one may use communications or computer system in a manner that may be construed by others as harassing or offensive based on age, race, color, sex, disability, national origin, or other bases protected by law.

The use of parish/school IT resources and communications systems by an employee shall signify his/her understanding of and agreement to the terms and conditions of this policy, as a condition of employment.

Cybersecurity, Access, and Passwords

Cybersecurity ensures information security for the parish/school and its employees, volunteers, students, parishioners, and other stakeholders. To mitigate risks of inadvertent data breach, hacking, or viruses, any use of company-provided communication technology tools should be reserved for business-related matters.

Employees should pay particular care to the physical security of portable electronic devices when used for business-related purposes, such as laptops, tablets, smartphones, and other data storage media, whether provided by the parish/school or the employee. Lost or stolen portable electronic devices containing organizational information may cause breaches of security that result in the loss of confidential data or the unauthorized disclosure of sensitive personnel data, lawsuits against the individual, and lawsuits against the organization.

It is the responsibility of each employee to adhere to IT security guidelines including but not limited to the creation, format, and scheduled changes of passwords. All usernames, pass codes, passwords, and information used or stored on the company's computers, networks, and systems are the property of the parish/school. Do not share usernames, pass codes, or passwords, with any other person. Employees should never sign on to equipment using the password or username of another employee. Employees may not use a method of encryption that has not been issued to that employee by the parish/school. Employees shall immediately inform their supervisor if it is suspected that IT security has been violated in any way.

Information transmitted through e-mail and the internet is not completely secure or may contain viruses or malware, and information transmitted and received could damage the parish/school IT systems, as well as the reputation of the organization. Sensitive information should not be sent via unsecured electronic means. To protect against potential problems, delete any e-mail messages (before opening) that are received from unknown senders and advertisers. If you are unsure if the email is safe, submit it to IT support to be analyzed and verified. It also is against policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on parish/school computers.

No Expectation of Privacy

All contents of the parish/school IT resources and communications systems are the property of the parish/school. Therefore, employees should not have an expectation of privacy in any message, file, data, document, facsimile, telephone conversation, social media post, conversation, or any other kind or form of information or communication transmitted to, received, or printed from, or stored or recorded on the employer's electronic information and communications systems. Employees should keep in mind that even if they delete an e-mail, a voicemail, or another communication, a copy may be archived on the company's systems. The parish/school reserves the right to monitor, intercept, and review, without further notice, employee activities using parish/school IT resources and communications systems, including but not limited to email (both outgoing and incoming), telephone conversations and voice mail recordings, instant messages, and internet and social media postings and activities.

Internal and external e-mails are considered business records and may be subject to federal and state recordkeeping requirements, as well as for discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the organization.

Downloading and Installing Software/Website Agreements

Email and downloading from the internet are prime sources of viruses and other malicious software. Therefore, no one may download or install any software or shareware to their hard

drive that is not expressly authorized by the employer. In addition, employees may not accept the terms or conditions of website agreement without first obtaining approval.

Communication Etiquette

Proper business etiquette with courteous and respectful service should be maintained when communicating on the telephone and/or via email and text messaging.

When writing business email, be as clear and concise as possible. Sarcasm, poor language, inappropriate comments, attempts at humor, and so on, should be avoided. When communicating via email or instant messages, there are no facial expressions and voice tones to assist in determining the meaning or intent behind a certain comment. This leaves too much room for misinterpretation. Email communications should resemble typical professional and respectful business correspondence.

Telephone and Voicemail

The employer provides telephone and voicemail systems for use in connection with performing job duties. Employer phones may not be used for commercial or political solicitation or to promote outside organizations.

BYOD – “Bring Your Own Device”

Some employees may need to use cell phones to conduct legitimate business. In these cases, the employee must be first authorized to use his/her personal cell phone for work purposes. An authorization letter shall be signed by both the employer and employee with a copy retained by both. Employees participating in BYOD are responsible for using their device in a manner consistent with the terms of the Electronic Resources and Communications policy. The employer reserves the right to monitor, search, review, and access any and all business-related communications or files created or maintained on an employee’s personal technology device for purposes of security, compliance with employer policy, and/or for business reason provided by law.

Email and Text Messaging

Employees are given access to email and/or text messaging systems for use in connection with performing their job duties. Avoid opening unsolicited messages and report any suspicious messages to the IT administrator. Delete all spam immediately. Do not reply to the message in any way, even if it states that you can request to be removed from its distribution list. If delivery persists, contact your IT administrator.

Internet and Social Media Use

The internet provides unique opportunities to participate in discussion groups and activities, and share information on particular topics using a wide variety of social media. Social media is technology that enables online users to interact and share information (including video, audio, photographs, and text) publicly or privately. The employer respects the right of any employee to use social media. However, to protect the employer’s interests and ensure employees focus on their job duties, employees must adhere to the general internet use guidelines and rules in this policy, and the following related specifically to social media use:

- Do not plagiarize or violate copyright laws.
- Remember that anything you post or send using social media, even outside the workplace, could reflect on the parish/school and Archdiocese, in addition to yourself, and might create legal liabilities for the employer or damage its professional and ministerial reputation and morale.
- To avoid the risk of the parish/school incurring legal liability or professional damage as a result of your use of social media, even outside of the workplace, remember that you are solely responsible for all content that you post or send. The parish/school prefers that you avoid identifying yourself as an employee, using work email address, or mentioning your employer.
- If your job duties require you to speak on behalf of the employer in a social media environment, you must be authorized by the pastor to act as an employer’s representative or must otherwise seek approval for such communication from the pastor.
- If your role works with youth in a school or program:
 - Do not, in any way, refer to, describe or post pictures/video of current, former, and/or potential students without first obtaining the written consent of the school and the parent(s)/guardian(s).
 - Do not “friend,” “follow,” “connect,” “subscribe,” and/or otherwise become linked electronically with:
 - Any current student of the parish/school without first receiving express written permission from the pastor/school administrator and the parent/guardian.
 - Employees are not to post any pictures of students on social media sites for personal use.
 - Do not tag a student in a photo. This prohibition includes their name and/or any identifying information.
 - Do not “check-in” on social media when traveling to any location outside of the parish/school with one or more students and/or where students are located for a parish/school related event.
 - Do not post any confidential, sensitive, or proprietary information about the school or any of its students, or personnel.
- All social media accounts used for purposes on behalf of the employer, including any and all content associated with each account, such as followers and contacts are owned by the employer. The employer owns all such information and content regardless of the employee that opens the account or uses it, and will retain all such information regardless of separation of any employee from employment with the employer.
- Any conduct that under the law is impermissible if expressed through any other public forum is also impermissible if expressed through social media.
- Do not post or send anything through social media that your co-workers, people who work on behalf of the employer, stakeholders, or those you serve, i.e., customers, parishioners, parents, etc. could reasonably find offensive, including ethnic slurs, sexist comments, discriminatory comments, defamatory language, obscenity, name-calling, bullying or threats of violence.
- If you are unsure about the appropriateness of any posting or communications, discuss it with your priest and refrain from making the posting or communication until you have had it approved.
- Keep in mind the speed at which information can be relayed through social media, and the

manner in which it can be misunderstood and distorted by readers and subsequent reposters.

- Use appropriate privacy settings whenever necessary, especially with respect to any personal profile you maintain online, and continue to ensure those privacy settings remain up to date over time. Remember, the internet is immediate and nothing posted is ever truly private nor does it expire.
- The employer will not be held liable for any lost, stolen, or damaged personal devices.

Personal Use of Company-Provided Email, Internet, and Social Media

Choose A:

Personal use of company-provided email and internet (including social media), and telephone or voicemail is never permitted.

OR Choose B:

Personal use of company-provided email, internet, and telephone is permitted on non-working time only so long as it does not involve unprofessional or inappropriate content and does not interfere with your employment responsibilities.

Inappropriate Use

You are never permitted to use employer IT resources and communications systems, including email, text messaging, internet access, social media, telephones, voice email for any inappropriate or unlawful purpose. This includes but is not limited to:

- Misrepresenting yourself as another individual or organization.
- Sending, posting, recording, or encouraging receipt of messages or information that may be offensive because of their sexual or racist content.
- Intentionally downloading, viewing, soliciting, seeking, displaying, or distributing pornographic material.
- Revealing proprietary or confidential information without authorization.
- Conducting or soliciting illegal activities.
- Representing your personal opinion as that of the employer.
- Interfering with the performance of your job or the jobs of other employees.
- For any other purposes that violates employer policies or practices.

Discipline

Employees who violate any provision of this policy are subject to discipline, up to and including termination of employment and/or legal consequences.

Group Benefit Plans

Health Insurance

{Provide a brief description of your plan offerings.}

Dental/Vision Insurance

{Provide a brief description of your plan offerings, if offered.}

Life Insurance

{Provide a brief description of your plan offerings, if offered.}

Disability Insurance

{Provide a brief description of your plan offerings, if offered.}

Pension Plan

All full time lay employees of the parish/school automatically become members in the Archdiocesan Lay Pension Plan after completion of one year of full-time employment. The employee pays nothing for this benefit. Contributions to the Pension Trust Fund are made for and in the name of the employee by the parish/school. Once five continuous years of continuous membership service (in addition to the one-year qualifying period), the employee will qualify for a lifetime pension when reaching retirement age. Pension payments will vary based upon years of service and other factors. **A summary booklet** explaining the plan in detail is available from the parish/school office.

Tax Sheltered Annuity - 403(b)

Provides an opportunity for parish/school employees to deduct a portion of their salary, and place it in a tax sheltered savings plan. This supplements the **Lay Employees' Pension Plan** and Social Security benefits and can provide additional retirement earnings.

Workers' Compensation

All employees of the parish/school are covered under provisions of the Wisconsin Workers' Compensation Act. The law provides for payment of medical expenses and wage loss incurred as a result of illness attributable to work or injury occurring in the course of work activities. Any such illness or accident must be reported promptly to your supervisor.

Church Unemployment Pay Program

Parishes and schools are exempt from federal and state unemployment taxes. The parish/school may participate in the Church Unemployment Pay Program. The program provides employees with a temporary pay continuation plan during the period of seeking new employment if an eligible employee's job is terminated. Compensation is granted in accord with the provisions of the plan. Contact the parish/school office for eligibility and benefit information.

Time off and Leaves of Absence

Vacation Benefits

Vacation benefits are provided by the parish to all full time and regular part time employees*. *Teachers and school personnel, unless otherwise stated in their contracts or employment letters, do not qualify because of the nature of their work schedules.

The following schedule determines your vacation benefits:

Years of Continuous Parish Service	Paid Vacation Available/Earned
<i>More than 6 months but less than 1 year</i>	<i>40 hours</i>
<i>One year completed but less than ____ years completed</i>	<i>80 hours</i>
<i>____ years completed but less than ____ years</i>	<i>120 hours</i>
<i>____ years completed and over</i>	<i>160 hours</i>

- Years of continuous service can be part-time or full-time.
- Part-time employees, depending on hours worked; receive a pro-rated amount of vacation compared to full-time employees.
- Employees switching from part-time to full-time work will receive half credit for each year of part-time work toward the full-time benefit.
- Vacation time is paid on the basis of the employee's regular workday (excluding overtime), and rate of pay at the time of the vacation.
- Vacation time should be taken in no less than _____ {*one hour, half day, full day, full week*} increments.
- Carryover of vacation benefits from one _____ {*anniversary year, fiscal year, calendar year, or year as defined by parish/school*} to the next is allowed only under unusual circumstances, approved in writing by the Pastor.
- Vacation dates are to be reviewed with your supervisor and any conflicts with the dates discussed. Written acknowledgement of approved dates are recommended at least one week in advance.
- Any employee who terminates and has more than one year of service receives pay for any vacation earned in the previous _____ {*same as previous blank: anniversary year, fiscal year, calendar year, or year as defined by parish/school*}, but not taken as of the date of termination.

Holidays

The parish will compensate full-time employees with time off with pay for the following holidays:

New Year's Day
Memorial Day
Fourth of July (observed)
Labor Day
Thanksgiving
Friday after Thanksgiving
Christmas

Those employees whose normal work responsibilities require them to work on these holidays may take an alternate paid day off within the two weeks following the paid holiday. Part-time employees who normally would work on a holiday will be given the day off with pay (their normally scheduled hours only).

Legal holidays which occur on a Saturday or Sunday will be observed either on the preceding Friday or on the following Monday, depending on the national observance.

NOTE: School employees are provided holidays only as specified in the school calendar.

Snow/Emergency Closures

It is the policy of the parish to remain open during most periods of inclement weather; however, where extraordinary circumstances warrant, the pastor reserves the right to close the facility. Employees will be notified by the pastor or his delegate whether to report for work or not.

Regardless of whether the facility is open or closed, it is each employee's decision as to whether it is safe to report to work during such weather. Employees must advise their manager or supervisor consistent with other parish/school policy if they are unable to report to work due to inclement weather.

If an employee elects not to report to work when facilities are open, the employee will be required to use his or her available paid time off or take leave without pay.

Whether the parish is open or closed, Non-exempt employees will be paid for all hours worked and may take available paid time off to compensate if they want to be paid for the time. Exempt staff will receive their regular salary for work performed; however, if the exempt employee does not come to work, the employee will be required to take available paid time off.

Teachers and school staff should follow separate instructions as provided by the school principal, as school closings often are dependent upon bus transportation issues.

Jury Duty and Court Appearances

An employee required to serve as a jury member or testify as a subpoenaed witness in a judicial proceeding who presents a court pay voucher to his/her supervisor will be compensated for the period of associated duty based on the difference between jury or subpoenaed witness fees (excluding food and mileage allowance) and the amount of the employee's normal straight-time earnings for that period. The employee should submit the jury fees to the parish/school and receive his/her regular daily wage. To be eligible for jury duty pay, an employee must be at work during regular working hours while not on jury duty.

Bereavement

All full-time and part-time employees who experience a death in their immediate family may be absent from work without losing pay for up to three days as needed to arrange for and attend the funeral. Immediate family is defined for this policy as: spouse, child, stepchild, parent, parent-in-law, stepparent, brother, sister, or a relative residing in the same household.

One day without loss of pay will be provided for all full-time and part-time employees who wish to attend the funeral of a grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, aunt, uncle, niece, or nephew.

Part-time employees are provided compensation only for scheduled work time missed. All employees are expected to notify their supervisor prior to taking funeral leave. Funeral leave does not apply when an employee is concurrently receiving any other form of compensation such as workers' compensation.

Funeral leave will not apply if you do not miss work, e.g., an out-of-state funeral which you do not attend or a funeral occurring on non-work days. Employees desiring additional time off without pay should seek assistance from their supervisor.

Sick Leave

We recognize that employees may occasionally need to take days off from work due to personal illness. The parish provides each full time employee with *days paid sick leave per* *{month, calendar year, anniversary year} of employment, accumulative to* *{e.g. 30, 60}* total days. These paid sick days are to be used when the employee is unable to report to work due to personal illness. They may also be used in those instances when the illness of a member of the immediate family prevents the employee from being able to report to work. Part-time employees working at least twenty hours per week also participate in this sick leave policy, but at one-half the level for full time employees.

To the extent an employee has control, medical appointments should be scheduled outside of working hours or at such times that allow for a minimal amount of time away from work.

Paid sick leave should be taken in no less than one half day increments. Accumulated paid sick leave is not paid to the employee at termination of employment.

An employee must notify his/her supervisor as far in advance as possible, but not later than one hour before his/her scheduled starting time if he/she expects to be late or absent. A message may be left on voicemail, but during the day, the employee must talk to his/her supervisor. This policy applies for each day of his/her absence. An employee who fails to contact his/her immediate supervisor may be considered as having voluntarily no show or as having resigned.

A careful record of absenteeism and lateness is kept by the employee's supervisor and becomes part of the personnel record. To the extent permitted by law, absenteeism and lateness lessen an employee's chances for advancement and may result in dismissal.

Use of paid sick leave does not preclude the parish/school from taking appropriate disciplinary action in the case of excessive absenteeism. The parish/school may require medical documentation for paid sick leave use of greater than three consecutive days.

Parental Leave

Requests for time off work due to pregnancy or birth of a child will be handled in the following manners:

Medical Necessity

When an employee is restricted from performing normal work duties because of medical concerns or complications during pregnancy and/or childbirth, leave time will be granted in the same manner as other medical conditions. Coordination between the employee, her physician and the parish/school is essential. As with other medical situations, documentation authorizing a release from work, a physician statement, and a return-to-work date is expected. A combination of accrued vacation, sick, personal days and unpaid leave may be used for this time away from work.

A fitness-for-duty statement should be required for an employee to return from a medical leave. Failure to provide the statement could result in a delay in the return to work.

Parental Leave Requests

Once an employee has been cleared by the physician to return to work, the employee is expected to return and continue regular duties. Either parent, however, may request an extended leave for childcare following the birth or adoption of a child. A combination of accrued vacation, sick, personal days and unpaid leave may be used for this time away from work.

Refer to Wisconsin and Federal Medical Leave Act for employers with 50 or more employees under the same tax identification number.

Medical Leave (Non-FMLA)

_____Parish/School understands that an employee may need time off when they incur an illness or injury to themselves and may provide time off in these situations. This policy covers other serious medical conditions including, but not limited to those related to pregnancy and

childbirth. This also includes employees acting in accordance with the Wisconsin Bone Marrow and Organ Donation Leave Act.

All requests for medical leave must be submitted to HR as soon as possible, generally at least 30 days in advance for foreseeable circumstances. **The leave request must be in writing.** The documentation should include an authorization for a release from work specifying the start and anticipated end dates of such leave, and a physician certification statement.

The length of time for a medical leave is up to ___days and must be approved by _____(Pastor, Principal...). Any additional time off for the leave must be requested in writing and supported by written certification from the treating physician. This extension must also be approved by _____(Pastor, Principal...) however, it cannot be guaranteed.

A fitness-for-duty statement will be required for an employee to return from a medical leave. Failure to provide the statement will result in a delay in the return to work.

When a medical leave ends, _____Parish will make every reasonable effort to return employees to the same or a similar position for which they are qualified. However, such assignments cannot be guaranteed. If employees fail to report to work promptly after the approved leave has expired, the Parish will assume they have resigned effective the date the leave commenced.

Contact Human Resources for more details.

Personal Leave (Paid and Unpaid)

Circumstances may require an employee to seek time off from work. Contact Human Resources for the necessary forms and policy details. Such requests are handled in the following ways:

- Personal Leave (paid)
Full-time employees are allowed to be absent from work without loss of pay for personal reasons no more *than* ___days per calendar year. The days may be taken in ___{*half day, hourly*} increments. There is no accumulation of days allowed and days not utilized are not reimbursable for cash payment. Notification of such leave should be made as soon as possible to the employee's supervisor.
- Personal Leave {*unpaid*}
Full-time or part-time employees may request time off work without pay for compelling personal reasons. Approval must be granted in advance by the employee's supervisor and the pastor. Request and approval will be in writing. Prior to formal approval of such leave, agreement must be reached between the employee and the parish/school reason for leave, length of leave, status of position when returning, and benefits during the leave.

Benefits while on Leave of Absence (non-FMLA):

Consult with Human Resources regarding the status of benefits during a leave of absence.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will continue for medical leaves through the end of the month where paid leave is exhausted. Should the leave need to extend beyond 30 days, employees will be responsible

for the full costs of these benefits through Continuation of Benefits if they wish to continue them. When employees return to work, the organization will again pay their portion of the benefit premiums according to the applicable plan(s). A combination of accrued vacation, sick, personal days and unpaid leave may be used for this time away from work.

Example:

- An employee on the St. Raphael Health Plan will maintain coverage of health insurance for the time out on leave while receiving PTO, sick pay or vacation pay, paying their portion of the premiums through the end of the month that paid leave is exhausted. If the employee has not returned to work by the end of that month, continuation of coverage must be offered to the employee via Insurance Continuation.
 - NOTE: See FMLA benefits section if the parish is covered by this law.
- If an employee's hours drop below 30 hours/week, and the employee is still an actively working employee, the employee would be allowed to remain on the active employee health plan roster but may pay 100% of the premium. If an employee drops below 20 hours/week, or is terminated, Insurance Continuation would be offered to the employee.

Military Leave

If an employee has written orders to be absent from work to participate in active duty or training in the Armed Forces, s/he will be granted unpaid military leave and may not be discriminated against for participating in such training. Employees on military leave may substitute accrued paid leave for unpaid leave. If an employee is required to participate in annual training to maintain status in the Armed Forces, he/she will be paid (up to 14 days) the difference between the regular salary and military leave pay if the salary paid by the parish/school is higher.

A returned veteran who meets the conditions of eligibility, will be re-employed in the former position or a position of like seniority, status, and pay with accumulated seniority for the period of the absence according to applicable law. An eligible veteran shall be restored at the status of employment that would have enjoyed if had continued work from the time entered the Armed Forces until the time returned. In determining the position to which shall be returned, the following principles will be considered:

- The purpose of the law is to assure a veteran will not be denied those changes and advancements that would necessarily have occurred simply by virtue of continued employment.
- As a returning veteran, the law does not guarantee the perfect reproduction of the civilian employment that might have been attained and may not lay claim to opportunities that might have flowed from experience, effort, or chance.
- A returned veteran is not entitled to demand to be assigned to a position higher than formerly held when promotion depends upon the employer's discretion, e.g., when qualifications are a factor.

To be eligible for re-employment rights, the employee must have left a position that is other than temporary; served in the Armed Forces no more than five years; satisfactorily completed a period of active duty. An employee is not eligible if discharge denotes bad conduct, is dishonorable, or is under conditions other than honorable; Make application within applicable legal time limits.

When entering active duty, the employee is allowed insurance continuation rights. For the first { } month(s) of such absence due to active duty, the parish/school will continue to pay its portion of the health insurance premium if the employee elects continuation coverage. Thereafter, if the employee and/or dependents elect to continue coverage, the coverage must be maintained at the employee's expense.

We comply with the requirements of the Wisconsin and Federal Family and Medical Leave Acts (FMLA). Generally, an eligible employee will be granted up to 12 weeks of FMLA leave during a 12-month period on a *{i.e., calendar year basis, rolling-forward basis, etc.}*. The leave may be *{paid, unpaid or a combination of paid and unpaid}*, depending on the reason for the leave and the benefits to which the employee may be eligible. This policy will be administered in compliance with the National Defense Authorization Acts of 2008 and Fiscal Year 2010 as they amend the Family and Medical Leave Act of 1993, and the regulations implementing the Family and Medical Leave Act of 1993 effective March 8, 2013.

State and federal laws differ in a number of areas, and the company will comply with both. When an absence qualifies as family leave under either state or federal law or both, the following rules apply:

- The employee is deemed to be exhausting his/her entitlement under both state and federal law concurrently; and
- The law most generous to the employee will apply.

The taking of leave under this policy will not be used against an employee in any employment decision, including the determination of promotions, discipline, compensation, etc.

Eligibility

To be eligible for leave under this policy, an employee must have been employed by the company for at least 12 months. In addition, in the 12 months immediately preceding the commencement of the leave, the employee must have worked at least:

- 1,000 hours to qualify under Wisconsin law; and
- 1,250 hours to qualify under federal law.

Amount of Leave Available

As stated above, an eligible employee is generally eligible for up to a total of 12 weeks of protected leave within a 12-month period on a *{i.e., calendar year basis, rolling-forward basis, etc.}* for any combination of reasons. It is possible that an employee could qualify for leave only based on hours worked under the Wisconsin law, which generally covers shorter periods of time than the 12 weeks provided by federal law. For Wisconsin leave purposes, the 12 month period during which leave must be taken is based on a calendar year. These situations will be discussed on a case-by-case basis with affected employees.

Types of Leave Covered:

- Birth or Placement for Adoption or Foster Care

Family leave will be available to eligible employees for the birth of a child or for placement of a child with the employee for purposes of adoption or foster care. Such leave must generally be completed within 12 months of the birth or placement (16 weeks to commence leave taken only under Wisconsin law).

- **Serious Health Condition of Employee**

An eligible employee who experiences a serious health condition, as defined by the state and/or federal law, may take medical leave under this policy. A serious health condition will generally occur when the employee:

- Receives inpatient care in a hospital, hospice, or nursing home;
- Suffers a period of incapacity of more than three consecutive full calendar days accompanied by continuing outpatient treatment/care by a health-care provider;
- Is pregnant, including severe morning sickness;
- Has a history of a chronic condition which may cause episodes of incapacity; or
- Has a permanent or long-term condition which requires continuing treatment by a health care provider.

Medical leave may be taken all at once or, when medically necessary, in smaller increments. The need for leave must be documented by the employee's treating health-care provider through the medical certification process.

An employee may be paid for all or part of a medical leave to the extent s/he is eligible for benefits such as short-term disability, if available and enrolled.

A fitness-for-duty statement will be required in order for an employee to return from a medical leave. Failure to provide the statement will result in a delay in the return to work.

- **Serious Health Condition of Immediate Family Member**

An eligible employee may take family leave under this policy in order to care for a son, daughter, spouse or parent with a serious health condition (see above section for general definition). The Wisconsin FMLA also covers the serious health condition of an employee's parent-in-law. This leave may be taken all at once or, when medically necessary, in smaller increments. It will be necessary for the family member's treating health-care provider to document the need for leave through the medical certification process.

- **Qualifying Exigency for Military Family Leave**

An eligible employee may take family leave under this policy while the employee's spouse, son, daughter, or parent (the "military member") is on covered active duty or call to active duty status for any qualifying exigency under federal law. This leave may be taken all at once or, in smaller increments. It will be necessary to submit a complete and sufficient certification for FMLA leave due to a qualifying exigency. Qualifying exigency leave may be taken by family members of **regular armed service members**, as well as family members of Reserve and National Guard members, provided the service member is **deployed to a foreign country**.

- **Military Caregiver Leave**

An eligible employee may take up to an additional 14 weeks (not to exceed 26 weeks total) of family leave in a single 12-month period under this policy to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by active duty) for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list.

A covered service member may also be a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy. This entitlement will be applied on a per-covered-service member, per-injury basis. The covered service member must be the eligible employee's spouse, son, daughter, or parent, or next of kin. It will be necessary for the covered service member's treating health-care provider, as defined by law, to document the need for leave through the medical certification process.

Notification of the Need for Family or Medical Leave

Generally, an application for leave must be completed for all leave taken under this policy. When the need for leave is foreseeable, the employee should provide notice at least 30 days in advance. When this is not possible, notice should be provided as soon as the employee learns of the need for leave. In cases of emergency, verbal notice should be given as soon as possible (by the employee's representative if the employee is incapacitated), and the application form should be completed as soon as practicable. Failure to provide adequate notice may, in the case of foreseeable leave, result in a delay of the leave. Leave application forms are provided by the administrator.

Calling in "sick" does not qualify as FMLA leave. An employee must provide sufficient information regarding the reason for an absence to know that protection may exist under this policy. Failure to provide this information as requested will result in the employee's forfeiting all rights under the policy. This means the absence may then be counted against the employee for purposes of discipline for attendance, etc.

Medical Certification of a Serious Health Condition

Generally, a medical certification will be required to verify that an employee or family member's illness meets the definition of serious health condition and to determine the nature and duration of the leave. In the case of a family illness, the provider must also verify that the employee is needed to care for the family member.

Periodic recertification to verify that a condition is ongoing may be required as provided by the law. The appropriate form should be obtained from the administrator and should generally be returned within 15 days. Failure to provide this certification may result in delay or denial of the leave.

If there is reason to question the validity of a medical certification, an employee may be required to provide a second certification from a health-care provider selected and paid for by the employer. If the second opinion differs from the first, a third opinion may be required. The health-care provider for the third opinion must be mutually chosen by the employee and the employer and paid by the employer. The third opinion, by law, is binding on all parties.

Use of Paid and Unpaid Leave

Both Wisconsin and federal FMLA mandates that an employer provide unpaid leave to eligible employees. *{However, an employee or employer may elect to substitute a paid benefit for which the employee is eligible in order for the employee to receive pay during the leave. In some cases, the employer may require that benefits, such as vacation, be used before the employee may take unpaid time. When paid benefits are substituted for the otherwise unpaid time, the employee is using the benefits concurrently with FMLA leave, and those benefits will not be available to the employee later. When paid benefits are substituted, the employee may be required to satisfy any procedural requirements of the employer's paid leave policy (for example, advance notice to use paid leave, use of paid leave in established increments, etc.)}*.

In cases where substitution of a paid benefit is not possible, the employee will receive reduced compensation consistent with the number of hours the person actually works.

Intermittent or Reduced Schedule Leave

Intermittent and/or reduced schedule leave will be permitted when it is medically necessary and, *{in some cases, for birth or placement for adoption.}* In all cases, the total amount of leave taken in *{indicate the designated 12-month period}* should not exceed the 12 weeks defined earlier in this policy.

Intermittent and reduced schedule leave must be scheduled with minimal disruption to an employee's job. To the extent an employee has control, medical appointments and treatments related to a serious health condition should be scheduled outside of working hours or at such times that allow for a minimal amount of time away from work.

An employee may be moved to an alternative position, with equivalent pay and benefits, in order to better accommodate the need for intermittent or reduced schedule leave.

Benefit Continuation During Leave

Coverage under group health insurance will continue while on leave, but employees must continue to pay their portion of the premium. *{Other employment benefits, such as group life insurance, AD&D, etc., will also be continued}* during the leave, as long as the employee continues to pay any required contribution. Premiums will be paid through employer's normal payroll deduction method. If the leave is unpaid, the employee must pay for the employee portion of the premium for coverage during the period of leave. All premiums for coverage are due no later than the first day of the month to which coverage relates. Payment arrangements will be discussed with individuals upon their request for leave. If an employee fails to return to work following an approved leave for any reason other than the continuation of a serious health condition, the employer may recover its portion of the premium paid for health plan coverage during the leave.

Additional Certifications

Employer may request that an employee provide additional health care provider certifications from a health care provider chosen, and paid for, by employer. Employer may request that an employee recertify as the continuation of the serious health condition at various points in time, at the expense of the employee.

Employees with chronic health conditions resulting in intermittent need for leave must provide certification regarding the chronic condition and continuing need for intermittent leave and/or unforeseen leave once every six months.

Rights Upon Return From Leave

An employee who takes leave under this policy will be reinstated to the same job or an equivalent position upon completion of the leave. If an individual has exhausted all leave under this policy and is still unable to return to work, the situation will be reviewed on a case-by-case basis to determine what rights and protections might exist under other company policies.

The law provides that an employee has no greater rights upon a return from leave than the individual would have had if s/he had continued to work. Therefore, an employee may be affected by a layoff or other job change if the action would have occurred had the employee remained actively at work. In

such cases, the official date of the layoff will mean the end of FMLA leave for the employee. If the employee is recalled, if FMLA leave is still required, it may then continue.

Workers' Compensation Absences

When an employee is absent due to a work-related illness or injury which meets the definition of a serious health condition, the absence will be counted against the employee's allotment of FMLA leave under federal law. In other words, the employee is using Federal FMLA leave concurrently with the workers' compensation absence.

Early Return from Leave

An employee who wishes to return to work earlier than originally anticipated should provide *{at least two days}* notice of such request. A fitness-for-duty certification may be required.

Disclaimer and Acknowledgment of Receipt of _____ **[Parish/school name] Employee Handbook, revised** _____ **[last revision date]**

This handbook is for all employees. This handbook supersedes any previous handbook or unwritten policies.

This handbook does not constitute a contract with any employee and does not modify the At-Will employee relationship between the employer and its employees. The handbook is not all-inclusive. The plans, policies and procedures described are not conditions of employment. While the employer will attempt to provide in advance any notice of any change, the employer reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures, in whole or in part, at any time with or without notice. The language in this booklet is not intended to create, nor is it to be construed to constitute a contract between the employer and any one or all of its employees. That is, employment can be terminated at any time at the will of either the employer or the employee.

Employee's acknowledgment

I have received my copy of the employee handbook. I understand that if I have any questions, I can refer to my supervisor or human resource representative. I also acknowledge that this handbook is not a contract of employment and that, without a contract of continued employment, either the employer or I may terminate my employment at any time with or without cause and with or without notice.

Employee's signature

Date

“Introduction” Analysis

This section is designed to let the reader know what this handbook is for, and what it is not for. This handbook is not an extension of any individual contracts nor is it an implied contract. The legal language is needed in this section to ensure that it is not construed as such.

The language in the sample introduction includes not only a contractual disclaimer, but also insures against parish/school agreements without the pastor's consent. In employment matters, there has to be a clear delineation as to who represents the parish/school. In this instance, it is definitely the pastor.

NOTE: If you plan to put a sunset date on this handbook, this is a good section to include it in. Simply state that this handbook is intended to be reviewed in its entirety before July 31, 2020. This ensures that the handbook is a living document and not just a dust collector on the shelf.

“Our Parish/School” Analysis

If employees are to get a sense of where the parish/school is headed, it is important to have a history of where it has been. New staff members can get an idea of what has gone into this parish/school community to make it what it is today. The history may include the year the parish/school was formed, building changes, ethnic make-up, active parish/school relationships, etc.

Sharing the mission statement unifies the staff in a sense of purpose, guides decision-making, and sets the tone to who we serve.

Organizational charts give employees a view of how they and their ministry fit into the parish/school structure. It also indicates their direct relationship to supervisory and peer positions throughout the parish/school. These charts help formally identify how employees relate to one another and it defines those responsible for performance review process.

The governance chart indicates to employees the way their special ministry fits into the overall parish/school structure. It points out that staff and the Pastoral Council and its committees both serve the parish/school and that a coordinated effort by both groups is needed to accomplish the overall mission of the parish/school.

“Equal Opportunity Statement” Analysis

Non-discrimination provisions are required by numerous state and federal regulations and are supported by Church teachings. The employment handbook for the Archdiocese of Milwaukee, Central Office Staff, states:

"As followers of Christ, we have a moral and social obligation by our example to eliminate unjust discrimination in our offices and in the Archdiocese, for it is necessary that the Church itself be just, and not only an instrument of justice.

We all must be personally committed to this policy if we are to help eradicate unjust discrimination."

You may have noticed that religion (or creed) is not listed as a factor of non-discrimination in the equal opportunity statement. This is because religious organizations may practice employment discrimination by favoring members of their faith.

In labor relations cases within a religious organization, the courts have attempted to balance the rights of employees against the rights of free exercise of religious beliefs. Parish/School positions involved in "passing on the faith," (i.e., religious education, clergy, teachers, liturgists) weigh more heavily on the side of free exercise of religious beliefs than would a church custodian or housekeeper. Employment decisions based on a religious bias become much less sustainable when applied to non-ministry positions.

Today's demographic studies show that the composition of the population in the U.S. is more diverse with different ages and cultures than it has ever been. Parishes/Schools wanting to go one step further than just pledging equal opportunity will want to develop an affirmative action plan. This means that the parish/school will actively recruit individuals that have different age, race, ethnic, socio-economic, and differing physical abilities.

As Catholics, we understand that each person is unique. It is moving beyond physical features and recognizing and embracing the rich dimensions in celebrating our faith. Creating an inclusive workplace means having safeguards against harassment and bullying.

Harassment can occur as a result of a single incident or a pattern of behavior where the purpose or effect is to create a hostile, offensive, or intimidating work environment. Harassment encompasses a broad range of physical or verbal behavior which can include, but is not limited to, physical or mental abuse, racial insults, derogatory ethnic slurs, unwelcome sexual advances or touching, sexual comments or sexual jokes, and/or requests for sexual favors used as a condition of employment or affecting any personnel decision such as hiring, promotion or compensation.

Harassment of any kind in an employment relationship cannot be tolerated by any employer, let alone a Church that stands on Christ's teaching of compassion and respect for others.

EEOC (Equal Employment Opportunity Commission) guidelines have become more clear in recent years on how an employer can develop safeguards against harassing behavior. Any harassment prevention policy should contain the following elements:

- The policy must be in writing and must be given to employees, either at training meetings or in the employee handbook.

- The policy must define what is harassment and what will not be tolerated.
- A complaint procedure must be established, and employees need to know who to talk with if they have a harassment concern.
- Supervisors should be trained in handling harassment complaints and know where to turn for assistance.

There must be a prompt and thorough investigation of each complaint. Any delay in investigating gives a message that the concern is not taken seriously. The investigation should be conducted as confidentially as possible, only involving those who can contribute to the resolution of the complaint. However, both the victim and the alleged harasser should be informed that while the investigation will be conducted in a confidential manner, it cannot be kept secret since the obligation to investigation may require that other employees be questioned about the allegations.

Take appropriate disciplinary action if unlawful harassment has happened. Communication of the outcome of the investigation to both the victim and the alleged harasser is critical. Emphasize that no retaliation for bringing the complaint forward will be tolerated.

Harassment is often confused with **bullying**. According to the Workplace Bullying Institute, workplace bullying is repeated, health-harming mistreatment that is threatening, humiliating, or intimidating, or prevents work from getting done. Workplace bullying is: driven by perpetrators' need to control the targeted individual(s), initiated by bullies who choose their targets, timing, location, and methods, an act of commission (doing things to others) or omission (withholding resources from others), requires consequences for the targeted individual, escalates to involve others who side with the bully, either voluntarily or through coercion, undermines legitimate business interests when bullies' personal agendas take precedence over work itself, and is akin to domestic violence at work, where the abuser is on the payroll.

Due to the harassing and bullying behavior, an employee feels defenseless. In harassment, state and federal laws are violated. In both cases, The Code of Ethics clearly states that all employees will be treated with dignity and respect.

Harassment and bullying are different than a tough supervisor. Harassment and bullying are linked to malice. Whereas a tough supervisor is focused on holding an employee accountability via performance and meeting standards. While conflict is involved in harassment, bullying, and tough supervisors, a tough supervisor uses two-way communication to mentor/coach with focus on the roles, responsibilities, and goals of the job.

Grievance procedures are designed to ensure that decisions are being made on an informed and consistent basis. A fair and just process upholds the dignity of all individuals involved and has the greatest potential to resolve differences. The employer needs to be committed to fostering a process to solve problems.

The parish/school must be committed to no reprisal against anyone who brings forth a concern.

Personnel policies are intended to promote equitable treatment of all employees. On occasion, however, claims that an employment condition is unjust or inequitable, or that a provision of the personnel policies has been improperly, unjustly, or inequitably applied may arise. If these situations

cannot be resolved to the mutual satisfaction of employee and employer, a procedure for resolution of the situation may be initiated.

“Employment Relationship” Analysis

Teacher and Principal contracts are to be for the duration of one year. For all other parish and school staff positions, the standard operating procedure is employment “at will.” In the event that a parish feels that an employment contract is necessary, approval (prior to execution) must be received from The Archdiocese Department of Parish and School Human Resources and by the parish Administrative Services/Finance Committee (or Personnel Committee). Under no condition is the employment or professional service contract for a period longer than one year.

There is often a great deal of confusion over whether an employee is "exempt" or "non-exempt," and whether they should be salaried or hourly.

The law that governs most of these regulations is the Fair Labor Standards Act ("FLSA"), also known as the Wage and Hour Law. Enacted first in 1938, it regulates such items as minimum wages, overtime requirements, and exempt/non-exempt classifications of employees.

This has a great deal of significance when deciding whether a position should be paid on a salary or hourly basis. If the position is determined to be exempt, then you must pay on a salaried basis. Non-exempt employees can be paid either a salary or as an hourly worker, but a non-exempt employee must include overtime possibilities.

Federal and state laws are clear; parishes/schools cannot ignore them without substantial risk. A common violation is to allow non-exempt employees to take "comp time" on an hour for hour basis, even weeks or months later. Parishes/Schools that allow this should be aware that they run a risk of wage and hour law penalties. Even if the employee agrees to the arrangement at the time, it creates the potential for legal problems in the future.

When non-exempt employees are paid on a salary basis, you will have to convert the salary to an hourly rate in those weeks that overtime occurs. Example: a parish secretary is paid \$800 bi-weekly and works a normal 40-hour work week. If the secretary is asked to work four hours overtime one week, you would convert as follows:

\$800 divided by 2	=	\$400 (weekly rate)
\$400 divided by 40	=	\$10.00 (hourly rate)
\$10.00 x 1.5	=	\$15.00 (overtime rate)
\$15.00 x 4 hours	=	\$60.00 Total paid to employee for four overtime hours

Deductions from pay are permissible when an exempt employee is absent from work and they have used all their accrued vacation, sick, personal days, etc. Exempt employee's salary must not be deducted by the hour. The employer will lose the exemption if it has an “actual practice” of making improper deductions from salary. Other deductions from an exempt employee's pay are allowed:

- When an employee is absent from work for one or more full days for [personal reasons](#) other than sickness or disability;
- For absences of one or more full days due to [sickness or disability](#) if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness;

- To offset amounts employees receive as [jury or witness fees, or for temporary military duty pay](#);
- For penalties imposed in good faith for [infractions of safety rules](#) of major significance;
- For unpaid disciplinary suspensions of one or more full days imposed in good faith for [workplace conduct rule infractions](#);
- In the employee's initial or terminal week of employment if the employee does not work the full week, or
- For unpaid leave taken by the employee under the Federal [Family and Medical Leave Act](#).

What kinds of deductions are not allowed? Deductions for partial day absences generally violate the salary basis rule, except those occurring in the first or final week of an exempt employee's employment or for unpaid leave under the Family and Medical Leave Act. If an exempt employee is absent for one and one-half days for personal reasons, the employer may only deduct for the one full-day absence. The exempt employee must receive a full day's pay for the partial day worked. Other examples of improper deductions include:

- A deduction of a day's pay because the employer was closed due to inclement weather;
- A deduction of three days' pay because the exempt employee was absent for jury duty;
- A deduction for a two-day absence due to a minor illness when the employer does not have a bona fide sick leave plan, policy, or practice of providing wage replacement benefits; and
- A deduction for a partial day absence to attend a parent-teacher conference.

Each parish/school is to have a process in place to analyze, plan and provide fair and appropriate employee pay and benefits. As the Catholic Church, there is an obligation to provide employees with a living wage that is based upon the skills, knowledge, qualifications and requirements of the assigned parish or school position. The following outline provides some practical applications that may prove useful in **compensation analysis** and planning.

A demonstrated commitment to fair compensation practices is the responsibility of each parish/school. Parish/School leadership should be talking about their pay and benefit practices in a proactive and analytical fashion. The remuneration of employees is not purely a budgetary process. It is an evaluative approach to valuing employees with quantifiable measures that should be made. A systematic wage and salary plan should exist for each position with a wage scale that is directly related to a position's job description.

Each parish/school shall have a process in place where, at least annually, local pay practices are reviewed, and comparisons internally and externally are made. The local Personnel Committee*, with input from respective committees, may have the responsibility to analyze local pay and benefit practices. Final compensation recommendations are presented to Finance Council for approvals and implementation. The analysis cannot be limited to the question of affordability. A narrow review will be a barrier to recruiting and retaining qualified staff. A proper analysis will include a strategic review of pay and benefit comparisons, assessment of variances, financial impact and goal setting.

The Archdiocesan Education Policy 4310 which establishes the compensation goal of 80-100% of parity with public sector pay practices, pertains to school. This policy has helped some schools become more competitive in the job market. Other positions within the parish/school that are not

affected by this policy could be looked at in the same light. Consistency in pay practices directly impacts employee morale and retention.

*Note: The Personnel Committee may be a separate standing committee of the Finance Council or a subcommittee of Administrative Services. Specific personnel functions may also be handled by other Pastoral Council committees in their areas of expertise; but these need to be clearly defined in writing.

Payroll frequency must be defined in an employee handbook, i.e., weekly, bi-weekly, semi-monthly, monthly. Any changes in payroll periods should be carefully communicated to employees and the motivation for such changes clearly addressed.

There is no federal law that requires employers to **pay employees' expenses** when employees use their own vehicles for business purposes. However, employers must ensure that employees who drive their personal cars for work do not incur expenses that would drop their pay below minimum wage. The IRS standard business mileage rate is generally used by employers when determining the amount to reimburse their employees.

If you do reimburse employees for meals and parking, make it clear before they leave whether you require receipts. Another way to handle meals is to pay a supplement, recognizing that employees would eat anyway, but probably not at the higher prices often associated with meetings and conferences.

(School-Year Employees) Teachers and others who work only during the ten-month school calendar, generally are paid on either a ten month or twelve-month basis. The parish/school has the option of paying everyone over ten months, or allowing employees to choose individually if they wish to spread their wages over twelve months. The parish/school cannot force an employee to be paid over twelve months for ten months of contracted employment.

Questions often arise over the **use of contracts** for parish and school employees. Reference Policies and Regulations of the Office for Schools, Policy #4210 Offer of Employment. Contracts for Principals and Teachers are available to authorized school personnel online at the Archdiocesan website.

The **working hours** of parish/school employees are varied both in days worked and hours spent. Evening and weekend hours are standard for many positions within the parish/school. Because of this, the perception of parishioners and other staff often is that an employee is always working or never around, depending upon when they happened to look for them.

Having employees keep a schedule of general working hours, including a certain number of office hours when people can locate them, is desirable. This can counter the complaint that "I can never find them in. Don't they ever work for their pay?" Certain jobs such as liturgist, musicians, DRE's and Youth Ministers are particularly at risk in this regard if they don't make an effort to inform people of their schedule.

Working at home is discouraged for basically the same reasons. The perception of other staff and non-employees is that the employee is taking advantage of the job's flexibility. Over time, this perception can become a resentment that is unhealthy for a staff that must work together to be

effective. If an individual must work at home, ensure that it is for a specific reason (i.e., home computer, temporary disability) and for a limited duration.

Employers are not required by either state or federal law to provide break periods to employees. (Exception - Wisconsin law mandates employees under 18 years of age must receive at least a thirty-minute duty free meal period when working a shift greater than six hours in duration.) The law does not require that brief rest periods, or coffee breaks, be provided to employees. Such matters are to be determined between the employer and the employee directly.

Lunch breaks should be discussed with all employees so they know the policy. In Wisconsin, any break of less than 30 minutes in duration must be paid. Thus, to offer employees an “unpaid” lunch, they must be given at least 30 minutes, and must be free to leave the premises. An unpaid lunch break in which the employee has a responsibility to answer the phone or greet visitors is not legal.

If a minor is hired, **Wisconsin Employment of Minor Guide** must be followed regarding: work permit, hours, and time of day able to work, and timecards.

Note on Volunteers: Volunteers, however, are not covered by Workers’ Compensation. This is a WI Law.

Therefore, volunteer work should be limited to non-construction activities. Some examples of acceptable volunteer work would be painting (not on scaffolding or tall ladders), minor non-structural carpentry, and minor janitorial work, i.e., sweeping, buffing, dusting, lawn work. These activities can be done by a volunteer if they are not performed on a regular or routine basis, i.e., weekly, monthly. In cases where there is a routine necessary to perform work adequately, an employee should be hired.

It is also possible for workers to assist in the mission by voluntarily accepting lower compensation. However, this gesture of charity should be initiated by the worker and not imposed. When this situation occurs, it is highly recommended that the employee be compensated respectively and in turn the employee donates back the desired financial amount. Each transaction should be kept separate and should be financially traceable.

Accurate **job descriptions** are critical. They allow the employer (parish/school) a chance to determine what specifically it wants accomplished by this position. For the employee, it ends the confusion of not knowing what they were really hired for.

The job description serves many purposes including:

- Serves to facilitate the design of the position - defines the responsibilities and activities of the position.
- Serves to communicate a clear understanding between the employee and the supervisor of the major responsibilities of the position and the skills, knowledge and ability necessary to perform these.
- Serves as the primary vehicle from which performance criteria are established.
- Serves as a valuable tool in the effective recruitment, selection and placement of new employees and the career development of existing employees.

- Helps to establish appropriate position titles which will best represent the content and responsibility level of positions, considering titles of similar positions inside and outside of the parish.
- Serves as a guide for the performance review discussion resulting in objective job related performance discussions.

Job descriptions can and do change. They are not written in concrete. If changes are to be accepted and embraced by the one who matters most, the incumbent, proper consultation and consensus building must be established early on. This is especially important when working with contracted employees, where the job description is often a part of the agreement.

For many employees and supervisors alike, the **annual appraisal** is about as popular as a trip to the dentist. It does not have to be that way. Just as the dentist cannot do much for your teeth if you do not brush and floss regularly, an annual appraisal without regular ongoing communication is not going to improve or inspire better performance.

A supervisor must meet regularly to observe, listen, and offer encouragement and suggestions. Doing so will give employees a clear understanding of where they have succeeded and where improvement is needed. The annual appraisal will not be a shock and will not serve to further strain relations.

Scheduling time with each employee is an essential function of supervision. Depending upon the employee's position, you may want to meet quarterly, monthly, or even weekly. A half hour with each employee regularly will give you information about what they are doing, give you insight on new ideas, and allow you to pass on observations by yourself and others. If you do not think you have enough time for this task, think how much time you spent dealing with the last employee "crisis."

Following are some other suggestions to consider in conducting performance planning and appraisal:

- Set dates for the formal written evaluation well in advance. Do not let the employee feel it just came up because of a recent complaint or criticism.
- Employees should see the evaluation tool before actual use. Allow them to comment on how appropriate it is for their position.
- Keep "incident notes" throughout the year. These notes are placed in the file after you compliment staff on work well done, or discuss a problem.
- An evaluation should produce no surprises. Prepare the employee on what to expect during this already stressful time.
- Set aside enough time for the evaluation without interruption. Hold it in a neutral setting.
- Address the past and concentrate on "what now."
- Employee and supervisor **must** sign and comment (if any) on the evaluation form itself.
- End the evaluation by setting the next date. Plan to meet again within the next several weeks to plan goals and objectives for the new evaluation year. This planning phase is critical to insure that employees and supervisors know what is expected of them.
- Let them know: Who is going to evaluate? How is it going to be done? When will it take place? What will be evaluated? Why this emphasis on evaluation?
- Be critical of the employee's performance if necessary, but do not make it a personal attack.
- Allow employees to comment in writing on any areas where they take exception and include that with the formal evaluation.
- When an employee is not meeting expectations, a specific improvement plan should be jointly developed.

- Above all - be **HONEST!** An unduly favorable evaluation disserves the employee **and** the parish/school, and can lead to horrendous problems if termination and litigation occur later.

Personnel files are often a mystery for both employer and employee. Employees often think all kinds of personal information is stored away, just waiting to be used for or against them. They are often surprised to find out how little is actually saved.

Employers frequently ask what should be retained and what should be removed. Besides the items mentioned in the model language section, make sure that someone in the parish/school is retaining wage and hour information for each pay period. These may be required by the state for audits of minimum wage, overtime, and for unemployment and pension purposes.

Wisconsin law allows employees (and former employees) to inspect their personnel records at least twice each year. You may require that the request be in writing and you have seven (7) working days to grant the request. There are several items that state law specifically excludes from mandatory inspection. They include:

- investigation records of criminal offenses.
- reference letters.
- test documents.
- materials dealing with staff management planning.
- personal information concerning another employee that could, if released, be an invasion of privacy.
- records relating to a pending legal claim that would be discoverable in court.

The employee has a right to request copies of any item inspected, for which a reasonable fee can be collected by the employer.

In terms of **criminal records**, reference the link for Archdiocesan requirements https://www.archmil.org/ArchMil/Resources/Safeguarding_BackgroundChecks.pdf

When you conduct a criminal record check of your employee/potential employee, your hope is to get an empty record. But, what if you do not? Check for accuracy on the first, middle, and last name, social security number, date of birth, etc. Occasionally, record results are sent that match with the name, but may not match with other available data. Make sure you have the right match.

If you discover that your candidate or employee has a criminal conviction, consideration must be given to whether it substantially relates to the position held.

Since 1-1-94, the Archbishop has directed that any offer of employment from a Catholic parish or school, in which the employee's regular responsibilities include contact with children, will be contingent upon the results of a criminal records check. This policy was implemented to ensure, as much as reasonably possible, a safe environment for our children involved in school and parish activities. The policy states that convictions or pending charges will be considered in the hiring process only to the extent they substantially relate to the circumstances of employment sought by the applicant. Convictions or pending charges which are discovered by this process that do not substantially relate to the applicant's employment, or past arrests that did not result in a conviction, should not be considered in the hiring process, in accordance with Wisconsin law. Pastors/Parish

Directors and Principals are urged to contact the Director of Parish and School Human Resources with any questions concerning what to do with information disclosed by a criminal record check.

Criminal background checks shall be performed on volunteers or contracted services staff that are responsible for the consistent and direct care of children, and who are performing duties normally performed by a paid staff member.

“Conduct” Analysis

The listing of **standards of conduct** could be expanded as needed. The items listed in the model language are rather broad, but a parish/school could develop a more specific listing if desired. Many times an employer will list examples of conduct which could result in immediate disciplinary action, up to and including discharge.

The guidelines serve as a resource when considering the **termination** or non-renewal of a staff member. They are listed to ensure that staff are treated with a process that is just (in following Catholic social teachings) and legally prudent. None of the guidelines or recommendations are meant to imply or create any contractual guarantee to the employee. Final implementation of any of these guidelines are vested with the parish/school administration.

It should be clear, however, that it is our actions, and not just our guidelines which will determine whether the Church is a fair and just employer. By ensuring that terminations and non-renewals are based on valid and just reasons, may protect in the legal forum and from charges of hypocrisy.

Contract employees may not be terminated without good cause. Employees who are not under an employment contract or whose contract is up for renewal, although legally "at will" employees subject to termination for any reason, should be given the same consideration with respect to termination of employment; that is, the cessation of the employment relationship should only occur with good cause.

What constitutes "cause" for termination will vary with the circumstances of each case. In some situations, there may be an unwillingness or an inability on the part of the employee to perform the requirements of the position. In other cases, there may be violations of standards of behavior or other policies of the employer, which necessitate severance. In still other cases, specific economic conditions may require reduction in force. Whatever the circumstances, the parish/school should strive to ensure that every termination or non-renewal is based upon valid and just reasons.

Much time and many resources are devoted to recruiting, hiring, and training employees. For this reason, in those circumstances in which it is appropriate, the employer should make every effort to apprise the employee of shortcomings in performance, violations of appropriate standards of behavior, or other deficiencies and provide an opportunity to rectify the problem prior to termination.

Advance notice in the form of progressive discipline/Performance Improvement Plans (PIP) or evaluations may not be possible nor even appropriate in every case. However, advance notice ordinarily should be utilized as a basic element of fairness, remediation, and in recognition of the employee's past service to the parish/school.

Ideally, an employee will respond to coaching and feedback that is provided on the spot and in formal 1:1's. If not, and if poor performance or behavior continues, documentation of coaching and feedback may establish a pattern and/or show the employee's resistance or inability to make the change.

When performance does not improve because of feedback and coaching, the supervisor may consider administering a Performance Improvement Plan, or a step of discipline. The intent of formal discipline is to clarify that the consequence of not improving performance or behavior may result in additional discipline up to and including termination.

Documentation of meetings and conversations with the employee should include:

- The date of the meeting/conversation.
- Who was present in the meeting/conversation.
- The expectation or policy that was not met/followed.
- Detailed description of the behavior or performance issue (what/when/where...)
- Expectation or performance/behavior needed in the future.
- The consequences of failing to meet the expectations.
- Confirmation that the employee understands (verbal)

The progressive performance management steps for an at-will employee may include:

- **Documented Verbal Warning** - If previous discussions have not produced the desired change in job performance or conduct, a verbal warning may be issued.
- **Written Warning** - If the desired changes have not taken place or an acceptable performance level has not been sustained, a written warning may be issued.
- **Suspension or Probation** - Suspension is relieving an employee from work with or without pay. The length of time for a suspension will depend on the nature or severity of the behavior (usually 1-10 days). Suspension or probation are different options but are considered at the same level of progressive discipline. A probation should include a performance improvement plan.
- **Termination/Resignation*** – If progressive discipline has failed or the particular circumstances warrant, termination will result. The employee will be informed of the decision to terminate the relationship and may be given a written notice of the dismissal stating the causes and the effective date. Except under extenuating circumstances, the employer will not rehire an employee who is terminated for workplace misconduct.

An employee's signature on a document demonstrates that they read the document, and only demonstrated that they understand and agree if that language is included in the document. Therefore, it is always a good idea to confirm understanding and agreement verbally and then documenting the response in the meeting notes.

When considering termination or non-renewal of a staff member, the parish/school should be able to respond 'yes' to the following questions:

- Are the expectations and job responsibilities clear, directly tied to a documented work expectation, policy, or job responsibility?
- Can you prove that the expectations and job responsibilities are understood by the employee?
- Has the employee been given formal/documented feedback regarding the job-related performance or behavior issue?
- Have underlying root causes been identified and addressed without success through training, coaching, relationship building, work process improvement, improved communication, decision making, work planning or prioritization?
- Have underlying personal or health issues been identified and addressed including accommodations for protected disabilities?
- Has there been recent two-way verbal conversation to problem solve?
- Has the situation been documented in a performance evaluation/formal meeting and in the form of a PIP for contract employees or as part of progressive discipline for at-will

employees?

- Has the employee been given sufficient time but still failed to demonstrate improvement?
- Are there risks associated with continued employment?
- Has the Archdiocese Director of Parish and School Human Resources been contacted and do they approve the termination?

If there are issues in a person's personal life impacting the job and the person is ineffective, an employee assistance program may be recommended to assist the employee to improve his/her work performance. Some parishes/schools offer a paid employee assistance program. In cases where the parish/school does not have this benefit, you may wish to refer the individual to resources in the community, e.g., Catholic Charities.

The parish/school may also invite employee to resign his/her position. This may help the employee in applying for future positions. If the employee chooses to resign, the resignation should be written and signed and dated.

A person who is terminated due to poor performance is eligible for unemployment through the Church Unemployment Pay Program. However, unemployment may be denied due to misconduct. It is required under state law that you inform employees of their right to continue or convert group health insurance. Each employee covered by a group plan should be given written notice prior to termination.

If a termination decision is made, please know that an employee has the benefit of using the Grievance Procedure if they disagree with matters of policy and/or administrative decisions (see Parish and School Policy Manual paragraph 4540 *Employment Grievances*). Thus, when an employee termination is made, that does not necessarily mean there is immediate closure.

***Prior to taking an action that will result in a dismissal or termination** (including a RIF and non-renewal of contract), the employer must have sought and followed the advice of a qualified attorney or other professional person that Catholic Mutual has approved. The Archdiocese's human resource professionals who are approved to consult on dismissals or terminations are Director of Parish and School Human Resources and Director of Human Resources for the Central Office. If the employer decides to follow a different direction and legal action is taken by the terminated employee, there is a good chance that the archdiocesan insurance company will not cover the legal action.

Termination Meeting

Making the decision to terminate an employee, especially a long-term employee, is one of the most difficult decisions a manager can make. What managers dread most is giving the unwelcome news to the employee face to face. However, to act managerial and pastorally, there really is no other way. To help make the meeting between the supervisor and the employee more productive, listed below are some suggestions to prepare you for the exchange.

Considerations before the termination meeting:

Plan to have one other person when meeting with the employee. It provides a witness to what is said, gives support when delivering the message, and enhances safety if anger/violence is anticipated. Prepare for financial questions, i.e., unused vacation pay, severance pay, unemployment, insurance continuation, and potential outplacement, availability of final paycheck, and exit interview. Wisconsin law (Wisconsin Statute 109.03 (2)) requires payment of compensation no later than the next regularly scheduled date of pay for employees who resign, quit, or are involuntarily terminated by the employer.

If the termination is effective that day, obtain keys, phone cards, computer access codes, equipment used by the employee but owned by the church. If necessary, arrange for a time (after hours, or on the weekend) when the employee can be accompanied to clean out their office and take home personal effects.

Considerations during the termination meeting:

- Clarity that employment is terminated and when it is effective.
- Briefly, give the employee the reasons for this decision. Remember that it should not come as a surprise.
- Avoid the three "A's": Do not give Advice; Do not Argue; Do not Apologize.
- Acknowledge the feeling that the employee is showing but remain firm in the decision.
- Keep the meeting brief.
- Script out reactions to their possible reactions i.e., anger, denial, "one more chance", threats.
- Keep the person's dignity in mind and wish them success in the future.

“Workplace Safety” Analysis

Establishing workplace-safety committee is one way to encourage employees to participate in implementing and monitoring a safety program. Typical topics include: safe practices in case of a fire, tornado, accident investigation, and promoting health and safety issues.

In addition, resources such as the U.S. Department of Homeland Security (DHS) may enhance preparedness The Department of Homeland Security (DHS) provides a variety of no-cost resources to enhance preparedness and response to an active shooter incident. To access this course, please visit the Federal Emergency Management Agency (FEMA) Emergency Management Institute online training website at <http://www.training.fema.gov/is/crslist.aspx> and type Active Shooter in the search bar. Active Shooter Preparedness Workshop Series.

“Employee Benefits” Analysis

Health insurance can be offered to employees from an Archdiocesan group plan or a private contract. You cannot do both.

A resolution on mandated health insurance was passed by the Archdiocesan Council of Priests and the Archdiocesan Pastoral Council and signed by Archbishop Weakland on September 27, 1990. The resolution stipulates that all parishes shall offer health insurance to full time employees (30 hours or more per week and for eight consecutive months per year), and to ongoing part-time employees working at least 20 hours per week.

In 2001, the Archdiocesan Council of Priests and the Archdiocesan Pastoral Council approved adoption of mandatory minimum employer premium contribution levels for full-time employees in their group health plans. These levels were set at a minimum of 85% for single coverage and 70% for family coverage for full-time employees. Furthermore, all parishes/schools will make entry into the health plan available to employees working at least 20 hours per week. Employer contributions are optional for part-time staff working 20-29 hours/week. If an employee works for several Archdiocesan parishes/schools, the total cumulative hours worked should be recognized when determining full-time status.

It is important to define how health insurance is affected while an employee is on paid sick leave, personal paid leave, or unpaid extended time off. Example:

- An employee on the St. Raphael Health Plan will maintain coverage of health insurance for the 12 weeks while out on leave, paying their portion of the premiums. If the employee has not returned to work after the 12 weeks of leave, continuation of coverage must be offered to the employee via Insurance Continuation.
- NOTE: If a location is not subject to FMLA, then Insurance Continuation would begin the first of the month once all sick and vacation time is exhausted.

If an employee's hours drops below 30 hours/week, and the employee is still an actively working employee, the employee would be allowed to remain on the active employee health plan roster, but may pay 100% of the premium. If an employee drops below 20 hours/week, or is terminated, Insurance Continuation would be offered to the employee. The employee may find a more affordable health plan with the Affordable Care Act.

Call information on all benefits with the Archdiocese of Milwaukee, contact the Benefit Administrator.

Parish/School Benefit Plans and Men and Women Religious

Effective July 1, 1987, Archbishop Weakland implemented a policy relating to "Lay Equivalency" in salary and benefits for men and women religious working throughout the Milwaukee Archdiocese. The following policy was developed and approved by Archbishop Weakland:

"All Catholic parishes, offices, agencies and institutions who employ members of religious communities shall offer these members the same salary schedule and accompanying benefits (or cash value) given to lay employees with similar responsibilities, educational background and experience.

When determining this amount, the employer should assign and include the cash value of the non-cash benefits received by the religious, such as housing and transportation. The employer should develop this arrangement in dialogue with the individual religious and his / her community.

Any employer who is unable to follow this policy shall send a report to the Director of the Parish and School Human Resources Office regarding the salary and benefits plan which is offered to the member(s) of the religious community in its employment. These reports will be reviewed with the Archbishop."

The implementation of this policy will ensure that there is equity regarding salaries and benefits in our Church personnel system. The following highlight the inclusive aspects of this policy:

- It will include all religious men and women, not just women.
- It will include all job classifications - professional and support staff (not just professional)
- It will include all Church ministries, not just the Catholic schools.

“Time Off and Leaves of Absence” Analysis

The obligation in **jury duty and court appearance** situations is to allow the employee to attend without loss of job or seniority. No discharge or discipline may occur because of jury duty absences. There is no requirement that pay be provided to employees, but this is almost universally provided by employers.

In some cases, an employee's absence for jury duty or court appearance could seriously interrupt work functions. You may request from the court a postponement of jury duty in these cases, but the decision to grant it is up to the individual judge. The procedure in this instance would be to submit your request for postponement to the Clerk of Courts as indicated on the jury summons notice.

Many parishes/schools offer time off from work due to a medical event for themselves or a family member. Some illnesses require the individual to seek healing while balancing work with illness and other illnesses require extended focus on the physical ailment. The law requires employers to be alert to situations that may require time off due to a **serious health condition**.

Question, “What does an employer do when becoming aware of such a situation?”

Answer, “Gather more information on the organization’s policies focusing on the employee handbook in the area of attendance, employee leave, sick/time/vacation/PTO, personal leave (paid and unpaid), Family Medical Leave (Federal and Wisconsin).”

Federal Family and Medical Leave Act (FMLA) and the **Wisconsin Family Medical Leave Act (WFMLA)** provide an employee the right to take job-protected leave with continued medical benefits when the employee needs time off from work to care for themselves or a family member who is seriously ill, to care for a newborn or newly adopted child, or to attend to the affairs of a family member who is called to active duty in the military.

The Employee must determine Eligibility within **5** business days from the time of awareness. Determining eligibility has several facets:

Is the employer (ER) covered?

1. Federal = 50 or > employees in at least 20 weeks **OR** Private elementary or secondary school
2. WI = 50 or more permanent employees at least 6 of the preceding 12 calendar months

Is the employee (EE) eligible?

1. Federal = EE employed for 12 months AND worked for 1250 hours in preceding 12 months AND 50 or more employees within 75 miles.
2. WI = worked at least 1000 hours in preceding 52 weeks AND for at least 52 consecutive weeks.

Types and Amount of Leave:

Federal Leave	Wisconsin Leave
12 weeks in a 12 month period for birth or placement of a child for adoption or foster care	Within a calendar year, 6 weeks of leave for the birth or placement of adoption of a child (which must begin within 16 weeks before or after the event.

12 weeks in a 12 month period for care for a spouse, child, or parent (no parent-in-law) with a serious health condition, or for an employee's own serious health condition	2 weeks to care for seriously ill child, spouse, parent, parent-in-law, and for employee's own serious health condition.
26 weeks in 12 month period for care of service member	No military caregiver provision.

Note Federal Only: Spouses employed by the same employer are limited to a combined total of 12 weeks of leave for the birth or placement of a child, or for the care of a sick parent, in a 12-month period. The spousal limit is 26 weeks total in a single 12-month period when military caregiver leave is involved.

More details on the differences with Federal and Wisconsin Family Leave maybe found:

<https://dwd.wisconsin.gov/er/civilrights/fmla/#:~:text=Wisconsin%20law%20provides%20that%20the,after%20the%20birth%20or%20placement.>

Once it has determined that an employee may be eligible for FMLA the following should be provided to the employee either in person if available or by mail.

Written Communication/Forms:

Communication	Federal Leave	Wisconsin Leave
Awareness	Formal Employee Request or Employer Aware	Formal Employee Request or Employer Aware
Employer Initial Response to Ineligible Employee	Send EE specific FMLA Denial Letter	Send EE specific FMLA Denial Letter
Employer Initial Response to Eligible Employee: Cover letter Notice of Eligibility Rights and Responsibilities Medical Certification WITH Job Description	Cover letter specific to EE WH-381 rev. 2020 Part A WH-381 rev. 2020 Part B WH-380 E or F (appropriately) (must do w/in 5 business days of awareness)	Cover letter citing Notice and Rights No specific form for WI No specific form for WI Form ERD-10111 (R. 01/2013) (must do w/i 5 business days of awareness)
Medical Certification *	Completed by Provider WH-380 E or F appropriately (must turn in w/i 15 calendar days)	Completed by Provider Form ERD-10111 (R. 01/2013) (must turn in w/i 15 calendar days)
Designation Notice	Form WH-382 June 2020 (must do w/i 5 business days of receiving Medical Certification)	No specific form for WI therefore designation include in letter (must do w/i 5 business days of receiving Medical Certification)
Letter to EE at end of Leave	Send letter specific to EE at end of Leave	Send letter specific to EE at end of Leave
Fitness for Duty	Treating doctor provides	Treating doctor provides

*In the event the certification does not provide enough information to determine what is needed, send it back to the employee with an explanation of what is needed and request it go back to their doctor for the requested clarification. The employee has 7 calendar days to return the updated Certification of Serious Health Condition.

Federal forms are found at: <https://www.dol.gov/whd/fmla/forms.htm>

Wisconsin Medical Certification are found at: <https://dwd.wisconsin.gov/dwd/forms/erd/pdf/erd-10111.pdf>

Federal Posting Requirements:

- Employers with 50 or more employees must post FMLA Notice
- Posting can be found at: <http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>

Wisconsin Posting Requirements:

- Employers with 25 or more employees must post a notice describing the employer's leave policy.
Posting can be found at: <https://dwd.wisconsin.gov/dwd/publications/erd/pdf/erd-7983-p.pdf>

Employers must determine several items in their policy:

1. Decide the relationship of paid leave with Federal and State of Wisconsin leave Because:
 - an employee may substitute paid or unpaid leave under Wisconsin law.
 - an employer may require or an employee may elect to substitute paid leave for the otherwise unpaid leave under Federal law.
2. Decide the 12 month period:
 - For Federal Medical Leave define the 12 month period, i.e., calendar, rolling forward, rolling backward, etc.
 - Wisconsin Medical Leave is defined by the calendar year.
3. Explain health insurance:
 - An employee on the St. Raphael Health Plan will maintain coverage of health insurance for the 12 weeks while out on leave, paying their portion of the premiums. If the employee has not returned to work after the 12 weeks of leave, continuation of coverage must be offered to the employee via Insurance Continuation.
 - NOTE: If a location is not subject to FMLA, then continuation would begin the first of the month once all sick and vacation time is exhausted.

Employers who are not legally required to follow FMLA, but chose to follow the law are interpreted as following the FMLA law and will be held to the standard.

Parental Leave

Some parishes and schools have implemented a **Paid** Parental Leave Policy. This payment ranges from two to six weeks of paid leave. Employers are not legally required to offer paid parental leave for the birth of an employee's child or the placement of a child with an employee in connection with adoption, but if the employer chooses to do so, consider the following:

- Set specific eligibility standards, such as must have been an employee for at least three months prior to the birth or adoption of the child
- This applies to the birth or adoptive parents of the child only.
- How long does an employee have to elect this benefit after the birth or adoption of the child?
- Work a minimum of _____ hours in the ____ preceding months.
- Work at least _____ hours per week. If part time, clarify the payment will be prorated.
- Will contract employees be eligible only during their contract period?
- What is the maximum number of weeks of pay possible in a 12 month period?
- Can this leave be used intermittently?
- Are there forms that must be completed in advance?

- Will this policy run concurrently with leave under FMLA or other leave policy?
- If the paid parental leave is exhausted, does the policy dictate whether other paid leave such as PTO, Sick Pay or Vacation Pay must be used prior to any unpaid leave?
- Upon termination, will any unpaid paid parental leave be paid?
- How will you handle the return to work? What if an employee does not return to work by the end of the authorize leave? Will this be considered a voluntary resignation?

Vacation policies vary greatly, both in our Archdiocese and within other organizations, for-profit and non-profit alike. There is no federal or state regulation mandating vacation benefits, although a majority of employers provide them. Following are some variations for you to consider in developing your own policies.

Accrual Formulas:

- **Anniversary Year** - The usual approach is to accrue vacation on an anniversary year basis. For instance, the DRE was hired on August 15 and would be able to use his/her first vacation days on August 15 of the following year.
- **Calendar / Fiscal Year (Monthly)** - Starting with or converting an anniversary year to a calendar or fiscal year system can make record keeping easier, but it is often initially confusing. You must have an accrual schedule which employees fit into depending upon their hire and / or termination dates. Accrual is usually on a monthly rather than yearly basis.

Be sure to define what happens to accrued vacation at the time of termination, e.g., if you leave employment with more than one year of service you will receive pay for any vacation accrued in the previous anniversary year but not taken as of the date of termination. If the employer has a policy (or other agreement) ***clearly*** stating that vacation time is not paid out at separation, then the employer should follow that policy ***consistently***. The policy must be clear in this regard and must have been communicated to all employees.

If there is no policy/agreement, it is a gray area. However, right or wrong, the WI DWD generally takes the position that unused vacation and PTO (but not sick time) must be paid at separation unless there is a clear policy or contract provision stating otherwise.

How flexible should you be in vacation offerings? Should you allow employees to use their vacations by the hour, the half day, day, or only a week at a time? Employees prefer the most flexibility of course, and by using small increments, temporary fill-ins are often not needed. Having someone gone for a week might require hiring a temporary worker. On the other hand, it might be good for both the parish/school and the individual to be separated from the other for seven consecutive days. A compromise would be to allow one week to be used in hour increments, but other weeks to be used in weekly time periods only.

As qualified candidates for employment have become scarce, employers are offering vacation benefits as a recruitment tool. It also may be beneficial to recognize years of service for purposes of vacation for anyone hired who has worked for a Catholic entity. Example: **Vacation Portability** - We recognize years of service for purposes of vacation for anyone hired who has worked for the Catholic Herald, Catholic Charities, a parish or school in the Archdiocese of Milwaukee, a collaborative school project involving several parishes recognized by the Archdiocese, an archdiocesan Catholic high school, or Saint Charles Youth and Family Services. Years of service will be recognized for only full time continuous service. Full-time is defined as 30 hours or more per week for eight consecutive

months as defined in the Archdiocesan Pension Plan. Continuous is defined as employment with any of the above church-related organizations without a break in service. You will receive this benefit after one year of completed service.

The parish/school may be interested in setting up a Vacation Donation Program. A bank of donated accrued and unused vacation hours can accumulate and available to staff who may experience a hardship due to medical circumstance. A policy would need to be developed prior to implementation. Example: **Vacation Donation Program** - Employees at the end of their anniversary year can if they so choose to donate any remaining untaken vacation (up to 40 hours) to a pool. This pool of time would be available to staff who may be experiencing a hardship due to a medical circumstance (employee's serious illness or caring for immediate family member) and they have exhausted all accrued sick and vacation time. There is no limit on the amount of time an employee can request. All employee donations will remain anonymous as well as the recipient of any donated time. Director of Administrative Services (DAS) will manage the accumulation of and the distribution of donated vacation time. This bank of donated vacation hours can accumulate to a maximum of 480 hours. Employees can submit a request for donated time after completing 90 days of employment. Donation and request forms are available from the DAS.

Holiday scheduling is often difficult because of the varying work schedules. Christmas, Thanksgiving and New Year's Day will require adjustments for some staff, although three "summer time" holidays, Memorial Day, Fourth of July, and Labor Day should be easier to accommodate for all.

It is most common in any discussion of holidays to start with the "standard six." This term is used to identify New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas. The holiday that is growing the most in observance is the Friday following Thanksgiving. Good Friday and Washington's Birthday are the next most utilized holidays.

As Christians, the dilemma of what to do about Good Friday and Christmas Eve often are discussed. Giving employees the time off to celebrate these important holidays is desirable, but it is also a busy time in the parish in which the staff are often in peak demand. One approach would be to give employees off on Easter Monday and the day after Christmas.

The model language for parish/school **funeral leave** is the traditional approach used by most employers. There may be different levels of time off offered and different definitions of "immediate family," but the general format is standard.

A couple of new developments in funeral leave bear mentioning. One is simply doing away with traditional funeral leave charts and lumping the benefit under "personal days." Under this plan, employees have a set number of days (usually two to five) which they control totally. If they want to use them for a day at the zoo or the funeral of a grandmother, it is their choice. The days are usually not carried over and are lost if not used. The major problem with this approach is if the employee has a bad year with several family deaths, the employee must use vacation or leave without pay. The other concern is that employees view this as just another five days of vacation.

The argument goes that as the "traditional" family with a base of relatives living in the same area becomes less universal, perhaps the employee should decide who best to grieve for. An example would be an employee who is not close to a family member but may be devastated by the loss of a roommate (perhaps a member of a religious community) of thirty years.

Another optional plan is simply to let the supervisor work out with the employee the appropriate time off. Such a plan could read as follows: In the event of a death in your immediate family, full and part-time employees may be granted one to five days leave without loss of pay, during your standard work schedule, at the discretion of your supervisor. An employee's immediate family shall constitute the following: parent, legal guardian, brother, sister, spouse, child, grandparent, grandchild, parent-in-law, brother/sister-in-law, grandparent-in-law, son/daughter-in-law, or other person residing with the employee.

You see that the above uses the phrase "other person residing with the employee."

Paid sick leave can be a critical benefit to employees in time of illness. Many people working do not have sizeable savings to pull them through a month or two without income. A paid sick leave plan is designed to assist employees during these times of crisis. Most often they are utilized on a day-by-day basis, but allowing accumulation of days offers protection against the more serious illness or injury.

Whether to offer an accrual on a monthly, anniversary year or calendar year basis is also a decision that needs to be made. Some parishes/schools require that an employee work for a period of time before sick leave benefits begin. Accrual on a monthly basis takes care of that automatically as the employee has to "earn" the benefit by continued work.

Accumulation of sick leave is permitted by most organizations. Thirty to sixty days accumulations are common. Allowing accumulation of sick leave is a motivation for the employee to conserve the leave as a cushion against serious illness or injury. When there is no accumulation permitted, some employees will use up their allotted days, even if not ill, rather than lose them.

Non-exempt and exempt employees may use sick leave in increments of 15 minutes or greater minimum increments as determined by the employer. Note, however, that whatever minimum increment is established will be used as the minimum increment for purposes of FLMA. This practice should be noted in your handbook.

Most organizations do not permit redemption of unused paid sick days into cash, either on a yearly basis, or at termination. Such a practice can be very costly for an organization, particularly if a reduction in force requires cutting several positions at once.

Many organizations are discovering that offering **personal paid leave** is an effective way to make employees accountable for absences from work. The number usually varies between one and five for a calendar year.

If parishes/schools are offering personal paid leave, they should make it clear what their expectations are for use of the leave time. Examples in which the parish/school could expect employees to use the paid leave time might include: staying home because of a school snow day; dentist appointment; legal appointments; or appointments for auto repair. If the parish/school is consistent in making employees claim these items as paid personal leave, there should be fewer "I have to leave early tonight" or "I'll be in late tomorrow" statements.

There is some debate on whether paid personal days should be allowed to be used in hourly increments, rather than half-day units. Proponents argue that if someone has to leave an hour early for a dental appointment, they still will not use a half day personal day for it. They argue that the

larger the increment, the more employees will treat it like another vacation day. Opponents would argue, however, that hourly increments allow employees to take off whenever they please, and makes scheduling impossible.

There are any number of reasons why employees may want to take **unpaid extended time off** from their jobs. Travel opportunities with a spouse; study options; taking care of a sick relative; treatment for drug/alcohol abuse; parental leave, and/or medical concerns are all reasons that have some merit. The decision needs to be weighed carefully and both parties must be clear on the ramifications of such a leave. Putting the issues in writing helps to avoid misunderstanding later.

In assessing whether to grant unpaid personal leave, you can assess such factors as: the employee's length of service; the ease in finding a temporary replacement; the impact on other staff; overall impact to the parish/school; desire to retain the employee; potential for growth and renewal of the employee; obligation under FMLA laws. One thought about consistency. Be careful that your approval or disapproval of employee requests for leaves does not create a pattern that could be construed as discriminatory. It is best to create a separate file for unpaid sick leaves in which you can review past decisions prior to making new ones.

#1 - NOTE: It is important to define how pay is affected by medical leave. Example:

Employees who are unable to work because of an illness/injury may request a medical leave of absence subject to approval by ___. Any accumulated sick days, personal days, and/or vacation pay may be substituted OR will be required to be use concurrently during this time in order for this leave, or a portion of this leave, to be paid. All benefits will be continued during such leave, so long as the employee pays the normal employee portion of each benefit.

**Do not "plug and play"Consider/Reflect on all other policies on leave when deciding what fits your particular parish/school.*

#2 - NOTE: It is important to define how health insurance is affected while an employee is on paid sick leave, personal paid leave, or unpaid extended time off. Example:

- An employee on the St. Raphael Health Plan will maintain coverage of health insurance for the 12 weeks while out on FMLA leave, paying their portion of the premiums. If the employee has not returned to work after the 12 weeks of leave, continuation of coverage must be offered to the employee via Insurance Continuation.
- NOTE: If a location is not subject to FMLA, then Insurance Continuation would begin the first of the month once all sick and vacation time is exhausted.

Resources

Archdiocese References

- **Application**
<https://www.archmil.org/Resources/Application-for-Parish-School-Employment.htm>
- **Parish and School Policy Manual**
<https://schools.archmil.org/CentersofExcellence/DOCsPDFs/Schools-Policy-Handbook/ParishandSchoolPolicyManual2022-23.pdf>
- **Code of Ethical Standards for the Archdiocese of Milwaukee**
<https://www.archmil.org/Code-Ethical-Standards>
- **Contracts**
 - Teacher:
<https://www.archmil.org/Resources/Contract-School-Teacher.htm>
 - Principal:
<https://www.archmil.org/Resources/Contract-School-Principal.htm>
- **Criminal Background Check Guidelines** available through CMG Connect platform for Parish and School Safe Environment Coordinators
- **St Raphael Health Plan Information**
<https://www.archmil.org/offices/hr/health-insurance.htm>
- **Mandatory Reporting Requirements**
<https://www.archmil.org/Resources/Mandatory-Reporting-Responsibilities.htm>
- **Spark Notes**
 - Difference between an Employee and Independent Contractor and a Volunteer
 - Guidelines for Recruitment, Interviewing and Selection of Parish and School Personnel
 - Setting Employees Up for Success
 - Performance Evaluations
 - At-Will Employment and Coaching Behavior & Contract Employment and Coaching Behavior
 - Employee Termination Process & Separation Agreements
 - Healthy Boundaries
 - HR Review
 - Personnel Committee
 - Medical Leave in Wisconsin
 - American with Disabilities Act (ADA)
 - Parish Leadership
 - Conflict: It is Complex and Words Matter

Laws

- Fair Labor Standards Act ([FLSA](#))
- Equal Employment Opportunity Commission ([EEOC](#))
- Child Labor Laws: <https://dwd.wisconsin.gov/eworkboard/minor-time/#:~:text=Minors%20under%2018%20years%20of,minors%20is%20%247.25%20per%20hour.>
- Department of Labor – Wage and Hour: <https://www.dol.gov/whd/regs/compliance/hrg.htm>
- Family Medical Leave:
 - Federal <https://www.dol.gov/agencies/whd/fmla>
 - Wisconsin <https://dwd.wisconsin.gov/er/civilrights/fmla/>
- I-9 Employment Eligibility Verification: <https://www.uscis.gov/i-9>
- State of Wisconsin Department of Workforce Development: <https://dwd.wisconsin.gov/er/sitemap.htm>]]

- Occupational Safety Health Act ([OSHA](#))
- Americans with Disabilities Act ([ADA](#))
- Wisconsin Fair Employment Law: <https://dwd.wisconsin.gov/eworkboard/fair-employment/>

Guides:

- FMLA - <https://www.dol.gov/whd/fmla/employeeguide.pdf>