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Appendix I: Promulgation Policy
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WELCOME

For employees who are just beginning a new position with the Archdiocese, I want to extend to you a warm and sincere welcome. For those already employed with the Archdiocese, thank you for your continued service and commitment to serving the people in the Archdiocesan Territory on behalf of the Catholic Church.

Employment with the Archdiocese is more than just a job; it is service to the Church, which is the Body of Christ. As Catholics, we hold that “work represents a fundamental dimension of human existence as participation not only in the act of creation but also in that of redemption” (Compendium of the Social Doctrine of the Church, 263). Work is an act of sanctification; in other words, it is a path to holiness. Sanctity is made up of heroic acts, which many assume to mean great tasks and huge endeavors. However, even the most ordinary endeavors can become heroic acts.

The policies outlined in this handbook are meant to provide a positive framework for employment with the Archdiocese. Please read them carefully, for it is important that you understand them thoroughly. Our hope is that your experience here will be challenging, enjoyable and rewarding.

Be assured of my prayers for the Holy Spirit to guide your work in the vineyard of the Lord.

Most Reverend Bernard A. Hebda
Archbishop of Saint Paul and Minneapolis
ABOUT THIS HANDBOOK

Preface

The virtue of justice is not blindfolded, but rather sees with both eyes the fundamental dignity and rights of all God’s children without exception. This virtue is protected, promoted, and enforced by both the policy that promulgates this expectation and the application of it that is explained in this handbook. Employment at this Archdiocese takes into account and articulates protections found in state and federal laws, as well as Archdiocesan policies.

This handbook is a summary of the policies, procedures, Archdiocesan Code of Conduct for Church Personnel provisions, benefits, and several state and federal laws that apply to employees of this Archdiocese. It is designed to address the normal questions and “what if” scenarios that arise in the course of day-to-day operations. When unique or infrequent circumstances occur, the employee’s supervisor will provide direction on a case-by-case basis. In addition to this handbook, employees should be familiar with, and adhere to, the Code of Conduct for Church Personnel, which is attached as Appendix II to this handbook and can be found on the Archdiocesan website.

The Archdiocese is also obliged to comply with applicable civil and canon law pertaining to employment. These policies, procedures and benefits supersede any that may have been communicated in previous handbooks and apply to all employees unless otherwise indicated.

This handbook should not be construed as a guarantee of continued employment for any period of time to any employee. Only the Moderator of the Curia or his designee have authorization to offer an employment agreement to any employee. Employment contracts or agreements offered by any other individual are invalid. Except for Arbitration discussed under the Conflict Resolution section in this handbook, which is mandatory and binding on each employee, no language, term, or provision used in this handbook is intended to create, or is to be construed to create, a contract (express or implied) between the Archdiocese and any employee.

This handbook can only be amended with written permission of the Archbishop or his designee. Such amendments will be binding upon the Archdiocese and all employees.

All definitions in the promulgation policy n. 202, attached as Appendix 1, are incorporated herein by reference.
Section 1 - Governing Principles of Employment

1-1 Equal Employment Opportunity

It is the policy of the Archdiocese to provide equal employment opportunity to all qualified persons without regard to race, color, religion, creed, sex, marital status, disability, age, national origin, and status with regard to public assistance, and any other classifications protected by applicable law that do not violate teachings of the Catholic Church, as defined by the *Catechism of the Catholic Church*. Employment practices are intended to ensure that all individuals are recruited, hired, assigned, advanced, compensated, and retained on the basis of their qualifications. Exceptions to this non-discrimination policy may be necessary when based upon a bona fide occupational qualification or in compliance with the teachings of the Catholic Church.

1-2 Americans with Disabilities (ADA)

The Americans with Disabilities Act of 1990 (ADA) makes it unlawful to discriminate in all employment practices against a qualified individual with a disability. Under the ADA, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment and people who are regarded as having a substantially limiting impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning or working. An individual with a disability must also be qualified to perform the essential functions of the job with or without reasonable accommodation, in order to be protected by the ADA. Essential functions are basic job duties that an employee must be able to perform, with or without reasonable accommodation. The essential functions of every position are clearly articulated in a written job description.

Reasonable accommodations, as required by law, will be made for the known physical or mental disabilities of an otherwise qualified applicant or employee, unless doing so would impose an undue hardship upon Archdiocese operations. An accommodation is not reasonable if it poses significant difficulty or expense for the Archdiocese or in circumstances where, even with the accommodation, the employee is unable to perform essential job duties in a manner that would not endanger the health or safety of the employee or others.

Any applicant or employee who believes they require an accommodation in order to perform the essential functions of the job should request such an accommodation in writing. The individual should specify the accommodation needed to perform the job and submit supporting medical documentation explaining the underlying physical or mental disability and the basis for the requested accommodation. The Archdiocese will work with the employee to determine what accommodation, if any, is reasonable. The employee will be notified of the Archdiocese’s decision regarding the request within a reasonable time period. All medical information submitted as part of the accommodation process will be treated in a confidential manner. In the process of evaluating the requested accommodation, the Archdiocese may seek additional medical information regarding the employee’s medical condition or restrictions.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged, without fear of retaliation, to bring these issues to the attention of their supervisor.
1-3 Employment within the Catholic Church

The Catholic Church teaches that in return for labor, employees have a right to wages and benefits sufficient to sustain life, adequate health care, security for old age or disability, unemployment compensation, healthful working conditions, periodic holidays for recreation and leisure and reasonable security from arbitrary dismissal.

Employees of the Archdiocese are subject to the teachings of the Catholic Church. Employment in and by the Archdiocese is substantially different from secular employment. Archdiocesan employees must conduct themselves in a manner that is consistent with and supportive of the mission and purpose of the Church. Their behavior must not violate the faith, morals, or laws of the Church, nor may it embarrass the Church or give rise to scandal. Although specific positions may not require that the employee be a Catholic, it is expected that all employees respect Catholic doctrine and religious practices. For employees of the Archdiocese, conduct that is inconsistent with the faith, morals, teachings, and laws of the Catholic Church is grounds for disciplinary action, up to and including immediate separation.

1-4 Ministerial Standards and Safe Environment

The Office of Ministerial Standards and Safe Environment works with our civic and church communities to address the devastating societal problem of the sexual abuse of minors and vulnerable adults by:

- Implementing abuse prevention programs;
- Immediately reporting allegations of abuse to law enforcement or child/adult protection officials in accordance with the Archdiocesan Code of Conduct; and
- Cooperating fully with their investigations and helping those affected by abuse in their healing journey.

The Archdiocese directs all of its employees (whether or not they are mandated reporters) to report their knowledge or belief of the abuse of minors or vulnerable adults to the county child protection agency, county welfare agency, municipal police, or county sheriff’s department as soon as practical and preferably within 24 hours, except in instances where such a report would violate established and legally recognized confidentiality requirements or restrictions. In such cases of confidentiality matters, the Archdiocesan Office of Ministerial Standards and Safe Environment and the Archbishop should be advised of the existence of the confidentiality claim. The telephone number for child protection agency for our county (Ramsey) is (651) 266-4500.

Additionally, all employees of the Archdiocese are required to report suspected physical abuse, sexual abuse, sexual exploitation, or sexual harassment to the Archdiocesan Director of Ministerial Standards and Safe Environment in situations where the alleged violator is a member of the Catholic clergy. This includes any priests or deacons, diocesan or religious, who are permanently or temporarily assigned to ministering in the Church.

Learn more about the Archdiocesan Office of Ministerial Standards and Safe Environment or for information about reporting abuse, visit archspm.org/reportabuse.
Section 2 – Operational Policies

2-1 Recruitment and Selection

The Archdiocese is committed to attracting, selecting, and retaining the best, most qualified candidates for open employment positions while engaging in recruitment and selection practices that comply with all applicable state and federal employment laws. At the Archdiocese, the hiring process consists of numerous steps that include some or all of the following: employment position requisition, position posting, internal transfers, interviewing, reference and background checks for external candidates and employment offers.

When appropriate, an offer of employment may be extended subject to the successful completion of a physical examination, but only when the examination tests for essential job related abilities and only when all persons conditionally offered employment for the same position are required to undergo the same examination.

2-2 Job Posting

Once a New Hire Requisition form is approved, the position will generally be posted on the Archdiocesan website for a minimum of two weeks. The posting can be extended if necessary. Aside from attracting external candidates, job posting ensures that all employees are aware of open positions and have the opportunity of applying for those for which they are qualified. While most positions are posted, the Archdiocese reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

2-3 Position Descriptions

Every position in the Archdiocese shall have a position description. Position descriptions typically indicate:

- The title of the position;
- Whether the position is full-time or part-time;
- The title of the position(s) to whom the person will report;
- General or overall responsibility and duties in the context of why this position exists and how it fits into the structure and mission of the Archdiocese;
- The average number of hours per week the position normally requires;
- The days of the week that the job needs to be performed; and
- The essential functions of the posted position in compliance with the Americans with Disabilities Act.

2-4 Internal Transfers

The Archdiocese will consider the transfer or promotion of qualified staff members to fill vacancies whenever possible. To be eligible to apply for an open position, employees must meet several requirements:

- Be a current, regular full-time or part-time employee or intern of the Archdiocese;
- Employed in their current position for at least six months;
- Have a performance rating of “meets expectations” or above;
• Should not be on an employee improvement plan or have a written warning on file within the previous 12 months;
• Possess the necessary knowledge, skills and abilities to perform the essential functions of the position;
• Provide their supervisor with notice of the intention to interview for the open position prior to applying. Employees have the right to expect that they will not be retaliated against for meeting this requirement.

2-5 New Hire Orientation

New employees will be scheduled for an orientation that includes discussion of benefits, duties, responsibilities, policies and procedures specific to the employee’s position, and the general policies and procedures of the Archdiocese. This orientation should also include time spent with the employee’s supervisor to discuss the training schedule for the first few weeks of employment.

2-6 Employment Status

a) Exempt vs. Non-Exempt

“Exempt” and “Non-Exempt” are terms used by the federal government to indicate which positions are subject to the provisions of the Fair Labor Standards Act (FLSA). This is the federal law that requires payment of overtime wages to employees not exempt from its provisions (i.e. non-exempt). FLSA requires employers to determine “exempt” or “non-exempt” status based on the description below. Such determinations are not discretionary or subject to the preference of the employee or manager.

Each employee’s position within the Archdiocese is categorized as either “exempt” or “non-exempt.” An exempt position is one that is predominantly executive, managerial or administrative in nature, or one that requires either a college degree or a combination of knowledge and experience in a specific field that is considered professional according to federal and state regulations. Because these positions are “exempt,” they do not require compensation at one and one-half times the regular hourly rate for work in excess of 40 hours in a week (FLSA). All other positions are non-exempt positions with responsibilities or requirements other than those listed above.

b) Full-time/Part-time Status

Full-time employees are those regularly scheduled to work an average of 30 or more hours per week (1,560 per year). Full-time employees are eligible for the Archdiocese’s benefit package, subject to the terms, conditions, and limitations of each benefit program. Part-time employees are those regularly scheduled to work less than 30 hours per week. Regular part-time employees are eligible for certain benefits sponsored by the Archdiocese subject to the terms, conditions, and limitations of each benefit program.

c) Temporary

This term applies to employees hired as interim replacements to supplement the work force temporarily, or to assist in the completion of a specific project, regardless of the number of hours per week they work. Employment assignments in this category are of a limited duration (less than six months). While temporary employees receive all legally mandated benefits, they are ineligible for most of the Archdiocese’s other benefit programs.
Eligibility for the group health/welfare and retirement plans is based upon actual hours worked not employment classification.

**d) Independent Contractors**

As a general practice, the Archdiocese does not employ independent contractors. However, when a need arises, these individuals will have a contract, be required to complete a W-9 form, provide evidence of adequate insurance, and receive their compensation through accounts payable, rather than through the Archdiocesan payroll system.

**2-7 Working Hours and Schedule**

The Archdiocesan offices are normally open for business from 8:30 a.m. to 5:00 p.m., Monday through Friday. With prior approval from the supervisor, employees may vary their work schedule outside of normal business hours while still reflecting an eight-hour workday. (See Section 2-8 for details.) For each eight-hour workday, employees are entitled to 30 minutes of unpaid time off for meals and 30 minutes in paid break time to be scheduled by the department supervisor.

Employees may attend daily Mass and up to 30 minutes for First Friday Adoration within their scheduled time at work, with pay, and with the approval of their supervisor. Participation in Mass and Adoration are not required. Employees who are provided time for a lunch break may commence that break after Mass.

**2-8 Flex-time and Alternative Work Arrangements**

The Archdiocese is committed to helping employees meet the demands of work, family, and life-related issues by offering flexible work arrangements. These arrangements provide employees increased flexibility with their work schedules while allowing the Archdiocese to maintain a productive work environment.

The employee’s supervisor is responsible for identifying if any of the below-mentioned staffing options are workable within the department in terms of the potential impact and outcome where production, quality, and necessary resources are concerned. A six-month trial period may be required to assess the impact, with an annual review to ensure continued success. The arrangement may be canceled with reasonable notice provided to the employee for any reason by the employee’s supervisor.

Flexible work arrangements are not appropriate for all employees or positions and are granted at the sole discretion of the Archdiocese. For a flexible arrangement to be approved, the employee at a minimum must have a satisfactory attendance record, meet all expectations in their current role, and must consistently demonstrate the ability to complete tasks and assignments on a timely basis. The nature of the employee’s work and responsibilities must be conducive to a flexible work arrangement without causing significant disruption to overall performance of the department. Following are some examples of alternative work scheduling. Other requests for flextime may be reviewed on a case-by-case basis.

**a) Flextime**

Flextime is the ability for employees to adjust their regular workday in consultation with and the written approval of their supervisor. An example of flex time would be an employee, with the prior approval of their supervisor, adjusting their work schedule from the regular 8:30 a.m. to 5:00 p.m.
time to 8:00 a.m. to 4:30 p.m. or 9:00 a.m. to 5:30 p.m. This type of flextime is permissible as long as it does not negatively impact the service provided by that department or division.

b) Four 10-Hour Days

This is a flexible work option where the employee works four days a week for 10 hours each day. This option requires that the employee work a consistent schedule with regard to the day he/she elects not to be in the office and the number of hours worked each day. This option must be approved by the employee’s supervisor and may be changed or revoked at any time.

c) Working from Home

Working from home (“telecommuting”) is an alternative work arrangement that requires the prior approval of the employee’s supervisor and the Moderator of the Curia in situations where the request involves an on-going and regular schedule of working from home.

A request for working from home will be reviewed and assessed on the nature of the job and its suitability for remote work, an evaluation of the likelihood of the employee being a successful telecommuter, and an evaluation of the supervisor’s ability to manage the employee. The Archdiocese has the right to refuse to make teleworking available to an employee and to terminate teleworking arrangements at any time for any reason. Hourly employees may not incur overtime as a result of working from home unless approved in advance by the employee’s supervisor and Moderator of the Curia in writing.

The employee’s work responsibilities and work status for compensation and benefits do not change as a result of working from home. The amount of time the employee is expected to work per day or during a regular pay period will not change as the result of working from home.

Telecommuting is not a substitute for dependent care. In order to help meet the needs of employees with children, in the case of an emergency situation – such as an unexpected school closing, last-minute childcare problems, or instances where the child is too ill to attend school – the employee may remain home but must use vacation, sick, or personal time off to care for the child. Exceptions may be approved by the supervisor.

2-9 Compensation Philosophy

While maintaining fiscal responsibility, the Archdiocese is committed to compensating staff in a manner that is consistent, reflective of the external market, and appropriate to the Archdiocese’s financial circumstances. Compensation is also designed to provide recognition for the achievement of institutional goals and professional competency. Specifically, the goal of our compensation program is to achieve the following objectives:

- Internal equity;
- External equity;
- Increased performance and productivity;
- Compliance with laws and regulations; and
- Administrative efficiency.
2-10 Pay Dates

Employees are paid biweekly on alternating Fridays. Each paycheck will include earnings for all work performed through the end of the current payroll period. In the event that a regularly scheduled payday falls on a day off (e.g., a holiday), employees will receive their paychecks on the last business day of work before the regularly scheduled payday.

Payroll stubs itemize deductions made from gross earnings. By law, the Archdiocese is required to make deductions for social security, federal income tax, and other mandatory taxes and deductions. These required deductions may include court-ordered garnishments. The Archdiocese offers benefits beyond those required by state and federal law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these benefits. Payroll stubs will also differentiate between regular and overtime pay.

If there is an error in an employee’s paycheck, the employee should immediately bring the matter to the attention of their supervisor or the payroll administrator so that the Archdiocese can resolve the matter as quickly as possible.

Employees are strongly encouraged to use direct deposit set up online through the Archdiocese’s payroll system. Paycheck stubs are available on the payroll provider’s web portal.

The Archdiocese does not permit pay advances.

2-11 Overtime

Although overtime is generally discouraged, when operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime. When possible, advance notification of these mandatory assignments will be provided. Non-exempt employees who are required to work in excess of 40 hours per week will be compensated at one and one-half times the regular hourly rate for all hours worked over forty in the workweek. As required by law, overtime pay is based on actual hours worked. With the exception of emergency situations, overtime must be approved in writing in advance by the employee’s supervisor. Unapproved overtime that occurs on a consistent basis may result in disciplinary action. Time off such as holiday, sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12:00 a.m. Central time on Sunday and ends at 11:59 p.m. Central time on the following Saturday.

2-12 Timekeeping Procedures

All full-time/part-time non-exempt staff and part-time exempt salaried staff are required to submit time records on a biweekly or other pay frequency basis, if applicable, for payroll and benefit purposes.

An exempt full-time employee is presumed to work a standard 40-hour workweek, which includes use of paid leave benefits for every absence. Exempt employees are considered present if they work any portion of the day, except for periods of intermittent leave under the Family Medical Leave Act.

Non-exempt employees are required to indicate the total hours worked each day, excluding lunch periods. When applicable, employees are to indicate the type of absence where requested. Non-
exempt employees must be paid straight time wages for all hours actually worked up to and including 40 within the same workweek. They must be paid time-and-a-half for all time actually worked in excess of 40 within the same workweek.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including separation. Any errors in the time record should be reported immediately to the employee’s supervisor or payroll administrator, who will attempt to correct legitimate errors.

2-13 Safe Harbor Policy for Exempt Employees

It is the Archdiocese’s policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report any errors.

Employees in exempt salaried positions will receive a salary intended to compensate them for all hours they work for the Archdiocese. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during standard salary reviews, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, salary can be reduced for the following reasons:

- Full-day absences for personal reasons, sickness or disability, without use of vacation or other paid leave;
- Full-day disciplinary suspensions for infractions of Archdiocesan written policies and procedures;
- Absences under the Family and Medical Leave Act (“FMLA”), either full or partial-day absences;
- The first or last week of employment, in the event the employee works less than a full week; and
- Any full workweek in which the employee does not perform any work and is not using vacation or other paid leave.

Salary may also be reduced for certain types of deductions, such as a portion of health, dental, or life insurance premiums; state, federal, or local taxes; social security; or voluntary contributions to a 403(b) or FSA/HSA plan.

During work weeks in which the employee performed any work, salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness, or disability;
- An absence because the employer has decided to close the Archdiocese on a scheduled work day;
- Absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any of the situations described above); and
- Any other deductions prohibited by state or federal law.
Deductions may be made to vacation, sick time, or personal days for full or partial-day absences for personal reasons, sickness, or disability. If an employee believes he or she has been subject to any improper deductions, the employee should immediately report the matter to their supervisor.

2-14 Compensatory Time (“Comp Time”)

Non-exempt employees are not eligible to receive “comp time.” Comp time for exempt employees refers to time off granted in the future for time currently worked. Generally, comp time for exempt employees – in the form of hour-for-hour time off at a future time for hours worked over 40 hours per week – is not an approved practice, since exempt professional staff members are expected to work the number of hours necessary to get their job done. However, it may be granted in certain situations to exempt employees at the discretion of the employee’s supervisor, as long as the practice is applied consistently, in a non-discriminatory manner, to all applicable employees.

It is recommended that supervisors require that comp time be taken within a relatively short period of time following the hours of work it is meant to compensate (e.g., within 15 days) and that the specific time taken be pre-approved. Comp time should be granted only in recognition of an extraordinary commitment of time. It is not intended, and must not be used, as a means of paying overtime to exempt employees and is not to be an hour-for-hour calculation of time off for hours worked in excess of 40 hours per week.

2-15 Wage Disclosure Protections

Under state law, an employer may not:

- Require nondisclosure by an employee of their wages as a condition of employment;
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee’s wages; or
- Take any adverse employment action against an employee for disclosing the employee’s own wages or discussing another employee’s wages that have been disclosed voluntarily.

 Nonetheless, this policy should not be interpreted to:

- Create an obligation on the part of the Archdiocese or an employee to disclose wages;
- Permit an employee, without the written consent of the Archdiocese, to disclose proprietary information, trade secret information, or information that is otherwise subject to legal privilege or protected by law; or
- Permit an employee to disclose wage information of other employees to anyone outside of the Archdiocese.

An employer may not retaliate against an employee for asserting rights or remedies set forth in this policy.

2-16 Travel Time for Non-Exempt Employees

a) Overnight, Out-of-Town Trips

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work, and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job
duties during otherwise non-compensable travel time; however, such work should be limited without prior written authorization from the employee’s supervisor.

b) Local Travel

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when an employee goes directly home from their final job site, unless it is longer than their regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

c) Commuting Time

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time might result in more than 40 hours worked in one workweek by a non-exempt employee, the employee must make arrangements to take other compensable time off within the same workweek so as not to incur overtime. To the extent that applicable state law provides greater benefits, state law applies.

2-17 Business Expense Reimbursement

All employees shall be reimbursed for certain direct expenses incurred while conducting pre-approved work-related business.

The employee must receive prior approval from their supervisor to be reimbursed for work-related expenses. All reimbursable expenses must have the approval of the supervisor before payment may be made.

Mileage while conducting the business of the Archdiocese in an employee’s private automobile will be reimbursed, if pre-approved by the employee’s supervisor. The mileage rate will be determined by the IRS published mileage reimbursement rate. Other approved expenses, such as parking fees, will be reimbursed when verification is presented.

2-18 Employment Records

As part of the hiring process, potential employees provide the Archdiocese with personal information (e.g., their address and telephone number). After an employee is hired, this information is contained in the employee’s personnel file and in the payroll system.

Employees are to keep their personal information up to date by informing the payroll administrator of any changes. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Emergency contact information must also be current so that the employer may access this information in the event of an emergency.
2-19 Right to Review Personnel Records

Employees have a right under state law to review their personnel record, as that term is defined by the Minnesota Personnel Records Statute, once every six months while employed with the Archdiocese. The request must be in writing.

Within seven working days of receiving the written request, the employee’s record will be made available for review. Record review will take place during normal operating hours at the Archdiocese and may include the presence of a representative of the Archdiocese. If desired, employees may make a written request for a copy of the record and, if such a request is made, it will be provided to the employee at no charge.

After separation of employment, employees may review their personnel record once annually for as long as the Archdiocese maintains the record. Employees may also submit a written request for a copy of their record and it will be provided at no charge.

If, after reviewing their personnel record, an employee disputes specific information contained in the record, an agreement may be reached to remove or revise the disputed information. If no such agreement is reached, employees are entitled to submit a written statement of no more than five pages explaining their position. This position statement will be included in their record, along with the disputed information, for as long as the Archdiocese maintains the record.

The Archdiocese will not retaliate against employees for asserting their rights under the Minnesota Personnel Records Statute. The full text of this statute, which sets forth all available rights and remedies, can be found online on the Office of the Revisor of Statutes website, www.revisor.mn.gov.

2-20 Performance Reviews

At least once per year, each employee’s performance will be reviewed based upon job-related criteria. “Job-related criteria” include the written job description as well as mutually agreed upon standards of performance or goals to be accomplished during the performance review period. The annual performance review is part of a process of performance management, which presumes ongoing communication between the employee and the supervisor regarding the employee’s job performance. The annual performance review process includes self-assessment and supervisory assessment; where applicable, it also takes into consideration feedback from those served by the work of the employee. The information gathered in this process is used to determine a plan for the employee’s continued career growth and development.

A positive performance evaluation does not guarantee an increase in salary, a promotion, or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by, and at the discretion of, management.

2-21 Professional Development

The Archdiocese encourages employees to enhance their knowledge and skills and to network with other professionals, thus improving potential for future opportunities. For development purposes, employees may need to attend training seminars or workshops conducted off-site or join professional organizations that will enable them to remain abreast of best practices in their respective fields.
With the written approval of their supervisor, employees may be permitted to attend off-site seminars, conferences, or workshops that will be paid for by the Archdiocese, subject to annual budgets established for external training and memberships. The training events attended must have a direct relationship to the job the employee performs. For work scheduling purposes, the employee’s request for attendance must be received at least one month in advance of the event and the employee’s supervisor must approve the request. Employees may also be permitted to join one professional association, with membership fees paid for by the Archdiocese. The association selected must have a direct relationship to the job the employee performs. Additional professional associations may be joined with prior written permission from your supervisor.

The Archdiocese reserves the right to determine which training functions and association memberships are in the best interests of the Archdiocese and its future planning and direction.

2-22 Voluntary Separation

Employees separating voluntarily are expected to give at least two weeks’ written notice. This consideration allows the supervisor to arrange for a replacement. If an employee provides a notice longer than two weeks, the Archdiocese reserves the right to pay out the employee’s two-week notice and ask the individual to end their employment prior to the end of the notice period. Prior to the employee’s last day, Human Resources will offer the employee the opportunity to schedule an exit interview.

Employees are also expected to work all scheduled days during the notice period. A day or two of pre-arranged paid leave approved prior to the notification of separation may still be granted. The last day worked is the employee’s separation date, and any unused vacation will be paid to the employee along with the final hours worked.

2-23 Reduction in Staff

A reduction in staff may occur because of a change in the organizational structure or the prevailing economic condition of the Archdiocese. After determining the need for a reduction in staff, the Archdiocese will use valid criteria to decide which employees will be impacted. Such criteria may include, but are not limited to, past performance, seniority, education, training, and work skills needed by the organization. Employees impacted by a reduction in force will be advised in writing as to the criteria used in making reduction in staff decisions.

Prior to discharging any employee under this section, the Archdiocese shall seek and duly consider the advice of an attorney qualified in employment law and approved by the local service office of the general insurance program of the Archdiocese. The required consultation includes review of relevant facts, circumstances, documents, records and other data relating to such employment, as they deem necessary. All such consultations shall be deemed privileged communications and confidential.

The Archdiocesan insurance policy requires the consultation described above. Failure to do so prior to a discharge may result in denial of insurance coverage for claims of wrongful termination. In the spirit of these policies, severance will be provided to those whose positions have been eliminated as part of the reduction in staff.

2-24 Whistleblower Policy

A whistleblower is defined as an employee of the Archdiocese who reports an activity that he or she considers illegal to one or more of the parties specified in this policy. The whistleblower is not
responsible for investigating the activity or for determining fault or corrective measures; appropriate members of management will be engaged to conduct these responsibilities.

If an employee has knowledge of illegal or fraudulent activity, the employee is to contact their supervisor or any member of management. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including separation.

For additional information, employees may access the Archdiocese’s Reporting Wrongdoing – “Whistleblower” Protection Policy at archspm.org/policies.

### 2-25 Unemployment Compensation

Church organizations have the option to participate in the Minnesota Unemployment Compensation Program. The Archdiocese participates in this program. Therefore, employees may be eligible for unemployment compensation if they are involuntarily terminated.

### 2-26 Smoking

To provide a healthier work environment and in compliance with state and local ordinances, smoking, vaping, and the use of tobacco products is not allowed in any indoor area of the Catholic Center during and beyond office hours. Individuals who use tobacco products outdoors may not litter the grounds. This policy applies to all employees, consultants, temporary employees, and visitors to the Archdiocesan offices.

### 2-27 Inclement Weather

At various times throughout the year, especially during the winter months, adverse weather conditions may create a need, where safety and well-being is concerned, for employee work schedules to be adjusted. This may include arriving late to work, leaving early from work, or the closing of the Archdiocesan offices as determined by the Vicar General or his designated representative. Each employee should feel free to make whatever decision is best about staying at work, or even coming to work, and should notify their supervisor. With supervisor approval, the employee may work from home. Otherwise, the time will be recorded as a vacation or personal day. If a decision is made to close the office, all employees will be paid for the working hours that the office is closed. Communication of office closures will be made via Flocknote.

### 2-28 Right-to-Know

The Right-to-Know refers to employees’ rights to information about chemicals in their workplaces. The federal law that provides these rights is the OSHA Hazard Communication Standard (29 CFR 1910.1200). Under the Hazard Communication Standard, employees will be provided with information about chemicals by 1) a written program to inform them, including a list of hazardous chemicals known to be in the workplace, 2) labels that show what the product is and who makes it 3) access to Material Safety Sheets (MSDSs) that describe the dangers of the chemicals they will come in contact with and how to prevent exposure to them and 4) training that addresses the health hazards of each chemical and how to handle and store them.
2-29 Outside Employment

The Archdiocese realizes that some employees may have a job in addition to their employment with the Archdiocese. Outside employment must not compromise the Archdiocese’s interest or adversely affect the employee’s job performance. Outside employment cannot be performed during the normal business hours of the Archdiocese unless special arrangements have been made in writing in advance and approved by the employee’s supervisor and the Moderator of the Curia.

Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, refusal to work different hours, or any other failure to meet the requirement of the employee’s job at the Archdiocese.

Employees who are injured or become ill as a result of employment outside of their Archdiocesan employment are not eligible for the Archdiocese’s short-term salary continuation benefits.

Section 3 - Benefits

3-1 Group Insurance Plans

Full-time employees, defined as those who work an average of 30 hours per week (1560 hours per year), are eligible for all employee group health and welfare plans offered by the Archdiocese of Saint Paul and Minneapolis Medical Benefit Plan (“AMBP”). For purposes of determining benefit eligibility, hours are aggregated for those employees working at more than one location. The first day worked is the employee’s start date and the date upon which benefits eligibility is determined.

Eligibility and enrollment in benefits continues for employees who go from one Archdiocesan or Parish location to another within a period of time not to exceed 30 days.

Employer and employee cost-sharing options are determined annually by the Archdiocese and, once elected by each entity remain in place for the entire plan year. It is not permissible to reduce the cost of benefits to any employee outside of the established cost sharing options as part of an employment offer or for any other reason.

Summary of Benefits

Eligible employees are offered the following benefit options:

- Health insurance for employees and their eligible dependents;
- A Health Savings Account ("HSA") (only available to high-deductible plan participants);
- Dental insurance for employees and their eligible dependents;
- Life insurance;
- Supplemental life insurance;
- Short Term Disability (also called Salary Continuation);
- Long Term Disability;
- Flexible Spending Accounts ("FSAs") for Health Care and Dependent Care;
- A Limited FSA for Dental and Vision Care (HSA Participants Only);
- Voluntary Benefits through AFLAC; and
- Legal Assistance and Identity Theft.
Benefit Enrollment, Elections, and Changes

Eligible employees may enroll on the first of the month following their hire date or transfer to benefits-eligible status, or during annual enrollment. Employees hired on the first of the month are immediately eligible. Employees elect benefits online through the Benefitfocus enrollment platform. This platform, along with details and descriptions of the group insurance plans, is accessible via the ArchSPM HR InTouch website at www.archspm.org/benefits. Additionally, the provisions of the plans, including eligibility and benefits provisions, are documented in the summary plan descriptions (“SPDs”) posted on the ArchSPM HR InTouch website.

All employees who elect benefit options requiring payroll deductions for health or dental premiums shall have those deductions taken on a pre-tax basis, subject to the rules and regulations of IRS Code 125. Some of the offered benefits must be paid for by the employee on an after tax basis. Once an employee makes benefits elections during their initial or open enrollment period, there are limited circumstances under which he or she can make changes. A circumstance such as this is referred to as a Qualified Life Event (QLE) or a HIPAA special enrollment. When these types of situations occur, the employee must contact the Benefit Service Center (“BSC”) at 1-833-272-4776 within 30 days after the effective date of the status change to request a change to their benefits. Requests for changes to benefits made after this 30-day period are not allowed with the exception of the birth of a child which allows a 60-day window within which to notify the BSC.

An employee who has pre-tax deductions will have their gross pay reduced by the amount of eligible premiums before state, federal, and Federal Insurance Contributions Act (“FICA”) taxes are calculated. The result may be a greater amount of net pay each payday, but this may reduce the amount of future pension and social security benefits, which are based on W-2 earnings.

The Archdiocese (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility, and entitlement.

3-2 403(b) Retirement Plan

The Defined Contribution 403(b) Retirement Plan for the Employees and Priests of the Archdiocese of Saint Paul and Minneapolis (“403(b) plan”) provides the opportunity to save for retirement on a tax-deferred basis. The funds they contribute accumulate over the course of their career and will help to provide them with financial security in retirement, along with social security benefits and any other sources of retirement income they may have.

Employees and priests of the Archdiocese may contribute to the 403(b) plan through payroll deferrals. Employee contributions are pre-tax for state and federal taxes, but post-tax for FICA and Medicare taxes. After one year of service with 1000 hours in a one calendar year period, employees become eligible for an employer contribution of 2.5% of pay on a per pay period basis. Priests are not eligible for the employer contribution. Employees need not contribute to the 403(b) to receive the employer contribution, which is subject to vesting restrictions.

Information and enrollment materials are available from the Transamerica website: www.archspm.trsretire.com or from the Archdiocesan Office of Human Resources.
3-3 Defined Benefit Pension Plan

The Defined Benefit Pension Plan for Lay Employees was frozen as of January 31, 2011, at the level of benefits accrued through that date. Employees who were participants in the defined benefit pension plan at the time it was frozen, but were not vested as of that date, continued to accrue vesting service if they remained employed in a benefit-eligible position. As of January 31, 2016, no further vesting service occurred in this plan. Employees must have completed five full years of continuous service in a benefit-eligible position to have a vested benefit. Employees hired into a benefit eligible position on or after January 31, 2011, are not eligible for the defined benefit pension plan.

When an employee is planning to commence pension benefits, the employee should notify the Archdiocesan Office of Human Resources no later than three months prior to their normal retirement age, in order to schedule distribution of the benefit.

3-4 Employee Paid Time Away from Work

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<thead>
<tr>
<th>Year of employment</th>
<th>Vacation Days</th>
<th>Sick Days</th>
<th>Personal Days</th>
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<tr>
<td>5 plus years of employment</td>
<td>20</td>
<td>7</td>
<td>5</td>
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</tbody>
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a) Vacation

Vacations are intended to provide employees with time away from work so that they can rest and bring balance to their lives. Supervisors are responsible for encouraging their employees to take vacation time each year. Vacation leave must be requested by the employee and approved in advance by the employee’s supervisor. Every effort will be made to grant the employee’s vacation preference; however, vacation requests will be subject to staffing requirements.

Full-time employees accrue paid vacation time as follows:

During the first year of employment, full-time employees accrue up to 15 days of vacation per year. Thereafter, employees accrue up to 20 days of vacation per year. Vacation is accrued on a per pay period basis throughout the year. The maximum vacation entitlement for part-time employees is prorated based on hours worked.

A maximum of 3 weeks of accrued, unused vacation time can be carried over from one fiscal year to the next. The fiscal year begins on July 1 and ends on June 30. Vacation does not accrue during leaves of absence, including FMLA. In the event of voluntary separation, the employee will be paid for accrued, but unused vacation time, provided a minimum two-week written notice of intent to separate is given by the employee to their supervisor.

After the employee gives notice of intent to separate, he or she is not entitled to take any leave unless there are special circumstances and the supervisor approves the leave in writing.

b) Sick Days

At the beginning of each fiscal year, regular full-time employees are provided with 7 sick days. Sick days are intended for absences due to an employee’s own illness or the illness of a child or family
member. It can also be used for medical appointments or other health-related reasons or Safety Leave.

The Archdiocese must provide enough sick time to meet the Saint Paul city ordinances that allow employees to accrue an hour of earned sick leave for every 30 hours worked, up to 80 hours in a two-year period.

c) Personal Days

At the beginning of each fiscal year, regular full-time employees with up to 5 years of service are also provided with 3 personal days. After five years, employees receive 5 personal days.

Regular part-time employees accrue sick and personal days in a similar manner, except on a pro-rated basis depending upon the number of hours they work. Unused sick and personal days are not paid out at the time of separation from employment and cannot be carried over from one fiscal year to the next.

3-5 Paid Holidays

The number and dates of paid holidays are determined on an annual basis by the Archdiocese and are available to all full-time employees and on a pro-rated basis to part-time employees, so long as the holiday falls on a normally scheduled work day.

Eligible non-exempt employees who are required to work on a holiday have the option to take another day off during the week of the holiday in consultation with their supervisor.

As a general rule, holidays occurring on a Saturday will be observed on the preceding Friday. Holidays occurring on a Sunday will be observed on the following Monday.

The holiday schedule includes the following standard national holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas. Additionally, the Archdiocese provides the following holidays:

- Martin Luther King Jr. Day;
- Presidents’ Day;
- Holy Thursday and Good Friday;
- Solemnity of the Assumption of the Blessed Virgin Mary (if it occurs on a week day);
- Solemnity of All Saints;
- Friday after Thanksgiving;
- Solemnity of the Immaculate Conception of the Blessed Virgin Mary;
- Christmas Eve Day; and
- One floating holiday (determined annually prior to the beginning of the new calendar year).

3-6 Bereavement

In order to provide employees suitable time to meet familial obligations and commitments, the Archdiocese grants bereavement leave in the event of the loss of a family member. Up to 5 workdays will be provided for the loss of a parent, spouse, child, or grandchild, and 3 workdays will be allowed in the event of the loss of a sibling, grandparent, daughter/son-in-law, or mother/father-in-law.
Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, the Archdiocese may require verification of death.

3-7 Jury Duty

In recognition of the obligation of all U.S. citizens to serve on a jury when summoned to do so, employees will be allowed time off to perform this civic service. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees are also expected to keep their supervisors informed of the anticipated length of jury duty service and to report to work if excused by the court for the major portion of the day. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees on jury duty leave will be paid their regular salary during their jury duty service. Part-time employees will be paid their average weekly salary during their jury duty service.

3-8 Time Off to Vote

Every employee eligible to vote may be absent from work during a regularly scheduled election for the time necessary to appear at the employee’s polling place, cast a ballot, and return to work on the day of that election. It is requested that the employee’s supervisor be notified of the intent to vote at least two days prior to the voting day (see Minn. Stat. §204C.04).

3-9 Crime Victims Time Off

Employees who are victims of a violent crime and are subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony may be granted reasonable time off from work with pay to attend criminal proceedings related to the employee’s case. Employees who are a victim’s spouse or immediate family member may be granted reasonable time off from work with pay to attend criminal proceedings related to the victim’s case.

Employees must give at least two days advance notice of the request for time off pursuant to this policy, unless impracticable or an emergency prevents the employee from doing so.

Upon request, the employee must provide verification that supports the employee’s reason for being absent from the workplace. All information related to the employee’s leave pursuant to this section will be kept confidential by the Archdiocese.

3-10 Additional Benefit Programs and Policies

a) Archbishop’s Scholarship

The Archdiocese funds a portion of the tuition cost for full-time employees whose children or grandchildren attend Archdiocese-recognized Catholic schools (K-12) through the “Archbishop’s Scholarship.” In the spring of each year, full-time employees may complete and submit an application, along with evidence of tuition to Human Resources. The amounts of the scholarships will be determined once all applications are received and reviewed.
Grandparents are asked to return the completed Staff Grandparent application, along with enrollment verification, at the same time. These awards will contribute up to $500 per grandchild toward the cost of tuition for grandchildren in Archdiocese-recognized Catholic schools per school year.

b) Employee Assistance Program (EAP)

The Archdiocese provides a Work-Life Balance Employee Assistance Program through Unum Insurance. This program offers master's level counselors to help the employee find solutions for the everyday challenges of work and home, as well as for more serious issues involving emotional and physical well-being. Help is easy to access in several ways: through confidential telephone consultations, face-to-face meetings, or the EAP online library of downloadable materials and interactive tools. Normally, at least three consultations are available at no cost to the employee. To learn more, visit http://www.unum.com/LifeBalance.

The Archdiocese of Saint Paul and Minneapolis has partnered with Twin Cities-based Canvas Health to provide victim assistance services for those harmed by clergy sexual abuse or other misconduct in Church ministry. Canvas Health has trained representatives who are always available at (651) 291-4497. To learn more, visit www.canvashealth.org/crisis-support.

c) Lactation Breaks

The Archdiocese will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee’s child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, subject to applicable law.

To provide privacy, the Archdiocese has made reasonable efforts to provide employees with the use of a room or location in close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from view, free from intrusion by coworkers and the public, and includes access to an electrical outlet. The Archdiocese may not be able to provide additional break time if doing so would seriously disrupt the Archdiocese’s operations, subject to applicable law. Employees with questions regarding this policy should consult with their supervisor or the Director of Human Resources (see Minn. Stat. §181.939).

d) Retreats

Employees are encouraged to attend retreats or days of prayer that contribute toward their spiritual development. With the approval of their supervisor and the Moderator of the Curia, up to 5 days per year may be available on a paid-time basis for this purpose.

3-11 Benefits Continuation (COBRA)

The Archdiocese allows employees and their qualified beneficiaries the opportunity to continue health insurance under the Archdiocese of Saint Paul and Minneapolis Medical Benefit Plan (AMBP). Employee/spouse or qualified beneficiaries are eligible when a “qualifying event” would normally result in loss of eligibility. Qualifying events may include resignation, termination of employment, death of an employee, a reduction in employee’s hours or a leave of absence, an employee’s divorce or legal separation or a dependent child turning 26 years of age. Under COBRA, the covered employee or dependent may be required to pay the full cost for coverage at the employer’s group
rates plus an administration fee. Eligible employee/spouse or qualified beneficiaries are notified in writing of their rights under the Consolidated Omnibus Budget Reconciliation Act (COBRA) when the employee becomes eligible for coverage continuation.

Section 4 – Leaves of Absence

4-1 Family and Medical Leave (FMLA)

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA) or the Minnesota Pregnancy and Parental Leave Act (MPPLA). This policy provides employees with information concerning FMLA or MPPLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA and/or MPPLA leave, they should contact their supervisor.

I. Eligibility

FMLA leave is available to “FMLA eligible employees.” To be an “FMLA eligible employee,” an employee must:

- Be employed by the Archdiocese for at least 12 months (which need not be consecutive); and
- Be employed by the Archdiocese for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

MPPLA is available to “MPPLA eligible employees.” To be an “MPPLA eligible employee,” an employee must:

- Be employed by the Archdiocese for at least 12 months (which need not be consecutive);
- Have worked at least half the full-time equivalent position for their job during the 12-month period immediately preceding the request for leave; and
- Have worked for an employer that has 21 or more employees at any single location.

II. Entitlements

The FMLA and MPPLA provide eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

A. Basic FMLA and MPPLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured forward from the date an employee will begin using their FMLA leave. The MPPLA provides eligible employees up to 12 workweeks of unpaid leave for: (i) the birth or placement for adoption of a child; or (ii), if a female employee, for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions.

MPPLA leave for the birth or adoption of a child may begin not more than 12 months after the birth or placement for adoption, except when the child must remain in the hospital longer than the mother, then the leave may not begin more than 12 months after the child leaves the hospital. It is the Archdiocese’s policy to provide the greater leave benefit provided under the FMLA or MPPLA and to
run leave concurrently under the FMLA and MPPLA whenever possible. Leave may be taken for one or more of the following reasons:

- To care for the employee’s child after birth, or placement for adoption (or foster care - FMLA only);
- To care for the employee’s spouse, son, daughter, or parent (but not in-law) who has a serious health condition (FMLA only);
- For the employee’s own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, childbirth, or related health condition) that makes the employee unable to perform one or more of the essential functions of the employee’s job (FMLA only, except MPPLA, if a female employee, for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions); or
- Because of any qualifying exigency arising out of the fact that an employee’s spouse, son, daughter, or parent is a military member on covered active duty, or called to covered active duty status (or has been notified of an impending call or order to covered active duty), in the Reserve component of the Armed Forces for deployment to a foreign country in support of contingency operations, or Regular Armed Forces for deployment to a foreign country (FMLA only).

A **serious health condition** is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days, combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment; incapacity due to pregnancy; or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Qualifying exigencies** may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty, and attending post-deployment reintegration briefings.

**B. Additional Military Family Leave Entitlement (Injured Service Member Leave - FMLA only)**

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a **covered service member** is entitled to take up to 26 weeks of **unpaid** leave during a single 12-month period to care for the service member with a serious injury or illness. Leave to care for a service member shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured service member.

A “**covered service member**” is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is on the temporary retired list for a serious injury or illness. These individuals are referred to in this policy as “current members of the Armed Forces.” **Covered service members** also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five-year period preceding the date the
eligible employee takes FMLA leave to care for the covered veteran, and who is who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as “covered veterans.”

The FMLA definitions of a “serious injury or illness” for current Armed Forces members and covered veterans are distinct from the FMLA definition of “serious health condition” applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees are also entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member, or the serious injury or illness of a covered service member. Leave due to qualifying exigencies may also be taken on an intermittent or reduced schedule basis.

D. No Work While on Leave

The taking or working of another job while on FMLA/MPPLA leave or any other authorized leave of absence is grounds for immediate separation, to the extent permitted by applicable law.

E. Protection of Group Health Insurance Benefits

During FMLA/MPPLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work. However, if leave is solely pursuant to MPPLA, the employee may be required to pay the full health insurance premium during leave.

F. Restoration of Employment and Benefits

At the end of FMLA/MPPLA leave – subject to some exceptions, including situations where job restoration of “key employees” will cause the Archdiocese substantial and grievous economic injury or the position has been eliminated due to a reduction in force – employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits, and other employment terms. The Archdiocese will notify employees if they qualify as “key employees,” if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA/MPPLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee’s FMLA/MPPLA leave.

G. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from the Archdiocese telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) the Archdiocese’s designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee’s leave entitlement.

The Archdiocese may retroactively designate leave as FMLA leave with appropriate written notice to the employee, provided the Archdiocese’s failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leave qualifies for FMLA
protection, the Archdiocese and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee FMLA/MPPLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who wish to take FMLA/MPPLA leave must timely notify the Archdiocese of their need for FMLA/MPPLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA leave protections, employees must inform their supervisor of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically or explaining the reasons for leave, allowing the Archdiocese to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- A medical condition renders them unable to perform the functions of their job;
- They are pregnant or have been hospitalized overnight;
- They or a covered family member are under the continuing care of a health care provider;
- The leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered service member with a serious injury or illness.

Calling in “sick,” without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the Archdiocese’s questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which the Archdiocese has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

2. Timing of Employee Notice

Employees must provide 30 days’ advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days’ notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the Archdiocese notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days’ notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

Employees must provide at least two weeks’ advance notice of the need to take MPPLA leave. Employees who fail to give at least two weeks’ notice without a reasonable excuse for the delay, or otherwise fail to satisfy MPPLA notice obligations, may have MPPLA leave delayed or denied, to the extent permitted by applicable law.
B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with the Archdiocese and make a reasonable effort to schedule treatment so as not to unduly disrupt the Archdiocese’s operations, subject to the approval of an employee’s health care provider. Employees must consult with the Archdiocese prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the Archdiocese and the employees, subject to the approval of an employee’s health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the Archdiocese may require employees to attempt to make such arrangements, subject to the approval of the employee’s health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered service member, the Archdiocese may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the Archdiocese of the reasons why such leave is medically necessary. In such instances, the Archdiocese and employee shall attempt to work out a leave schedule that meets the employee’s needs without unduly disrupting the Archdiocese’s operations, subject to the approval of the employee’s health care provider.

C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of the FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an initial certification, a recertification and a return to work/fitness for duty certification.

It is the employee’s responsibility to provide the Archdiocese with timely, complete and sufficient medical certifications. Whenever the Archdiocese requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after the Archdiocese’s request, unless it is not practicable to do so despite an employee’s diligent, good faith efforts. The Archdiocese will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The Archdiocese will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee’s permission, the Archdiocese (through individuals other than an employee’s direct supervisor) may contact the employee’s health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide the Archdiocese with authorization allowing it to clarify or authenticate certifications with health care providers, the Archdiocese may deny FMLA leave if certifications are unclear.

Whenever the Archdiocese deems it appropriate to do so, it may waive its right to receive timely, complete or sufficient FMLA medical certifications.
1. Initial Medical Certifications

Employees requesting leave because of their own or a covered member’s serious health condition, or to care for a covered service member, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days’ notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If the Archdiocese has reason to doubt initial medical certifications, employees may be required to obtain a second opinion at the Archdiocese’s expense by a health care provider selected by the Archdiocese. If the opinions of the initial and second health care providers differ, the Archdiocese may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the Archdiocese and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, the Archdiocese may require employees to provide recertification of medical conditions giving rise to the need for leave. The Archdiocese will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide the Archdiocese medical certification confirming they are able to return to work and the employee’s ability to perform the essential functions of the employee’s position, with or without reasonable accommodation. The Archdiocese may delay or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, the employee may be required to provide: 1) a copy of the military member’s active duty orders or other documentation issued by the military indicating the military member is on active duty or call to covered active duty status, as well as the dates of the military member’s covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies which are arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered service member with a serious injury or illness, the Archdiocese may require employees to obtain certifications completed by an authorized health care provider of the covered service member. In addition, and in accordance with the FMLA regulations, the Archdiocese may request that the certification submitted by employees providing additional information provided by the employee or the covered service member confirming entitlement to such leave.
E. Substitute Paid Leave for Unpaid FMLA and MPPLA Leave

Employees must use any accrued paid time while taking unpaid FMLA or MPPLA leave.

The substitution of paid time for unpaid FMLA or MPPLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with an employee’s FMLA/MPPLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers’ compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon written request, the Archdiocese will allow employees to use accrued paid time to supplement any paid disability benefits up to 100 per cent of the employee’s base pay.

F. Pay Employee’s Share of Health Insurance Premiums

Unless the Archdiocese notifies employees of other arrangements, whenever employees are receiving pay from the Archdiocese during FMLA/MPPLA leave, the Archdiocese will deduct the employee portion of the group health plan premium from the employee’s paycheck in the same manner as if the employee was actively working.

If FMLA/MPPLA leave is unpaid, employees must pay their portion of the group health premium through a “pay-as-you-go” method.

The Archdiocese’s obligation to maintain health care coverage ceases if an employee’s premium payment is more than 30 days late. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse the Archdiocese for the cost of the premiums the Archdiocese paid for maintaining health care coverage during their unpaid FMLA leave.

IV. Coordination of FMLA/MPPLA Leave with Other Leave Policies

The FMLA and MPPLA do not affect any federal, state or local laws prohibiting discrimination, or supersede any state or local law or collective bargaining agreement, which provides greater family or medical leave rights. However, whenever permissible by law, FMLA leave will run concurrently with MPPLA and any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/MPPLA leave is either not available or exhausted, please consult the Archdiocese’s other leave policies in this handbook or contact their supervisor.

V. Questions or Complaints about FMLA/MPPLA Leave

If employees have questions regarding this FMLA/MPPLA policy, they should contact their supervisor. The Archdiocese is committed to complying with the FMLA/MPPLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA/MPPLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact their supervisor. The Archdiocese will investigate any FMLA complaints and take prompt and appropriate remedial action.
to address or remedy any FMLA violation. Employees also may file FMLA complaints with the U.S. Department of Labor or may bring private lawsuits alleging FMLA violations.

4-2 Parental Leave

Parental leave is designed to reduce the loss of income as the result of the birth or adoption of a child by an employee. Parental leave runs concurrently with leave taken under FMLA and is available to those employees who have been employed by the Archdiocese for at least 12 months (which need not be consecutive) and have worked for at least 1250 hours of service during the 12 month period. If an employee is on an approved FMLA leave, the Parental Leave pay provision is as follows:

The first four weeks of leave is paid at 100% of regular salary, the next four weeks of leave is paid at 75%, and the next four weeks of leave is paid at 50%.

Employees are required to supplement this salary continuation benefit with any vacation that they may have accrued to reach 100% of their bi-weekly earnings. Vacation does not continue to accrue during parental leave.

4-3 Personal Leave

Full-time employees who have at least two full years of consecutive service and request time off unrelated to family or medical reasons may be allowed a personal leave of absence of up to 30 calendar days, subject to prior approval by the employee’s supervisor and the Moderator of the Curia. A personal leave of absence is only available to those employees who intend to return to work. Employees on a personal leave of absence will be required to use unused personal and vacation days and will not earn vacation, personal days, or sick days while on leave. Employees will continue to receive health insurance coverage during the leave but are responsible for their share of the monthly premium payment.

When the employee anticipates returning to work, he or she should notify their supervisor of the expected return date. This notification should be made at least one week before the anticipated return date.

4-4 Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide their supervisor with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should contact their supervisor for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give their supervisor as much advance notice of their need for military leave as possible so that the Archdiocese can maintain proper coverage while employees are away. See Minn. Stat. §192.34 and Uniformed Services Employment and Re-employment Rights Act (USERRA).
4-5 Family Military Leave

Any employee who is the grandparent, parent, legal guardian, sibling, child, grandchild, spouse, fiancé, or fiancée of a member of the United States armed forces that has been ordered into active service in support of a war or other national emergency (“mobilized service member”) is eligible for an unpaid leave of absence of up to one day per calendar year in order to attend a send-off or homecoming ceremony for the mobilized service member. The employee is asked to give the Archdiocese as much notice of their intent to take this leave as is practicable under the circumstances.

Additionally, any employee who is the parent, child, grandparent, sibling, or spouse of a member of the United States armed forces who has been injured or killed while engaged in active service is eligible for a leave of absence for up to 10 days to run concurrent with bereavement leave provided by the Archdiocese – Section 3-7. The employee must give the Archdiocese as much notice of intent to take this leave as is practicable. Any accrued paid leave which is used during this period will run concurrently with leave under this policy and will not extend the length of leave. See Minn. Stat. §181.947.

4-6 School Conference and Activities Leave

Employees are provided with up to 16 hours of leave during any 12-month period to attend school conferences or school-related activities related to the employee’s child (including conferences related to a pre-kindergarten program or child care services), provided the conferences or school-related activities cannot be scheduled during non-work hours. When leave cannot be scheduled during non-work hours and the need for leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt Archdiocese operations. Leave under this policy is unpaid. However, an employee may substitute accrued paid leave for leave under this policy. See Minn. Stat. §181.9412.

4-7 Domestic Abuse or Harassment Leave

Employees are entitled to reasonable unpaid time off to obtain or attempt to obtain an order for protection, or other relief from a court, related to domestic abuse or harassment.

An employee who is absent from the workplace shall give 48 hours advance notice to the Archdiocese except in cases of imminent danger to the health or safety of the employee or the employee’s child, or unless impracticable.

Upon request, the employee must provide verification that supports the employee’s reason for being absent from the workplace. All information related to the employee’s leave pursuant to this section shall be kept confidential by the Archdiocese.

4-8 Bone Marrow Donation Leave

Employees who work 20 or more hours per week are entitled to up to 40 hours of paid leave for the purposes of donating bone marrow. The Archdiocese may require verification of donation and the length of necessary leave. The employee must provide reasonable notice of leave. See Minn. Stat. §181.945.
Section 5 - General Standards of Conduct

5-1 Recording Devices

The use of tape recorders or other types of voice recording devices anywhere on Archdiocese property, including to record conversations or activities of other employees or management, or while performing work for the Archdiocese is prohibited unless the device was provided to you by the Archdiocese and is used solely for legitimate business purposes. In certain circumstances, exceptions may be made in writing by the employee’s supervisor and the Moderator of the Curia.

5-2 Drug and Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect Archdiocese property, and to ensure efficient operations, the Archdiocesan Code of Conduct requires that all Archdiocese employees not possess, use, or distribute alcohol or other drugs illegally while exercising their role, or be under the influence of illegal drugs, or under the influence of alcohol or medications that impair stable functioning or sound judgment.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale, or distribution of controlled substances, drug paraphernalia, or alcohol by an individual anywhere on Archdiocesan premises, while on Archdiocesan business (whether or not on Archdiocesan premises), or while representing the Archdiocese, is strictly prohibited. Moderate use of alcohol at Archdiocesan-related events and conferences is considered authorized use. Violation of this policy will result in disciplinary action, up to and including separation.

The Archdiocese maintains a policy of non-discrimination, and reasonable accommodations will be made to assist individuals recovering from substance and alcohol dependencies and those who have a medical history that reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. Employees should seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of themselves and co-workers.

5-3 Harassment

The Archdiocesan Code of Conduct for Church Personnel prohibits physical, psychological, or sexual harassment of any person or the toleration of such harassment by others. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature shall be considered harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of consistently interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

If an employee feels he or she has been subjected to conduct which violates this policy, the employee should immediately report the matter to their supervisor, Director of Human Resources, or the Moderator of the Curia. If the employee is unable to contact their supervisor or the Moderator of the Curia, or does not receive a satisfactory response within five business days after reporting an
incident that the employee perceives to be harassment or the perceived harassment involves a
member of the clergy, the employee should contact the Archdiocesan Director of Ministerial
Standards and Safe Environment. If the person toward whom the complaint is directed is one of the
individuals indicated above, the employee should contact any higher-level manager in their reporting
hierarchy.

Every report of perceived harassment will be fully investigated, and corrective action will be taken
where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality
cannot be guaranteed. Additionally, all parties involved in a harassment complaint are to maintain
strict confidentiality while the complaint is being investigated and evaluated.

The Archdiocese will not allow any form of retaliation against individuals who report unwelcome
conduct to management or who cooperate in the investigations of such reports in accordance with
this policy. If an employee feels he or she has been subjected to any such retaliation, the employee
should report it in the same manner in which the employee would report a claim of perceived
harassment under this policy. Violation of this policy – including any improper retaliatory conduct –
will result in disciplinary action, up to and including separation.

Anyone who knowingly makes false charges against an employee in an attempt to demean, harass,
abuse, or embarrass that individual will be subject to disciplinary action up to and including separation.

5-4 Workplace Violence

The Archdiocese is strongly committed to providing a safe workplace. The purpose of this policy is to
minimize the risk of personal injury to employees and damage to Archdiocesan personal and real
property.

Employees are not expected to physically subdue a threatening or violent individual and are
specifically discouraged from engaging in any physical confrontation with a violent or potentially
violent individual. However, they are expected to exercise reasonable judgment in identifying
potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled
individuals often exhibit a pattern of behavior consisting of one or more of the following actions: over-
resentment, anger, and hostility; extreme agitation; making ominous threats (e.g., saying that bad
things will happen to a particular person or a catastrophic event will occur); sudden and significant
decline in work performance; irresponsible, irrational, intimidating, aggressive, or otherwise
inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude;
discussing weapons and their use, or brandishing weapons in the workplace; overreacting or
reacting harshly to changes in company policies and procedures; personality conflicts with co-
workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work
or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a
propensity to behave and react irrationally.

All potentially dangerous situations, including threats by co-workers, should be reported immediately,
without fear of retaliation, to any member of management. Reports of threats will remain confidential
to the extent that maintaining confidentiality does not impede the Archdiocese’s ability to investigate
and respond to the complaints. If the Archdiocese determines, after a thorough investigation, that a
reasonable person would consider an employee’s behavior to be inappropriate and potentially
violent, immediate corrective action will be taken.
If an employee is the recipient of a threat made by an outside party, that employee should report this to their supervisor. It is important to be aware of any potential danger in our place of work so that effective measures can be taken to protect everyone from the threat of a violent act by an employee or by anyone else.

5-5 Confidentiality

Employees are not to disclose without proper authorization, or outside the normal execution of their job responsibilities, any confidential matters that come to their attention as a result of their employment with the Archdiocese. Disclosure to anyone of such information without proper authorization, or outside the normal context of one’s job, may be cause for disciplinary action, including separation. Confidential information includes, but is not limited to, the following:

- Correspondence and contributions;
- Personnel and payroll matters;
- Relationships between businesses and benefactors;
- Bids or contractual agreements with current or potential vendors/service providers;
- School records;
- Donor records.

5-6 Conflict of Interest

Employees must avoid situations that present actual, perceived, or potential conflict between their interest and the interests of the Archdiocese. All employees must make prompt disclosure to their supervisor or other appropriate member of management of any fact or circumstance that may involve a conflict of interest. Disclosure can assist in resolving honest doubts as to the propriety of a particular relationship or course of conduct. Any activities that create the appearance of a conflict of interest should be avoided.

5-7 Gifts and Entertainment

Accepting of gifts and entertainment may present potential or perceived conflicts of interest. While business courtesies are to be encouraged, employees shall not accept from anyone with whom the Archdiocese does or is seeking to do business any personal gifts, services, travel, or entertainment that may reasonably be perceived by others to affect their judgment or actions in the performance of their duties. When in doubt as to whether or not a gift is appropriate, employees are to consult their supervisor for approval.

5-8 Hiring Relatives/Employee Relationships

A familial relationship among employees can create a potential or perceived conflict of interest in the employment setting, especially where one relative supervises another relative. For the purposes of this policy, a relative is any person who is directly related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. To avoid this problem, the Archdiocese may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. The Archdiocese may attempt to identify
other available positions, but if no alternate position is available, the Archdiocese also retains the
right to decide which employee will remain with the Archdiocese after consultation with the two
employees involved.

Exceptions to the provisions of this section must be approved by the Moderator of the Curia.

5-9 Personal Appearance

The clothes and shoes an employee wears should be appropriate for the duties the employee
performs and the environment in which he or she works. Employees should consider scheduled in-
office visitors and activities when determining dress.

5-10 Health and Safety

The health and safety of employees and others is important to the Archdiocese, and employees are
expected to comply with all health and safety laws applicable to our work. To this end, employees
must ensure that work areas are kept safe and free of hazardous conditions. Employees are required
to be conscientious about workplace safety, including proper operating methods, and recognize
dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to
management immediately, even if the problem appears to be corrected. Periodically, the Archdiocese
may issue rules and guidelines governing workplace safety and health. It is the responsibility of each
supervisor to ensure that their employees are aware of all Archdiocesan rules and guidelines related
to workplace safety and health. All employees should familiarize themselves with these rules and
guidelines, as compliance will be expected.

5-11 Operation of Vehicles

All employees authorized to drive Archdiocesan owned or personal vehicles while conducting
Archdiocese business must possess a current valid driver’s license, proof of acceptable insurance
and an acceptable driving record. All employee drivers must comply with the Archdiocesan
Transportation Policies that include: 1) Must be 21 years of age or older, 2) Have had a current
Department of Motor Vehicle Record Check and review of same, 3) Have a valid driver’s license, 4)
Successfully completed the insurance program for the Archdiocese on-line training, within the past
two years. Driving a personal vehicle on behalf of the Archdiocese would also require personal
automobile liability insurance of no less than $100,000/$300,000/$100,000, and a completed Driver
Information Sheet. Any change in license status or driving record must be immediately reported to
the employee’s supervisor. Employees must have a valid driver’s license in their possession while
operating a vehicle off or on Archdiocesan property. It is the responsibility of every employee to drive
safely and obey all traffic, vehicle safety, and parking laws or regulations.

When renting a car while conducting Archdiocese business, employees must comply with the
Archdiocesan insurance program insurance requirements and make disclosures to the car rental
agency as required by the insurance program. Please contact the CFO for this information prior to
renting any vehicle.

Portable Communication Device Use While Driving

Employees who drive on Archdiocesan business are not allowed, per the Archdiocesan insurance
program transportation policies, to use cell phones and other electronic devices while operating a
vehicle. This provision does not apply to global positioning or navigation systems or devices are
permanently affixed to the vehicle.
Regardless of the circumstances, including slow or stopped traffic, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances are employees to place themselves at risk by fulfilling business needs while driving.

Since this policy does not allow any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

5-12 Personal and Company-Provided Portable Communication Devices

Archdiocese-provided portable communication devices (PCDs), including cell phones and laptop computers, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes as permitted the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through the Archdiocese’s network, and the PCD must be provided for inspection and review upon request.

When sending a text message or using a PCD for business purposes, whether it is a Archdiocese-provided or personal device, employees must comply with applicable Archdiocesan guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use, and operation of vehicles. All conversations, text messages, and e-mails must be professional.

Please note that whether employees use their personal PCD or an Archdiocese-provided device, the Archdiocese’s Acceptable Use of Technology policy remains in effect.

5-13 Punctuality and Attendance

Employees are hired to perform important functions within the Archdiocese. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive and disruptive, and they place an unfair burden on fellow employees and supervisors. Excellent attendance is expected from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including separation.

There are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the workday. Asking another employee, friend, or relative to give this notice is improper and may constitute grounds for disciplinary action. Unreported absences of three consecutive workdays may be considered a voluntary resignation of employment with the Archdiocese.
5-14 References

No employee of the Archdiocese except the Director of Human Resources may respond to reference requests. The Archdiocese will only provide general information concerning the employee such as date of hire, date of separation, and position held. Employees are not prohibited from writing personal letters of reference, but they must be clear that they are not doing this on behalf of the Archdiocese and they should not use Archdiocese stationary or reference their position at the Archdiocese. If a personal reference is being provided by email, a personal email account must be used.

5-15 Solicitation and Fundraising

Active solicitation of funds by employees during work hours is generally not allowed. Supervisors are not to solicit subordinate employees for funds under any circumstances. Employees may actively solicit funds before and after work or during lunch and break time. Active solicitation is subject to the approval of the supervisor. Those fundraising efforts which are sanctioned by the Archdiocese may occur at appropriate times including during working hours, subject to the supervisor’s approval and discretion.

5-16 Use of Communications and Computer Systems

The Archdiocese’s communication and computer systems are intended primarily for business purposes; however, limited personal usage is permitted if it does not hinder performance of job duties or violate any other Archdiocese policy. This includes the voice-mail, e-mail and internet systems. Users have no legitimate expectation of privacy in regard to their use of the Archdiocese’s systems.

Archdiocese employee’s voice-mail and e-mail systems may be accessed and communications obtained within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Archdiocese deems it appropriate to do so. The reasons for which such access may be obtained include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Archdiocese operations continue appropriately during an employee’s absence.

Internet usage may be reviewed to ensure that such use with Archdiocese property, or communications sent via the internet with Archdiocese property, are appropriate. The reasons for which an employee’s use of the internet may be reviewed include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Archdiocese operations continue appropriately during an employee’s absence.

The Archdiocese may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted in accordance with the Archdiocese’s Records Retention Policy.

The Archdiocese’s policies prohibiting harassment, in their entirety, apply to the use of the Archdiocese’s communication and computer systems. No one may use any communication or computer system in a manner that constitutes harassment or offensive based on race, national origin, sex, sexual orientation, age, disability, religious belief, or any other characteristic protected by federal, state, or local laws (see also Section 5-3 Harassment).
Since the Archdiocese’s communication and computer systems are intended for business use, all employees, upon request, must inform management of any employment-related private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee’s computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including separation.

5-17 Use of Social Media

Employees have the right to maintain a blog or website, or to participate in social networking platforms or similar sites. However, to protect Archdiocese interests and ensure employees focus on their job duties, employees must adhere to the following rules:

All rules regarding confidential and proprietary business information apply in full to blogs, websites, and social networking platforms. Any information that cannot be disclosed through a conversation, a note, or an e-mail also cannot be disclosed on a blog, website, or social networking site.

Whether an employee is posting something on their own or on someone else’s blog, website, or social networking platform, if the employee mentions the Archdiocese and also expresses either a political opinion or an opinion regarding the Archdiocese’s actions that could pose an actual or potential conflict of interest with the Archdiocese, the employee must include a disclaimer. The employee should specifically state that the opinion expressed is their personal opinion and not the Archdiocese’s position.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, website, or social networking platform. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden.

The Archdiocese encourages all employees to keep in mind the speed and manner in which information posted on a blog, website, or social networking platform is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above or consult with their supervisor. Failure to follow these guidelines may result in discipline, up to and including separation.

5-18 Workers’ Compensation

On-the-job injuries are covered by our Workers’ Compensation Insurance Policy, which is provided at no cost to the employee. Employees who are injured on the job, no matter how slightly, should report the incident immediately to their supervisor, who will then notify the Safety, Security, and Facilities Manager and the Workers’ Compensation Insurance carrier for the Archdiocese. Failure to follow Archdiocese procedures may affect the timely receipt of Workers’ Compensation benefits. Serious work injuries, including those requiring hospitalization, must also be immediately reported to the Minnesota Occupational Safety and Health Administration at 651-284-5050. Failure to comply could lead to fines and penalties.
5-19 Ethical Standards and Personal Integrity

In any organization, there are rules and responsibilities that contribute to a harmonious work environment for its employees and guests. As outlined in the Archdiocesan Code of Conduct for Church Personnel, it is the responsibility of every member of the staff to act in an honest and forthright manner in all workplace concerns; to treat co-workers, supervisors, volunteers, and visitors with respect; and to conduct oneself in a moral and ethical manner consistent with Catholic principles. Ministerial personnel must teach and act in accordance with the doctrine and moral teachings of the Catholic Church. Employees are to exhibit the highest ethical standards and personal integrity. Violations of these standards of conduct may result in disciplinary action, up to and including separation after an investigation. Actions that violate this policy on standards of conduct include, but are not limited to:

- Falsification of employee or institutional records;
- Unauthorized possession of a co-worker’s property;
- Immoral or unethical conduct when such conduct has an adverse impact on the Archdiocese;
- Insubordination;
- Possession of unauthorized weapons on premises;
- Misappropriation of funds or other assets of the Archdiocese;
- Sale, possession, or use of illegal substances;
- Reporting for work or engaging in work under the influence of alcohol or illegal substances; and
- Abuse or harassment in any form, directed at supervisors, subordinates, co-workers, visitors, or those served by the Archdiocese.

5-20 Supervisory Treatment of Subordinate Employees

Supervisors within the Archdiocese are expected to treat their employees with dignity and respect and refrain from criticizing or reprimanding them in public. They are also expected to address performance and conduct issues by:

- Speaking candidly and honestly to the employee at an early stage about the nature of performance/behavior problem, providing specific work-related examples;
- Setting clear and straightforward expectations about how to correct the problem;
- Providing sufficient amount of time to demonstrate their willingness to meet expectations
- Communicating the consequences to failure to do so.

Serious, continued, or deliberate violations of this policy by any supervisor at any level will be grounds for disciplinary action, including separation.

5-21 Conflict Resolution

The Archdiocese values the talents and abilities of its employees and seeks to foster an open and collaborative environment in which both employees and management can address problems and foster employee understanding of the rationale for practices, processes and decisions. To facilitate this, supervisors are to encourage open communication, feedback, and discussion about any matter of importance to an employee.
The Archdiocese strives to develop and maintain a workplace culture that facilitates resolution of conflict among employees. The foundation for such a culture is trust and mutual respect at all levels. But even in the best of work environments, when employees come together for a shared mission, a certain amount of workplace conflict is inevitable. Healthy conflict revolves around an exchange of ideas and different perspectives that are beneficial. Conflict becomes unhealthy when it is based on anger, frustration and personal animosity. Unhealthy conflict negatively impacts work and staff and is to be addressed in a prompt and professional manner.

Conflict resolution is everyone’s obligation and, therefore, all employees share accountability in resolving conflict at work. The first step in settling differences should be taken by the employees involved in the conflict in an effort to work out their differences. The only exception is if the conflict involves physical abuse, harassment, theft, or physical violence. These types of behaviors must be immediately reported to the employee’s supervisor or Director of Human Resources. If the conflict cannot be resolved at the employee level, the problem should be brought to the supervisor.

If the supervisor and employees are unable to achieve resolution of the conflict, they may contact the Director of Human Resources for assistance in resolving the conflict, or they may present the grievance to the Moderator of the Curia.

5-22 Conciliation and Arbitration

If a conflict is not resolved, the disputing parties may request assistance through the Archdiocesan Office of Conciliation. There will be no discipline or penalty because an employee uses this process. It is the sincere belief of the Archdiocese that the prompt and proper handling of employee issues and concerns will help to maintain the desired positive working environment.

If an employee is still not satisfied with the resolution of the complaint or grievance, it is the responsibility of that employee to submit the matter to final and binding arbitration, which will be the exclusive remedy for employees of the Archdiocese. Ordinarily, arbitration will be conducted according to the arbitration provisions of the Archdiocesan Office of Conciliation. The arbitrator will determine the extent and scope of any discovery to be permitted. Arbitration must be commenced within one year of the date on which the challenged action occurred.

Employees may contact the Office of Conciliation for additional information on the conciliation or arbitration process.

If either party chooses to arbitrate the matter pursuant to the Minnesota Uniform Arbitration Act and not the Archdiocesan arbitration process, that party, through the Archdiocesan Office of Conciliation, can work with the other party to identify a qualified neutral arbitrator. If that effort fails, then either party, through the Archdiocesan Office of Conciliation, may request appointment of an arbitrator from an outside arbitration service made available for that purpose by the Archdiocesan Office of Conciliation and consistent with the Minnesota Uniform Arbitration Act. The selection of a neutral arbitrator, in such instance, will be according to the provisions and rules established by the outside arbitration service. The fees and expenses of the outside neutral arbitrator shall be shared equally by the employee and by the employer. However, the employee will pay any cost for an attorney if one is desired.

Except for Arbitration discussed under the Problem Resolution section in this handbook, which is mandatory and binding on each employee, no language, term, or provision used in this handbook is intended to create, or is to be construed to create, a contract (express or implied) between the Archdiocese and any employee.
5-23 Discipline and Separation

Generally, discipline problems will be handled through one or more appropriate procedures, including verbal warnings, written warnings, disciplinary memos, suspension, and possible separation. Each case will be handled on its own merits, based on the severity of the situation. In most cases, a written warning with steps for remediation will precede a suspension or separation, and sometimes more than one written warning may be appropriate. However, other cases may require more immediate action and if necessary, may result in suspension or separation without prior warning. Involuntary separations require the Archdiocese to review the matter with legal counsel qualified in employment law and familiar with Archdiocesan policies prior to meeting with the employee. The attorney should be approved by the local service office of the general insurance program of the Archdiocese.

Separated employees will be paid for any earned but unused vacation days in addition to their regular earnings through their separation date. Copies of forms and memos documenting disciplinary situations are to be issued to the employee and placed in their personnel file. The employee will have the right to respond, in writing, to any written complaints.

Section 6 – Employment Review Board

6-1 Employment Review Board

The Archdiocesan Employment Review Board (ERB) is available to: 1) hear grievances as to whether the policies set forth in this handbook were properly followed, and 2) to recommend appropriate corrective action to the competent authority, if necessary, related to compliance with this handbook. The ERB shall not in any way serve as a replacement or substitute for the Office of Conciliation and the requirement to submit all employment-related disputes to the Office of Conciliation, pursuant to Section 5-21 and 5-22 prior to submitting any grievance to the ERB. Either party may present issues of non-compliance with this handbook to the ERB for a review and recommendation from the ERB to the Archbishop or his designee after submitting all required disputes to the Office of Conciliation. The ERB policy, included as an appendix to this handbook, governs the structure, competency, and authority of the ERB.

Section 7 – Conclusion

7-1 Conclusion

This handbook is intended to give employees a broad summary of information they should know about their work with the Archdiocese. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for clarification. Employees should speak to their supervisor or any member of management if they have questions about the Archdiocese or its personnel policies and practices.

This handbook is intended to clarify the rights and obligations of employees and employers so that employment reflects the teachings of the Catholic Church.
Employee Handbook Acknowledgment

This Employee Handbook is an important document intended to assist you in becoming acquainted with the Archdiocese. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because Archdiocese operations may change, with the prior written consent of the Archdiocese the contents of this handbook may be changed at any time, with or without notice. Notice will be provided of any such changes.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Employee Handbook.

I have received a copy of the Archdiocese’s Employee Handbook and understand that it is my responsibility to read the handbook and become familiar with the policies, rules, and benefits described in it. I understand that, with the prior written consent of the Archdiocese, the policies, rules, and benefits described in this handbook are subject to change at any time and that this handbook does not constitute an employment contract except for the arbitration discussed under the Conflict Resolution section of this handbook.

I understand and agree to submit to final and binding arbitration of any dispute, controversy, or claim arising out of any term or condition relating in any way to my employment or separation of employment, and such arbitration as described in this handbook shall be my exclusive remedy.

I further understand that my employment is terminable either by myself or the Archdiocese, with or without cause or notice, taking into account state and federal laws and applicable policies of the Archdiocese, regardless of the length of my employment or the granting of benefits of any kind.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of Archdiocese Employee Handbook.

Employee’s Printed Name:  ____________________________________________

Employee’s Signature:  ____________________________________________

Date:  ____________________________________________

The signed original copy of this acknowledgment should be given to your supervisor for placement in your personnel file.