

**ARCHDIOCESE OF
MIAMI**



**EMPLOYEE
HANDBOOK**



ARCHDIOCESE OF MIAMI
Office of the Archbishop

August 1, 2022

Dear Co-Workers in Christ,

I am pleased to present this employee handbook for your guidance and reference. The policies inside, first published in 2012 and revised each year since then, will clarify many questions you may have regarding your important role within our parishes and schools and the Archdiocesan Pastoral Center, as well as acquaint you with what is expected of you in your service to God's people.

Though the parishes, schools and Pastoral Center often appear to be a work environment, we are always conscious that at the root of all we do is the Gospel of Jesus Christ lived out in the mission of His Church. This demands that we make extra effort to ensure that we witness to Christ by acting with integrity, operating fairly and avoiding arbitrary decisions. To sustain and enhance this, there are certain concrete means to be used which provide clear understanding and also foster a sense of security. This handbook for all employees of the parishes, schools and Pastoral Center is one of those means.

I hope that as you read these policies you will find within them the information you need to be a satisfied and proud member of the Archdiocese of Miami. I thank you for your participation in our shared apostolate and I ask the Lord to bless you and your loved ones abundantly.

With personal good wishes, I am

Sincerely yours in Christ

Most Reverend Thomas G. Wenski
Archbishop of Miami



Mission of the Archdiocese of Miami

We, the Catholic people of the Archdiocese of Miami, in one with Jesus Christ through Baptism; empowered by the Holy Spirit; nourished by the Eucharist; and faithful to the mission of Christ; commit ourselves to be God's heart of mercy and love, God's voice of hope and truth, God's hands of justice and healing to all people.



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I. THE ARCHDIOCESE

A. Introduction

This employee handbook is intended to be a convenient and helpful source of information about employment with the Archdiocese of Miami. This handbook covers all lay employees of the Pastoral Center of the Archdiocese of Miami and all its parishes and schools. This August 2022 revision supersedes the previously published 2021 edition. For policies governing areas not specifically addressed or expressly reserved for local Archdiocesan entities, the employee should consult with his/her Archdiocesan entity pastor, principal or supervisor.

The handbook has been written to answer some questions concerning the Archdiocese and its policies. It should be read thoroughly and retained for future reference. Updates will be posted on the Archdiocesan e-library (www.theadom.info). The username and password are unique to your entity of service. (Special log-ins for administrators, principals and managers grant access to additional folders.) The policies stated in this handbook are guidelines only and, with the exception of the policy on “at-will” employment, are subject to change at the sole discretion of the Archdiocese, as are all other policies, procedures, benefits or other programs of the Archdiocese. From time to time, updated information concerning changes in policy is distributed, generally via posting on e-library. Questions regarding any policies should be directed to the supervisor, principal, pastor, or the Office of Catholic Schools or Office of Human Resources at the Pastoral Center.

This handbook is not a contract, express or implied, guaranteeing employment for any specific duration. Although it is hoped the employment relationship with the Archdiocese will be long-term, either the employee or the Archdiocese may terminate this relationship at any time, for any reason, with or without cause or notice. No supervisor or representative of the Archdiocese other than the Archbishop, or the Chancellor for Administration on behalf of the Archbishop, has the authority to enter into any employment agreement with an employee for employment for any specified period of time or to make any promises or commitments contrary to the foregoing. No supervisor or representative of the Archdiocese has the authority to make any verbal promises, commitments, or statements or any kind regarding the Archdiocese’s policies, procedures or any other issues that are legally binding on the Archdiocese. The Archdiocese of Miami reserves the right to unilaterally modify or cancel any provision of this manual or its guidelines at any time without notice.

II. EMPLOYMENT POLICIES

A. Equal Employment Opportunity

The Archdiocese is committed to equal employment opportunity for all employees and applicants for employment without regard to race, color, national origin, gender, disability, genetic information, or age, or any other legally protected characteristic. In addition, the Archdiocese of Miami complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including, but not limited to: hiring, promotion, training, disciplinary action, termination, leaves of absence, compensation and benefits.



All employees are expected to show respect and sensitivity toward all other employees and to demonstrate a commitment to the Archdiocese's equal opportunity objectives. If an employee observes or learns of a violation of this policy, he/she should report it immediately as outlined in Section II, C.

Violation of this policy may result in disciplinary action, up to and including termination.

B. Non-Discrimination and Anti-Harassment Policy

Consistent with the Equal Employment Opportunity Policy, the Archdiocese is committed to providing a professional work environment that is free of unlawful discrimination and harassment. As such, the Archdiocese will not tolerate discrimination or harassment on the basis of a person's protected status, such as race, color, national origin, gender, disability, genetic information, or age, or any other protected characteristic. In keeping with this commitment, the Archdiocese of Miami has adopted a zero-tolerance policy with respect to employee discrimination or harassment, including sexual harassment. It expects that all relationships among persons in the workplace will be respectful and free of bias, prejudice and harassment. The Archdiocese will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, offensive, or hostile working environment.

With respect to sexual harassment, the Archdiocese specifically prohibits unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
2. Submission or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
3. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive work environment.

Sexual harassment may also include, but is not limited to, unwelcome physical contact such as patting, pinching or brushing against another's body, explicit sexual propositions, sexual innuendos, suggestive comments, sexually oriented kidding or teasing, practical jokes, jokes about gender-specific traits, foul or obscene language or gestures, "sexting," display of foul or obscene printed or visual material including email, posters, photos or calendars.

C. Non-Discrimination and Anti-Harassment Complaint Procedure

All Archdiocesan employees are responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. If you experience or witness any job-related harassment based on your gender, race, color, national origin, disability, age, or another factor, or believe that you have been treated in an unlawful, discriminatory manner, promptly report the incident to your supervisor or the Human Resources Office. This policy applies to all incidents of alleged harassment, including those which occur off-premises, or off-hours, where the alleged offender is a supervisor, coworker, third-party vendor or volunteer.



1. Complaint. Please understand that the Archdiocese takes complaints of discrimination and harassment very seriously. Thus, there is no need to follow any formal chain of command when filing a complaint of harassment or discrimination. The employee may bypass anyone in the direct chain of command and file a complaint or discuss any issue of concern with a member of Human Resources (or, in the case of a school, the Superintendent of Schools) at any time. If an employee believes a member of Human Resources is involved in the alleged discrimination or harassment, a complaint can be made directly to the Chancellor for Administration.
2. Investigation. It is the policy of the Archdiocese to investigate all such complaints thoroughly and promptly. To the fullest extent practicable, the Archdiocese will keep complaints and the terms of their resolution confidential. All employees have a duty to report any conduct which they believe violates this policy. In addition, every employee has a duty to cooperate with any investigation directed by the Archdiocese, regardless of whether the investigation is being conducted by the Archdiocese or outside parties retained by the Archdiocese.
3. Corrective Action. If an investigation confirms that harassment or discrimination has occurred, corrective action may be taken against the offending employee, including such discipline up to and including immediate termination of employment, as is appropriate.
4. Retaliation. The Archdiocese will not tolerate any form of retaliation against any employee for reporting a violation of this policy, filing a complaint under this policy, or assisting in a complaint investigation. However, if, after investigating any complaint of harassment or unlawful discrimination, the Archdiocese determines that the complaint is frivolous and was not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or gave the false information, up to and including termination. This statement is not made to discourage reporting matters that might be doubtful. When in doubt whether discrimination, harassment, sexual harassment and/or retaliation may have occurred, you must report.
5. While respecting necessary confidentiality, the employee filing the complaint will generally be informed that the issue has been investigated, and if applicable, appropriate action has been taken.
6. Reporting. Employees who become aware of discrimination, harassment, sexual harassment, and/or retaliation in accord with these procedures must report. Failure to report may be subject to disciplinary action, up to and including termination.

D. Anti-Harassment Policy: “Sexting”

The Archdiocese of Miami Anti-Harassment Policy also prohibits “sexting”. Sexting is the sending or receiving of sexually-explicit or sexually-suggestive words, images or video via a cell phone or social media outlets. Most commonly, the term has been used to describe incidents where people distribute inappropriate, and most frequently illegal, images via cell phones, social networking sites, e-mails, instant message programs and chat rooms.

The archdiocesan policy prohibits employees from initiating sexting to other employees, volunteers, clergy, or minors. Furthermore, the mere presence of such transmissions on an employee’s electronic media devices or accounts, if said content includes minors, could be a felony, in addition to a violation of the ARCHDIOCESAN POLICY *Creating and Maintaining a Safe Environment for Children and Vulnerable Adults*.



Therefore, any employee who receives such inappropriate material via cell phone or social media outlets from another employee, volunteer, clergy, or person served in ministry, must follow the procedure below:

- Immediately report the transmission of such content to her/his supervisor
- Absolutely do **not** transmit any of the evidence, pictures or inappropriate messages; **await instructions** from the supervisor on how to proceed with the collection of evidence.
- Supervisors must report the transmission of images or messages involving minors, to the pastor, principal, or law enforcement authorities.

Violations of this policy will be subject to disciplinary action that may include termination.

E. Americans with Disabilities Policy

The Archdiocese complies with the Americans with Disabilities Act and applicable state and local laws providing for nondiscrimination in employment against qualified individuals with disabilities. The Archdiocese also provides reasonable accommodations for such individuals in accordance with these laws. Qualified individuals with a disability should make a request for a reasonable accommodation to the pastor, principal or Archdiocesan Office of Human Resources. Upon receipt of an accommodation request, the pastor, principal or Office of Human Resources will likely meet with the requesting individual to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the Archdiocese can make to help overcome those limitations. This interactive process may require the employee's health care provider to complete the Medical Inquiry Form for ADA Accommodation (*Form HR-90*).

III. BEGINNING EMPLOYMENT

A. Recruiting and Hiring of Personnel

Consistent with its mission the Archdiocese of Miami is committed to staffing its entities with appropriately qualified people to perform their respective jobs. The Archdiocese recognizes and complies with the applicable stipulations of federal, state and local legislation regarding employee selection procedures and consequently has devised the procedures outlining requirements to be completed when hiring employees. This policy governs the recruiting and hiring of lay employees for the Archdiocese of Miami Pastoral Center, and the Archdiocese's parishes and schools.

*Additional
Procedures required
by the Office of
Schools for
instructional
(contracted) personnel
are addressed in the
language of the
contract.*

Additional information is available in the ARCHDIOCESAN POLICY *Procedure for Hiring* and the ARCHDIOCESAN POLICY *Process for Verifying Past ADOM Employment for Candidates Selected for Hire*.

B. Criminal Background Screening

To ensure the safety and well-being of children and vulnerable adults, all employees will be required to undergo a background screening prior to employment and every five years thereafter while remaining employed. The screenings will include, but may not be limited



to, fingerprint screening through local (FDLE) and/or national (FBI/VECHS) law enforcement databases. Employees may not begin employment until they receive clearance.

C. Proof of Right to Work

Under federal law, all new employees must produce original documentation establishing their identity and right to work in the United States. They must also complete USCIS Form I-9, swearing that they have a right to work in the United States. Documentation must be produced within three (3) business days of hire. Employees who have work authorization with an expiration date are responsible for monitoring and keeping current their authorization to work in the United States; prior to expiration of the documents provided at hire they must bring the new document to their entity HR representative for review and updating of Form I-9. (Form I-9 can be downloaded from the ADOM e-library or directly from the Department of Homeland Security at <http://www.uscis.gov/portal/site/uscis>.)

The State of Florida requires that the information provided on Form I-9 be verified through the E-Verify, federal database, for every employee of an entity that enters into contracts with one of the early Learning Coalitions (including VPK and School Readiness). The Archdiocese of Miami and its entities comply with this law.

D. Introductory Period

The Archdiocese has established a three-month introductory period for employees and the employer to assist in determining whether the employee's interests, skills and talents meet the needs of the employer.

- Roles and expectations will be discussed as part of the orientation process.
- Performance review will generally be conducted by the direct manager and employee at the end of the introductory period. The review addresses performance only. The employee is not eligible for a salary increase at this time. The employee salary discussion generally occurs at the one-year evaluation.

E. Orientation Program

New and/or promoted employees will generally be oriented by their supervisors to their duties and responsibilities, their parish's/office's/school's function and purpose, and all policies, procedures, rules and regulations as they apply to their employment. New Employee Orientations conducted by the Archdiocese for specific positions (i.e., new teachers, DREs, development, bookkeepers/HR) are meant to supplement, and not replace, orientations conducted by the local employer.

Orientation of new faculty and staff will be carried out through the school of employment.

F. Personnel Records

The Archdiocese maintains personnel records for each employee. These records are the property of the Archdiocese and are kept in a secure location in the strictest confidence, permitting that only the pastor, principal, administrator or their designee have access to the files. Basic employee records are established at the time of employment and orientation.

1. Personnel records of each employee must include the following:

- Resume
- Completed application form
- Scholastic record (if available)



- References from former employers
- Copy of the offer of employment letter and job description
- The Health Insurance Marketplace Coverage Options and Your Health Coverage notice, mandatory under ACA
- Salary history
- Copies of pertinent current credentials/certification
- Copy of current Florida driver license and insurance coverage, if position includes any driving on Archdiocesan business
- Signed copy of *Conflict of Interest* Statement if required by job description
- Signed copy of *Confidentiality Agreement* if required by job description
- Performance evaluations, introductory and annual
- Employee recognition (letters and awards)
- Documentation of warnings, counseling and disciplinary actions
- Record of employment actions such as transfer, promotion or change in status
- Documentation of training and certification programs completed
- Signed acknowledgement of receipts of handbooks and policies
- Employee Pledge to Promote a Safe Environment
- Documents regarding termination of employment.

It is important that personnel records be current. It is the responsibility of each employee to notify the parish or school administrative office or Human Resources Office, and enter the updated data into the self-portal of the HR Information System within five (5) days of any change in the following:

- Home address
 - Telephone number (home and mobile) and personal e-mail address
 - Marital status
 - Number of dependent children
 - Group Health Coverage (coverage, beneficiaries and covered members under group life, health and dental plans and retirement plans.)
 - Name and contact information of person to be notified in case of an emergency
 - Federal Income Tax Withholding Form (W-4)
 - Status of Employment Eligibility (USCIS Form I-9)
2. A current employee may request to view his or her personnel file through the following procedure:
- a. The employee must submit a written, dated request to his/her supervisor or entity HR person to review his/her personnel file. The employee's request to examine the file will generally be acted upon within thirty (30) days of the request.
 - b. A mutually convenient date will be communicated to the employee by the supervisor, with a reasonable amount of time allocated for the file review.
 - c. A management representative, generally the employee's immediate supervisor or other appropriate Archdiocesan representative will generally be present during the examination.



- d. The employee may not alter, modify, or remove any item contained in the records. The employee may take a reasonable amount of handwritten notes, but may not photocopy information contained in the file.
 - e. If information is alleged incorrect, incomplete, or missing, the employee can submit proposed changes in writing to his/her supervisor.
 - f. Proposed changes are reviewed and, if the change is accepted, the employee may request another appointment to re-examine the file to verify that the change has been correctly made.
3. Former employees are not permitted to view their personnel files. Any employee who violates any part of the privacy policy may be subject to disciplinary action up to and including termination.

G. Employee Performance Evaluations

To ensure that an employee performs at his/her best and that the good performance of the employee is properly recognized and reinforced, along with appropriate suggestions for improvement when necessary, formal performance evaluations are completed annually. Consistent with this goal, the employee’s performance will be informally evaluated by the supervisor on an ongoing basis along with formal written evaluations as follows:

- They will generally occur at the conclusion of the three (3)-month introductory period, and on an annual basis thereafter (Forms HR-23, HR-25 and HR-26 available for download from the Managers folder of the e-library.)
- They will be based on overall performance in relation to the job responsibilities, including the written job description as well as mutually agreed upon standards of performance or goals to be accomplished during the performance review period; and
- They will take into account the employee’s conduct, demeanor, cooperation, record of attendance, support of the mission and tardiness.

The annual performance review is part of a process of performance management, which presumes ongoing communication between the employee and the supervisor regarding job performance. The annual performance review process includes self-assessment, supervisory assessment, and, where applicable, takes into consideration feedback from those served by the work of the employee in order to determine a plan for continued excellence or growth in performance.

***Instructional
School Personnel
should contact the
Office of Schools
for policies and
forms.***

In addition to regular performance evaluations, special written performance evaluations may be conducted by the employee’s supervisor, and a performance improvement plan or corrective action plan may be developed, at any time, to advise the employee of the existence of performance or disciplinary problems. Employees are expected to cooperate and make a good faith effort to comply with the instructions in the action plans.

H. Employment of Relatives

The Archdiocese gives equal consideration to all qualified candidates in hiring, promotion and transfers but it will avoid creating a situation where there is a direct or indirect “reporting” or supervisory relationship between related employees. “Supervision” is defined as providing direction or instruction to an employee, and/or as having the



functional responsibility of interpreting policy that could affect an employee or employee's work environment.

No relatives, those in a dating relationship or members of the same household are permitted to work in the same department/office or in any other positions in which the Archdiocese believes an inherent conflict of interest may exist. Approval by Human Resources for hire of a relative, those in a dating relationship or members of the same household within the same entity is required.

Relatives, those in a dating relationship or members of the same household of present employees may be hired by the Archdiocese only if (1) the individuals concerned will not work in a direct supervisory relationship, and (2) the employment will not pose difficulties related to conflict of interest or supervision, security, or safety. "Relatives" are defined as spouses, children, grandchildren, sisters, brothers, mothers, fathers or grandparents and include clergy, religious and laity. Present employees who are relatives, those in a dating relationship or members of the same household will be permitted to continue employment with the Archdiocese only if they do not work in a direct supervisory relationship with one another, or otherwise pose difficulties related to conflict of interest or supervision, security, or safety.

If employees who are relatives, those in a dating relationship or members of the same household do work in a direct supervisory relationship with one another, the Archdiocese may attempt to reassign one of the employees to another position for which he/she is qualified.

If employees who are relatives, those in a dating relationship or members of the same household present difficulties arising from the conflict of interest or supervision, security or safety, there may be disciplinary consequences, up to the reassignment to another position or termination of employment.

I. Employment at Will

Employment is with the mutual consent of the employee and the Archdiocese. Consequently, both the employee and the Archdiocese have the right to terminate the employment relationship at any time, with or without cause. This employment-at-will relationship will remain in effect throughout one's employment. The employment-at-will relationship does not remove an employee's responsibility to provide adequate notice when resigning employment, in order to remain in good standing with respect to eligibility for re-hire at an archdiocesan entity.

For instructional personnel, the employment at will relationship is addressed in their contract or employment letter.

IV. COMPENSATION POLICIES

A. Classification of Employees

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



1. Full-time regular employees: Employees whose budgeted scheduled workweek is forty (40) hours.
2. Part-time regular employees: Employees whose budgeted scheduled workweek is less than forty (40) hours but at least 30 hours per week.

The Faculty Handbook will define other work hours and school-related matters for school personnel.

Part-time regular employees who regularly work at least 30 hours per week are eligible for health, dental, and life insurance benefits, pro-rated vacation and sick time, holidays and other paid time off as specified in the Time-Off Benefits, Section V; eligibility to participate in Archdiocesan retirement benefits¹ and any state and federally mandated benefits.

3. Part-time employees, limited benefits: Employees whose budgeted scheduled workweek is 25 hours per week or less.

Part-time employees who work 25 hours per week or less are not eligible for health, dental, and life insurance benefits²; nor eligible for pro-rated vacation and sick time. They may participate in the 403(b) defined contribution retirement program and are eligible for the archdiocesan match on deferral.

4. Full-time Seasonal Employees: Employees that are hired on a temporary / seasonal basis for at least 30 hours per week for a limited number of weeks per year.

Full-time Seasonal Employees do not receive the benefits outlined herein for full-time and part-time regular employees except for eligibility to participate in the 403(b) defined contribution retirement program, excluding the archdiocesan match on deferral. They would be eligible for any state and federally mandated benefits and should consult with his/her Archdiocesan entity supervisor if there is any uncertainty. They would also be eligible for health benefits (medical only) after 30 days of continuous employment of at least 30 hours per week, provided the schedule maintains an average of 30 hours per week during the seasonal employment.

5. Part-time Seasonal Employees: Employees that are hired on a temporary / seasonal basis for less than 30 hours per week for a limited number of weeks per year.

Part-time Seasonal Employees do not receive the benefits outlined herein for full-time and part-time regular employees except for eligibility to participate in the 403(b)

¹ For an employee hired on or after January 1, 2010, a Year of Service for Cash Balance Plan of the ADOM Retirement Program purposes is a Plan Year during which the employee has completed at least 1,500 hours of service with the Archdiocese (30 Hours/week). For an employee hired on or before December 31, 2009, a Year of Service for Cash Balance Plan purposes is a Plan Year during which the employee has completed at least 1,000 hours of service with the Archdiocese (20 hours/week)

² Employees must work at least 30 hours per week in order to be eligible for sick, vacation and holiday pay; and health, dental and life insurance benefits. The Archdiocese of Miami will employ a look-back measurement method to determine eligibility for health insurance benefits for the stability period under PPACA (Health Care Reform).



defined contribution retirement program, excluding the archdiocesan match on deferral. They would be eligible for any state and federally mandated benefits and should consult with his/her Archdiocesan entity supervisor if there is any uncertainty.

6. Contracted Employees: School principals or teachers who are contracted on a year-to-year basis. Scheduled workweek and paid-time-off benefits are stipulated to support the requirements of the academic calendar. No one other than a principal or teacher may be a contracted employee, except with the specific approval of the Archbishop or Chancellor for Administration/COO. Other benefit eligibility meets the same requirements as regular, non-contracted full- and part-time employees.

All employees, whether classified as full-time or part-time, will be further classified as either exempt or non-exempt employees, generally based on the job description.

7. Non-exempt employees are those who are required to be paid overtime at the rate of time-and-one-half their regular rate of pay for all hours worked beyond forty (40) work hours in a workweek, in accordance with applicable federal and state wage and hour laws.
8. Exempt employees are those who are not required to be paid overtime, in accordance with applicable federal and state wage and hour laws, for work performed beyond forty (40) work hours in a workweek but whose salary represents payment for all hours they may be required to work in any given workweek. Executives, professional employees, and certain employees in administrative positions may be exempt, depending on the salary. With the exception of teachers, youth ministers, music directors and catechetical (religious education) leaders, part-time employees working 25 hours per week or less will generally be classified as non-exempt. (Consult Archdiocesan Human Resources Offices for clarification if needed.)

An employee is informed of his/her employment classification and status as an exempt or nonexempt employee during orientation session. In the event the employee changes positions as a result of a promotion, transfer, or otherwise, the Supervisor, Pastor or principal will notify the employee of any change in exemption status.

Questions regarding employment classification or exemption status or belief that a position is incorrectly classified should be referred to the Human Resources Office.

B. Work Hours

The regular workweek for all full-time employees is forty hours (40), divided into five (5) days, over the course of a week, with employees regularly scheduled to work eight (8) hours per day with a 15-minute paid break both morning and afternoon. An unpaid 30-minute lunch period is scheduled in the middle of the workday at a time agreed upon by the supervisor and employee. The normal working hours for full-time employees occur over 8½ consecutive hours, with a half-hour, unpaid meal period. For Part-time and Seasonal employees, the work schedule, days and hours, is designated by the Pastor or supervisor.



Daily and weekly work schedules may be changed from time to time at the discretion of the Archdiocese, Pastor or Administrator to meet the varying conditions of the entity. Changes in work schedules will be announced as far in advance as possible. Within reasonableness of scheduling, employees may have the opportunity to attend Mass at the entity within the normal schedule.

C. Regular Pay Procedures

Archdiocesan employees are normally paid by direct deposit or check on a biweekly basis. If a scheduled payday falls on an Archdiocesan observed holiday, employees will usually be paid on the day preceding the holiday. All required deductions, such as for federal taxes, and all authorized voluntary deductions, such as for health plan contributions, will be withheld automatically from employees' paychecks.

Employees are not permitted to borrow on their earnings in advance of payday. It is prohibited for the entity to make loans to employees.

D. Overtime Pay Procedures

Employees classified as non-exempt employees will receive compensation for overtime work as follows:

1. The employee is paid at the regular hourly rate for all hours actually worked up to forty (40) hours in any given workweek. (Please note that the workweek runs from 12:01 A.M. Sundays through midnight the following Saturday).
2. The employee is paid one and one-half times the regular hourly rate for all hours actually worked beyond forty (40) hours in any given workweek.
3. The supervisor will attempt to provide the employee with reasonable notice when the need for overtime work arises. Please remember, however, that advance notice may not always be possible. Occasionally, mandatory overtime will be necessary. All overtime must be approved in writing, in advance, by the supervisor. Electronic timecards are to be approved by the supervisor for payment processing in the next payroll period.

E. Timecard and Pay Period

All non-exempt or hourly employees must use the electronic timekeeping system to track his/her hours, and documentation must be provided to Payroll, parish or school bookkeeper or accountant as required by the Pastoral Center or parish or entity administration.

Exempt employees are required to use the electronic timekeeping system to report sick, vacation or jury duty, to Payroll, parish or school bookkeeper, or accountant, with a copy to the employee's supervisor. Part-time exempt employees must use the electronic timekeeping system to report weekly hours. Full-time exempt employees may be required by the entity to use the electronic timekeeping system to report weekly hours.³

³

Under the requirements of the Patient Protection and Affordable Care Act, entities must have records of hours paid per week for part-time exempt employees.



F. Stipends

When exempt employees present programs, conduct workshops, engage in consultations, or make presentations that are within the scope of their employment responsibilities with the Archdiocese, they are not eligible to receive a stipend or supplemental compensation. In such cases, it is understood that the employee may make use of their regular work time to prepare for these events. These events may or may not take place during their regular work time. If a stipend is given by the organization benefiting from the presentation, the stipend is to be deposited as income to the employee's office or organization.

Employees who are paid on an hourly basis are also ineligible to receive stipends or supplemental compensation when making presentations, etc., as part of their regular worked and paid hours. However, to the extent that such events are held outside of regular work time, they are eligible to receive overtime compensation provided the hours worked are in excess of 40 hours for that work week (refer to Overtime Pay Procedures). If a stipend is given by the organization benefiting from the presentation, the stipend is to be deposited as revenue to the employee's office or organization.

The School Master calendar is published annually by the Office of Schools and defines the holiday, vacation schedule and professional development days

Excluded from this policy are stipends provided to parish musicians for participation at weddings or funerals and stipends for clergy. (See ARCHDIOCESAN POLICY: *Compensation for Parish Musicians.*)

G. Bonuses

Employees are not entitled to Christmas, end-of-year or other bonuses based on surplus revenue or as gratuitous gifts. (See Section VI.G, Acceptance of Gifts for information on acceptable gifts.)

Employees whose salaries are capped at the top of their assigned salary ranges are eligible to receive a bonus in lieu of the amount they would have otherwise received as the merit increase. Such a bonus is paid in accordance with the required tax regulations.

H. Salary / Wage

An employee's salary or wage is determined at hire and in the event of a promotion. Compensation is determined based on factors of scope, responsibility, effort and environment of the position, as well as the education, training and experience required to carry out the responsibilities and perform the duties. Local and niche market data, as well as internal equity also factor into the assigned compensation. Salary ranges are typically used as measures to ensure justice in compensation practice.

Contracted instructional personnel are assigned a specific salary issued by the Office of Catholic Schools

Eligibility for annual merit increases is determined by the Archbishop's guidelines to administrators after the annual assessment of the financial health of the archdiocese. Instructions are distributed to administrators in the last quarter of the fiscal year.



From time to time a market adjustment on a salary range may be in order. *Market adjustments may only be awarded with the approval of the Senior Director of Human Resources and the responsible pastor, principal or entity director.*

V. TIME-OFF BENEFITS

A. Holidays

The Archdiocese observes ten (10) paid holidays for all full-time regular and part-time regular employees. The holidays include six (6) fixed federal holidays and four (4) floating holidays designated at the beginning of the calendar year by the Archbishop (for the Pastoral Center), or the Pastor or Administrator (for the parish or other entity). The six fixed holidays are:

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

The Archdiocese provides an additional four paid holidays to all full-time regular and part-time regular employees on days as designated by the Archbishop, Pastor or Administrator. Archdiocesan elementary and high school staff (non-faculty) may be required to work during school “floating holidays” and/or recess weeks.⁴

Paid time off for holidays (holiday pay) is granted under the following conditions:

- Legal holidays falling on a Saturday are normally observed on the preceding Friday. Holidays falling on a Sunday are normally observed the following Monday.
- To be eligible to receive holiday pay, if you are a nonexempt employee, you are required to work your regularly scheduled hours the workday preceding and the workday following the holiday. In accordance with Archdiocesan policy, an approved vacation day or any other approved paid day off is considered a day worked for purposes of holiday pay eligibility.
- Employees who are scheduled to work on a holiday and do not report to work will not receive holiday pay. Instead, the day off will be considered as vacation or unpaid time, if the employee does not have sufficient accrued vacation hours.
- Employees on a leave of absence, for any reason including FMLA, are not eligible for holiday pay on holidays that are observed during the period they are on leave.
- Holiday pay will not count as hours worked for the calculation of overtime.
- Employees must work a minimum of 30 hours per week on a regular basis in order to be eligible for holiday pay. If a holiday falls on a day that the part-time employee normally does not work, that employee is not eligible to receive holiday pay or an additional paid day off. Additionally, if the holiday falls on a day that the part-time employee regularly works, the employee is only entitled to holiday pay for the number of hours normally worked, not to exceed 8 hours.

⁴ The Archdiocesan Educational Policy Manual, includes information on school holidays and breaks.



- If the needs of the entity require employees to be scheduled for work on a holiday, a mutually agreed upon alternate paid day off is provided to the employee within 30 days of the worked holiday.

B. Sick Days

The Archdiocese recognizes that inability to work because of illness or injury may cause economic hardship and that employees may require time off to secure necessary treatment for medical conditions or disabilities. For these reasons, full-time and part-time regular (e.g., working 30 hours or more per week) employees accumulate sick leave from their initial date of employment at the rate of one (1) per month. Sick leave may be accumulated up to forty (40) days⁵. Although sick time is provided to the employee and is paid time when used within the policy of the Archdiocese, it is not a paid benefit; unused sick time is not paid out under any circumstance as a bonus or at separation. Generally, sick leave shall be taken in full-day increments. Employees are expected to use accrued sick leave for any qualifying absence.

The Faculty Handbook defines the sick day policy for school instructional personnel.

Sick leave may be used only for the illness of the employee or when it becomes necessary for an employee to care for a spouse or dependent son or daughter who is ill and unable to take care of him/herself. In addition, sick leave may be used when an employee requires time off for a medical appointment. Certification from a physician may be required for any absence of more than three (3) working days.

The procedure to follow when absent and other important guidelines are set forth in the discussion of absenteeism and tardiness in this handbook. Unused accumulated sick leave will not be paid in the event of termination, resignation or any other separation from the Archdiocese. Additionally, accumulated sick leave cannot be converted to vacation days or be paid to the employee as a bonus.

Part-time regular employees who regularly work thirty (30) or more hours per week will receive sick leave on a prorated basis.

Exempt instructional employees may use sick leave in half-day increments for partial-day absences. Once sick time is exhausted, exempt employees absent partial days will be paid full days; however, the administrator may contact the Superintendent of Catholic Schools and the Senior Director of Human Resources for consultation on the impact of excessive absences on student instruction.

In the event an employee transfers from one Archdiocesan entity to another and incurs a subsequent break in service of no greater than thirty (30) calendar days, the new entity may credit the employee for accumulated sick leave from the previous entity up to a maximum of fifteen (15) days. If there is a break in service longer than 30 calendar days⁶, the employee will receive no credit for accumulated sick leave.

⁵ Faculty may carry over up to 20 accumulated sick days into the following school year. Faculty may not have more than 30 days total, at any given time, in their sick bank.

⁶ Non-exempt school employees transferring from one school to another over the summer recess will be considered



Misuse of sick leave—*e.g.*, for purposes other than the illness of the employee, the employee’s medical appointment or to care for a spouse or dependent son or daughter who is ill and unable to take care of her/himself—may result in disciplinary action, including termination of employment.

C. Vacation Days

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

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

For all employees:

- 1 through 4 years of net credited service accrue 10 vacation days
- 5 through 19 years of net credited service accrue 15 vacation days
- 20 or more years of net credited service accrue 20 vacation days

Payment of stipends to school personnel is addressed in the Faculty Handbook.

Vacation is accumulated based on the number of hours worked each week and prorated accordingly. Employees must work a minimum of 30 hours per week on a regular basis in order to be eligible for vacation pay.

Vacation will be paid according to the number of regularly scheduled hours an employee works during the week (i.e., if an employee regularly works 30 hours, then the value of a vacation week is 30 hours). Vacation is not earned during unpaid absences.

The Faculty Handbook defines time off for Schools’ instructional personnel during the official school year as defined by the Office of Schools published calendar.

Regular employees earn vacation time from the date of hire and are eligible to use earned vacation *after* completing three (3) months of service.

Employees may accrue vacation time up to 150% of the annual amount for which the employee is eligible. If the total amount of accrued, unused vacation time reaches the maximum of 150% of the annual amount for which the employee is eligible, accrual of

transfers if the break in service begins after the last day of school and ends before the commencement of the new school session.



additional vacation will be suspended, and additional days forfeited until some vacation time is used. Payment of vacation time in lieu of taking time off is prohibited.

If a holiday falls within an employee's approved vacation period, the employee is entitled to an additional day off. The employee and his/her supervisor must agree upon a mutually convenient date.

Non-instructional school employees who are eligible for vacation benefits and are not required to work during the Christmas and Easter school-mandated vacation periods will be paid for those periods from their earned, accrued vacation pay. (The federal and archdiocesan holidays during that period will be paid as holidays.) Such employees with 1 to 19 years of service will be paid three weeks' vacation for those mandated vacation periods. Employees with 20 or more years of service may take the remaining vacation days at mutually agreeable times.

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

Salaried employees may not take partial day vacation days. Hourly employees may take partial day vacation days of no less than 4-hour increments.

Generally, if an employee leaves one Archdiocesan entity to work for another, with uninterrupted employment by an Archdiocesan entity, an employee's accrued, unused vacation will be paid out to her/him by the entity the employee is leaving. Credit for the years-of-service requirement that determines the number of days for which an employee is eligible will be transferred to the new employer upon approval of the Senior Director of Human Resources.

Employees are generally to be paid for any unused vacation when voluntarily resigning. Unused vacation accrual is not paid when

- an employee terminates his/her position without the required notice;
- is discharged for cause;
- released while in the introductory period; or
- employment ceases before the completion of the first six (6) months of employment.

Paid vacation time can be used only after it is accrued (earned); advances of paid vacation time are prohibited.

Please see *ARCHDIOCESAN POLICY: Compensation during Storm Closure*, located in the e-library.

D. Requesting Vacation Time

Vacation requests are made as far in advance as possible using the electronic timekeeping system. Vacation requests of one week or more should be made at least one month in



advance. Vacation days will be granted at the discretion of the pastor, supervisor or administrator.

E. Bereavement Leave

Full-time employees will be granted up to five (5) working days of paid bereavement leave in the case of a death of a spouse or child. Full-time employees will be granted up to three (3) working days of paid bereavement leave in the case of a death of parents or guardians, grandparents, parents-in-law, siblings, siblings-in-law, grandchildren, and sons and daughters-in-law.

Part-time employees who regularly work less than thirty (30) hours per work week will be granted up to five (5) working days of unpaid bereavement leave in the case of a death of a spouse, a child, parents or guardians, grandparents, parents-in-law, siblings, siblings-in-law, grandchildren, and sons and daughters-in-law.

Requests for bereavement leave should be made to your immediate supervisor using the electronic timekeeping system; additional days of vacation may be used at the request of the employee.

F. Maternity/Paternity Leave.

The Archdiocese will grant a paid leave of up to three (3) weeks to eligible full-time and part-time employees for the care of a child after birth or adoption as part of FMLA available leave.

All employees who have been employed for at least one year and who have worked at least 1,250 hours during the previous twelve months are eligible for *up to* three (3) weeks of paid leave upon the birth or adoption of a child (“Maternity/Paternity Leave”). *This paid leave may only be taken during the first three weeks immediately following the birth or adoption of the child.* Moreover, such leave must be taken concurrently with available FMLA leave (Section V, G) and does not exceed available FMLA leave.

If a father and mother are employed by the Archdiocese, they are both eligible for Maternity/Paternity Leave. However, if they both wish to take such leave, only a **total** of three weeks paid leave will be provided between them. Please refer to FMLA (Section V, G) for unpaid leave benefits.

G. Family and Medical Leave (FMLA Leave)

This policy applies to employees who qualify for leave under the Family and Medical Leave Act of 1993.

1. The Archdiocese will grant an unpaid leave of absence to eligible full-time and part-time employees for the care of a child after birth or adoption (See Section V, F, Maternity/Paternity Leave), or the placement of a child with the employee for foster care, the care of a covered family member (spouse, child, or parent)⁷ with a serious health condition, and in the event of an

Questions on FMLA policy in schools should be referred to the Office of Human Resources.

⁷ If over the age of 18, in order to qualify, the covered family member must have a mental or physical disability and be incapable of self-care because of that disability.



employee's own serious health condition. An employee must have completed at least one full year of service with the Archdiocese and have worked a minimum of 1,250 hours in the twelve-month period preceding the leave to be eligible for such leave. Employees may not perform work of any nature on a self-employed basis or for others during a Family and Medical Leave. An eligible employee is entitled to take up to twelve (12) weeks of Family and Medical leave in any twelve-month period. ***All FMLA Leave in the parishes, schools and Pastoral Center is to be coordinated through the Archdiocese Benefits Office.***

2. Leave of absence to care for a child or family member. If a leave of absence to care for a child after birth or adoption (See Section V, F) or after placement of a child in one's home for foster care or to care for a covered family member with a serious health condition is requested, the employee will be granted unpaid leave under the following conditions:
 - a. If the leave is planned in advance, the employee must provide the entity administrator and/or supervisor at least thirty (30) days' notice prior to the anticipated leave date, using the Archdiocese's official Absence Request Form HR-1, and the electronic timekeeping system. At the same time, the employee must contact The Hartford, the Family Medical Leave administrator, to process the request for FMLA leave. Form HR-1 and contact information for The Hartford are available for download from the e-library (Human Resources / Benefits folder).
 - b. If the leave is unexpected, the employee should notify his/her supervisor (and, for the Pastoral Center, the Human Resources Office) by filing the Absence Request Form as far in advance of the anticipated leave date as is practicable. Normally, this should be within at least two (2) business days of the time at which the employee becomes aware of the need for the leave. Entitlement to leave for the birth or placement of a child will expire twelve (12) months from the date of birth or placement of the child.
 - c. All Archdiocesan benefits that operate on an accrual basis (e.g., vacation and sick days) will cease to accrue during any period of FMLA leave which is unpaid.
 - d. The employee will be required to use paid Maternity/Paternity leave, if applicable and up to ten (10) sick days, then all accrued, unused vacation days followed by any remaining unused sick days during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay.
 - e. All group health benefits will continue during the leave period provided the employee continues regular employee contributions to these plans. Failure to pay the employee share of the health plan contribution may result in loss of coverage.
 - f. Employees requesting leave to care for a covered family member with a serious health condition may be required to provide medical certification from the family member's physician attesting to the nature of the serious health condition, probable length of time treatment will be required, and the reasons that the employee is required to care for this family member. While this certification may not be necessary, the Archdiocese does not seek disability-related or genetic information about the employee or his/her family members as part of this request in compliance with the ADA and Genetic Information Nondiscrimination Act (GINA).
 - g. If a husband and wife both work for the Archdiocese, the aggregate leave taken by both employees is limited to a total of twelve (12) weeks if the leave is taken for the birth or placement of a child or to care for a parent with a serious health



condition. If, however, the leave is taken by either spouse to care for the other who is seriously ill and unable to work, to care for a child with a serious health condition, or for his or her own serious health condition, then each employee is entitled to twelve (12) weeks of leave.

3. Leave of absence to care for employee's own serious health condition. If the employee requests a leave of absence for his/her own serious health condition, an unpaid leave is granted under the following conditions:
 - a. If the leave is planned in advance, the employee must provide the entity administrator and/or supervisor at least thirty (30) days' notice prior to the anticipated leave date, using the Archdiocese's official Absence Request Form (Form HR-1) and entering the request in the electronic timekeeping system. At the same time, the employee must contact The Hartford, the Family Medical Leave administrator, to process the request for FMLA leave. Form HR-1 and contact information for The Hartford are available for download from the e-library (Human Resources / Benefits folder).
 - b. If the leave is unexpected, the employee should notify his/her supervisor (and, for the Pastoral Center, the Human Resources Office) by filing the Absence Request Form as far in advance of the anticipated leave date as is practicable. (Normally, this should be at least within two (2) business days of the time at which the employee becomes aware of the need for the leave).
 - c. Any time that the employee expects to be or is absent for more than three (3) consecutive work days as a result of his/her own serious health condition (including pregnancy), the employee will be required to contact the Archdiocesan Benefits Office for FMLA coordination and may be required to submit appropriate medical certification from a physician. Such certification must include, at a minimum, the date the disability or need for leave began, a diagnosis, and the probable date of return to work. The employee may also be required to provide medical certification for leave of less than three (3) days or for individual absences in the Archdiocese's sole discretion. Moreover, during the leave, the employee may also be required to provide the Archdiocese with additional physician statements attesting to continued need for leave and inability to work. While these certifications may be necessary, the Archdiocese does not seek any disability-related genetic information from the employee or his/her physicians in this process.
 - d. All Archdiocesan benefits that operate on an accrual basis (e.g., vacation or sick days) will cease to accrue during any period of FMLA leave which is unpaid.
 - e. The employee will be required to use up to ten (10) sick days, then all accrued, unused vacation days followed by any remaining unused sick days during the leave period. If the employee is eligible for maternity leave, the employee will be required to use fifteen (15) paid maternity leave days, up to ten (10) sick days, then all accrued, unused vacation days followed by any remaining unused sick days during the leave period. Once such accrued benefits are exhausted, the balance of the leave will be without pay.
 - f. All group health benefits will continue during the leave provided the employee continues regular employee contributions to these plans. Failure to pay the employee share of the health plan contribution may result in loss of coverage.



- g. Before the employee is permitted to return from medical leave, he/she may be required to present the Archdiocese with a note from the treating physician indicating the employee is capable of returning to work and performing the essential functions of his/her position, with or without reasonable accommodation for any disability in accordance with applicable laws.
3. Military Family Leave. Eligible employees are allowed to take up to twelve (12) weeks of job-protected leave in the applicable twelve (12) month period for any “qualifying exigency” arising out of the active duty or call to active duty status of a spouse, son, daughter or parent; and allowed to take up to twenty-six (26) weeks of job-protected leave in a single twelve (12) month period to care for a covered service member with a serious injury or illness. All Archdiocesan benefits that operate on an accrual basis (e.g., vacation or sick days) will cease to accrue during any period of Military Family leave which is unpaid.
4. Leave Entitlement. Eligible employees are entitled to leave for up to twelve (12) weeks in any twelve-month period. The Archdiocese uses a rolling, look-back method to calculate the amount of leave available to employees. A leave taken to care for a child after birth, adoption or placement in the employee’s home for foster care must be taken in consecutive workweeks. Leave taken for the employee’s or a covered family member’s serious health condition may be taken consecutively, intermittently or on a reduced work/leave schedule based on certified medical necessity. For school principals, teachers and teacher aides, school-calendar mandated recesses / holidays of one or more weeks of consecutive days are not deducted from the 12-week FMLA leave entitlement.
5. Reinstatement of Rights. Eligible employees are entitled to return from leave and to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if the position is no longer available due to job elimination).
6. Failure to Return to Work. If the employee fails to return to work after the expiration of leave, the employee will be required to reimburse the Archdiocese for payment of health plan contributions made on his/her behalf during the leave. However, if the employee does not return to work because of a serious health condition or other circumstances beyond the employee’s control as determined by the Archdiocese, reimbursement may not be required. An employee who does not return to work upon the expiration of a qualified leave period will be treated as having voluntarily terminated employment. An extension of a qualified leave may be requested in writing for consideration by the Archdiocese.



H. Personal Leave of Absence

For those employees who do not qualify for a family and medical leave of absence, as outlined above in Section V., G. or seek a non-medical leave of absence, the Archdiocese of Miami offers an unpaid personal leave of absence subject to the following terms and conditions:

***Instructional
(contracted)
personnel are not
eligible for a
personal leave of
absence.***

1. Leave requests must be made at least thirty (30) days in advance of the date the employee desires the leave to begin or, in emergency situations, with as much advance notice as is practicable, using the Archdiocese's official Leave of Absence Request Form. The approval of leave will depend on several factors including, but not limited to: the recommendation of the supervisor, purpose of the leave, length of leave requested (maximum allowable is three (3) months), length of employee's service at the Archdiocese, and difficulty with obtaining a temporary replacement.
2. The certification requirements and the conditions for required use of accrued time off and benefits accrual set forth under the FMLA leave policy apply to all leave requests.
3. Employees will continue to receive coverage for their group health benefits for a maximum of up to three (3) months provided that the employees pay the entire contribution (both employee and employer portion) for continued coverage during the leave period.
4. Employees may not perform work of any nature on a self-employed basis or for others during a leave granted pursuant to this policy.
5. Unless required by law, reinstatement will not be *guaranteed* to any employee requesting leave under this policy. However, the Archdiocese will endeavor to place employees returning from leave in their former position or a comparable position, if possible.
6. Employees who fail to return to work following the expiration of their leave may be determined to have voluntarily terminated their employment with the Archdiocese.

All questions regarding leaves of absence should be directed to the Human Resources Office.

I. Military Duty

The Archdiocese complies with the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA"). Employees who participate in the National Guard or Reserve should provide as much advance notice as possible. Failure to provide notice could result in a denial of the protection of USERRA. Please contact the Senior Director of Human Resources for additional information this type of leave. The applicable forms are available for download from the e-library. .

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



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

An employee who is out on an eligible military leave of absence will retain their health insurance coverage for the first thirty (30) days of uniformed service and the employee will be responsible for its regular employee contribution. Employees out on military leaves of absence which extend beyond the thirty (30) days will be eligible for continuation of health benefits for up to twenty-four (24) months.

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

J. Reserve Training

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

K. Jury Duty

If you are a full-time regular employee who is summoned to jury duty, the Archdiocese will continue to pay your salary during your active period of jury duty for up to a maximum of fifteen (15) working days per calendar year. You are required, however, to remit to the Archdiocese the allowance issued by the Court for your service. Nonexempt employees may use accrued vacation for a period of unpaid jury duty or may take the time without pay. Exempt employees will be paid their normal salary during any workweek in which they appear as a juror and also perform services for the Archdiocese, regardless of the amount of time spent performing those services.

Upon completion of jury duty, you must present a Verification of Attendance Form to the Human Resources Office, parish or school bookkeeper or administrator. If you are excused from jury duty for the day, or are excused early, you should report to work when it is practical to do so. The Archdiocese will not attempt to have your service on a jury postponed except when business conditions necessitate such action.

L. Domestic Violence Leave

All full-time and part-time employees who have been employed more than three (3) months are entitled to thirty (30) working days of unpaid leave in any twelve-month period if you or your family or household member is the victim of domestic violence or sexual violence as defined by law. You will be required to exhaust all accrued, unused vacation days prior to this leave period. For more information about this type of leave and your eligibility, please contact the Human Resources Office.



M. Unemployment Compensation

The Archdiocese, though not required to do so by law, voluntarily participates in the Florida Reemployment Assistance Program (formerly called the Unemployment Compensation program). Because of this voluntary participation the Archdiocese directly reimburses the State of Florida for each former employee awarded a benefit. The State of Florida determines the eligibility of former employees who have terminated employment and filed an unemployment claim, based on benefit eligibility conditions defined by Florida statutes. Individuals must file claims for Reemployment Assistance directly with the Department of Economic Opportunity's Reemployment Assistance Claims and Benefits Information System.

VI. EMPLOYEE CONDUCT

A. Standards of Conduct

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

At all times and places, employees are expected to conduct themselves in a moral and ethical manner consistent with Catholic principles. They are to treat co-workers, supervisors, volunteers, and all persons with respect, regardless of the circumstances of the encounter. In addition, they are to be attentive to issues involving sensitive or confidential information. And lastly, they are expected to report for work regularly and on time and to avoid excessive or unnecessary absences.

Employees will witness by their public behavior, actions and words a life consistent with the teachings of the Catholic Church. All employees should note that, because of the Church's particular function in society, certain conduct, inconsistent with the teachings of the Catholic Church, could lead to disciplinary action, including termination, even if it occurs outside the normal working day and outside the strict confines of work performed by the employee for the Archdiocese.

Employees should exercise discretion when posting on social media sites and note that online activity indicative of prohibitive behaviors may subject an employee to disciplinary action or termination. The following non-inclusive list provides examples of prohibited behavior – not acceptable within the Archdiocese – which may lead to disciplinary action:

- Misconduct
- Fraud
- Harassment
- Unauthorized disclosure of confidential information
- Insubordination
- Lewd or immoral or lascivious conduct, including viewing and / or sharing of pornographic materials, regardless of ownership of the device (either the employee or the employer).
- Public support or advocacy of positions, or conduct, which conflict with the teachings of the Roman Catholic Church



- Falsification of records or any report, including but not limited to employment applications, accident reports and/or time and attendance records
- Excessive tardiness or absence from work or unexcused tardiness or absence for non-compelling reasons
- Failure to treat others with dignity and respect within the workplace
- Failure to report an absence
- Non-compliance with procedures for requesting time off and/or using the electronic timekeeping system.
- Misappropriation or misuse of Archdiocesan, parish, or entity property or finances, or personal property of a co-worker, client, or volunteer, without proper authorization
- Possession of a weapon or explosives on Archdiocesan property or while conducting Archdiocesan business, in violation of the policy outlined in this Handbook
- Unauthorized use of alcohol at work; use, possession, dispensing or sale of illegal drugs while on Archdiocesan premises or business; reporting to work under the influence of alcohol or controlled illegal substances
- Failure to observe safety policies and normal safety procedures
- Abuse or threat to commit violence (verbal, written, via electronic media, etc.) against any person during the performance of Archdiocesan, Parish, entity work or willful destruction of property owned by the Archdiocese, parish, or entity.

B. Personal Appearance

A person's appearance reflects not only on the person as an individual, but on the place of employment, as well. Employees should present a positive business-like image when representing the Archdiocese of Miami. Employees are, therefore, required to dress in appropriate business attire and to behave in a professional, businesslike manner, respectful of the setting of parish, office, school or Church and consistent with any dress code published by the entity. Employees are expected to use good judgment in the choice of attire for the workplace and to conduct himself/herself at all times in a way that best represents the individual and the Archdiocese of Miami.

C. Confidentiality of Information

Very often the nature of an employee's work requires confidentiality. Employees are frequently entrusted with information that is sensitive and should be treated with the highest confidentiality. Employees are to be attentive to respecting the confidentiality of information acquired through their role within the parish, or other Archdiocesan entity. Violations of this trust may result in disciplinary action up to and including termination.

An employee may be required to sign a guarantee of confidentiality. Failure to observe this may result in immediate termination.

D. Conflict of Interest

Employees are expected to devote their best efforts and attention to the full-time performance of their jobs. They are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or potential conflict between the employee's personal interests and the interests of the Archdiocese. A conflict of interest exists where the employee's loyalties or actions are divided between the



Archdiocese's interests and their own or those of another. Both the fact and the appearance of a conflict of interest should be avoided. Where a conflict of interest exists, the employee should fully disclose this fact to his/her supervisor. Employees unsure whether a certain relationship or activity constitutes a conflict of interest should consult their supervisor for clarification, or if needed, the Chancellor for Administration.

Judgment regarding whether a particular circumstance meets the standard of a conflict of interest is the responsibility of the employee's supervisor and/or the Chancellor for Administration.

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

- Conflict with their working hours, necessary overtime hours, or time required to complete Archdiocesan assignments and responsibilities;
- Affect the objectivity and independence of their judgment and/or conduct in performing their duties for the Archdiocese;
- Reflect in a negative manner upon the Archdiocese; or
- Be inconsistent with the teachings of the Catholic Church.

Additional information is available in the ARCHDIOCESAN POLICY *Conflict of Interest*.

E. Ethical / Legal Compliance and Reporting

It is the policy of the Archdiocese of Miami to provide an internal reporting mechanism and an investigative procedure for any activity, policy, procedure, or practice that may violate the law, constitute an ethical breach (meaning the rules or standards of a profession), or create a conflict of interest.

A "reporter" as defined by this policy is an employee of an entity of the Archdiocese of Miami who reports an activity, policy, procedure or practice that he/she considers to be illegal, unethical, or creates a conflict of interest. The reporter is not responsible for investigating the activity or to verify its unethical nature or for determining fault or corrective measures; appropriate supervisors are charged with these responsibilities once a report is made.

Examples of illegal or unethical activities are suspected or presumed violations of federal, state or local laws, billing for services not performed or for goods not delivered, and fraudulent financial and nonfinancial reporting.

If an employee has knowledge of illegal or unethical activity, the employee should contact the Chancellor for Administration. If the activity involves the Chancellor for Administration, the reporting should be made to either of the Vicars General. The reporter must exercise sound judgment to avoid baseless allegations. A reporter who intentionally makes a false report will be subject to disciplinary action up to and including termination.

Protections for an employee reporting violations are provided in two important areas: confidentiality and against retaliation. Insofar as possible, the confidentiality of the reporter will be maintained. However, identity may be disclosed to conduct a thorough investigation or to comply with the law. The Archdiocese of Miami will not take any retaliatory action



against a reporter. Any reporter who believes he/she is being retaliated against must contact the Chancellor for Administration immediately.

Employees with any questions regarding this policy should contact the Archdiocese of Miami Senior Director of Human Resources.

Additional information is available in the ARCHDIOCESAN POLICY *Reporting Illegal, Fraudulent or Unethical Conduct*.

F. Concurrent Employment, Contractual Relationships or Outside Employment

The Archdiocese prohibits current employees from working at a second or additional Archdiocesan entity without prior written authorization from the Office of Human Resources.

In addition, a current employee may not serve as a vendor or independent contractor to any Archdiocesan entity, or as an employee of a vendor or independent contractor of an Archdiocesan entity, without prior written authorization from the Office of Human Resources.⁸

Situations in existence as of implementation of this policy (August 1, 2017) may be grandfathered subject to review by Office of Human Resources. Violation of this policy may result in disciplinary action up to and including termination of employment.

Archdiocesan employees may have other employment outside the Archdiocese only to the extent that such outside employment does not create a conflict of interest or conflict with the assigned schedule of the employee of the Archdiocese. Outside employment includes consulting work and other self-employment situations. A conflict of interest occurs when additional employment unduly influences decisions made as an employee or conflicts with performance of the employee's duties. Judgment regarding whether a particular circumstance meets the standard of a conflict of interest is the responsibility of the employee's supervisor and/or the Chancellor for Administration.

G. Acceptance of Gifts

Acceptance of gifts, travel, entertainment or other considerations for personal benefit may present potential or perceived conflicts of interest. While reasonable business courtesies are acceptable, employees shall not accept from anyone with whom the Archdiocese does or is seeking to do business, or any personal gifts, services, travel or entertainment from anyone that may reasonably be perceived by others to affect their judgment or actions in the performance of their duties.

This policy does not preclude the giving or acceptance of birthday or Christmas remembrances, business lunches or other gifts of nominal value (not to exceed \$50 individually or \$250 in aggregate gifts from all sources, including gifts or bonuses from the parish/school/entity, in a calendar year). Judgment regarding whether a particular

⁸ Excluded from this policy are parish musicians contracted by third parties for participation at weddings or funerals. (See ARCHDIOCESAN POLICY: *Compensation for Parish Musicians*.)



circumstance meets the standard of a conflict of interest is the responsibility of the employee's supervisor and/or the Chancellor for Administration.

H. Absenteeism, Tardiness and Misuse of Sick-Leave Policy

Every employee is important to the mission of the Archdiocese of Miami. As such, the Archdiocese expects employees to come to work consistently and on time. Regular attendance on the job is a basic requirement for satisfactory performance. Absenteeism or tardiness that is unexcused or excessive in the judgment of the Archdiocese is grounds for disciplinary action, up to and including termination. Recognizing, however, that illnesses and injuries may occur, the Archdiocese has established time-off benefits for time lost for legitimate medical reasons, including time off to secure necessary treatment for a disability.

The Faculty Handbook will define the policy related to absenteeism and tardiness for school instructional personnel.

An employee unable to report to work because of an illness or injury:

1. Must notify the supervisor as soon as possible, prior to the start of the workday unless already granted an authorized medical leave, in which case different notification procedures apply. (See the Family and Medical Leave of Absence, Section V, G in this handbook.) If an employee's immediate supervisor is not available, the absence should be reported to another management employee. Employees are required to provide management with a phone number where they may be reached. If it is necessary to be absent longer than one day the employee is expected to contact the supervisor on each morning that the employee is unable to report to work. Failure to properly notify the supervisor results in an unexcused absence.
2. An employee absent for three (3) consecutive workdays, without notification or approval, will, under normal circumstances, be considered to have abandoned the employee's job, resulting in termination.
3. For absences of more than three (3) consecutive workdays, the employee and the employee's supervisor should contact the Benefits Office for consideration under the Family Medical Leave policy; written clearance from a physician may be required before reporting to work. In addition, the Archdiocese reserves the right to require a written statement from the treating physician certifying the employee's illness or injury.

Each employee is expected to be ready to work at the start of a scheduled shift. Excessive lateness is also unacceptable and may result in disciplinary action up to and including termination.

I. Drug-Free Workplace

It is the policy of the Archdiocese to create a drug-free workplace in keeping with the requirements of the Drug-Free Workplace Act of 1988. The use of controlled substances is inconsistent with the behavior expected of employees, subjects all employees and visitors to unacceptable safety risks and undermines the mission of the Catholic faith. In this



connection, the unlawful manufacture, distribution, possession, sale or use of a controlled substance in the workplace or while engaged in work for the Archdiocese is strictly prohibited.

“Controlled substances” and “illegal drugs” refer to all forms of narcotics, depressants, stimulants, hallucinogens, and other drugs, including marijuana, whose use, possession, or transfer is restricted or prohibited by law (except use or possession of drugs prescribed for the employee by a licensed physician).

1. Employees may not engage in any of the following activities while on Archdiocesan premises, Archdiocesan work sites (including Archdiocesan vehicles, or any private vehicle parked on Archdiocesan-owned or leased premises or work sites), or while conducting Archdiocesan business:
 - a. Possess, distribute, manufacture, transport, use, sale, purchase, or transfer controlled substances or illegal drugs.
 - b. Possess, distribute, manufacture, transport, use, sale, purchase, transfer, or consume any type of alcoholic beverages. The only exceptions are the consumption of alcoholic beverages served at Archdiocesan-sponsored events or at authorized business meetings consistent with Archdiocesan policy, or when the beverage is in the manufacturer's container and the manufacturer's seal is not broken.
 - c. Work under the influence of alcohol, drugs, or controlled substances, regardless of whether they were consumed during or outside of work time. “Under the influence” is defined as being unable to perform work safely and productively and being in a physical or mental condition that risks the safety and well-being of the individual, other employees, the public or Archdiocesan property. If the pastor, principal, administrator or supervisor has reasonable cause to believe that an employee’s ability to perform a job is impaired by being under the influence of drugs or alcohol, the entity may require the employee to submit to a drug / alcohol test. Should the employee refuse to submit to the test it will be presumed that the employee is currently under the influence of drugs and/or alcohol and discipline may be applied and may include termination. The decision whether the employee is impaired and unable to work safely is a decision of the pastor or supervisor.

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

2. Employees who engage in any of the following activities while off Archdiocesan premises or Archdiocesan work sites, and/or off work time may also be subject to disciplinary action up to and including termination:
 - a. The illegal possession, distribution, manufacture, transportation, use, sale, purchase, or transfer of controlled substances or illegal drugs where such involvement constitutes a direct threat to Archdiocesan property or Archdiocesan employees, or affects an employee's job performance, or generates either publicity or circumstances that adversely affect the Archdiocese or its employees; and
 - b. The felonious possession, distribution, manufacture, transportation, use, sale, or purchase of illegal drugs or controlled substances.



3. As a condition of employment, employees must:
 - a. Abide by the terms of this policy; and
 - b. Inform the Office of Human Resources immediately of such conviction or plea if convicted of controlled substance-related violations in the workplace, including pleas of nolo contendere (i.e. no contest).

Employees who are convicted of controlled substance-related violations, including pleas of nolo contendere (e.g., no contest) must inform the Archdiocese immediately of such conviction or plea. Employees who violate any aspect of this policy may be subject to mandatory drug testing and disciplinary action up to and including an unpaid suspension or termination. At its discretion, the Archdiocese may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program and/or undergo periodic drug screens as a condition of continued employment.

J. Safety, Security

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

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

- Exercising maximum care and good judgment at all times to prevent accidents and injuries;
- Reporting to supervisors and seeking first aid for all injuries, regardless of how minor;
- Reporting unsafe conditions, equipment, or practices to supervisory personnel;
- Using safety equipment and personal protective equipment (PPE), if appropriate; and
- Observing all safety rules and regulations at all times.
- Follow safe practice with respect to lifting heavy objects.
- Use provided safety equipment and PPE if job position requires such usage.
- Never operate electrical equipment with wet hands or standing on wet surfaces.
- Always be on alert for fire or smoke.
- Report wet or slippery floors, defective equipment and other unsafe conditions.

Employees violating safety standards, causing hazardous situations or who fail to report and/or where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

While using Archdiocesan, parish or school owned vehicles or personal vehicles while on Archdiocesan business, safe driving practices, including the mandatory use of seat belts as required by law and minimal to no use of cell phones while driving and only if equipped with hands-free device. All traffic laws must be observed. Under no circumstances should



a vehicle be operated while the driver is under the influence of alcohol, drugs, or controlled substances. Any employee whose driver license is suspended is prohibited, *without exception*, from operating any vehicle for Archdiocesan business.

The workplace is never the appropriate or safe place for the employee's child or pet, with the exception of pets trained, scheduled and supervised for the purpose of pet therapy in a healthcare setting. Supervision of an employee's child or pet is a distraction to the employee, under the best of conditions, and is not acceptable during the employee's work hours. On the rare occasion of a significant emergency, bringing the child into the workplace should first be approved by the employee's supervisor; the child should have adequate reading or other materials to occupy the child. The child, regardless of age, should remain under the constant supervision of the parent. Computers or other technology provided in the workplace are not available for the entertainment of the child.

K. Workplace Injuries

The occasion may arise where a worker at an archdiocesan entity may sustain an injury on the job. All injuries, no matter how small, *must* be reported to the employee's supervisor immediately, including details regarding the injury and circumstances. The supervisor must report the injury to the archdiocesan third-party claims administrator, Gallagher-Bassett, for processing under the Workers Compensation program, even if the employee declines treatment. The injured employee will be provided information on treatment service providers in the event the non-emergency medical treatment is needed, even if s/he has initially waived treatment

In cases of an emergency, all employees are instructed to report immediately such emergencies /accidents to 9-1-1 if necessary, and then the supervisor and/or emergency medical personnel, if necessary. Any workplace accident or injury resulting in an employee's hospitalization must be reported *immediately* to the Office of Human Resources for the purposes of OSHA reporting.

L. Prohibited Materials on Archdiocesan Premises

The Archdiocese believes that maintenance of a workplace that is free of drugs, alcohol, firearms and other harmful materials is vital to the health and safety of its employees and to the success of its mission. Accordingly, the Archdiocese has established the following policy concerning the prohibition of such materials on Archdiocesan premises. This policy applies to all employees of the Archdiocese. As such, it is forbidden for any employee to be in possession of a "prohibited material(s)" on Archdiocesan premises.

Definitions: For purposes of this policy:

1. "Prohibited Materials" means explosives and/or hazardous materials or articles; illegal drugs or other controlled substances; drug-related paraphernalia; unauthorized alcoholic beverages; firearms or other weapons except as permitted under Fla. Stat. 790.251.
2. "Archdiocesan premises" includes all premises and locations owned or leased by the Archdiocese of Miami and/or any institution or entity under the control of the



Archdiocese of Miami or entered into by its employees for employment purposes, including, but not limited to lockers, and storage areas.

3. “Possession” means having the property on one’s person or otherwise under one’s control.

If an employee is found to be in violation of this policy, the employee may be subject to disciplinary action, up to and including termination. The Archdiocese reserves the right to contact local law enforcement authorities regarding a violation of this policy. It also reserves the right to dispose of the prohibited materials in whatever manner that it deems to be in the interest of safety to its employees.

M. Workplace Searches

To safeguard the property of our employees, visitors, and the Archdiocese, and to help prevent the possession, sale and use of illegal drugs on Archdiocesan premises, the Archdiocese reserves the right to question employees and all other persons entering and leaving the premises, and to inspect any packages, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to and from the property. In addition, the Archdiocese reserves the right to search an employee’s office, desk, files, or any other area or article on the premises. In this connection, it should be noted that all offices, desks, files and personal property of the Archdiocese are issued for the use of employees only during their employment with the Archdiocese and remain the personal property of the Archdiocese. Inspections may be conducted at any time at the discretion of the Archdiocese.

N. Safe Environment Policy

The Archdiocese of Miami is committed to providing safe environments for those who need protection the most, all children and vulnerable adults.

All employees in the parishes and other entities of the Archdiocese of Miami are required to fulfill the Safe Environment requirements. The required training program, VIRTUS, is delivered online only. To participate in the training go to the “Protecting God’s Children” link found on the Offices and Ministries tab of www.miamiarch.org. Employees must sign the Pledge to Promote a Safe Environment (found in the e-library) at the time of hire, and complete VIRTUS training within two weeks of beginning employment.

The ARCHDIOCESAN POLICY Creating and Maintaining a Safe Environment for Children and Vulnerable Adults, is available on the Archdiocesan Web site (www.miamiarch.org) and the e-library. Additional child-protection requirements in place for school educators may be found in the Archdiocesan Educational Policy Manual.

O. Requirement for Reporting Child or Vulnerable Adult Abuse

Florida law provides that any person who knows or has reasonable cause to suspect that a child or vulnerable adult is abused, abandoned or neglected by a parent, legal custodian, caregiver or other person responsible for the child’s or vulnerable adult’s welfare must *immediately* report such knowledge to the State of Florida Department of Children and Families (DCF).



Any employee who knows or has cause to suspect that a child or vulnerable adult has been subjected to any form of abuse or neglect by any person, including another Archdiocesan employee or volunteer, religious, or clergy, shall immediately report the incident to Law Enforcement and the employee's immediate supervisor. If the immediate supervisor is unavailable, the employee shall report the incident to any management personnel.

The Archdiocese will cooperate with all child protective investigations by DCF or the local law enforcement agency. Reports should be made to Florida's Department of Children and Families by calling the Abuse Hotline at: 1-800-96-ABUSE (1-800-962-2873).

P. Smoking / Vaping in the Workplace

To maintain a safe and comfortable working environment and to ensure compliance with the Florida Clean Indoor Air Act, smoking and/or vaping in Archdiocesan offices and facilities is strictly prohibited. For those who wish to smoke during breaks, they may do so only by smoking outside the building in the entity's designated area(s). This policy applies to all locations within the Archdiocese.

Violations of this policy should be reported immediately to the supervisor. If an employee is in violation of this policy, he or she may receive disciplinary action in accordance with the Archdiocesan personnel policies.

Q. Copyright

All materials created, designed or modified by Archdiocesan personnel in the course of or in connection with their employment, generally during work hours and generally at the direction of a supervisor, are the property of the Archdiocese of Miami. "Materials" include, but are not limited to, written works, presentations, computer programs, manuals, graphic design, photography, or works of art.

R. Use of Electronic Devices Provided by Archdiocese

The use of any Archdiocesan Electronic Devices (including, but not limited to, telephones, facsimiles, computers, networks, computer files stored on computers owned by the Archdiocese or on the network system, internet use including blogs, chat rooms, list serves, etc., electronic and voice mail communication) is restricted to business relating to the operational function of the Archdiocese. All Electronic Devices are the property of the Archdiocese and is generally not to be used for personal communications. Inappropriate, morally offensive and/or personal use of the Archdiocese Electronic Devices are strictly prohibited and violations of the acceptable use may result in disciplinary action, up to and including termination.

Inappropriate use of Electronic Devices includes but is not limited to the following:

- Representing personal opinions as those of the Archdiocese;
- Advocating a policy or issue;
- Private purposes unrelated to Archdiocesan duties;
- Advocating religious beliefs contrary to Roman Catholic teaching;
- Viewing or transmitting sexually explicit material;
- Viewing or transmitting material prohibited by law, including child pornography, regardless of ownership of the device;



- Transmitting ethnic, religious or racial slurs or messages (cartoons, jokes, texts, photos, videos, etc.) which are harassing or disparaging of others;
- Contacting children or other vulnerable populations for purposes of initiating a relationship;
- Private advertising of goods or services;
- Any activity meant to foster personal gain;
- Providing information on methods to compromise Archdiocesan security measures or disrupt services;
- Posting proprietary or confidential information;
- Posting information concerning the private lives of individuals without permission;
- Use of the Archdiocese's crest or logos or Archbishop's signature or crest without authorization; and
- Downloading or uploading electronic files without reasonable virus protection measures in place.

Electronic Devices should not be considered a private method of communication as messages may be monitored without prior notice. Employees should not have any expectation of privacy with regard to their use of any Electronic Devices and should refrain from using the Electronic Devices for any messages they consider private or confidential.

In keeping with this policy, employees shall:

- Maintain all computer data, programs and related information in accordance and compliance with applicable legal, licensing and regulatory requirements;
- Regularly update their computer passwords and not disclose passwords to third persons other than their supervisors;
- Not engage in unauthorized copying or use of software or other digital media; and
- Not interface any personal computer, mobile device, PDA or software to Archdiocesan electronic Media without authorization.

S. Disclosure of Criminal Arrests/Convictions

Each employee has the obligation to immediately disclose to the Senior Director of Human Resources for the Pastoral Center, or to the Pastor, Principal or administrator, any criminal arrests or convictions that occur during their tenure as an employee of the Archdiocese of Miami regardless of whether the arrest or conviction is unrelated to their employment duties. The disclosure obligation of the Senior Director of Human Resources or the pastor, principal or administrator will be to the Chancellor for Administration or the Archdiocesan attorney.

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



T. Disciplinary Action

An employee whose conduct or job performance interferes with the orderly and effective operation of the workplace will be subject to disciplinary action which may include but not be limited to termination, suspension with or without pay, probation, demotion or loss of other privileges. Depending on the particular circumstances, the employee may receive a verbal and/or written warning for violations of Archdiocesan policies.

U. Termination of Employment: Reasons for Termination

Termination typically occurs after an employee has received notice of their deficiency by an appropriate supervisor or administrator and an opportunity to remediate the deficiency. At times, however, notice may not be provided where the situation warrants immediate termination at the Archdiocese's discretion. The reasons for termination may include, but are not limited to, any violation of this handbook and/or the following:

1. Failing to support the goals and objectives of the Archdiocese, parish, school or program;
2. Failing to comply with Archdiocesan, parish or school policies or procedures;
3. Performing unsatisfactory work or failing to carry out the duties and responsibilities of the employee's job description;
4. Failure to comply with the assignment of and / or meet the performance standards indicated in a performance improvement plan;
5. Engaging in flagrant misconduct (e.g. insubordination, intimidation, fraud, reporting to work under the influence of alcohol or drugs, pornography);
6. Engaging in conduct contrary to or detrimental to the religious and professional character of the Archdiocese or its policies;
7. Violating confidentiality;
8. Engaging in criminal conduct;
9. Falsification of records or any report;
10. Possessing, using, selling or distributing or being under the influence of alcohol or controlled substances on Archdiocesan premises;
11. Possessing a weapon in violation of Archdiocesan policies;
12. Violating the Anti-Discrimination or Harassment policies and procedures;
13. Exercising poor judgment or engaging in negligent conduct that results in injury to persons or damage to property;
14. Engaging in improper or immoral conduct; and
15. Possessing, using, copying, or reading Archdiocesan records without proper authority or disclosing information contained in records to unauthorized persons.

V. Resignation of Employment

Employees desiring to terminate their employment relationship with the Archdiocese must provide written notice to their supervisor at the Archdiocese, parish or school, of at least ten (10) working days. Teachers must provide notice of at least 30 calendar days⁹. Employees responsible for supervising other employees are required to provide written

⁹ Contracted personnel should comply with the terms of their contracts regarding the proper notice required.



notice of at least twenty (20) working days. *Failure of an employee to provide this notice will generally disqualify the employee from being eligible to receive unused vacation pay.* Failure to provide this notice will generally disqualify the employee from being eligible for re-hire in the archdiocese. An exit interview is generally offered to employees who voluntarily resign.

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

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

Employees who plan to retire are urged to provide the Archdiocese with a minimum of two (2) months' notice to allow adequate time for the processing of appropriate forms to ensure that any retirement benefits to which the employee may be entitled commence in a timely manner.

W. Reductions in Force (RIF)

A Reduction in Force (RIF) occurs when changing priorities, budgetary constraints, or other operational conditions require the Archdiocese to eliminate certain positions. A RIF can also occur when, based on organizational need, a position's requirement changes so significantly that the original position and the requirements of that position are no longer necessary to meet organization needs. In such cases, the employee previously occupying that position may or may not be qualified to satisfactorily perform the duties of the newly created position. The ARCHDIOCESAN POLICY *Reduction in Force and Separation* outlines the process generally implemented when a reduction in force is necessary.

X. Employee Grievance

If during the course of employment, a situation occurs that the employee believes to be detrimental to the employee or to the Archdiocese, the employee may contact the Office of Human Resources for eligibility for mediation or grievance review as outlined in the ARCHDIOCESAN POLICY *Grievance Review Process*.

Y. Problem Resolution Policy

The Archdiocese of Miami is committed to maintaining a harmonious workplace for its employees, consistent with the values of the Catholic faith. As in any workplace, however, problems may arise that may need the attention of the supervisor and/or the pastor, principal, and/or administrator. To assist employees in resolving such issues promptly, the Archdiocese of Miami recommends the following procedure as a guide:

- In ordinary circumstances, the employee should discuss the problem with her/his supervisor first.
- If the employee's immediate supervisor does not resolve the issue or if s/he is uncomfortable discussing the matter with him or her, s/he should discuss it with the supervisor's supervisor, or the pastor, principal or administrator.



- If the problem still remains unresolved, the employee may contact the Senior Director of Human Resources or the Superintendent of Schools,
- If the problem still remains unresolved, the employee may contact the Chancellor for Administration or Chancellor for Canonical Affairs. While the final authority in deciding any and all complaints is the Archbishop of Miami, he has designated several persons with responsibility for problem resolution. Escalation of the problem outside of the levels of authority outlined above may not be effective and may delay resolution.
- Although the Archdiocese cannot guarantee that every problem will be resolved to the employee’s satisfaction, employees are encouraged to report issues that are problematic to them or others.

VII. GENERAL INFORMATION

A. Internet/e-mail

Access to the Internet may be provided to employees for the benefit of the organization. Every employee has a responsibility to maintain and enhance the Archdiocese’s public image, and use the internet in a responsible and productive manner. To ensure that all employees are responsible and productive internet users, the following guidelines have been established for using the internet:

- All communications should be for professional reasons; e-mail should be written in a professional manner with attention to accuracy in content, spelling, etc. Signature should be professional, including the user’s name and contact information. Usage of electronic stationery, “cute” or decorative graphics and animations is strongly discouraged. Sending or receiving personal e-mail is strongly discouraged during the workday. “Chain” e-mail, such as forwarding non-business e-mail to groups of persons, is prohibited.
- If a business e-mail account is available to an employee through their archdiocesan entity of service, that e-mail account, and not an employee’s personal e-mail, must be used for matters relating to the operational function of the entity. Examples of this include, but are not limited to the following: communication with vendors, staff members, employees, supervisors, service providers, those served in ministry, parents of children enrolled in educational or sacramental programs.¹⁰
- Access to the internet is an operational tool. On-line shopping, personal research and any other usage not pertinent to the employee’s assigned task is prohibited.
- Employees are responsible for using the Internet in an effective, ethical, and lawful manner. Each employee is responsible for the content of all text, audio, or images that he/she sends or receives over the Internet. Fraudulent, harassing or obscene messages are prohibited and may result in disciplinary measures up to and including termination.
- Computer access to the computer and to e-mail is password protected. The employee is responsible for protecting the confidentiality of the password. In the event that inappropriate material is discovered on an employee’s computer, the employee is generally held responsible for the contents.
- The Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language transmission is allowed through the system.

¹⁰

See *Employee Pledge to Promote a Safe Environment* (Form HR-70), found on the e-library.



- Any employee sending e-mail on the Archdiocesan, school or parish network serves as a representative of the Archdiocese. Expressing personal opinions should be done via one's own personal e-mail account rather than the account of the archdiocesan entity. When in doubt, the employee should check with the supervisor for advice.
- Databases, including financial reporting systems, may be accessed only for authorized business purposes
- Solicitation of non-Archdiocesan business, or any use of the Internet for personal gain is strictly prohibited.
- To prevent computer viruses from being transmitted through the system, caution should be exercised to only download appropriate material from known sources.
- Copyrighted materials belonging to entities other than the Archdiocese may not be transmitted by employees on the internet. One copy of copyrighted material may be downloaded for the employee's personal use in research.
- Failure to observe copyright or license agreements may result in disciplinary action from the Archdiocese and/or legal action by the copyright owner.
- All messages created, sent, or retrieved over the Internet are the property of the Archdiocese. The Archdiocese reserves the right to access and monitor all messages and files on the computer system as deemed necessary and appropriate. Internet messages are public communication and are not private. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.
- Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's or group's race, religion, national origin, physical attributes, or sexual preference may be transmitted.
- Violations of any guidelines listed above may result in disciplinary action up to and including termination. The Archdiocese may advise appropriate legal officials of any legal violations.

B. Expense Reporting

Employees will be reimbursed for all approved operational expenses, upon submission of an expense report and original receipt. Employees are responsible for providing the amount, time, place and purpose of the pre-approved expense. The expense report form must be completed within thirty (30) days to ensure proper accounting and prompt reimbursement. Expenses deemed excessive, unreasonable, or untimely submitted, or expenses not pre-approved by the supervisor, will not be reimbursed and the employee will be personally responsible for payment. The ARCHDIOCESAN POLICY *Travel and Business Expense Approval and Reimbursement* and the accompanying forms to request travel approval (Form FIN-1) and submit a request for reimbursement (Form FIN-2) is available for download from the e-library.

To be eligible for reimbursement for travel using a personal vehicle the employee must have in their personnel file the name of their automobile insurance company, the policy number, expiration date, and maximum coverage limits as well as a copy of their valid Florida Driver License.

C. Court Appearance

Unless required by law, an employee will not receive pay when absent for court appearances if he/she is a victim of or a witness to a criminal action or civil action that is



unrelated to Archdiocesan business. The employee will be paid only when the court appearance is on behalf of the Archdiocese.

D. Garnishment and Tax Levies

The Archdiocese is required by law to honor legal garnishments and tax levies. An employee will be notified of a garnishment or tax levy (a claim on an employee's pay levied by the Federal Government). The Archdiocese will explain to the employee the necessary procedures to be followed.

E. Personal Property

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

F. Solicitation, Distribution and Bulletin Board

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time. Employees who are not on working time (e.g., those on lunch hour or breaks) may not solicit employees who are on working time for any cause or distribute literature of any kind to them. This policy also prohibits solicitation via Archdiocese's email, messaging or other telephonic communication systems. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time. Non-employees are likewise prohibited from distributing material or soliciting employees on Archdiocesan premises at any time.

Solicitation or distribution in any way connected with the sale of any goods or services for profit is strictly prohibited on Archdiocesan property at any time.

G. Use of Car on Archdiocesan Business

Employees required to use their own automobile in the course of their work will be reimbursed at the authorized rate plus any itemized tolls and parking fees incurred as a result of authorized Archdiocesan, parish or school business. No authorization will be granted until the employee's driving record is verified. No reimbursement will be allowed for parking or traffic violations received while on the Archdiocesan business.

The Faculty Handbook includes requirements for drivers for school field trips.

All employees and volunteers who regularly drive their own personal vehicle while on authorized Archdiocesan business must carry personal auto liability insurance at the \$100,000 per person/\$300,000 aggregate level. The employee or volunteer must provide a copy of their policy or certificate of insurance along with a valid Florida driver's license.

To drive on behalf of the Archdiocese of Miami, an employee must be at least 21 years of age; if children are to be transported, the employee must be at least 25 years of age. Greater detail is available in the ARCHDIOCESAN POLICY *Travel and Business Expense Approval and Reimbursement* and the accompanying forms to request travel approval



(Form FIN-1) and submit a request for reimbursement (Form FIN-2), all available for download from the e-library.

H. Use of Mobile Telephones and Related Devices

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

Definitions: For purposes of this policy:

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

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

No employee is permitted to use a mobile phone while operating a motor vehicle that is in motion, unless such mobile phone is equipped and used with a hands-free device. (The only exception to this policy is where a phone call is made in a bona fide emergency, such as to call "911" or a similar emergency number to call for an ambulance or the fire department.)

Even with a hands-free device, mobile phone use should be kept to a minimum; conversations should be as brief as possible. Even with a hands-free device, text messages, e-mail or other use of the device by the driver should not be made or received when the vehicle is in motion.

I. Archdiocesan Property

All Archdiocesan property, and any property issued to employees (electronic or standard keys, laptop computer, software, phone, printed material, etc.), is to be treated with the utmost care to avoid damage, loss or theft. In the case of lost or stolen property, the Archdiocese reserves the right to assess the employee for the cost of the item.



J. Educational Assistance and Professional Memberships

When it can be demonstrated that the Archdiocese will benefit from an employee's participation in an educational program or professional organization, and the resources are budgeted and available, the related expenses may be paid by the Archdiocese. Requests for payment of expenses related to educational programs and professional organizations must be approved in advance in writing by the employee's supervisor.

K. Tuition Discount at St. Thomas University for Archdiocesan Employees

Eligible: All regular part- and full-time (30 hours or more per week) employees who have been employed by the Archdiocese of Miami for at least one year.

Employees of the Archdiocese of Miami will receive a tuition reduction of 40% off of the regular rate for courses taken in the Undergraduate Program of St. Thomas University.

Employees of the Archdiocese of Miami who work as Teachers will receive a tuition reduction of 15% off of the regular rate for courses taken in the Graduate Program of St. Thomas University. The discount does not apply to [on-line courses](#) or [courses](#) in the University's School of Law.

The Archdiocesan discount cannot be combined with any other tuition discount or scholarship.

Archdiocesan employees interested in this benefit must obtain a letter from their employer stating their eligibility. The letter must be presented to St. Thomas University at the time of registration. A new letter must be presented at the beginning of each school year (Fall semester) in order to continue receiving the discount.

Archdiocesan employees will be subject to regular admission requirements and satisfactory academic progress standards as defined in the St. Thomas University Undergraduate/ Graduate Catalogs.

L. Tuition Discount at Villanova University's Church Management programs (online only) for Archdiocesan Employees

Eligible: All regular part- and full-time (30 hours or more per week) employees who have been employed by the Archdiocese of Miami for at least one year.

The Archdiocese of Miami has a partnership with the Villanova School of Business to support students in the online Master of Science in Church Management (MSCM) degree. The program bridges ministry and management for people working in parish and arch/diocesan offices and other apostolates. The two-year online graduate degree is built for people working full-time who want to learn how to organize, plan, steward, and lead their ministries more effectively. ADOM employees will receive a 50% discounted rate on tuition for each course taken in the program.

Discounts for the 2022-23 and 2023-24 fiscal years are also available for eligible ADOM employees who enroll in the one-year programs of Certificate in Church Management; and



Certificate in Catholic School Management.

Eligible ADOM employees may contact the Villanova University Partners Page at <https://www1.villanova.edu/university/business/faculty-and-research/centers-of-excellence/church-mgmt/mscm/partners.html> for additional information and application procedures.

M. Group Benefit Plans

The Archdiocese of Miami offers a health benefit plan, a retirement plan and other benefits to qualified employees. (Please see Archdiocese of Miami Health Plan Trust's Summary Plan Description, the Cash Balance Plan's Summary Plan Description and the Defined Contribution 403(b) Retirement Plan for Employees of the Archdiocese of Miami for the full information on these benefits.) Other benefits may be offered to employees in the form of discounts on goods and services by other organizations. For information on these please consult <https://www.adomhealthplan.org>.

Initial: August 1, 2011 (for Pastoral Center); August 1, 2012 for Parishes, Schools
Current: August 1, 2022 (for Pastoral Center, Parishes, Schools)



ARCHDIOCESE OF MIAMI EMPLOYEE HANDBOOK

ACKNOWLEDGEMENT AND STATEMENT OF UNDERSTANDING

I understand that the information in this handbook represents guidelines only and that the Archdiocese reserves the right to modify this handbook or amend or terminate any policies, procedures, or employee benefit programs whether or not described in this handbook at any time, or to require and/or increase contributions toward these benefit programs. I understand that I am responsible for reading the handbook, familiarizing myself with its contents, and adhering to all of the policies and procedures of the Archdiocese, whether set forth in this handbook or elsewhere.

I understand that this handbook is not a contract of employment, express or implied, between me and the Archdiocese and that I should not view it as such, or as a guarantee of employment for any specific duration. I further understand the employment relationship is at will and may be terminated by either party for any reason, with or without cause or warning.

I understand that no manager or representative of the Archdiocese, other than the Archbishop, has any authority to enter into any agreement guaranteeing employment for any specified period of time. I also understand that any such agreement, if made, shall not be enforceable unless it is in a formal written agreement signed by both me and the Archbishop.

I acknowledge that no supervisor, manager or other representative of the Archdiocese has the authority to make any verbal promises, commitments or statements of any kind regarding the Archdiocese's policies, procedures or any other issues that are legally binding on the Archdiocese.

Employee's name (please print) _____

Employee's signature: _____

Date: _____

*Copy to be maintained in employee's personnel file in
Office of Human Resources (for Pastoral Center employees)
or Parish or School personnel files.*



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