



THE ROMAN CATHOLIC CHURCH OF THE  
DIOCESE OF PHOENIX

Human Resources Policies and Procedures

September 29, 2006

**The Roman Catholic Church of the Diocese of Phoenix  
Human Resources Policies and Procedures**

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Policy 2-7.1.1 Code of Employee Responsibility

Standards of conduct are established to help employees understand what is expected of them in terms of performance and behavior.

Procedures:

All Diocese of Phoenix employees are expected to observe this code.

1. Acknowledge and demonstrate both personal and professional respect for both fellow employees and those we serve.
2. Recognize the personal and professional values of others.
3. Demonstrate respect for others, regardless of age, gender, ethnicity, religious, moral, or political beliefs.
4. Accept responsibility and accountability for one's own actions, verbal and written communications and interactions with fellow employees and those we serve.
5. Acknowledge that conflicts between individuals may occur, and demonstrate responsibility for resolving these conflicts while maintaining respect for all individuals involved regardless of the outcome.
6. Acknowledge personal privacy in the communication of personal or professional information.
7. Maintain the highest ethical standards in interactions with employees, volunteers and those who we serve.
8. Conduct oneself in a moral and ethical manner consistent with Catholic principles.

The following behaviors are prohibited under the Code of Employee Responsibility:

1. Violence or threat(s) of violence.
2. Immoral or unethical conduct on the work premises or off the premises if the conduct has an adverse impact on the church.
3. Misrepresenting facts in obtaining employment, falsifying reports or records, including timecards, or falsely claiming injury.
4. Harassment, sexual or otherwise, that has the effect of creating a hostile or offensive work environment and is in violation of the Diocese of Phoenix Harassment Policy and/or Policy and Procedures for the Protection of Minors.
5. Unauthorized use of alcoholic beverages on the employer's property or reporting for work while under the influence of alcohol.
6. The possession, sale or use of a controlled substance other than a drug prescribed by a doctor or reporting for work under the influence of a controlled substance.
7. Theft, misuse or intentional waste of the employer's or another employee's property.
8. Insubordination.
9. Repeated poor, inadequate, or unsatisfactory job performance.

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- 10. Excessive or habitual absenteeism or tardiness.
- 11. Sleeping during work hours.

Disciplinary action as a result of violating the above will be based upon the seriousness of the situation and may include, but is not limited to, a verbal warning, written warning, suspension, or termination of employment. Supervisors should be aware of initial signs of potentially problematic behavior and take every effort to communicate concerns to an employee (verbally first, and if the behavior continues, in writing). Employees are encouraged to discuss problematic situations with supervisors, after attempting to independently resolve the difficulty.

See links: [Employee Relations Policy](#); [Harassment Policy](#)

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.2 Equal Employment Opportunity

The defense and promotion of human rights is inseparable from the Gospel mandate. It is the policy of the Diocese of Phoenix to promote equal opportunity in the areas of recruitment, employment, training, development, transfer and promotion. Employment in Diocese of Phoenix offices and subsequent development, transfer or promotion will go to those individuals whose training and experience most nearly qualify them for the positions offered without regard to race, color, religion, sex, age, disability, national origin, or social or economic status, except where religion or ordination is a bona fide occupational qualification (BFOQ). The Diocese of Phoenix will not discriminate on the basis of disability, and reasonable accommodation will be made for those qualified individuals with disabilities.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.3 Hiring

It is the policy of the Diocese of Phoenix to follow a consistent pattern in the selection of employees on the basis of merit, qualifications and competence.

Procedures:

To ensure consistency and legal compliance, the procedures set forth below should be followed.

1. The preparation of a job description, which is a formalized statement of the qualifications for and duties and responsibilities of the job based on information obtained through the analysis of the position. Its purpose is to identify the job, define it within certain established limits and describe its scope and content. Assistance in and samples of various parish job descriptions may be obtained from the Human Resources Office (HR).
2. The hiring procedure should include recruitment, interviewing and reference and background checks of all applicants considered for the opening. HR is also able to help with the announcements of openings through the diocesan-wide e-mail posting system, posting the position on the Diocese of Phoenix website and, if requested, advertising in The Catholic Sun and/or other newspapers. The cost for advertising in the newspapers is the responsibility of the entity requesting the ad.
3. The job classification (exempt or nonexempt, hourly or salary) and the starting salary range for each position will be determined before recruitment begins. Each Pastor, Parish Life Coordinator, Parish Manager or appropriate authority is mailed a current salary grade and wage scale schedule at the beginning of the new fiscal year to assist in this determination.
4. First consideration should be given to promotion from within for those employees who have demonstrated by their performance and training that they are interested in assuming additional responsibilities.
5. The supervisor may establish a search committee.
6. When the hire of a candidate is approved, human resources or the appropriate authority notifies the candidate in writing, indicating the job title, starting salary, name of supervisor, hours of work, and starting date.
7. New employees may attend the New Hire Orientation seminar at the Diocesan Pastoral Center, which is normally held on the second Tuesday of each month. At this seminar, new employees will receive information on benefits, be fingerprinted, and will receive Safe Environment Training (SET). The appropriate authority must call the Diocese of Phoenix Human Resources Office at (602) 354-2203 to register the new employee for the benefits and fingerprint session within 30 days of full time employment, and register the employee for the Safe Environment Training at <http://safeenvironmenttraining.org>.

If it is not possible to send new employees to New Hire Orientation, the appropriate authority is responsible for presenting the benefits package and for seeing that

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fingerprints are rolled and sent in to the Diocese of Phoenix Human Resources Office for processing by the Arizona Department of Public Safety. All new employees must attend Safe Environment Training.

8. Evaluation of the performance of all new employees should be accomplished prior to the end of the six-month introductory period.
9. The hiring of an employee does not create a contractual relationship between the employee and the employer, except those employees who have a valid, written individual employment contract, or Ministry Agreement signed by the proper hiring authority of the employer, for a specified, fixed term of employment. The employer-employee relationship is known technically as "employment at will" where either the employee or the employer can terminate the employment relationship at any time for any reason. This relationship implies no guaranteed or contractual obligation.

#### Procedures at Diocesan Pastoral Center

In order to assist Diocese of Phoenix departments, as well as to ensure consistency and legal compliance, the procedures set forth below are to be followed for hiring activities in all departments for positions at the Diocesan Pastoral Center.

1. The Human Resources Office (HR) will coordinate all hiring activity for positions at the Diocesan Pastoral Center.
2. In conjunction with the hiring activity, the job description for the position must be reviewed and, if appropriate, updated. HR will assist the department in the review and update.
3. HR and the department will confer regarding internal posting and external advertising. HR will place advertisements in publications and the ad charges will be directed to the hiring department's account. Resumes, applications or other contacts normally will be directed to HR.
4. Normally, HR will screen resumes and those meeting minimum qualifications will be forwarded to the department. However, the department can opt to do the screening themselves. The department will select the candidates to be interviewed. The department or HR will do all interview scheduling. HR will send an application form to all candidates selected for interview. HR will send any candidates not selected for an interview an appropriate response.
5. During the interview process, HR normally will be the first contact for the candidate. An application will be collected or completed and the candidate will then be escorted to the interview. At the discretion of the department, HR can participate in the interviewing of candidates.
6. Upon selection of a candidate, the department and/or HR will check references. Then the department and the Chief Human Resources Officer or the appropriate departmental representative will develop an appropriate offer that will be verbally extended to the candidate by the Chief Human Resources Officer or an appropriate departmental representative. The offer will be made contingent upon the candidate's successful completion of a background check by an outside agency and a pre-employment screening check. After the offer is accepted, the Chief Human

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Resources Officer or appropriate departmental representative will send a written confirmation of the offer of employment and the job description. The candidate will be required to acknowledge his or her acceptance of the terms and conditions contained in the letter and the job description. Upon written acceptance of the offer and the candidate's successful completion of the background check, HR will appropriately notify all other candidates that have been interviewed.

NOTE: A background check is also required of any current employee who is promoted or transferred to another position and has not previously had a background check.

7. On the first day of employment, the new employee will first visit HR to complete the necessary employment paperwork. The new employee will also attend the New Hire Orientation seminar, which is normally held on the second Tuesday of each month. At this seminar, the new employee will receive information on benefits, be fingerprinted, and attend Safe Environment Training.
8. The department will do Departmental/job orientation.
9. HR will coordinate these procedures and assist, as deemed appropriate, with the work of any search committees convened to recruit and hire senior level Diocesan Pastoral Center employees.
10. Procedure for acquiring and using temporary employees is as follows:
  - A. The Diocesan Pastoral Center normally uses one primary source for attaining temporary employees but also has other sources that can be used as necessary. HR continually meets with and updates the sources for temporary help so a clear understanding of the needs and culture of the Diocesan Pastoral Center are communicated. This also ensures the use of quality, cost effective firms.
  - B. Rather than calling a temporary agency themselves, those needing and authorized to hire temporary employees must contact the Coordinator of Human Resources and Training with the following information:
    - 1) A list of skills the employee needs to successfully complete the job.
    - 2) The hours of the job.
    - 3) The length of the assignment.
    - 4) The name of the individual the temporary employee will report to during employment.
  - C. In order to comply with directives that a criminal background check be performed for all people that work at the Diocesan Pastoral Center, it is important that HR work directly with the agency to make sure the background check is completed promptly and thoroughly.

Please allow enough lead-time in your temporary help request as the background check could take about four days.

See Forms Links: Application; Reference Check Form; Sample Offer Letter for Over 30 Hours per week; Sample Offer Letter for under 30 Hours per week.

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Policy: Hiring Signature Page

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.3.1 Hiring - Fingerprinting

FINGERPRINTING IS MANDATORY WITHIN THE DIOCESE OF PHOENIX FOR ANY STAFF MEMBER NOT HOLDING A VALID FBI FINGERPRINT CLEARANCE CARD WHO HAS ANY ACCESS OR EXPOSURE TO MINORS.

To ensure the protection and safety of children and young people throughout the Diocese of Phoenix, all employees, coaches (whether paid employees or volunteers), Catholic scouting leaders, Camp Fire leaders, and day care workers must be fingerprinted.

Procedures:

Background

The Roman Catholic Diocese of Phoenix is classified as a (non-profit) “private agency authorized...to receive criminal history record information for the specific purpose of evaluating the fitness of employees, prospective employees, volunteers and prospective volunteers who have regular contact with minors under the age of fifteen” (pursuant to Title 28 Code of Federal Regulations, Part 20, and ARS 41-1750).

The Arizona Department of Public Safety (DPS) provides criminal history record information in strict compliance with all federal and state laws. The law also states that any specific information about an individual criminal history record cannot be disseminated without authorization from DPS. The Diocese of Phoenix Human Resources Office is required to inform agencies and individuals to whom information will be disseminated about these rules and regulations, and the penalties for failure to observe them.

**CONFIDENTIALITY OF CRIMINAL HISTORY RECORD INFORMATION**

CRIMINAL HISTORY RECORD INFORMATION RECEIVED BY THE DIOCESE OF PHOENIX HUMAN RESOURCES OFFICE CAN BE USED ONLY FOR THE PURPOSE FOR WHICH IT WAS GIVEN, AND MAY NOT BE REDISSEMINATED. EVEN THE EXISTENCE OR NON-EXISTENCE OF A CRIMINAL HISTORY RECORD CANNOT BE CONFIRMED TO ANYONE NOT AUTHORIZED TO RECEIVE SUCH INFORMATION. THUS, PASTORS, PRINCIPALS, OR ANY HIRING AGENTS OF THE DIOCESE OF PHOENIX ARE SUBJECT TO CRIMINAL PENALTIES FOR ANY COMMENT WHATSOEVER THAT CAN BE CONSTRUED AS DISSEMINATION.

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Penalties for unauthorized dissemination of information arising from fingerprinting include fines (as much as \$10,000), imprisonment (from four months to ten years) and denial of future access by the Diocese of Phoenix to criminal history records.

#### ACCESS TO CRIMINAL HISTORY RECORD INFORMATION

PASTORS, PRINCIPALS, AND HIRING AGENTS WILL BE AUTHORIZED TO RECEIVE INFORMATION FROM THE DIOCESE OF PHOENIX OFFICE OF HUMAN RESOURCES ABOUT CRIMINAL HISTORY RECORDS. BUT UNDER NO CIRCUMSTANCES MAY THEY INFORM ANYONE (EXCEPT THE PROSPECTIVE/CURRENT EMPLOYEE) ABOUT THE EXISTENCE OR NON-EXISTENCE OR ANY CRIMINAL RECORD BECAUSE OF THE STRICT FEDERAL GUIDELINES AND PENALTIES ABOUT UNAUTHORIZED DISSEMINATION OF INFORMATION.

Only the Diocese of Phoenix Human Resources Office and the Diocese of Phoenix General Counsel will have direct access to criminal history record information.

Procedures for Diocese of Phoenix parishes, Diocesan Pastoral Center, Catholic schools, Kino Institute, Catholic Cemeteries, Mount Claret Center, and all Newman Centers:

##### A. Hiring

A pastor, principal or appropriate authority interviews a prospective employee, and having determined the desirability of hiring, sends the person for fingerprinting. Offers are conditional until references have been checked and the criminal history record has been reviewed.

If it is necessary for the person to begin work immediately, have the applicant read and sign the Pre-Employment Statement or include a contingency statement in the offer letter or contract.

Fingerprint cards must be obtained from the Diocese of Phoenix Human Resources Office (DPHRO) or Catholic Schools Office (CSO). Fingerprints can be rolled at the parish, an agency, or at scheduled fingerprinting times through the DPHRO or CSO.

Preschool or certified school employees completed fingerprint cards and paperwork are sent directly to the Arizona Department of Public Safety with appropriate fees. Preschool or certified school employees are responsible to give the employer a copy of the fingerprint card for his/her personnel file.

All other completed fingerprinted cards must be forwarded to the DPHRO. Parishes, Catholic schools, Kino Institute, Catholic Cemeteries, Mount Claret Center, and all Newman Centers will be billed for the service.

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The DPHRO then submits the fingerprint cards to the Arizona Department of Public Safety. It usually takes two weeks to process.

**B. Notification of Results**

When the criminal history record is returned, the DPHRO will inform the parish, Catholic school, Kino Institute, Catholic Cemetery, Mount Claret Center, or Newman Center, as soon as possible of the results only if there is a criminal history record.

When the DPHRO informs a pastor, principal or appropriate authority that a prospective employee has a criminal history record, the pastor, principal or appropriate authority informs the prospective employee that a record exists and that he or she may contact the Department of Public Safety to “challenge and review” his/her record.

When the criminal history record reveals that the prospective employee has been convicted of a crime with a minor or is a registered sex offender, he or she may not be hired or continue employment under any circumstances, even while his/her record is under “challenge and review”.

**C. Challenge and Review**

If the applicant disagrees with the results and says that they have not been convicted of the alleged charges, they must be advised to “challenge and review” his/her record with the Arizona Department of Public Safety (DPS).

This may be done in one of two ways:

- 1) Applicants living in the Phoenix area may call DPS for an in-person interview. They call the Criminal History Records Department at (602) 223-2222.
- 2) Applicants may also request a packet by mail. When they receive it, they take the packet to the nearest police station or sheriff’s office.

In either case, they must present a photo ID and will be required to pay a fee in order to have their fingerprints re-processed.

Whenever an applicant “challenges and reviews” a criminal history record, DPS will automatically inform the DPHRO when a person’s record has been cleared. The Diocese of Phoenix parish, Catholic school, Kino Institute, Catholic Cemetery, Mount Claret Center, or Newman Center will then be informed to proceed with the hiring procedure.

See Forms: Pre-Employment Statement

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Policy: Hiring – Fingerprinting Signature Page

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.3.2 Hiring – I-9 Form

The Immigration Reform Act imposes penalties on organizations that employ persons who do not have the legal right to work in this country as defined by the United States Citizenship and Immigration Services, Department of Homeland Security. Failure to use this form, or failure to obtain verifying proof of legal presence and employment in the United States as specified on the form, can result in severe civil fines and penalties. (Mandated by Federal Law)

Procedures:

All employees, citizens and noncitizens, must complete Section 1 of the I-9 Form at the time of hire. Employers must complete Section 2 by examining documents (originals, not copies) of identity and employment eligibility documents within three (3) business days of the date employment begins. If the documents appear to be genuine and to relate to the person presenting them, you must accept them. Do not photocopy the presented documents for your records.

Certain documents establish both the identity and employment eligibility requirements. These documents are listed on the reverse side of the I-9 form in List A. Please note the following changes to the Form I-9 process:

- Form I-766 (Employment Authorization Document), although not listed on the 5/31/05 version of the Form I-9, is an acceptable List A document #10.
- Form 151 is no longer an acceptable List A document #5; however Form I-551 remains an acceptable document.
- The following documents have been removed from the list of acceptable identity and work authorization documents: Certificate of U.S. Citizenship (List A #2), Certificate of Naturalization (List A #3), Unexpired Reentry Permit (List A #8) and Unexpired Refugee Travel Document (List A #9).

Separate documentation can be used to establish identity and employment eligibility. One item from List B and one item from List C must be provided. These documents are also listed on the reverse side of the I-9 form.

Employers must complete Section 3 when updating and/or reverifying the I-9 Form. Employers must reverify employment eligibility of their employees on or before the expiration date recorded in Section I. Employees failing to renew employment eligibility must be dismissed from employment.

When an employee is rehired, or transfers to a new Diocese of Phoenix employer, a new I-9 must be filled out.

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Completed and verified I-9 forms will be placed in a separate I-9 file, other than the personnel records file, where the employer stores other general confidential employee records. Terminated employees' I-9 forms need to be kept for 3 years from the commencement of work or for 1 year after the employee's termination date, whichever is later. This means that Form I-9 needs to be retained for all current employees, as well as terminated employees whose records remain within the retention period.

See Link: <http://uscis.gov/graphics/formsfee/forms/i-9.htm>

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.3.3 Hiring - AZ New Hire Report

All Diocese of Phoenix employers must report newly hired and rehired employees to the Arizona New Hire Reporting Center. New hire reporting improves child support collections and reduces public assistance costs.

Procedures:

To collect the information needed for reporting new hires to the State of Arizona, the new or rehired employee must fill out the New Hire/Rehire Reporting Form. Keep this form in the employee's confidential file.

New hire reports must be submitted to the State within 20 days after the employee is hired or rehired. The reporting options are listed below.

1. Register to report new hires on the Internet at: [www.az-newhire.com](http://www.az-newhire.com).

Or

2. Fill out the Arizona New Hire Reporting Form and mail the completed form to: Arizona New Hire Reporting, PO Box 25638, Phoenix, AZ 85002 or fax the completed form to (602) 340-0669, or (888) 282-0502.

See Forms: [New Hire/Rehire Reporting Form](#); [Arizona New Hire Reporting Form](#)

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.3.4 Hiring – Employment of Relatives

Subject to the restrictions contained in this policy, the Diocese of Phoenix generally permits the employment of relatives. However, in no case will any employee be assigned to direct, supervise, review or process the work of a relative. Nor will any employee be involved in any decisions regarding the discipline, compensation or promotion of a relative.

For the purposes of this policy, “relative” means spouse, mother, father, son, daughter, brother, sister, aunt, uncle, grandparent, cousin, all in-laws and step relationships.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.3.5 Hiring – Military Service

The Diocese of Phoenix fully complies with the Uniform Services Employment and Re-employment Rights Act (USERRA). The Diocese of Phoenix will not terminate nor deny any benefits to an individual on the basis of their application for membership in, or performance of military service. Accordingly, an employee will be entitled to a leave of absence without pay while serving on active military duty, or while attending military training. An employee returning from military leave may request reinstatement to his/her previous position in accordance with USERRA.

Procedures:

For additional information, please contact the Diocese of Phoenix Human Resources Office. All locations must post a USERRA poster.

See Link: <http://www.dol.gov/vets/programs/userra/poster.htm>

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.4 Orientation/Introductory Period

All Diocese of Phoenix employers should conduct orientation and training programs to acquaint new employees with their new employer and the Diocese of Phoenix, to help learn assigned jobs, and to develop skills required for effective job performance. Upon successful completion of the introductory period, the new employee will become a regular employee unless hired specifically for a temporary job.

Procedures:

1. The introductory period is an initial period of 180 days during which a new, transferred or promoted employee's job performance and job compatibility are evaluated by the immediate supervisor. During this period of employment, each employee is to receive instruction, review of work, training, and any other guidance that is supportive of the employee's opportunity for success on the job.
2. It is recommended that mid-way into the Introductory Period, a formal or informal evaluation is given to the employee. See the appendix for a suggested Introductory Review Form.
3. Upon completion of the introductory period, the immediate supervisor must prepare a written evaluation of the employee's job performance.
4. At the end of the introductory period, the immediate supervisor may grant regular status to the employee if the employee's job performance is satisfactory.
5. If the employee's performance during the introductory period is unsatisfactory, the introductory period may be extended or the employee shall be terminated at the discretion of the immediate supervisor (subject to approval of the department head and the Chief Human Resources Officer or General Counsel).
6. During the introductory period, the Problem Solving Process does not cover new employees.
7. Employees in their introductory period are eligible for paid holiday leave.
8. During the introductory period, employees at locations using the accrual method must comply with the 90-day waiting period before becoming eligible to use accrued sick and vacation leave. Employees who terminate before the completion of the 90-day waiting period are not eligible for accrued vacation pay.
9. During the introductory period, employees at locations using the grant method (used at the Diocesan Pastoral Center) must comply with the 90-day waiting period before

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becoming eligible to use granted sick and vacation leave. Employees who terminate before the completion of the 90-day waiting period are not eligible for granted vacation pay.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.5 Employment Classifications

The Diocese of Phoenix has various employment classifications that determine eligibility for certain benefits.

Procedures:

A. The following categories are used when determining eligibility for certain benefits:

1. Introductory Employees

All new regular full-time and part-time employees and/or those transferred or promoted to a new position within the Diocese of Phoenix have an introductory period of 180 calendar days (6 months). Extensions of one to three months may be granted if the employee's supervisor needs more time to evaluate the employee's performance.

The purpose of the introductory period is to assess the employee's performance and ability to carry out position requirements. It also enables both the employee and the supervisor to determine whether continued employment is desired.

2. Full-time Employees

Full-time employees are normally scheduled to work 35 to 40 hours per week, have satisfactorily completed the introductory period, and are eligible for all applicable employee benefits.

Teachers and administrators, although under an employment contract for a specific period of time, are considered to be regular full-time employees during the time they have a valid written contract with the school.

3. Regular Part-time Employees

Regular part-time employees are scheduled to work a minimum of 30 hours per week but fewer than 35 hours per week, and have satisfactorily completed the introductory period. Regular part-time employees are entitled to all applicable benefits. (Some part-time employees may have "Grandfathered" status.) Vacation and sick hours accrued or earned must be prorated based on the average hours the part-time employee works per day.

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4. Other Part-time Employees

Other part-time employees work fewer than 30 hours per week or do not work on a regular, ongoing basis and are eligible only for those benefits required by law and holidays observed by the employer. (See Lay Employee Benefits Policy for participation in Lay Employees' Retirement Plan and/or 401(k).)

5. Temporary Employees

Temporary employees are normally hired to work for a specific period to fill in for an absent employee, to perform a specific short-term task or project, or to assist in heavy workload situations.

Temporary employees are not eligible for benefits except as required by law, or holidays observed by the employer. If a temporary employee is contracted through a temporary agency, the agency bears full responsibility for all benefits, including those required by law.

6. Rehired Employees

Regular employees rehired fewer than 12 months after termination will be fully reinstated at original hire date as regular employees and are eligible for all applicable employee benefits without the requirement of the normal new-hire waiting period with the exception of vacation and sick leave. Regular employees rehired more than 12 months after employment termination are considered new employees and serve the usual introductory period.

7. Priests

Incardinated Priests of the Diocese of Phoenix

Under Federal law, diocesan priests are considered as self-employed for Social Security tax purposes and as employees for all other tax purposes.

Religious Order Priests serving the Diocese of Phoenix

Order priests are employees of their religious orders.

All priests are eligible for compensation and benefits in accordance with the Salary and Benefits Packages for Priests that is published annually.

8. Religious

Men and women religious are employees of their religious orders/congregations. Their orders/congregations are paid on the basis of the "lay equivalency" of the positions they fill unless special arrangements have been negotiated with the

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Bishop or Director of Religious. They are eligible for all Diocese of Phoenix employee benefits except the Lay Employees Retirement Plan.

Religious may be covered by their religious order's/congregation's health and dental benefits instead of the Diocese of Phoenix benefits. Such election becomes a matter of negotiation with the religious order/congregation.

#### 9. Deacons

Under Federal Law, deacons are considered self-employed for Social Security tax purposes and as employees for all other tax purposes. Deacons are eligible for all applicable employee benefits.

#### 10. Independent Contractors

An independent contractor is defined as a person doing work on an employer's premises but employed by a separate and independent firm: e.g., self employed persons, janitorial services, landscaping services, window washing, computer consultants, etc. An independent contractor is usually paid a flat fee for a job. Independent contractors do not qualify for benefits under the Diocese of Phoenix benefits program.

In general, the person is an independent contractor if...*	In general, the person is an employee if...
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| <ul style="list-style-type: none"><li>• The employer controls merely the end result to be accomplished, not the means and methods of accomplishing it.</li><li>• The employer does not furnish any tools or normal workplace to the person.</li><li>• The person is available to perform similar services for the general public or others in the same business as the employer.</li><li>• The person does not spend most or all of their time serving only one employer.</li></ul> | <ul style="list-style-type: none"><li>• The employer has the right to direct and control the person's performance regarding the results and the means and details of obtaining the result.</li><li>• The employer furnishes the person with tools or other equipment for doing the job.</li><li>• The employer furnishes the person with a place where the person regularly and normally works.</li><li>• The employer has the right to discharge the person.</li></ul> |
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\* Source: IRS publication 15(a), *Employer's Supplemental Tax Guide; 2. Employee or Independent Contractor?*

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**B. Exempt/Nonexempt Status Under The Fair Labor Standards Act**

The Fair Labor Standards Act (FLSA) is a federal law that requires employees be paid at least minimum wage and overtime for hours worked over 40 per week. Some employees are “exempt” from (not covered by) the law, and do not have to be paid minimum wage or overtime if certain requirements are met.

Nonexempt employees include all employees who are entitled to premium pay for working more than 40 hours in a workweek. These employees include clerical, secretarial, maintenance, janitorial and all other workers who are not eligible for “exemption” in accordance with the FLSA rules.

Exempt employees include those employees in executive, administrative, professional, and some computer related positions. Exempt employees must be paid on a salary basis. The exemption status is based on the employee’s duties and responsibilities in accordance with federal and state laws.

For help in determining if an employee is exempt or nonexempt, refer to the following guidelines or consult the Diocese of Phoenix Human Resources Office.

**1. Executive Exemption**

To qualify for the executive employee exemption, **all** of the following tests must be met:

- The employee must be paid on a salary basis at a rate of at least \$455 per week. If the employee works part-time, they still must be paid at least \$455 per week to qualify as exempt;
- The employee’s primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
- The employee must customarily and regularly direct the work of at least two other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees, or the employee’s recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given a particular weight.

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## **2. Administrative Exemption**

To qualify for the administrative employee exemption, **all** of the following tests must be met:

- The employee must be compensated on a salary basis of \$455 per week or more. If the employee works part-time, they still must be paid at least \$455 per week to qualify as exempt;
- The employee's primary duty must be office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- The employee's primary duty includes the exercise of discretion and independent judgment in significant matters.

## **3. Professional Exemption**

There are two general types of exempt professional employees; Learned Professionals and Creative Professionals.

To qualify for the Learned Professional employee exemption, **all** of the following tests must be met:

- The employee must be paid on a salary basis at a rate of \$455 per week or more. If the employee works part-time, they still must be paid at least \$455 per week to qualify as exempt;
- The employee's primary duty must be work requiring advanced knowledge, which means it is predominately intellectual in character and requires the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; and
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

To qualify for the Creative Professional employee exemption, both of the following tests must be met:

- The employee must be compensated on a salary basis at a rate of \$455 per week or more. If the employee works part-time, they still must be paid at least \$455 per week to qualify as exempt; and

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- The employee's primary duty must require invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor.

#### **4. Highly compensated employees**

This subcategory consists of employees performing office or non-manual work who are paid total annual compensation of \$100,000 or more (which must include at least \$455 per week) if they customarily and regularly perform at least one of the duties of an exempt executive, administrative, or professional employee identified in the standard exemption tests.

#### **5. Computer Employee Exemption**

To qualify for a computer employee exemption, the following tests must be met:

- The employee must be compensated either on a salary basis of at least \$455 per week or, if paid on an hourly basis, at least \$27.63 an hour; and
- The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below:
  - o The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
  - o The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
  - o The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
  - o A combination of the above duties, the performance of which requires the same level of skills.

#### **6. Outside Sales Exemption**

To qualify for the outside sales employee exemption, all of the following tests must be met:

- The employee's primary duty must be making sales, or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and

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- The employee must be customarily and regularly engaged away from the employer's place or places of business.

C. Paying on a salary versus an hourly basis

To pay an employee on a salary basis means that the employee is paid the same pre-determined amount for each week the employee performs any work. This pay status is generally reserved for exempt employees. The theory behind this is that an exempt employee is paid for the job that must be done regardless of the number of hours required to complete the work, not for the number of hours worked.

Nonexempt employees may also be paid on a salary basis but must be paid overtime for any hours they work over 40 hours a week. Accurate records of actual hours worked must be kept. All nonexempt hourly and salaried employees must complete a weekly time record (time card) that must be signed by the employee and the employer. All overtime must be pre-approved by the employee's supervisor. There is an example of a time sheet that may be used for tracking hours of nonexempt employees in the appendix.

Overtime is paid at the rate of time and one-half the hourly rate. In the case of nonexempt salaried employees, the annual salary is converted to an hourly rate in order to pay the time and one-half rate required under the FLSA.

In the event an hourly or salaried nonexempt employee works more than 8 hours during a day of the current workweek, the payment of overtime can be avoided by having the employee work fewer hours on another day or days in the same work week. If the adjustment cannot be made in the same workweek, overtime must be paid. "Comp time" is not an option under the FLSA.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.6 Employee Job Descriptions

Job descriptions list the duties and responsibilities of a position and should contain objective performance indicators. They are developed for each job in the organization. Job descriptions contain the: title of the job; department; supervisor; exempt or nonexempt classification; salary pay grade; date; job's purpose and scope; essential job functions; knowledge, skills and abilities; and, minimum qualifications required. The format in the example is the preferred format in accordance with Federal guidelines. It is impossible to cover every task or responsibility of the position; therefore, the description does not limit the department director's/supervisor's right to assign additional duties as needed.

Procedures:

Job descriptions are reviewed for accuracy whenever significant changes in job duties occur and when employee performance evaluations are conducted. Employees are encouraged to review and suggest changes to their job descriptions.

A copy of the job description should be signed by the employee and filed in the employee's human resource file maintained by the Human Resources Office. The immediate supervisor should maintain a copy of the job description for each employee they supervise, and each employee should have a copy of their job description.

See Forms Links: [Generic Administrative Assistant II](#); [Generic Facilities Supervisor](#); [Generic Janitor](#); [Generic Parish Administrator](#); [Generic Parish Business Manager](#); [Generic Secretary/Bookkeeper](#)

*Note: School teachers and administrators, religious order men and women, and other contracted employees shall have a copy of the job description for their position attached to their contract of employment or ministry agreement.*

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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### Policy 2-7.1.7 Employee Transfers

Employees must have regular status before their request for transfer will be considered. Employees transferred to new positions are considered introductory employees, and their performance is normally evaluated in the middle and at the end of the introductory period to determine regular status in the new job. Employees who transfer to a position in the same salary grade are not considered for salary increase. All transfers require the approval of the appropriate Pastor, Vicar, Director, or department head. Upon the transfer of an employee between Diocese of Phoenix locations including Catholic Charities and Catholic Tuition Organization, benefits eligibility is carried over to the new organization of employment. (Lay Employee Benefits Policy)

#### Procedures:

When an employee is transferring between locations (Diocesan Pastoral Center, parish, Catholic school, Kino Institute, Catholic Cemetery, Mount Claret Center, Newman Center, Catholic Charities or Catholic Tuition Organization), the following steps must be completed:

- A Termination/Transfer Form must be completed and sent to the Diocese of Phoenix Human Resources Office. This will allow the insurance billings to be transferred to the new Diocese of Phoenix location.
  
- A Transfer Information form must be completed and sent to the employee's new Diocese of Phoenix location along with copies of all benefit enrollment forms.
  
- For 12-month employees, the current location is responsible for coverage through the end of the month of the employee's last active workday. For 10-month Catholic school employees (teachers, aides, etc), the current location is responsible for all insurance premiums through July 31. The employee's new Catholic school location will begin paying premiums August 1. The 30-day waiting period does not apply to employees transferring locations. Employees, however, are not eligible to make changes to their benefit plans unless a Qualifying Event has also taken place. All other changes must take place at Annual Enrollment.

See Link: [Lay Employee Benefits Policy](#)

See Forms: [Termination/Transfer Form](#); [Transfer Information Form](#)

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Policy: Employee Transfers Signature Page

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.8 Human Resources Records

The Diocese of Phoenix Human Resources Office maintains human resources files only for employees assigned to the Diocesan Pastoral Center. Diocese of Phoenix parishes, Catholic schools, Catholic Cemeteries, Mount Claret Center and all Newman Centers must establish and maintain employee human resources records in accordance with the guidelines set forth in the following procedures. Specific access restrictions and security procedures for employee records are established. These restrictions and procedures are designed to protect both the privacy of employees and employers from potential liability for improper disclosure of personal information. These records are kept in locked file cabinets or in secure storage.

Documents of a confidential nature (e.g. medical records, insurance forms) will be maintained in the employee's confidential file.

Procedures:

A. Human Resources File Guidelines

1. Human Resources General Employee File

- Resume
- Application
- Reference checks
- Letter of Appointment
- Job Description
- Promotion Information
- Performance Appraisals
- Letters regarding employee performance or specific job duties
- Proof of schooling (if necessary for position)
- Professional certificates
- Training certificates
- Payroll information (W-4, A-4, CDA, CTO, Direct Deposit, United Way, payroll deduction information)\*
- Vacation information
- Written discipline actions
- Exit interview upon termination

\*See item 4 on next page

2. Human Resources Confidential Employee File

Note: Any information that includes date of birth, age, race, religion, medical and health information or family situations that may allow a supervisor to discriminate should be kept in the confidential file.

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Personal Data Sheet  
New Hire/Rehire Reporting Form  
Confirmation of submitted AZ New Hire Report  
Verification of Employment Requests  
Insurance Forms\*  
401(k) information  
Sick Leave Information and return to work release forms (Note: Because of privacy laws, the supervisor should not keep any information concerning illness or return to work release forms in their personal files)  
Short term disability information  
Long term disability information  
Family & Medical Leave Act (FMLA) information  
Workers' Compensation records

\*See item 4 below.

### 3. I-9 Forms File

Forms for all active employees are to be kept in a notebook or binder that is stored separately from the human resources general or confidential file.  
Forms for terminated employees are to be kept in the back of notebook or in another notebook.

### 4. Flex-Spending Records

All flex-spending records are kept in a separate locked location in the Diocese of Phoenix Human Resources Office and in accordance with HIPPA Privacy Regulations, no flex-spending records or copies of records are to be kept at any other Diocese of Phoenix location.

## B. Employee Review of Human Resources File

Employees may review their human resources file upon written request by making an appointment with the Diocese of Phoenix Human Resources Office or the business office of the parish, Catholic school, Catholic Cemeteries, Mount Claret Center or Newman Center where they are employed. The human resources file may not be removed from the Diocese of Phoenix Human Resources Office or business office of the parish, Catholic school, Catholic Cemeteries, Mount Claret Center or Newman Center where they are employed and the file review is to be witnessed by an appropriate authority.

## C. Correcting Information Contained in Human Resources File

When employees believe that information contained in their human resources file is incorrect, they may request that the information be corrected. To accomplish this, they must make the request in writing to the Chief Human Resources Officer or other

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appropriate administrative officer at Diocese of Phoenix parishes, Catholic schools, Catholic Cemeteries, Mount Claret Center and all Newman Centers. If the information contained in the human resources file is found to be correct, the employees shall be offered the opportunity to submit a written statement about the matter that will be included in their human resources file. Additionally, employees may request that certain documents (e.g. responses to a disciplinary notice, memos of appreciation, etc.) be placed in their human resources file. The Diocese of Phoenix reserves the right to determine what is placed in the human resources files.

**D. Obtaining Copies of Documents From Human Resources Files**

Employees may request and receive copies of documents filed in their human resources files. Employees may be charged a fee for reproducing copies from the files.

**E. References/Verification of Employment**

The Diocese of Phoenix strives to ensure that confidential information is not improperly released either within the Diocese of Phoenix or to external sources. All requests for any information about employees must be referred to the Diocese of Phoenix Human Resources Office, or business office of the parish, Catholic school, Catholic Cemeteries, Mount Claret Center and all Newman Centers as appropriate. In response to “employment reference” types of inquiries, only dates of employment and job titles will be provided by the Diocese of Phoenix Human Resources Office or business office of the parish, Catholic school, Catholic Cemeteries, Mount Claret Center or Newman Center unless there is specific written authorization from the employees. In response to “credit” or “income verification” types of inquiries, written authorization from the employees is required for all releases of information. On occasion, other types of information may be provided to outside entities where mandated by law or court order.

**F. Change of Employee Information**

Employees are responsible for informing their supervisor and the Diocesan Human Resources Office or business office of the parish, Catholic school, Catholic Cemeteries, Mount Claret Center and all Newman Centers of any changes in name, address, telephone number, social security number, marital status, or other pertinent personal information.

**G. Disposition of Departmental Files Upon Separation of Employees**

Upon separation of employment, all departmental duplicate files, if any, shall be forwarded to the Diocese of Phoenix Human Resources Office or business office of the parish, Catholic school, Catholic Cemeteries, Mount Claret Center and all Newman Centers where they will be filed with the human resources files.

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#### H. Human Resources Record Retention

The Diocese of Phoenix will follow the United States Conference of Catholic Bishops Records Retention schedule.

Records Type	Retention Period
<b>Benefits</b>	
Disability records	Permanent
Pension vesting files	Permanent
Retirement benefits	Permanent
Service records	Permanent
<b>General</b>	
Permanent earnings and records	7 years after benefit termination
Attendance records	7 years after termination
Employee contracts	7 years after termination
Employee salary schedules	7 years after termination
<b>Health and Safety</b>	
Accident/injury reports	7 years
Employee medical complaints	7 years
Employee medical records	30 years from termination
Environmental test records/reports	Permanent
Hazardous exposure records	Permanent
Toxic substance exposure reports	Permanent
Workers' compensation records	12 years after injury (filing), death, or last compensation payment
<b>Human Resource actions</b>	
Applications rejected	1 year
Personnel files, terminated	7 years
Termination records	7 years
<b>Salary administration</b>	
W-2 forms	7 years from date of filing
W-4 forms	7 years from date of filing
Time cards/time sheets	4 years from date of filing

Following federal requirements, keep terminated employees' I-9 files for 3 years after hire date or 1 year after separation, whichever date is later.

After separation of employment, keep all human resources files in a secure storage location. After seven years, human resources files that are not permanent may be destroyed in a secure manner.

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If consumer reports (credit reports) are used to establish employment eligibility, the Federal Trade Commission Disposal Rule applies. The Disposal Rule requires disposal practices that are reasonable and appropriate to prevent the unauthorized access to – or use of information in a consumer report. This can be accomplished by: shredding papers so the information cannot be read or reconstructed; destroying or erasing electronic files or media so that information cannot be read or reconstructed; or hiring a document destruction contractor to dispose of material specifically identified as consumer report information consistent with the Rule.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.9 Employee Attendance

Successful operation of the Diocesan Pastoral Center, parishes, Catholic schools, Kino Institute, Catholic Cemeteries, Mount Claret Center, and all Newman Centers in the Diocese of Phoenix, depends upon the attendance of all employees. Poor attendance not only affects the quality of service operationally, but also impacts the way in which other employees are able to do their jobs.

Procedures:

Each employee is to start work at the agreed upon location and time. An employee who, for any reason, will be delayed for more than a few minutes in reporting for work is required to call their supervisor promptly to explain the circumstances. An employee should speak to the supervisor rather than leave a voice mail message. Unauthorized absences or tardiness by employees will not be tolerated and may result in disciplinary action up to and including termination.

When absences are authorized, employees will be compensated in accordance with the specified policy.

Any employee who fails to report to work for three consecutive workdays and fails to notify his or her supervisor is considered to have abandoned his or her position with the Diocese of Phoenix and will be subject to termination.

*Note: Because of the need to engage a substitute, a school employee shall notify the Principal of any absence in accordance with the practice at the particular school. Each school designates working hours for staff and times when teachers and administrators are to be on campus.*

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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#### Policy 2-7.1.10 Notification of Absences & Timekeeping

Accurate timekeeping is required for all employees of the Diocese of Phoenix. Employees who are nonexempt under the Fair Labor Standards Act (FLSA) are required to submit time sheets or time cards on a weekly basis. The time sheets or cards are used to calculate salary payments and are designed to meet federal and state labor law requirements concerning the maintenance of accurate work hours. Time sheets are not required for employees who are classified as exempt under the FLSA. Instead, an Exempt Employee Absence Report must be submitted for periods during which any type of approved leave is taken.

Overtime must be pre-authorized by the supervisor. To avoid the payment of overtime, all adjustments to the hours of nonexempt employees must be made within the same work week. (For example, if an employee needs to work 10 hours on a particular day, an adjustment must be made on another day or days within the same workweek to avoid the payment of overtime.)

Procedures at the Diocesan Pastoral Center:

Weekly Time Card Forms and Exempt Employee Absence Reports must be completed, as appropriate, by all Diocesan Pastoral Center employees. The forms are located on the Diocese of Phoenix web site, [www.diocesephoenix.org](http://www.diocesephoenix.org). To obtain the forms, click on departments, Human Resources, and follow the link to forms.

#### Weekly Time Card Form (Nonexempt Only)

There is an area on the Weekly Time Card Form to record regular hours, sick, vacation, holiday, and other paid hours. Therefore, there is no need for a nonexempt employee to complete a separate Absence Report for hours indicated on the time card form. The Weekly Time Card Form must be signed by the employee and their supervisor and submitted to Human Resources in a timely manner. Failure to submit the time card in a timely manner could cause delays in the payroll process.

#### Exempt Employee Absence Report

Exempt employees must complete the Exempt Employee Absence Report form when they are away from work, whether the time off is with or without pay. Exempt employee's time off needs to be approved by the employee's supervisor and recorded in full day increments, except when the employee has been approved to take partial days under the Family Medical Leave Act. (See Lay Employee Benefits Policy.) The form must be signed by the employee and their supervisor and submitted to Human Resources immediately upon the employee's return to work.

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Procedures at Other Diocese of Phoenix Locations:

Diocese of Phoenix parishes, Catholic schools, Catholic Cemeteries, Mount Claret Center and all Newman Centers can adopt the Diocesan Pastoral Center Procedures or develop their own procedures.

See Forms: Sample Time Card; Sample Exempt Employees Absence Report

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.11 Harassment

The Diocese of Phoenix is firmly committed to fostering, creating, promoting, and maintaining a professional, nondiscriminatory work environment for all our employees. Harassment is any verbal, visual or physical conduct that denigrates or shows hostility toward an individual on the basis of his/her race, color, religion, gender, age, national origin, ancestry, handicap, or disability, and that creates an intimidating, hostile, or offensive working environment.

Harassment may include, but is not limited to epithets, slurs, jokes, or other verbal, visual or physical conduct relating to an individual's race, color, religion, gender, age, national origin, ancestry, handicap, disability, marital, parental, or veteran status.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature that creates an offensive or hostile work atmosphere. It may also consist of the display of derogatory posters, cartoons, or drawings; or other verbal, visual, or physical conduct of a sexual nature by managers, co-workers, or others.

Behavior of this nature is unprofessional and will distract employees from performing their job functions. Therefore, any form of unlawful harassment, including unwelcome sexual advances, requests for sexual favors, or verbal, visual or physical conduct that has sexual connotations will not be tolerated. Such behaviors by vendors and other non-employees who have reason to visit the Diocesan Pastoral Center, Diocese of Phoenix parishes, Catholic schools, Kino Institute, Catholic Cemeteries, Mount Claret Center, or Newman Centers, or who otherwise deal with our employees also will not be tolerated.

Volunteers are also covered by this policy.

Procedures:

#### COMPLAINT PROCEDURE AND INVESTIGATION

As part of the Diocese of Phoenix's commitment to a harassment free workplace, all complaints of inappropriate offensive or harassing conduct will be promptly and thoroughly investigated and appropriate action to remedy any inappropriate conduct will be taken.

##### A. Reporting Harassment

It is the right and the responsibility of an employee to report harassment. Any employee who believes that he/she is being sexually harassed, or harassed on the

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basis of race, color, religion, gender, age, national origin, ancestry, handicap, disability, marital, parental, or veteran status or any other protected class mentioned above should take the following steps:

- 1) Meet with one's immediate supervisor and, orally or in writing, state the specific details of the harassing behavior. If one prefers, one may report such behavior directly to any other supervisor, manager, director, pastor, or dean.
- 2) The policy of the Diocese of Phoenix is to listen to all reasonable complaints, investigate with due regard for confidentiality, and quickly apply appropriate sanctions that will end any offensive behavior.
- 3) Sanctions against harassment will depend upon the facts and circumstances of the incident. Minor first offenses may lead to written reprimands and/or time off without pay. Major or multiple offenses can result in the discharge of the offender.
- 4) The Diocese of Phoenix Human Resources Office is available for consultation if there are questions about harassment.

#### B. Retaliation

The Diocese of Phoenix's system for resolving complaints is available to all employees without fear of retaliation. An employee who believes retaliation has resulted from the reporting of a harassment complaint should report this immediately to his/her supervisor or any member of management.

All employees must be given the opportunity to read a copy of this policy. The employee may request a copy of this policy be given to him or her.

All employees must sign an acknowledgment form that should be kept in the employee's HR file.

See Form: [Acknowledgment of Harassment Policy](#)

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.12 Employee Health and Safety

Employee health and safety are of vital concern to the Diocese of Phoenix. Accordingly, employees are not required to work at jobs known to be unsafe, unhealthy, or hazardous. If employees believe their work environment is hazardous or unhealthy, they should report it immediately to their supervisor. The Diocese of Phoenix expects all employees to share this responsibility for safety and health, and to comply with all safety rules and regulations.

Procedures:

Each employee is responsible for individual safety. Employees are obligated to report promptly to their supervisor any accident or injury even if the injury does not appear to be serious.

If the employee requires medical attention, the supervisor should arrange to have the employee driven to the contracted occupational clinic (Banner Occupational Clinic or Concentra) to receive medical care as soon as possible. If an occupational clinic is not available, or if the injury occurs after hours, arrange to have the employee driven to a hospital emergency room. Do not let injured employees drive themselves to the clinic or hospital. Whenever possible, employees should be encouraged to use a Diocese of Phoenix recommended occupational clinic.

For serious or life threatening injuries, call 911 for emergency assistance.

In the event of a job related illness or injury, the supervisor and/or employee (if able) must complete an Employee Accident/Illness Report if applicable at their location. The injury must be reported to the human resources representative or the appropriate authority at the location as soon as possible. The human resources representative or appropriate authority will gather all employee personnel information as well as the injury information in order to report the injury to the Diocese of Phoenix workers' compensation insurance carrier. Report all job related injuries or illnesses regardless of how minor.

If the employee is unable to return to work, available sick time may be used for the first 7 days pay. Once workers' compensation insurance payments begin, all pay is stopped until the employee is released back to work. The employee must have a return to work release before returning to work.

All information regarding the job related illness or injury must be filed in the employee's confidential file.

See Form: [Employee Accident/Illness Report](#)

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Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.13 Conflict of Interest

Employees are expected to use good judgment, adhere to high ethical standards and avoid situations that create an actual or perceived conflict of interest.

Procedures:

To insure that the transactions in which employees participate are ethical and within the law in letter and in spirit, employees will not accept from anyone with whom the employer does or is seeking to do business any personal gifts, services, travel or entertainment that may reasonably be perceived by others to affect their judgment or actions in the performance of their duties. Promotional items of nominal retail value may be accepted (only on appropriate occasions). No employee may solicit, offer or accept a stipend or payment, other than their regular salary, from any department of the Diocese of Phoenix or any Diocese of Phoenix parish, Catholic school, Kino Institute, Catholic Cemetery, Mount Claret Center or Newman Center that has adopted these guidelines without prior written approval of their employer.

Should an employee sense that there is a potential conflict of interest, the matter should be immediately reported to their supervisor who, in turn, should consult with the Diocese of Phoenix Chief Human Resources Officer. If appropriate, the Chief Human Resources Officer will consult with the General Counsel.

Should a supervisor become aware of a potential conflict of interest involving any of the employees they supervise, the matter should be discussed immediately with the employee and the Diocese of Phoenix Chief Human Resources Officer. If appropriate, the Chief Human Resources Officer will consult with the General Counsel.

Since each case may involve special circumstances, it will be judged on its own merit and in consideration of the duties of the employee and the relative significance of the factors involved.

Employees who violate the Diocese of Phoenix's conflict of interest policy, or who create an equally detrimental impact on the employer, may be subject to disciplinary action including termination, even for first offenses.

As this procedure is not comprehensive, employees are encouraged to seek assistance from their supervisor with any legal or ethical concerns.

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Policy 2-7.1.14 Off Duty Conduct and Employment

Generally, the Diocese of Phoenix regards the off-duty activities of employees to be their own personal matter rather than that of the Diocese of Phoenix. However, certain types of off-duty activities by employees may be cause for concern.

Employees who engage in, or are associated with illegal, immoral, or unfavorable conduct, the nature of which adversely affects the Diocese of Phoenix, or their own ability or credibility to carry out their employment responsibilities, may be subject to disciplinary action up to and including termination.

Off-duty employment is holding full-time employment and a supplementary job either within the Diocese of Phoenix, an outside employer or self-employment. Employees may engage in off-duty employment, provided that:

1. Written approval is granted in advance by the employee's supervisor and the department head, director or pastor.
2. The off-duty employment does not conflict with the employee's work schedules, duties, and responsibilities.
3. The off-duty employment does not create a conflict of interest or incompatibility.
4. The off-duty employment does not create a detrimental effect upon the employee's work performance.
5. The employment does not involve conducting business during hours of employment.
6. The employment is not with an organization that conducts or espouses activity contrary to the fundamental teaching of the Roman Catholic Church.

Procedures:

Employees wishing to engage in off-duty employment are required to submit a written request indicating the employer, type of work performed, work schedule and work location to their supervisor. If approved by the supervisor and the department head, director, or pastor, copies of the approved request will be given to the employee and the supervisor, and entered into the employee's HR file.

Upon any subsequent change in the approved off-duty employment, the employee will be required to submit a new or revised written request for off-duty employment which will be subject to the same approval process as the initial request.

Any authorization to engage in off-duty employment may be revoked at any time, and at the sole discretion of the appropriate authority where it is determined that it is in the best interest of the Diocese of Phoenix to do so.

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Employees who sustain injuries or illnesses in connection with off-duty employment will not be entitled to receive workers' compensation benefits provided by the Diocese of Phoenix. They must either take a leave of absence without pay, request accrued paid time off, or be subject to termination by the Diocese of Phoenix due to lack of availability for work.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.15 Lay Employee Benefits

The Diocese of Phoenix strives to provide equitable and cost effective benefits for employees. The current benefits provided by the Diocese of Phoenix cover a broad range, including holidays, vacations, sick leave, various types of paid and unpaid leaves of absences, insurance and other plans. The Diocese of Phoenix provides or subsidizes some of these benefits. Others are available at employee expense. When an employee transfers employment between Diocese of Phoenix locations (Diocesan Pastoral Center, parishes, Catholic schools, Kino Institute, Catholic Cemeteries, Mount Claret Center, Newman Centers, Catholic Charities, and Catholic Tuition Organization), the entitlement to accrual and transfer of certain benefits eligibility will carry over to the new employer.

The Central Administration of the Diocese of Phoenix reserves the right to design provisions and to add, eliminate, or in other ways modify any discretionary benefits described herein. Under most circumstances, there will be ample opportunity to provide employees with advance notice of such modifications, and to consider the effect of the decision.

Procedures:

The following employees are entitled to benefits:

1. Regular full-time employees;
2. Regular part-time employees and regular full-time employees who subsequently become regular part-time employees without any break in continuous service, who were hired on or before June 30, 2001, and who work at least 20 hours per week;
3. Regular part-time employees hired on or after July 1, 2001 who work at least 30 hours per week.

If an employee has an approved employment arrangement with two or more Diocese of Phoenix employers, duplication of the full compensation package is not permitted. The primary employer (the first to initially hire the employee) is responsible for the payment of insurance premiums, unless other arrangements are made with the Diocese of Phoenix Human Resources Office and the other Diocese of Phoenix employer(s). Life insurance coverage for the employee will be based on the combined salaries paid by all Diocese of Phoenix employers.

Sick leave, vacation leave, and holidays should be prorated based upon the number of hours the employee regularly works each week.

Temporary employees and other part-time employees are only eligible for prorated holiday pay and statutory benefits.

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Listed below is an overview of the benefits currently provided or subsidized by the Diocese of Phoenix, and those available at employee expense. A copy of the Diocese of Phoenix Employee Benefits Overview should be given to all eligible employees. Copies of the Overview, summary plan descriptions, and specific information regarding eligibility, coverage, exclusions and procedures for use are available from the Diocese of Phoenix Human Resources Office.

## OVERVIEW OF BENEFITS

### I. BENEFITS SUBSIDIZED BY THE DIOCESE OF PHOENIX

#### A. Paid Time Off

##### 1. Holidays

The Central Administration of the Diocese of Phoenix recognizes and observes certain days of religious and historical importance and pays employees holiday pay for time off on these days. Employees who would normally be scheduled to work but are given the time off on the days listed below will receive a regular day's pay:

- New Year's Day
- Martin Luther King Day
- President's Day
- Good Friday
- Easter Monday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Day

(Dates may be adjusted depending on needs of the Diocese of Phoenix parish, Catholic school, Catholic Cemetery, Mount Claret Center, or Newman Center. See Item 3 regarding the Holiday policy for non-teaching Catholic School employees.)

Employees required to work on a holiday should be given another day off in the same pay period.

All Diocese of Phoenix regular and temporary employees are eligible to receive holiday pay. If a recognized holiday occurs during an employee's vacation leave period, the holiday should be paid as such and not counted as a vacation day.

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To be eligible for holiday pay, an employee is required to work the full scheduled workday preceding and following the holiday. A day of vacation or any other pre-approved excused day is considered a day worked for the purpose of holiday pay eligibility.

If a holiday falls on Saturday or Sunday and is observed in the local community on either Friday or Monday, the Diocese of Phoenix will observe the holiday in the same manner.

2. Vacation

Vacation leave is either fully credited (grant method) at the beginning of the vacation year or is accrued (accrual method) on a monthly basis, in accordance with established procedures at the particular Diocese of Phoenix location. Vacation leave eligibility is calculated from the initial date of employment or re-employment as a regular employee.

a. Entitlement

<b>YEARS OF SERVICE</b>	<b>VACATION LEAVE*</b>
First through fourth	10 work days
Fifth through ninth	15 work days
Tenth and over	20 work days

\* Based on full-time employment. Part-time employment will be prorated.

b. Grant Method (used at Diocesan Pastoral Center)

The vacation year is the fiscal period from July 1 through June 30. All vacation leave, except for that applicable to a newly hired employee, or an employee who is on short-term disability benefits, is fully credited on July 1 based upon the employee's years of service on that date and is for the employee's use during that vacation year except as indicated below.

A newly hired employee is credited with prorated vacation leave after 90 days of employment. The formula for prorating is 10 days times the number of full months of the vacation year remaining after the completion of 90 days of employment divided by 12, rounded up to the nearest full day. The calculated vacation leave is fully credited on the 91<sup>st</sup> day of employment.

An employee on short-term disability benefits is credited with prorated vacation leave when the employee returns to work. The formula for prorating is the number of days of vacation leave to which the employee is entitled

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times the number of full months remaining in the vacation year divided by 12, rounded to the nearest full day.

If a service anniversary that would entitle the employee to additional vacation leave occurs anytime during the period from July 1 through December 31, the additional vacation entitlement is credited prospectively on July 1 of the current vacation year. If the employee's employment terminates prior to the actual service anniversary date, the employee is required to reimburse the Diocese of Phoenix for any of this additional time taken before the actual service anniversary date.

Additional vacation leave entitlement as the result of a service anniversary that occurs during the period from January 1 through June 30 is credited on July 1 of the next vacation year.

With proper approval, all vacation time can be used any time during the vacation year.

A maximum of five days of unused credited vacation leave may be carried over into the next vacation year. Any unused credited vacation in excess of five days is forfeited.

When an employee transfers employment between Diocese of Phoenix locations (Diocesan Pastoral Center, parishes, Catholic schools, Catholic Cemeteries, Mount Claret Center, Newman Centers) the Diocese of Phoenix location from which the employee is transferring must pay the employee all unused credited vacation leave.

Upon termination of employment (voluntary, involuntary or retirement), all unused credited vacation leave is paid to the employee.

c. Accrual Method

The vacation year is normally January 1 through December 31. Vacation leave time is accrued on a monthly basis and computed from the initial date of employment or re-employment as a regular employee.

A newly hired employee is eligible for accrued vacation leave after 90 days of employment.

Vacation leave is accrued during any period the employee is paid by the employer. This includes any employer-paid leave time (e.g., vacation or sick leave). Vacation leave time is not accrued during any period the employee is not paid by the employer (even though the employee may receive benefits

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from one of the Diocese of Phoenix insurance providers; e.g., short-term disability benefits.)

A maximum of five days of unused vacation leave may be carried over into the next vacation year. Any unused accrued vacation in excess of five days is forfeited.

When an employee transfers employment between Diocese of Phoenix locations (Diocesan Pastoral Center, parishes, Catholic schools, Catholic Cemeteries, Mount Claret Center, Newman Centers) the Diocese of Phoenix location from which the employee is transferring must pay the employee all unused credited vacation leave.

Upon termination of employment (voluntary, involuntary or retirement), all unused accrued vacation leave is paid to the employee.

### 3. Holidays and Vacation Leave – Non-teaching Catholic School Employees

#### a. Procedures

An hourly or salaried employee is paid for the following 7 holidays if school is closed and the employee is normally scheduled to work on that day:

Labor Day  
Veteran's Day (if taken as a school holiday)  
Thanksgiving and the day after  
Martin Luther King Jr. Day  
President's Day  
Memorial Day

These holidays are subject to change and are listed in the Handbook of Policies and Regulations for Catholic Schools.

A ten-month employee does not receive paid vacation leave.

There are two categories of twelve-month employees;

A 12A employee is hired on a 12 month basis (8 hours per day). Non-duty days during the student school calendar are the same as the teaching staff. All other days in the fiscal year are work days except earned vacation. The employee receives vacation in accordance with the lay employee vacation leave.

A 12B employee is hired on a 12 month basis (8 hours per day). The employee works all days in fiscal years except diocesan holidays and earned

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vacation. The employee receives vacation in accordance with the lay employee vacation leave.

#### 4. Sick Leave

Sick leave is either fully credited at the beginning of the sick leave year (grant method) or is accrued on a monthly basis (accrual method), in accordance with established procedure at the particular Diocese of Phoenix location. A maximum of six sick leave days are credited each year.

Sick Leave days can be used as excused time off with pay for:

1. Personal illness or injury;
2. Illness or injury of an immediate family member (spouse, parent, son, daughter, brother, sister, grandparent, and in-laws).

With proper approval, a maximum of two sick leave days can be used each year as personal days.

A maximum of 30 days (240 hours) of unused sick leave may be accumulated. An employee who was previously "grandfathered" with a sick leave balance greater than 30 days will not have any additional sick leave credited until the employee's balance decreases to 30 days.

An employee who transfers employment between any Diocese of Phoenix locations (Diocesan Pastoral Center, parish, Catholic school, Catholic Cemetery, Mount Claret Center, or Newman Center) can transfer a maximum of 30 days of sick leave.

Sick leave days cannot be used to compensate an employee entitled to Worker's Compensation benefits due to an injury or illness experience in connection with employment.

An employee returning to work after an illness of more than three days or surgery must provide a release from a health care provider.

Upon termination of employment (voluntary, involuntary or retirement), any unused sick leave is forfeited.

##### a. Grant Method (used at Diocesan Pastoral Center)

The sick leave year is the fiscal period from July 1 through June 30. All six sick leave days, except for those applicable to a newly hired employee, are credited on July 1.

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A newly hired employee is eligible for prorated sick leave after 90 days of employment. The formula for prorating is 6 days times the number of full months of the sick leave year remaining after the completion of 90 days of employment divided by 12, rounded up to the nearest full day. The calculated sick leave is granted and vested and on the 91<sup>st</sup> day of employment.

With proper approval, all sick leave days can be used anytime during the sick leave year.

For an employee who has attained the maximum of 30 days of accumulated sick leave days, the six sick leave days for the current sick leave year are conditionally credited on July 1 and can be utilized during the current sick leave year as sick or personal days. This helps preserve the employee's 30 accumulated sick leave days. If the conditionally credited sick leave days are not used, no additional accumulation occurs and the balance remains at 30.

b. Accrual Method

The sick leave year is normally January 1 through December 31. Sick Leave is accrued on a monthly basis at the rate of one-half day per month and is computed from the initial date of employment or re-employment as a regular employee.

A newly hired employee is eligible for sick leave after completing 90 days of employment.

Sick leave is accrued during any period the employee is paid by the employer. This includes any employer-paid leave (e.g. vacation or sick leave). Sick leave is not accrued during any period the employee is not paid by the employer (even though the employee may receive benefits from one of the Diocese of Phoenix insurance providers, e.g. short-term disability benefits).

For the employee who has attained the maximum of 30 days of accumulated sick leave, additional sick leave will be conditionally accrued up to a maximum of six days per year and can be utilized during the current sick leave year as sick or personal days. If the conditionally accrued sick leave is not used, no additional accumulation occurs and the balance remains at 30.

5. Bereavement

If a death occurs in the employee's immediate family (spouse, parent, brother, sister, child, grandparent, grandchild, and the corresponding in-law relationships or relative residing under the same roof), the employee may be authorized to take up to five days absence with pay. One day of paid leave may be granted for the employee in the event of a death of a relative outside of the immediate family

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if approved in advance by the supervisor. If the employee requires more than the time authorized, an unpaid leave of absence or earned/accrued vacation time may be requested.

6. Jury Duty/Witness Service

An employee required to serve on a jury or served with a subpoena to appear and testify in court as a witness will be excused when court services conflict with working hours. The employee will be paid full wages for the first 30 days of such service each year. The employee must reimburse the appropriate Diocese of Phoenix parish, Catholic school, Catholic Cemetery, Mount Claret Center, Newman Center, or Diocesan Pastoral Center the amount of any jury duty or witness service compensation when received. It is the employee's responsibility to advise the Court that jury duty or witness service in excess of 30 days per year is unpaid.

7. Voting

Employees may be granted up to two hours off with pay to vote in official civil elections if the voting time schedule conflicts with normal work hours.

8. Insurance Programs

a. Medical Care Plan

Each eligible employee is provided with the opportunity to participate in the Diocese of Phoenix group health insurance plan. Health insurance coverage becomes effective the first day of the month following 30 days of employment, and is terminated the last day of the month in which active employment terminated.

*Note: In Catholic schools, teachers' coverage extends through the summer months if the teacher is under employment contract for the following school year.*

b. Vision Care Plan

Vision care is included in the medical care plan.

c. Dental Care Plan

All employees eligible to participate in the medical care plan and their eligible dependents are also eligible for dental care plan coverage upon completing an application for participation. Dental plan coverage becomes effective on

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the first day of the month following 30 days of employment, and it terminates the last day of the month in which active employment terminates.

d. Life Insurance

All employees eligible for the group medical care insurance plan coverage are also eligible for life insurance coverage of \$15,000 or one time the employee's annual salary, whichever is greater. This coverage is reduced by 50% when the employee reaches age 70. Life insurance becomes effective on the first day of the month following 30 days of employment, and terminates the last of the month in which active employment terminates.

e. Accidental Death and Dismemberment/Disability (AD&D)

Each employee who participates in the group life insurance plan is automatically covered for AD&D while covered by the plan.

f. Short-term Disability

A new employee is initially eligible for short-term disability insurance participation on the first day of the month following 180 days of employment. Employees become eligible for short-term disability benefits after seven calendar days from the onset of the illness or injury, or after all accumulated sick leave has been used, whichever comes later. This benefit continues until the employee returns to work, or through the 26<sup>th</sup> week from the date of disability, whichever comes first. Pregnancy and/or pregnancy related conditions are considered the same as any other illness or injury.

g. Workers' Compensation

All employees of the Diocese of Phoenix are covered by Workers' Compensation Insurance as regulated by the Arizona Division of Occupational Safety and Health.

9. Lay Employees' Retirement Plan (Pension)

The Diocese of Phoenix provides a defined benefit pension plan for all regular lay employees. The pension plan is fully funded by the Diocese of Phoenix and is designed to supplement the lay employee's social security benefits. An employee is eligible for participation after completing one year of service during which 1,000 hours are actually worked. Employees are eligible to benefit from the plan following a five-year vesting period.

10. 401(k) Retirement Savings Plan

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An employee with a year or more of service who works 1000 hours or more in a plan year is eligible to join the 401(k) plan. Once the employee joins the 401(k) plan, they can continue in the plan if they fall below 1000 hours of work in a subsequent plan year. A discretionary employer match is included in this plan.

11. Other

Diocese of Phoenix employees are covered under the Federal Social Security Program and the State Unemployment Fund.

II. BENEFITS AVAILABLE AT EMPLOYEE EXPENSE

A. Leaves of Absence

Several types of unpaid leaves of absence are available for eligible employees. The types of leaves are: personal/general leaves, leaves covered by the Family and Medical Leave Act, and the Arizona Victim Leave Law. Military leaves of absence are covered by USERRA rules. A leave of absence without pay may be authorized when it is necessary to help alleviate difficult situations or in instances where unusual or unavoidable circumstances require prolonged absence. All leaves of absence are provided without pay.

In most cases, the period that an employee is on an approved leave of absence is not considered time worked for purposes of determining eligibility for, or the amount of certain benefits such as vacation, sick leave and pension benefits. If a paid holiday falls within the period of an employee's leave of absence, the employee will not be eligible for holiday pay.

1. Personal/General Leave of Absence

A personal/general leave of absence may be granted to regular, full-time employees who have no available vacation time. The length of the leave may range from ten (10) to thirty (30) consecutive calendar days. To be eligible, the employee must have maintained a satisfactory record of employment with the Diocese of Phoenix for a minimum of one year.

2. Family and Medical Leave Act

Employees who have worked for the Diocese of Phoenix for 12 months or more and have worked at least 1,250 hours in the preceding 12-month period (an average of 24 hours per week), are eligible to request family leave under the Family and Medical Leave Act (FMLA). Family leave of up to 12 weeks is available for the following reasons: the birth and care for an employee's child and/or adoption or foster care placement, to care for an immediate family member with a serious health condition as defined by FMLA, or to take medical

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leave when the employee is unable to work because of a serious health condition as defined by FMLA. Employees who are eligible are allowed up to 12 weeks of FMLA leave during a one-year period commencing on the first day of the leave. At the employee's option, vacation leave may be utilized as part of the 12-week family leave in all cases other than the employee's serious health condition in which case available sick leave days will be used first. FMLA leave is otherwise unpaid. An employee may be placed on FMLA leave either through their own application or by the employer. Special provisions apply to elementary and secondary school instructional staff.

Intermittent and reduced schedule leave are only mandated for serious health conditions and only if such leave is medically necessary. Employees may take FMLA leave on an intermittent or reduced schedule basis if medically necessary, which means taking leave in blocks of time, or by reducing their normal or weekly work schedules. Exempt employees who work partial days due to intermittent or reduced schedule leave may have their salary reduced for the shortest period of time available under the payroll system.

An employee requesting FMLA must complete a request form that is available from the Diocesan Human Resources Office. Appropriate medical certification completed by the health care provider will also be required in all cases where leave has been requested for medical reasons. If an employee requires leave for the placement of a child for adoption or foster care, other documentation may be required.

Medical certification must be submitted within 15 days of the leave request. If the Diocese of Phoenix has reason to doubt the validity of the medical certification, it may require, at its expense, the opinion of a second health care provider of its choice. If the first and second opinions differ, the Diocese of Phoenix may require, at its expense, a third opinion that is final and binding. An employee who refuses to submit to a second or third opinion examination will have their leave denied. All forms must be submitted to the supervisor for eligibility verification and approved by Human Resources.

Group health insurance will be provided for the employee for the duration of a FMLA leave and at the same rate as if the employee had not taken leave. The employee on unpaid leave is responsible for the employee portion of the monthly premium. If the employee on unpaid leave fails to pay the employee portion of the premium, and their dependent's health insurance premium, the dependent coverage will be canceled effective the last day of the month in which full payment was made. Taking FMLA leave is not a qualifying event that triggers the continuation of existing health benefits; however, a qualifying event may occur when it becomes known that an employee is not returning to work.

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An employee may be required to periodically report their status of condition and intention to return to work to their supervisor. An employee who is able to return to work earlier than the ending date of the leave must notify their supervisor two weeks in advance of the intended return date. An employee returning to work after a serious health condition must provide a release from a health care provider.

An employee will be restored to the same position held before the leave began, or an alternative position with equivalent pay, benefits and other terms and conditions of employment.

Please contact the Diocese of Phoenix Human Resources Office for full details concerning the availability and administration of family leave.

3. Arizona Victim Leave Law

Under the Arizona Victim Leave Law, employees are eligible for leave and certain job protections if they are a victim of a crime. The employee must submit a copy of the written notice received from law enforcement or the prosecutor establishing the official victim status before leave is allowed along with a copy of the notice of any scheduled proceeding, if applicable. The time off will not be paid time off unless the employee requests the use of credited vacation and/or sick leave.

4. Military Leave of Absence

See Military Service Policy.

B. Insurance Programs

1. Medical Care Plan

Each eligible employee is provided the opportunity to provide dependent(s) with group health insurance plan coverage under their program.

2. Dental Care Plan

An optional dental care plan is available to the employee and dependent(s).

3. Life Insurance

The Diocese of Phoenix includes in its benefits package the option for employees to supplement their individual and dependent(s) life insurance plans at their own expense. The supplemental life insurance also provides coverage for accidental death and dismemberment for the individual and dependent(s).

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4. Long-Term Disability Insurance

Employees may participate in a long-term disability (LTD) insurance plan.

5. Medical Insurance Continuation Plan

Though exempt from the COBRA 1985 public law, the Diocese of Phoenix voluntarily provides the opportunity for medical insurance continuation of coverage under the group health insurance plan at the employee's expense for eligible employees who terminate employment within the Diocese of Phoenix.

Employees who are called to active military duty are allowed to continue coverage under the employer's health insurance plan for a period of at least 24 months at their expense.

III. OTHER BENEFITS

A. Pre-Tax Deductions

The Internal Revenue Service (IRS) Code Section 125 allows employees to pay for certain benefits through payroll deductions on a pre-tax basis, which means that the total amount withheld to pay for these benefits is free of Federal, State and Social Security taxes. Health care insurance and dental care premiums are allowed under this ruling.

Under the Flexible Spending Account, employees may voluntarily choose to participate by having payroll deductions pay for expenses in the following categories:

1. Health Care Reimbursement Account

a) Health care expenses for employee and dependent(s).

2. Dependent Care Account

a) Eligible dependent care expenses (children and disabled dependents).

B. IRS Code Section 125 (Pre-Tax Deduction) for Tax Sheltered Annuity

Since the Diocese of Phoenix is a church nonprofit organization, employees are authorized by IRS Code Section 125 and encouraged to build additional retirement savings by establishing a tax-sheltered annuity (403(b) plan) through payroll deductions.

C. Credit Union Membership

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The Diocese of Phoenix has made agreements with two credit unions for its employees to voluntarily apply for active membership: Desert Schools Credit Union and the Arizona Central Credit Union.

**D. Electronic Deposit**

Employees may voluntarily choose to have their paychecks automatically deposited in their checking/savings accounts at no expense to the employee.

**E. Payroll Deductions**

Employees may voluntarily choose to have money deducted from their paychecks for various reasons at no expense to the employee (i.e., charitable contribution to United Way, CTO, CDA, and CCF).

**F. Personal/Professional Membership**

The Diocese of Phoenix authorizes the payment of costs for employees' personal and/or professional memberships that are job-related and approved.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.16 Compensation

Salary increases are at the sole discretion of the Diocese of Phoenix and are intended to reward job performance and respond to market conditions. Salary increases are not given on the basis of length of service alone.

Procedures:

A. Salary/Wage Administration

The Chief Human Resources Officer in conjunction with the Diocese of Phoenix Compensation and Benefits Committee shall recommend salary grades/ranges for all positions. In establishing salary grades/ranges consideration will be given to such factors as:

Competitive rates of pay based on local (and for some positions - national) market values for comparable work in similar employment, including conditions of work.

Regional/area cost-of-living indices.

The equity of pay between positions having the same or substantially similar duties, responsibilities, requirements, and conditions of work.

The economic condition of the Diocese of Phoenix.

The available supply of persons meeting the Diocese of Phoenix's particular needs and requirements.

Recommendations for the modification of the salary grades/ranges shall be made annually, and submitted to the Bishop for approval.

Salary grades/ranges will have a minimum, midpoint, and maximum rate of pay. Pay range midpoints establish the rate a fully qualified employee receives after sustained demonstration of satisfactory performance.

B. Payroll

Bishop Thomas J. Olmsted approved Interlogic Outsourcing, INC. (IOI) as the payroll provider for all Diocese of Phoenix parishes, Diocesan Pastoral Center, Catholic schools, Catholic Cemeteries, Mount Claret Center, and Newman Centers. Diocese of Phoenix locations (except Catholic Cemeteries) must have their payrolls occur on a semi-monthly basis, payday will occur on the 15<sup>th</sup> and the last day of the month.

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Only one payroll per pay period will be processed by IOI. Any adjustments between pay periods requiring additional checks should be made using manual checks with the adjustment being made in the next payroll.

Procedures at the Diocesan Pastoral Center:

A. Hiring Rate

Employees will typically be hired at a pay rate between the minimum to midpoint of the grade, and shall remain at their established pay rate for at least the introductory period. In situations where a new hire will be paid more than the current (incumbent) staff, the Chief Human Resources Officer shall be consulted to ensure fairness and equity.

Where warranted by unusual conditions, new employees may be hired at a pay rate greater than the midpoint in consideration of such factors as advanced or specialized education or training, level of experience, possession of highly developed technical skills, demonstrated achievements, or labor market competitiveness. New hire rates above the midpoint must receive advanced approval of the Chief Human Resources Officer.

B. Pay Limits

Employees will receive compensation that is established for the position and grade. If, due to grade/range adjustments, an employee's base compensation falls below the grade, his/her pay may be increased to the minimum of the grade (or higher) at the time of his/her next salary review, or sooner if approved by the Division Head and the Chief Human Resources Officer. Employees' base compensation may not exceed the grade maximum without the approval of the Division Head and the Chief Human Resources Officer.

C. Compensation for Work in a Higher-Level Position

Employees formally assigned to perform work in a higher-level position will be compensated for such assignment based on considerations such as:

The employee's ability and qualifications to perform the higher-level job responsibilities.

Whether the employee would be required to perform a significant range of the higher job responsibilities.

The amount of time the employee will be expected to perform at the higher job level.

Compensation for work in a higher-level position will take the form of a temporary special allowance paid in each pay cycle or a lump sum bonus paid at the end of the assignment.

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Authorization for an assignment to work in a higher position must be given in writing by supervisory personnel and approved in advance by the Division Head and the Chief Human Resources Officer.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.16.1 Compensation - Stipends

When exempt employees present programs, workshops, consultations, or presentations that are within the scope of their job responsibilities, they will not receive a stipend. In this case, it is understood that the employees may make use of their regular work time for the preparation required. The presentation may or may not take place during their regular work time. In the event any stipend is given for this work, it must be returned.

When exempt employees use time other than their regular work time to prepare and give programs, workshops, consultations or presentations for any group other than the Diocese of Phoenix, any stipend given belongs to the employees themselves.

Procedures:

Any work contemplated under this policy that could involve the payment of a stipend must be discussed with and approved by the employee's supervisor.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.16.2 Compensation – Deacon Housing Allowance

Permanent Deacons employed full or part time in a ministerial or administrative position in the Diocese of Phoenix may elect to receive a housing allowance that is exempt from Federal and State income taxes. Deacons' designating a part of their salary as the housing allowance in accordance with Internal Revenue Service (IRS) guidelines accomplishes this. This election makes Deacons self-employed for Social Security tax purposes. Deacons are treated as employees for all other purposes. Diocese of Phoenix employers will reimburse Deacons for 8.285% of the Social Security Self-employment tax (SSST) on their gross salary up to the maximum earnings amount on which Social Security tax is paid.

It is the responsibility of the Deacons to consult with their personal tax advisors regarding both the tax implications and the calculation of the housing allowance.

Procedures:

Deacon Responsibilities:

Each calendar year, Deacons are responsible for providing their employers with a written request to receive a housing allowance indicating the amount that they are designating. Their pastors or supervisors must approve the Deacons' requests.

Under IRS guidelines, the housing allowance is limited to the **lowest** of 1) the amount designated in advance by the employer, 2) the fair rental value of the residence or 3) the actual expenses incurred in providing for the residence.

Once the written request is submitted and approved, the amount approved becomes "the amount designated by the employer" (ADE). Therefore, the ADE becomes the maximum amount that Deacons can claim as the housing allowance. In the event Deacons do not spend the ADE, they would pay tax on the excess. If the ADE is less than the fair rental value, or actual costs, Deacons will lose part of the tax exclusion.

In order to have enough tax withheld to cover the 15.3% SSST, Deacons must increase their withholding on the taxable portion of their salaries or make quarterly estimated tax payments. Deacons will file Schedule SE to report Social Security earnings.

Deacons who have opted out of Social Security are exceptions to the withholding requirements. However, opting out is not recommended since Medicare would not be available to the Deacons at their retirement.

To assist Deacons, a publication "Tax Manual for Deacons" by Wayne Martin Lenell, "CPA, PhD. is available from the Diaconate Office. Deacons should also consult the pertinent IRS guidelines and their personal tax advisors.

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Employer Responsibilities:

Deacons who request housing allowances and provide the required written documentation will be considered as self-employed for SSST purposes and as employees for all other purposes. The approved request must be retained in the employers' Human Resources files.

Deacons who have not opted out of Social Security are reimbursed for 8.285% of the SSST by adding this amount into their paychecks throughout the year. The 8.285% reimbursement is calculated on all gross earnings subject to SSST. The reimbursement is taxable income to the Deacons. No reimbursement is paid to Deacons who have opted out.

Deacons' pay stubs and W-2 forms should not reflect any Social Security or Medicare wages because of their self-employed status. These items will reflect the Social Security reimbursement as additional ordinary income.

Revised 02/2004

See Form: [Housing Allowance Request Form Permanent Deacon](#)

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.17 Employee Development and Training

Employee development and training opportunities are an important part of employment within the Diocese of Phoenix. Employers shall provide an orientation and in-house training program to help the employee become familiar with their specific job and its relationship to the employing organization.

The employer may provide time off and reimburse partial or total costs for off-duty specialized education or training programs that enhance job-related skills. Courses or training must be successfully completed (defined as receiving a grade of either "credit" or a "C" or better) in order to qualify for some form of reimbursement. Time off and the amount of reimbursement are subject to the prior approval of the supervisor, director, or pastor and budgetary resources, as to which courses or classes will be reimbursed.

Procedures:

Attendance at Seminars, Outside Meetings, and Travel

Periodically, employees may attend or participate in training activities outside the normal work location. Such activities may include attendance at lectures, meetings, training programs, conferences, or specialized courses of instruction. Attending or participating in these activities may be either at the request of an employee or required by the employer, but in no case will be regarded as an officially authorized activity until advance approval has been granted by the supervisor.

1. Compensation/Reimbursement for Training Sessions

Employee attendance at employer-approved seminars, lectures, conferences, business related meetings, and training programs will be considered hours worked.

Where the employee's attendance constitutes an expense to the Diocese of Phoenix employer, the employee will provide an itemization of costs in connection with attendance.

2. Travel Time

Travel time in connection with employer approved training will be considered compensable hours worked for nonexempt employees as follows:

- a. One day travel out of town or as part of the day's work activities will be counted as hours worked, excluding the employee's usual meal period and normal travel time to and from the employee's residence

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and work location where the day's travel starts and/or ends at the employee's residence.

- b. Overnight travel out of town will be counted as hours worked only for those hours in which the employee is engaged in direct travel to the destination, and the hours during which actual business is transacted for the purpose for which the employee was sent.

3. Travel Costs

Travel costs in connection with approved training events may be reimbursed when use of private or commercial transportation is necessary with approval of the appropriate authority. Payment will be on the basis of the least cost mode of transportation where there is a choice.

For additional information on travel and hours worked, please contact the Diocese of Phoenix Human Resources Office.

Procedures at the Diocesan Pastoral Center

Educational Assistance

Employees regularly scheduled to work 30 or more hours per week, are eligible for reimbursement of a portion of the employee's costs for tuition, registration, lab fees and books (currently the amount is \$100 per semester) upon proof of successful course work completion – defined as receiving a grade of either “pass” or “C” or better. Course work that qualifies for educational assistance will be considered on a case-by-case basis in advance of the employee's enrollment, the determination of which will be at the sole discretion and in the best interest of the Diocese of Phoenix employer. The amount of reimbursement cannot exceed the funding predetermined by the employer's approved budget.

The Diocese of Phoenix also believes that it is incumbent upon every employee to self-initiate and be independently responsible for any continuous or periodic education required to maintain profession certification or to acquire the skills necessary for promotion.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.18 Employee Assistance Program

There are times when employees experience personal difficulties. These situations can be emotionally, physically, and mentally disruptive to an employee's life. In recognition of these circumstances, and as a means of minimizing any potential adverse effect on the employee's job performance, the Diocese of Phoenix has established an Employee Assistance Program whereby employees covered by the Diocese of Phoenix group health/medical insurance can acquire a limited amount of confidential assistance in dealing with such matters as depression and anxiety, family or marital problems, attention deficit disorder, addictions, lifestyle assistance services, chronic medical problems, divorce, and death of a loved one.

Procedures:

The Employee Assistance Program (EAP) is administered through the Diocese of Phoenix group health/medical insurance carrier, and provides confidential assessment and referral for appropriate assistance to covered employees and family members who are having personal difficulties. Employees wishing to use the services of the EAP should contact the EAP provider directly to schedule an appointment at 1-800-224-2125. The employee may also contact the Human Resources Office for assistance in calling the EAP provider. All calls are confidential.

The Diocese of Phoenix encourages employees experiencing personal difficulties to seek help before job performance is adversely affected. If an employee is experiencing problems of a personal nature that are noticeable, the employee's supervisor may encourage the employee to seek appropriate assistance.

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.19 Communications Technology

Diocese of Phoenix communications technology is provided for the benefit of the Diocese of Phoenix. Use of the communications technology must not interfere with productivity, the productivity of any other employee, or the operation of Diocese of Phoenix computer resources. Each employee is responsible for the content of all text, audio, or images that he or she creates, retrieves or sends using Diocese of Phoenix communications technology.

This policy applies to all communications technology that is owned or leased by the Diocese of Phoenix – including desktop and portable computer systems, fax machines, Internet and World Wide Web (Web) access, telephones, voice mail, electronic mail (e-mail), and the Diocese of Phoenix's intranet – that is used on, or accessed from, Diocese of Phoenix premises; or that is used in Diocese of Phoenix business. This policy also applies to all activities using any company-paid accounts, subscriptions, or other technical services, such as Internet and Web access, voice mail, e-mail and instant messaging. These policies apply whether or not the activities are conducted from Diocese of Phoenix premises.

Procedures at the Diocesan Pastoral Center:

- 1) No Right to Privacy in Communications
  - a) All Diocese of Phoenix computers, voice mail, e-mail, and instant messaging systems, and the data stored on them, are and remain at all times the property of the Diocese of Phoenix.
  - b) Communications transmitted over, or stored on Diocese of Phoenix computers, e-mail, voice mail and instant messaging systems, whether for business or non-business reasons, are not private or confidential.
  - c) All communications using Diocese of Phoenix telephone or computer systems are the property of the Diocese of Phoenix. The Diocese of Phoenix reserves the right to monitor, audit, delete and read stored e-mail, voice mail and instant messages. By signing the Acknowledgment of Communications Technology Policy, you are consenting to the Diocese of Phoenix's right to monitor the content of your telephone calls, e-mail and instant message communications.
  - d) Although you may have passwords to access computer, voice mail and e-mail systems, these technical resources belong to the Diocese of Phoenix, are to be accessible at all times, and are subject to inspections with or without notice. As such, the Diocese of Phoenix may override any password to inspect, investigate or search an employee's files and messages.
  - e) All data transmitted over or stored on Diocese of Phoenix electronic resources potentially is subject to disclosure to law enforcement or to other third parties without prior consent of the sender or the receiver.

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- 2) Unacceptable Uses of Communications Technology
- a) Downloading of programs or software, including upgrades, without prior permission.
  - b) Downloading games or other entertainment software or playing games over the internet.
  - c) Sending chain letters, gambling or engaging in any other activity in violation of the law.
  - d) Distribution of destructive programs, intentional damage or interference with others (hacking, distributing viruses, self-replicating code), or monitoring/intercepting electronic communications.
  - e) Making, viewing, sending or soliciting publicly accessible obscene files or sexually oriented messages or images.
  - f) Solicitation or operation of outside business ventures, political campaigns, unapproved religious causes, or soliciting money for personal gain.
  - g) Dissemination or printing of copyrighted materials (including articles and software) in violation of copyright laws.
  - h) Sending, receiving, printing or otherwise disseminating Diocese of Phoenix confidential information.
- 3) Other
- a) Employees must comply with copyright laws governing the use of software, software licenses, and all other laws governing intellectual property and online activity. The Diocese of Phoenix prohibits the illegal duplication of software and/or its related documentation.
  - b) Users must immediately report violations of this policy to their supervisor.
  - c) Violation of this policy may result in disciplinary action. The measure of discipline will correspond to the gravity of the offense as weighed by its potential effect on the Diocese of Phoenix or fellow employees.
  - d) The Diocese of Phoenix does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, the Diocese of Phoenix reserves the right not to provide a defense or pay damages assessed against an employee for conduct in violation of this policy.

All employees must be given the opportunity to read a copy of this policy. The employee may request a copy of this policy be given to him or her.

All employees must sign an acknowledgment form that should be kept in the employee's HR file.

See Form: [Acknowledgment of Communications Technology Policy](#)

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Policy: Communications Technology Signature Page

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.20 Telecommuting

Telecommuting is a viable alternative work arrangement in cases where individual, job and supervisor characteristics are best suited to such an arrangement. It is not an entitlement; it is not a company-wide benefit; and it in no way changes the terms and conditions of employment with the employer. Telecommuting on an occasional basis is handled between the employee and supervisor.

Procedures at the Diocesan Pastoral Center:

1. An employee or a supervisor can suggest telecommuting as a possible work arrangement. Formal telecommuting arrangements are made on a case-by-case basis, focusing on the business needs of the employer first.
2. Before entering into any telecommuting agreement, the employee and supervisor will evaluate the suitability of such an arrangement paying particular attention to the following areas:
  - a. Employee Suitability – the employee and supervisor will assess the needs and work habits of the employee and the likelihood of the employee being a successful telecommuter. An evaluation will also be done of the supervisor’s ability to manage remote employees.
  - b. Job Responsibilities – the employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
  - c. Equipment needs, work space design considerations, and schedule issues will be addressed.
  - d. Responsibility for fulfilling all obligations with regards to tax and other legal implications for the business use of the employee’s home based on IRS and state and local government restrictions rests solely with the employee.
3. If the employee and the supervisor agree, a telecommuting agreement will be prepared and signed by all parties.
4. The employee and supervisor will determine the appropriate equipment needs for each telecommuting arrangement. The Finance Office will serve as a resource in this matter. When employer owned equipment is provided to the employee, a Property Receipt Form must be filled out. When equipment is supplied by the employee, the employee will maintain the equipment with the approval of the employer. The employer accepts no responsibility for damage or repairs to employee-owned equipment. Equipment supplied by the employer is to be used for business purposes only. The telecommuter must sign an inventory of all office property and agrees to take appropriate action to protect the items from damage or theft. Upon termination of employment all company property will be returned to the employer, unless other arrangements have been made.

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5. Employer owned software shall not be duplicated. To ensure hardware and software security, all software used for telecommuting must be approved by the Finance Office before installation and only approved systems may be connected. Systems are required to have current virus protection loaded at all times. Restricted access materials shall not be taken out of the office or accessed through the computer unless approved in advance by the employee's supervisor.
6. The employee and supervisor will agree on the number of days of telecommuting allowed each week, the work schedule the employee will maintain, and the manner and frequency of communication with the supervisor and office. The employee agrees to be accessible by phone or modem within a reasonable time period during the agreed upon work schedule. Telecommuters must notify the office if they leave their telecommuting location, much like they would inform their administrative assistant when leaving the traditional office during the workday.
7. Telecommuting employees who are nonexempt from overtime requirements will be required to record all hours worked in a manner designated by the employer. Telecommuting employees will be held to a higher standard of compliance than office-based employees due to the nature of the work arrangement. Hours worked in excess of those specified per workweek, in accordance with state and federal requirements, will require the advance approval of the supervisor. Employees' salary, benefits and employer-sponsored insurance coverage will not change as a result of telecommuting. The employee's supervisor must approve sick leave, vacation or any other leave request in the same manner as when working in the office. If a telecommuter is ill while working at home, the telecommuter reports days worked and must use sick leave for days not worked. Failure to comply with this requirement can result in the immediate cessation of the telecommuting agreement.
8. Telecommuting employees will be expected to ensure the protection of proprietary employer information accessible from their home office. Steps include, but are not limited to, use of locked file cabinets, disc boxes and desks, regular password maintenance, a data backup system, and any other steps appropriate for the job and the environment.
9. The employer will not be responsible for costs associated with the initial setup of the employee's home office such as remodeling, furniture or lighting, nor for repairs or modifications to existing home office space.
10. A designated representative of the employer may inspect the home work site for possible work hazards and suggest modifications. Telecommuting employees are responsible for notifying the employer of work related injuries in accordance with the employer's workers' compensation procedures.
11. The employer will provide supplies (pens, paper, etc.) for successful completion of the job responsibilities. The employer will also reimburse the employee for all other business-related expenses such as phone calls,

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shipping costs, etc. that are reasonably incurred, in accordance with job responsibilities, and as approved by the supervisor.

12. Evaluation of telecommuter performance includes daily interaction by phone and e-mail between the employee and the supervisor, and weekly face-to-face meetings to discuss work progress and problems. Performance evaluations of telecommuters will be consistent with that received by employees working at the office in both content and frequency and focuses on work output and completion of objectives.
13. Telecommuting is NOT designed to be a replacement for appropriate childcare.
14. The availability of telecommuting as a flexible work arrangement for employees can be discontinued at any time at the discretion of the employer. Every effort will be made to provide notice of such a change to accommodate commuting, childcare and other problems that may arise from such a change. There may be instances, however, where no notice is possible.

See Forms: Property Receipt Form; Telecommuting Work Agreement

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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#### Policy 2-7.1.21 Employee Performance Evaluations

Performance evaluations are important from employee development, management and justice perspectives. They must be conducted both openly and honestly. The contents of an annual valuation review should not surprise employees. Discussion about performance should be on going. Problems should be addressed and resolved and not ignored in inflated appraisals of performance. Inaccurate performance appraisals can undermine legitimate attempts to discipline an employee at a later date.

Expectations outlined in a performance evaluation should be based on the essential functions of the job listed in the job description.

The performance evaluation process should give employees the opportunity to comment on the evaluation and/or appeal its results.

#### Procedures:

##### Introductory Period Reviews

During the introductory period, the supervisor and the employee should continually review the expectations of the job and determine how well the employee is meeting those expectations. This aids in the proper training of the employee and helps ensure their professional development and success. It also helps establish clear lines of communication and reduces misunderstandings.

At the end of an employee's introductory period, a formal review should be given. During the introductory review meeting, the supervisor and employee should discuss and document the expectations upon which the employee will be measured over the next review period.

##### Annual Performance Evaluations

Formal performance evaluations are done annually. It is recommended that the employee and the supervisor have informal meetings regularly during the review period to discuss progress on meeting the expectations outlined. This helps ensure there are "no surprises" during the formal review meeting and keeps the lines of communication open between the supervisor and the employee.

A. Self-Appraisals. When the supervisor schedules the meeting date with the employee, the employee should be given a self-appraisal form and a copy of their current job description. The employee should complete the self-appraisal and review the job description for accuracy and return them to the supervisor before the scheduled meeting. The object of the self-appraisal is to involve the employee in the

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process and provide an opportunity for employee input. The supervisor then considers the employee's input when preparing the formal performance evaluation.

- B. **The Performance Evaluation Meeting.** During the formal review meeting, the supervisor should have a completed review form and should be prepared to discuss the employee's progress during the review period. The employee will be encouraged to give input during the meeting. At this meeting, expectations should be developed for the next review period. The employee will be asked to sign the review and add additional comments if desired.
  
- C. **Salary and Wage Increases.** The Diocese of Phoenix believes that, when possible, salary and wage increases should be linked to performance appraisals. Each supervisor shall recommend, or not recommend, pay increases depending on the employee's performance. The employee should have a current performance appraisal report on file prior to the effective date of any recommended salary increase.
  
- D. **Recordkeeping.** The employee should be given a copy of the review for their use, the supervisor should keep a copy, and the signed original will be forwarded to the Human Resources Office for entry into the HR system for processing and filing in the employee's human resources file.

*Note: Formal employee performance evaluations of school staff, teachers and principals will be conducted in accordance with the Handbook of Policies and Regulations for Catholic Schools.*

See Forms: [Introductory Period Performance Appraisal](#); [Performance Appraisal Form](#)

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.22 Employee Relations

The Diocese of Phoenix strives to provide the best possible working environment for its employees. Part of this commitment is encouraging an atmosphere in which problems are addressed by supervisors with the intent of solving them as quickly, fairly, and informally as possible. Presentation of a problem or complaint will not result in retaliatory action against individuals involved in the process.

Problems should be resolved quickly at the lowest organizational level. Matters appropriately resolved at any step of the process are not to be referred to the next step.

Procedures:

Employees who have work-related problems, complaints, concerns, or disputes with another employee, the nature of which causes a direct adverse effect upon the aggrieved employee, shall follow these steps to express and resolve them.

If an employee has an issue with a co-worker the employee should discuss the issue with the co-worker. If the issue cannot be resolved between the two employees, proceed to Step 1.

Step 1: An employee should discuss the issue informally with his or her immediate supervisor. This should be done privately. Unless extraordinary circumstances exist, the employee should institute this process within five workdays of the occurrence.

If the problem concerns the employee's immediate supervisor, the employee should go directly to the person next in authority within this same time period and meet privately to discuss the issue informally.

It is expected that most problems can be resolved within normal supervisory sessions as quickly as possible, but normally within five workdays of meeting with the employee.

Step 2: Failing resolution at Step 1, the employee will formally submit the problem, complaint or concern in writing to the person next in authority. Within five workdays of receiving the employee's written request, this person shall arrange a meeting with the employee to allow the employee to present a personal and complete description of the situation.

Thereafter, the person in authority will gather all relevant facts and opinions, review policy and take the matter under consideration, including any necessary investigation or evaluation of the facts related to the situation, and unless extraordinary circumstances occur, render a written decision within

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fifteen workdays of meeting with the employee. If additional time is required, the employee shall be notified in writing of the delay and be given an indication of when an answer will be forthcoming.

Step 3: Failing resolution at Step 2, an employee may take the problem in writing to the next higher level of authority. This individual shall follow the same procedure as above. The Chief Human Resources Officer and the General Counsel shall review the Diocese of Phoenix policy and practice and make written recommendations to the Moderator of the Curia.

Step 4: Failing resolution at Step 3, the employee may initiate a written petition to the Conciliation Clerk, as delegated by the Bishop. The Conciliation Clerk shall formally initiate the conciliation procedures contained in the handbook, *Procedures for Conciliation and Arbitration*, promulgated by the Bishop on May 11, 1994.

All time limits in the problem-solving process may be extended by mutual consent of the persons involved. The failure of the employee to carry an unsolved problem to the next step of the problem-solving procedure ends further consideration of the problem.

*Note: Employee grievance and appeal procedures for Catholic schools will be conducted in accordance with the Handbook of Policies and Regulations for Catholic Schools.*

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-6.1.23 Employee Discipline

When it is determined that an employee is not fulfilling the responsibilities of the position to which he or she is assigned or is violating a rule, policy, or practice, reasonable disciplinary action should be taken.

Procedures:

Guidelines for administering progressive discipline should normally follow the pattern below, and reasonable steps should be taken prior to discharge when possible. The central administration of the Diocese of Phoenix reserves the right to forego some or all of these steps depending upon the circumstances surrounding the need for disciplinary action and/or termination. The progressive discipline process does not in any way alter the at-will status of employees.

- Step 1: Verbal Warning – For minor infractions, the employee should be issued a verbal warning. The warning may be documented by the supervisor for future reference.
  
- Step 2: Written Warning – For repeated minor infractions, or a more substantial infraction, the employee may be issued a written warning. The warning should include details of the problem and the steps needed to correct the problem. This report should be reviewed with the employee with a witness present. The employee should sign that they have received the warning. They do not have to agree with the warning. If the employee refuses to sign the warning, the refusal should be noted on the warning and signed by the witness. The report will be sent to the supervisor's pastor, director or department head for review, and then to the Diocese of Phoenix Human Resources Office or the appropriate authority at the parish, Catholic Cemetery, Mount Claret Center or Newman Center for filing.
  
- Step 3: Optional Administrative Leave – If required by the situation, an employee may be placed on an administrative leave of one day, or longer, to investigate a serious disciplinary situation. Administrative leave for investigation should be with pay. Administrative leave will allow time for the pastor, director, supervisor, supervisor's department head, and the Diocese of Phoenix Human Resources Office to decide what discipline is appropriate or necessary.
  
- Step 4: Discharge -- In the case of repeated acts of misconduct or where misconduct is serious, discharge may occur upon review with the Chief Human Resources Officer or General Counsel. Serious misconduct is defined in the Code of Employee Responsibility.

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Anyone who holds an ecclesiastical office is subject to the norms in canon law for removal from office.

### Concerns During the Introductory Period

If there are concerns regarding such issues as an employee's behavior, conduct or abilities during the introductory period, the disciplinary procedure above does not apply. However, the supervisor may:

1. Review the concerns with the Chief Human Resources Officer and make a recommendation regarding the continued employment of the employee.
2. Meet with the employee to discuss the employment decision.
3. Issue a written report for the employee's personnel record describing the concerns and the action taken. This report shall be reviewed with and signed and dated by the employee or witnessed and dated by a third party if the employee refuses to sign.
4. If the employee's performance during the introductory period is unsatisfactory, the introductory period may be extended or the employee may be terminated at the discretion of the immediate supervisor (subject to approval of the department head or appropriate authority and the Chief Human Resources Officer or General Counsel).

### Documentation

Documentation of disciplinary action will become part of the employee's personnel records file for a period not to exceed 12 months if no additional related disciplinary measures are recorded within such period. Following 12 months, the documentation will be destroyed and the employee so notified. Documentation relating to discharge will remain filed in the personnel file.

*Note: Discipline of Catholic School personnel will be conducted in accordance with the Handbook of Policies and Regulations for Catholic Schools.*

See Links: [Code of Employee Responsibility](#); [Harassment Policy](#); [Catholic Diocese of Phoenix Policy and Procedures for the Protection of Minors](#)

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Policy: Employee Discipline Signature Page

Approved by Bishop Thomas J. Olmsted on October 27, 2006

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Policy 2-7.1.24 Termination of Employment

Termination of employment is defined as an employee's resignation, discharge or retirement.

Procedures:

1. Resignations

Supervisory and executive employees are requested to give four weeks written notice of their intent to resign. In the case of all other employees, the request for written notice is two weeks. During the notice period, employees may not use accrued paid vacation (unless approved by the employee's supervisor and the Chief Human Resources Officer) or accumulated sick time unless a physician's statement is provided.

2. Reduction in Work Force

It is important for employees of the Diocese of Phoenix to be aware that it is not possible to guarantee long-term employment. Shifts and changes in priorities may contribute to changes in personnel and staffing patterns.

Consequently, there are times when it may be necessary to reduce the number of positions due to loss of financial resources, change in organizational structure, or change or reduction in Diocese of Phoenix programs. Should this happen, every effort will be made to give as much advance notice as possible.

If a Diocese of Phoenix employer is forced to reduce its work force, it may be necessary to reassign employees to fulfill the workload needs in other areas and functions. The selection of employees or positions that will be affected by a reduction in force will be based upon the needs of the Diocese of Phoenix employer.

3. Pay in Lieu of Notice

When it is deemed in the best interest of the employer, an employee may receive pay in place of advance termination notice.

Employees granted pay in lieu of notice will receive at least the equivalent of two (2) week's regular pay. Employees may be granted additional weeks of pay in lieu of notice depending on such circumstances as the employee's length of service and performance record, the cause for termination, and the employer's ability to grant

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additional pay. Pay in lieu of notice is granted in addition to any unused accrued or granted vacation time.

4. Involuntary Termination

Discharge of an employee is within the discretion of the Diocesan employer; however, prior to any termination, a supervisor must consult with the General Counsel and/or the Chief Human Resources Officer.

5. Record Keeping

Upon the voluntary or involuntary termination of employment, the supervisor shall send the Termination-Transfer Notice to the Diocese of Phoenix Human Resources Office to stop benefits coverage.

6. Exit Interview

An exit interview should be conducted with all employees voluntarily terminating their employment with the Diocese of Phoenix employer. This interview should be conducted by someone other than the employee's immediate supervisor, such as another supervisor of equal or higher level but not responsible for direct supervision of the employee, or the Human Resources Officer.

The purpose of the exit interview is to determine the reason the employee is leaving, to gather information about the Diocese of Phoenix as an employer from the employee's perspective, and to complete all necessary administrative details. This information may then be used constructively to improve working conditions and reduce turnover.

Additionally, exit interviews provide departing employees the opportunity to have questions answered about benefit conversions and to return any employer property that has been issued to the employee.

7. Collecting Employer Issued Property

If any employer property issued to the employee has been lost or damaged, the cost of replacing such property may be deducted from the employee's final paycheck. However, in the case of nonexempt employees, the amount deducted shall not reduce the employee's earnings of the final pay period below the current minimum wage. Employees should note that the return of the employer's property is mandatory, and an employee's refusal to do so will be reflected in the employer's records. The employer may pursue legal action against such employee.

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8. Final Paycheck

The employee's last paycheck shall include unpaid worked hours and appropriate paid benefits (unused vacation leave), along with regular and requested deductions.

If the employee is leaving under voluntary conditions, the employer may issue their final paycheck during the next regular payroll cycle. If the employee is leaving under involuntary conditions, they must be paid within 3 working days of their last day worked.

*Notes: Those who hold ecclesiastical office enjoy both the rights and obligations that entail such a position in the Church, in accordance with the norms of Canon law.*

*Termination of employment of Catholic School personnel under contract of employment will follow the contract and the Handbook of Policies and Regulations for Catholic Schools.*

See Forms: Exit Interview; Transfer/Termination

Approved by Bishop Thomas J. Olmsted on October 27, 2006