



EMPLOYEE PERSONNEL

POLICIES AND BENEFITS MANUAL
OF THE DIOCESE OF
FORT WAYNE-SOUTH BEND, INC.

Revised July 2011

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WELCOME TO THE DIOCESE OF FORT WAYNE-SOUTH BEND, INC.

The Diocese of Fort Wayne-South Bend, Inc. (the “Diocese”) is a not-for-profit religious corporation empowered under Canon Law to fulfill the spiritual, educational and charitable mission of the Catholic Church in the Northeastern portion of the State of Indiana. As an employee of the Diocese, your efforts play a vital role towards the successful fulfillment of the sacred mission of this local Church. This Manual applies to all non-school teacher/administrator employees of the Diocese.¹ It is provided to you as a guide to assist you in understanding the importance of your role and the standards of conduct and decorum that apply to your position. It will also assist you in understanding the range of employment benefits that may apply to your position. These materials are presented with the hope that your time of service will be pleasant, enduring and enriching for you and for the people of God whom we all serve. The Diocese reserves the right to change or discontinue any provision of this Manual at any time. This Manual is not intended to be nor should it be construed as a contract of employment with the Diocese or any of its agencies, or a promise of continued employment. Either you or the Diocese may terminate your employment relationship for any reason at any time.

A WORD FROM BISHOP RHOADES

The work of our diocese is eminently pastoral. We work to bring the message of Christ and His healing presence to everyone. These policies are meant to make clear to all who serve our people that we are devoted to the mission of Jesus Christ and to the treatment of every single person, especially our beloved young, with dignity and in the spirit of the Gospel of Christ.

GENERAL POLICIES AND GUIDELINES

NONDISCRIMINATION POLICY

Diocesan employment practices are based on job-related criteria such as one's fidelity to the Catholic faith, individual merit, ability, experience, performance, education and training.

This policy of nondiscrimination extends to all aspects of diocesan employment including recruitment, selection, compensation, training, reasonable accommodation, promotion, transfer, and termination.

Since the distinctive and unique mission of the Diocese is primarily religious, the Diocese will, whenever possible, retain a Catholic in good standing to perform work for the Diocese.

POLICY FOR THE PROTECTION OF CHILDREN AND YOUNG PEOPLE

It is the policy of the Diocese of Fort Wayne-South Bend that all diocesan priests, deacons and other personnel, lay and religious, paid and volunteer, must adhere to the diocese's Practical Guidelines for Conduct When Interacting With a Child or Young Person. All must report any suspected incident of the physical, mental, or sexual abuse or neglect of a child or young person to appropriate civil and diocesan authorities consistent with the Diocesan Guidelines on Reporting Incidents of Child Abuse or Neglect. All priests, deacons and other personnel, employee and volunteer, are subject to and obligated by this policy.

PRACTICAL GUIDELINES FOR CONDUCT WHEN INTERACTING WITH A CHILD OR YOUNG PERSON

The Diocese's clergy, religious, employees, and volunteers working in and on behalf of its schools, parishes, Offices of Religious Education and of Youth Ministry, and other diocesan programs or agencies engage in extensive services with and counseling, educational, and spiritual ministries to children and young persons ("children"). Children are dependent on adults, particularly adults in positions of trust and leadership. It is vitally important, therefore, that reasonable prudence be exercised by all adults who perform services on behalf of the diocese which involves interaction.

The following is a set of practical guidelines for conducting yourself which must be observed by all clergy, religious, lay employees, and volunteers of the diocese when dealing with children. These guidelines are not intended to prevent you from performing your service or ministry but rather to assist you in employing good sense when interacting with children. If you find it necessary to depart from these guidelines due to some extraordinary circumstance, you should be aware of your departure and must be able to justify your actions. If one-on-one involvement with a child is unavoidable, you must use extreme discretion in your dealings with the child.

Definition

Child or Children - Anyone who has not yet reached his or her eighteenth birthday. All clergy, religious, lay employees, and volunteers of the diocese will observe the following guidelines when engaging in ministry to or otherwise interacting with children:

1. Children under eighteen (18) years of age who are not relatives may not stay overnight in a parish rectory in the diocese. No one, except priests, may live in a rectory on a long-term basis, that is, for

more than a few days. Exceptions may be made for housekeepers who have worked in a rectory in the diocese for twenty (20) years or more and, of course, for members of a priest's immediate family.

2. Avoid physical contact with a child. Never engage in any corporal punishment. In situations where physical contact is necessary and proper, such as in sacramental preparation, use sound discretion and moderation. If a child initiates innocent physical contact out of acceptable affection, an appropriate response is proper if not prolonged.

3. Except in unavoidable circumstances that require otherwise, for example a pre-schooler who needs assistance in the restroom, do not be alone with a child in a residence, school, sleeping facility, locker room, rest room, dressing facility, or other closed area.

4. Any one-on-one counseling, tutoring, training, or other assistance or service with a child must be conducted in an open room setting without closed doors, except for a door with a window, and only if readily observable by others who may be in the room or in the hallway outside the room.

5. Seek responsible adults to be present at events involving children, such as games and athletic activities.

6. Youth group trips and school field trips must have enough adult chaperones, preferably of the same sex as participating children, to provide adequate supervision based upon the type of activity. Adult chaperones should supervise in opposite sex pairs whenever possible.

7. Never take an overnight trip alone with a child.

8. Topics or vocabulary that would not be discussed or used comfortably in the presence of parents should not be discussed or used with children.

9. Alcohol, in the form of wine, may be given to those under the age of 21 only in very limited quantity and only in preparation for First Communion. Otherwise, never provide alcohol to anyone under the age of 21. Alcohol should not be used by adult supervisors or chaperones if activities with or responsibilities for children are scheduled.

10. Always maintain a professional posture in dealing with children. Avoid unwarranted emotional attachment and be aware of the attraction that children may have for adults in positions of authority and trust. If you perceive emotional or physical attraction developing, refer the child to another qualified adult, particularly in counseling situations.

11. If one-on-one counseling, tutoring, or other training or care of a child requires frequent or regular appointments, parents should be notified that these appointments are occurring and provided the schedule of appointments. If you believe the subject matter properly precludes notification, you must consult with and receive the approval of your supervisor on the local or diocesan level before engaging in such appointments.

12. The Office of Youth Ministry for the Diocese of Fort Wayne-South Bend has adopted the following lodging standards which apply to hotel and dormitory room accommodations for adults and children who participate in overnight events. These standards have been followed in practice for diocesan youth ministry events and are now committed to writing to promote a uniform set of guidelines for use in the diocese. These standards are consistent with the model proposed by the National Federation for Catholic Youth Ministry which discourages the rooming of adults with children. The Office of Youth Ministry for the Diocese of Fort Wayne-South Bend endorses this position.

A. Hotel Rooms

A typical hotel room is a room consisting of at least two beds with quad occupancy. No adult shall room with or occupy the same hotel room with a child except in the case of a parent and the parent's child(ren) only; in the rare case where a child may need the presence of an adult for medical reasons; or, in the event that unscheduled and unforeseen circumstances beyond the control of event participants occur which necessitate at least two adults to occupy the same hotel room with at least two children.

A married couple may share the same hotel room, with or without their children, assuming appropriate facilities are available, but no other mixed gender hotel room arrangements are allowed. Adult participants should room in proximity to the rooms occupied by children, either by staggering rooms across from or next to those rooms occupied by children. Adults may conduct brief bed checks of hotel rooms occupied by children only at pre-determined times.

B. Dormitory-Type Accommodations

Adults and children of the same gender may occupy dormitory room type accommodations provided there is a minimum of two adults and four children per room and no separate accommodations are available for the adults. Adults must establish separation barriers or privacy zones in the dormitory room which shall include a temporary blanket or sheet wall when possible in order to keep their sleeping and dressing area separate from the child area. No mixed gender dormitory room arrangements are allowed.

C. Respect of Privacy

Adult participants must respect the privacy of child participants in situations such as changing clothes, taking showers, etc. Adults must protect their own privacy in similar situations. Other than for

pre-determined bed checks and the limited time necessary to assist children in settling into or vacating from their rooms, an adult participant should not intrude into a child's room or designated area except to the extent that health, safety or Behavior Code enforcement require.

D. Non-Conforming Conduct

A Behavior Code which describes expected conduct of trip participants, including disciplinary action for violations, should be developed and communicated at the local level to all participants in advance of the overnight trip. In addition, before the overnight trip occurs, all child and adult participants should be made aware of the consequences for non-compliance with these lodging standards. Such consequences shall include a requirement that individuals who violate the lodging standards may be required to return home early, if practical, and be denied the opportunity to participate in future overnight events.

13. All of us have an obligation to take appropriate steps to protect children, particularly when they are in the care of the church. If you observe another adult violating these guidelines or engaging in other conduct which causes you to have reason for concern for the well-being of a child, you should confront that adult in a forthright manner and report your concerns to your supervisor, pastor, or a Vicar General. If you have reason to believe that child abuse or neglect has occurred or is occurring, you must follow the diocesan policy on reporting incidents of child abuse to civil authorities and report the matter to your supervisor or Vicar General at (260) 422-4611.

GUIDELINES ON REPORTING INCIDENTS OF CHILD ABUSE OR NEGLECT

Purpose

The Diocese of Fort Wayne-South Bend shares the conviction of Indiana legal authorities, all concerned adults, whether or not they are parents, and the Church that every effort should and must be made to report child abuse or neglect to appropriate authorities. Incidents of the physical, mental or sexual abuse or neglect of children, unfortunately, occur with regularity throughout our society.

Very often the victims of this abuse are too young to relate to others the fact of occurrence or are too frightened or ashamed to reveal the identities of those responsible for the abuse or neglect. Therefore, only when concerned individuals report those facts which give them reason to believe an incident of child abuse or neglect has occurred can this distressing problem be brought forward for legal redress, as well as psychological assistance and spiritual rehabilitation. This diocesan policy on reporting child abuse or neglect is intended to promote awareness of the laws of the State of Indiana already in effect for all and thus enhance our pastoral awareness of, and response to, this grave problem.

Definitions

1. “Diocese” means the Diocese of Fort Wayne-South Bend. As used in these Guidelines, the Diocese includes all Diocesan offices, parishes, schools, agencies, programs, and departments.
2. “DCS” means the Indiana Department of Child Services, the agency to which child abuse or neglect may be reported.

3. For purposes of this policy, “local law enforcement agency” means a local town or city police department, county sheriff’s department or Indiana State Police post. A list of county sheriff’s department offices located within the Diocese of Fort Wayne-South Bend to which reports of child abuse or neglect may be made is provided at the end of this Policy. Local town or city police departments and Indiana State Police posts are not listed, but may be contacted in order to make a required report.

4. “Employee” as used in these Guidelines means any Diocesan clergy or religious, any person employed by the Diocese, and any person acting as a volunteer, in any capacity, for the Diocese.

5. For purposes of this policy, “child abuse or neglect” refers to any physical, mental or sexual abuse or neglect of a child under 18 years of age. This includes children who suffer physical and/or mental abuse by the acts or omissions of their parents, guardians, custodians or others. It also refers to children who are victims of certain sex offenses perpetrated by anyone.

6. For purposes of this policy, “reason to believe” means information which, if presented to individuals of similar background and training, would cause those individuals to believe that a child may have been abused or neglected.

7. For purposes of this policy, “direct supervisor” means:

- for parish school employees and volunteers, their school principal;
- for non-school employees and volunteers in a parish, their parish pastor, DRE, or Youth Ministry leader, as applicable;
- for all high school employees and volunteers, their school principal;

- for Diocesan agency or department employees, their agency or department administrator; and
- for chancery employees and volunteers, the Chief Financial Officer for those in the finance office and a Vicar General for all others.

Policy

1. Reporting Incidents

Indiana law requires that all persons, without exception, make an immediate oral report to a local law enforcement agency or DCS if that person has “reason to believe” that a child may be a victim of child abuse or neglect (unless that person knows a report of the incident has already been made). This duty applies to all diocesan personnel:

- All priests, deacons and other religious personnel,
- All school and parish personnel, paid and volunteer (including counselors); and
- All other employees and volunteers of the diocese or any of its affiliated organizations.

The diocese expects and requires that all of its priests, deacons, employees and volunteers, especially those who work in diocesan programs that are directly and immediately involved with children, recognize and report child abuse and neglect in accordance with Indiana law.

Where a person suspects that a child may be a victim of abuse or neglect, but is unsure whether he or she has sufficient “reason to believe” to make a report, that person should always err on the side of caution and report. The key is to report rather than not report.

Any persons required to make a report to the DCS or law enforcement agency in their capacity as diocesan employees or volunteers are also required to notify immediately their direct supervisor concerning their report to the DCS or law enforcement agency. The direct supervisor then also becomes personally responsible to report, or to cause a report to be made, to the DCS or law enforcement.

If the direct supervisor of the individual making the initial report is unavailable or if the individual feels the direct supervisor is not the appropriate party to contact, the employee/volunteer should immediately notify a Vicar General of the report. The phone number at the Fort Wayne Chancery is (260) 422-4611.

2. Possible Indicators of Child Abuse or Neglect

Many children who are not abused or neglected may exhibit one or more of these indicators from time to time. Children who have many of these signs or symptoms, however, may have a problem that should be reported.

In viewing possible indicators of child abuse, it is always important to distinguish between physical contact and emotional attachment which is nurturing and supportive and that which exploits a child.

Emotional Abuse

Be alert for a child who:

has a poor self-image

has slow physical, mental or emotional growth

is extremely passive or aggressive

is terrified or extremely nervous if parents are contacted

is afraid of going home

has speech problems
has a habit of biting or rocking
attempts suicide

Physical Abuse

Be alert for a child who:

has unexplained injuries or burns
does not want to tell you how an injury occurred
explains an injury differently than do other members of family
has serious injuries that are left untreated
fears going home
has bald spots (a sign of hair pulling)
wears clothing that covers arms and legs, even in warm weather
refuses to undress for gym class
is overly aggressive or withdrawn

Sexual Abuse

Be alert for a child who:

has difficulty walking or sitting
has pain or itching around genitals
has unusual knowledge of or interest in sex
is extremely moody
has poor peer relationships, especially with opposite sex
has a sudden onset of behavior problems

is unwilling to change or participate in physical education class
fears going home

Physical Neglect

Be alert for a child who:

wears clothes that are unusually dirty, the wrong size or torn

has poor hygiene

seems to be underfed and is always hungry

has unattended medical needs

begs or steals food

is often absent or late

consistently lacks supervision, especially for dangerous activities or for long periods of time

has drug or alcohol problems

3. Report Confidentiality

The identities of persons making child abuse or neglect reports to the DCS or local law enforcement are confidential and only made available to individuals legally authorized to obtain such information. Persons making reports may be required to testify at judicial proceedings if court action becomes necessary.

4. Privileged Communications Waived

Indiana law provides that what is generally considered as “privileged communication” between a husband and a wife, a health care provider and patient, or a school guidance counselor and student, is not grounds for failing to make the required reports concerning child abuse or neglect. Priests must also make reports unless the

information formulating the reason to believe was gained within the Sacrament of Reconciliation. In such cases, priests may urge the individual providing the information to make a report or to provide the information to another person who may then make the report.

5. Reporting Immunities

Any person who has reason to believe a child is a victim of abuse or neglect and reports to DCS or law enforcement, or a person who cooperates in a judicial proceeding resulting from such a report, is presumed to have acted in good faith and, therefore, is immune from civil or criminal liability. Such liability will only become a factor if it can be shown the person acted maliciously or in bad faith.

One must remember, however, this immunity is only available to those making the statutorily required reports to a DCS or law enforcement agency and/or their direct supervisor. Legal actions for damages may still be available if a person disseminates information to other, additional parties. Therefore, a person should only make the report to the statutorily designated parties to insure retention of the statutory immunity protection.

Another important point a person reporting child abuse or neglect must remember is that his or her duty is a duty to report only. Once someone reports to DCS or local law enforcement and, if applicable, a direct supervisor or Vicar General, his or her duty under the statute ends. Although the person reporting may have to cooperate in a DCS or other public authority's investigation, or may have to testify at judicial proceedings, he or she should not conduct a personal investigation. Investigating is the responsibility of DCS or law enforcement authorities. In fact, an unauthorized person who conducts his or her own investigation risks civil liability for invasion of privacy or defamation.

6. Purpose of Reporting

Protective service agencies are charged with the responsibility of protecting children and preserving family life. Their goal is to help families cope with the problems that cause child abuse, not to separate children from their parents.

7. Penalty for Not Reporting

Persons who knowingly fail to make a required report of child abuse or neglect commit a Class B misdemeanor. (I.C. 31-33-22-1) Therefore, a person should always err on the side of reporting, as opposed to not reporting. A person having “reason to believe” a child is a victim of child abuse or neglect must make the immediate oral report to shield himself or herself from civil or criminal liability, and must inform his or her direct supervisor or a Vicar General, if applicable.

DIOCESAN COOPERATION WITH CIVIL AUTHORITIES

Any civil investigations of suspected incidents of child abuse or neglect will be accorded the complete and willing assistance of the appropriate Diocesan personnel. All necessary action will be taken to ensure the fair treatment of any Diocesan employee accused of child abuse or neglect. Pastoral counseling and guidance will be made available to any accused individual in an effort to support them through any investigatory period. Additional pastoral counseling will continue at the individual’s request regardless of the outcome of the civil investigation. Everything will also be done to see that any child who is abused or neglected receives appropriate assistance and counseling.

The following is a list of DCS and sheriff's department offices located within the Diocese to which child abuse or neglect may be reported. Local town or city police departments or Indiana State Police Posts are not listed, but may be contacted in order to make a required report.

**The Indiana Department of Child Services
has a Child Abuse Hotline**

To report child abuse or neglect to DCS, call 1 (800) 800-5556.

The hotline serves as the central reporting center for all allegations of child abuse or neglect in the State of Indiana. It is available 24 hours a day, 7 days a week, 365 days a year.

County Sheriff's Offices within the Diocese

Adams County Adams County Sheriff's Department
313 South 1st Street, P.O. Box 608
Decatur, Indiana 46733
(260) 724-5345

Allen County Allen County Sheriff's Department
101 Courthouse
715 South Calhoun Street
Fort Wayne, Indiana 46802
(260) 449-3000

DeKalb County DeKalb County Sheriff's Department
215 East 8th Street
Auburn, Indiana 46706
(260) 925-3365

Elkhart County Elkhart County Sheriff's Department
111 North 3rd Street
Goshen, Indiana 46526
(574) 533-4151

Huntington County Huntington County Sheriff's Department
332 East State Street
Huntington, Indiana 46750
(260) 356-8316

Kosciusko County Kosciusko County Sheriff's Department
221 West Main Street
Warsaw, Indiana 46580
(574) 267-5667

LaGrange County LaGrange County Sheriff's Department
0875 South State Road 9
LaGrange, Indiana 46761
(260) 463-7491

Marshall County Marshall County Sheriff's Department
210 West Madison Street
Plymouth, Indiana 46563
(574) 936-3187

Noble County Noble County Sheriff's Department
210 South 7th Street, P.O. Box 22
Albion, Indiana 46701
(260) 636-2182

St. Joseph County St. Joseph County Sheriff's Department
401 West Sample Street
South Bend, Indiana 46601
(574) 235-9611

Steuben County Steuben County Sheriff's Department
206 West Martha Street
Angola, Indiana 46703
(260) 668-1000 Ext. 4000

- Wabash County Wabash County Sheriff's Department
79 West Main Street
Wabash, Indiana 46992
(260) 563-8891
- Wells County Wells County Sheriff's Department
1615 West Western Avenue
Bluffton, Indiana 46714
(260) 824-3426
- Whitley County Whitley County Sheriff's Department
101 West Market Street
Columbia City, Indiana 46725 |
(260) 244-6410

CONFIDENTIALITY

As a diocesan employee, you may become privy to personal, privileged and/or confidential information. Security of information is of utmost importance. Such information must be treated in a confidential manner, except for disclosure required by law. Care should always be taken regarding all information gained by virtue of service with the Diocese, whether related to diocesan matters, students in any of its schools, or to any other individuals served by or having dealings with the Diocese or its staff members.

CONFLICT OF INTEREST

All diocesan employees must exercise good faith in the performance of their duties. You have the obligation to avoid any personal interest or relationship, financial or other, which might adversely affect or influence your judgment in the performance of your duties, or which might even create the appearance of same. If you have any concern on an issue in this area, contact your immediate supervisor or the pastor of the parish in which you perform duties so that the situation may be reviewed in detail.

HARASSMENT

All diocesan employees and those with whom they interact, especially children, are entitled to be treated with dignity and respect. Supervisors, department heads and pastors are charged with the responsibility to see to it that all over whom they have supervision are treated in a manner consistent with the religious and moral standards espoused by the Church and the Diocese. All diocesan facilities and programs should be free from verbal or physical harassment (whether on the basis of sex, race, religion, national origin, disability, or other civilly-protected status) and from any actual or implied threat that such harassment must be tolerated in connection with diocesan service, or the receipt of services.

For purposes of this policy, harassment includes, but is not limited to, sexual advances; unwelcome and/or unwanted touching; the use of obscene or objectionable language, or name calling; and any action reasonably considered offensive, based on race, religion, national origin, disability, or sex. This includes jokes, comments, insults, cartoons, innuendoes, personal conduct or mannerisms that could be reasonably construed as offensive.

If you believe that you, a diocesan volunteer or another employee, or anyone with whom you or they interact, are or have been subjected to such treatment, you must immediately report the incidents to your supervisor or supervising pastor. There will be no recriminations against any person making such a report in good faith. All pertinent information shall be kept confidential to the fullest extent possible, consistent with the prompt investigation of any such complaints, and with the taking of appropriate corrective actions, if necessary, based upon the outcome of such investigations. If for any reason you feel that your supervisor or pastor is an inappropriate person to whom the report should be made or if they are unavailable, such reports should be made directly to a Vicar General in person or by telephone at (260) 422-4611.

SAFETY

You must immediately report to your supervisor or pastor any accident occurring on diocesan property or involving diocesan employees or volunteers which involves property damage or personal injury. You must immediately report any situation, hazard, or practice which you believe is unsafe. We want to take all reasonable steps to maintain a safe environment for all who serve and are served by the Diocese.

NOTIFICATION TO SUPERVISOR FOLLOWING ARREST

Employees of the Diocese of Fort Wayne – South Bend are required to notify their supervisor if arrested of any crime during the period of their employment. Notification should be made within twenty-four (24) hours of the arrest if at all possible, or as soon thereafter as possible. The employee must provide the supervisor with enough detail of the charge(s) to enable the supervisor to make a decision as to whether the employee can remain on the job.

The employee's supervisor must alert the diocesan Safe Environment Coordinator of the arrest.

For purposes of this policy, "supervisor" means:

- for grade school employees and volunteers, the school's principal;
- for non-school employees and volunteers in a parish, the parish's pastor, DRE, or Youth Ministry leader, as applicable;
- for all high school employees and volunteers, the school's principal;
- for Diocesan agency or department employees, the agency or department administrator; and
- for any others, the Vicar General.

EMPLOYEE BENEFITS

EMPLOYMENT STATUS

Regular diocesan employees who consistently work thirty (30) hours or more per week are considered full-time. All others are considered part-time.

COMPENSATION

Your compensation is based on your training, experience, job performance and the nature and responsibilities of the position you hold. Compensation is also dependent on budget and staff needs. The compensation established at the time of your hire between you and your department head or supervising pastor must be within the salary range established for that position.

PAY PROCEDURES

All diocesan employees are paid semi-monthly. For payroll purposes, the work week is the seven (7) days starting at 12:01 AM Sunday and ending at Midnight (12:00 AM) the following Saturday.

OFFICE HOURS

Chancery office hours start at 8:30 AM and end at 4:30 PM, Monday through Friday. School or parish office or department hours and days of work may vary.

Working hours may be adjusted into a time period other than the normal work hours set for your worksite. This may be only done at the request of an individual employee if approved by the appropriate supervisor, or as required by the diocese.

GENERAL BENEFITS

The Diocese of Fort Wayne-South Bend in keeping with the social teachings of the Catholic Church is committed to providing appropriate benefits to all employees within the limits of its financial resources.

Specific details of any insurance, retirement/pension and annuity benefits referenced in the following paragraphs are available through the diocesan Employee Benefits Office. Should any discrepancy exist between the description of the insurance, retirement/pension and annuity benefits contained in this manual and the information provided in the plan documents, the language in the plan documents will control.

Health Insurance

The Diocese provides an opportunity for health insurance benefits to all full-time employees and their families. Information on such coverage will be made available to new and existing employees at the time of hire, and thereafter at the time of any change in coverage.

Unemployment Compensation

Although not required by law, the Diocese makes unemployment compensation available to all eligible employees.

Social Security

Both you and the Diocese pay into this program an amount based on your salary. The amount each pays is based on federal legislation and your earnings.

Retirement/Pension

All full-time employees who have completed at least one (1) year of eligibility service and have attained 21 years of age are eligible to participate in the diocesan retirement program. This benefit is provided at no cost to the employee.

Life Insurance

All eligible full-time employees may participate in the group term life insurance plan provided by the Diocese. This benefit is provided at no cost to the employee.

Long-Term Disability

All eligible full-time employees may participate in the long-term disability benefit plan as provided by the Diocese. This benefit is provided at no cost to the employee.

Tax-Deferred Annuities

As an employee of a religious organization various tax-deferred annuity programs are available at the employee's expense through the diocesan Payroll Department.

Liability/Malpractice

All employees acting in the course of their employment for the Diocese are insured through the extended liability coverage carried by the Diocese.

FAMILY AND MEDICAL LEAVE ACT LEAVE OF ABSENCE**Scope**

It is the policy of the Diocese to grant family and medical leave to eligible employees in accordance with the Federal Family and Medical Leave Act of 1993, as amended (FMLA). The leave may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances and as specified in this manual. If the State of Indiana enacts a Family and Medical Leave Act, the provisions under either the state or federal law which are most generous to the employee will be followed.

Eligibility

Eligibility norms are necessary to preserve good order and also for fairness to all.

To qualify to take family and medical leave under this policy, you must meet all of the following conditions:

You must have been employed by the Diocese for at least twelve (12) months. The twelve (12) months need not have been consecutive. For eligibility purposes, you will be considered to have been employed for an entire week if you were on leave that week or on the payroll for a partial week; and

You must have worked at least twelve hundred and fifty (1250) hours during the twelve (12) month period immediately before the date when the leave would begin.

Definitions

Child - a natural, adopted or foster child or a stepchild or a legal ward provided such child or ward is (a) under the age of eighteen (18), or (b) eighteen (18) years of age or older and unable to care for himself/herself because of a Serious Health Condition.

Parent - a natural parent, foster parent, adoptive parent, stepparent, or legal guardian of an eligible employee or an eligible employee’s spouse.

Serious Health Condition - an illness, injury, impairment, or physical or mental condition that involves (a) inpatient care in a hospital, residential medical care facility or hospice, or (b) continuing treatment by a health care provider. A more detailed definition of a condition that qualifies as a “serious health condition” for leave under this Policy can be obtained from your immediate supervisor or department head.

Spouse - a husband or wife through a marriage legally recognized.

Covered servicemember – a member of the Armed Forces including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpa-

tient status, or is otherwise on the temporary disability retired list, for a serious injury or illness as defined in FMLA.

Reasons For Leave

A. An eligible employee may take up to a total of twelve (12) workweeks of FMLA leave during any rolling twelve (12) month period looking backward from the date on which the employee takes any FMLA leave for any of the reasons listed below:

Birth and care of your child during the twelve (12) month period beginning on the date of birth.

Placement of a child with you for adoption or foster care during the twelve (12) month period beginning on the date of placement.

Care of your spouse, child, or parent who has a serious health condition.

Your serious health condition which prevents you from performing the essential functions of your position; or

Because of any qualifying exigency (as the Secretary of Labor shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

B. An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember shall be entitled to a combined total of twenty-six (26) workweeks of leave during a twelve (12) month period to care for the covered servicemember. The leave described in this paragraph shall only be available during a single twelve (12) month period and the combined total of FMLA leave during that single period shall be inclusive of all types of FMLA leave taken.

Leave Period

The maximum period of eligible FMLA leave can be taken all at once or in approved intervals provided it is medically necessary, or agreed upon by your pastor or department head. If both husband and wife are employed by the Diocese, the aggregate number of workweeks of leave to which both may be entitled is twelve (12) if the leave is taken for the birth, foster care placement, or adoption of a child, or for the serious health condition of a parent, or twenty-six (26) if the leave is to care for a covered servicemember or a combination of leave for that purpose and for any of the afore-referenced reasons. The aggregate workweek limits for both spouses do not apply in the case of leave for other reasons.

The rolling twelve-month (12) period for leave under A (1)-(5), above, is measured backward from the date you use any leave under this policy. Each time you take leave, the Diocese will compute the amount of leave you have taken under this policy and subtract it from the twelve (12) weeks of available leave, and the balance remaining is the amount to which you are entitled.

Use Of Other Available Leave

The leave period will be reduced by any period covered under any other approved leaves of absence. The Diocese may require you to substitute accrued vacation for any part of the leave period. Time off due to an injury that is compensable under the Indiana Workers Compensation Statutes will also reduce your leave entitlement under this FMLA policy.

Procedure For Requesting Leave

To request leave under this policy you must complete an application form and submit the request to your immediate supervisor within thirty (30) days prior to the start of the leave. If it is not possible to give thirty (30) days notice, you must give as much notice

as is practicable to minimize disruptions to diocesan operations. Application forms for requesting leave are available from your immediate supervisor or department head. If thirty (30) days notice for foreseeable leave is not provided, with no reasonable excuse for the delay, the leave request may have to be denied until at least (30) days from the date the supervisor or department head receives a proper notice. You must provide a status report on a monthly basis regarding the status of the medical condition and your intent to return to work.

Certification

If you request leave for your own or a family member’s serious health condition, or to care for a covered servicemember, the supervisor or department head will ask for certification of the serious health condition. Such certification is necessary for the good order of the diocesan services and also to ensure fairness in the place of work. You must respond to the request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial or discontinuation of leave. Medical certification forms are available from your immediate supervisor or department head. For your own medical condition, the certification must include a statement that you are unable to perform work of any kind or a statement that you are unable to perform the essential functions of the position.

The diocese requires that requests for leave because of a qualifying exigency arising out of active duty in the Armed Forces be supported by a certificate issued at such time and in such manner as the Secretary may by regulation prescribe.

If you plan to take intermittent leave or work a reduced schedule, the certification must also include a statement of medical necessity for taking the intermittent leave or reduced work schedule.

Status Of Employee Benefits During Leave

If you are granted an unpaid leave of absence under this policy, your group health insurance coverage will be continued under the same terms as if you continued working. However, you are responsible for paying your regular share of the premium contributions during the period of unpaid absence and must make arrangements for making those contributions before taking the leave. If you do not return to work upon completion of your unpaid leave, the Diocese may recover from you the cost of any payments made to maintain your coverage, unless the failure to return to work was for reasons beyond your control. Benefit entitlements based upon length of service will be calculated as of the last paid work day prior to the start of the unpaid leave. Vacation and other benefits will not accrue while you are on FMLA leave.

Intermittent Leave Or A Reduced Work Schedule

You may take leave under this policy in twelve (12) consecutive weeks or, if eligible, you may use the leave intermittently (take a day periodically when needed over the year). Under certain circumstances, you may use the leave to reduce the work week or work day, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) work weeks over a twelve (12) month period.

You may be temporarily transferred to an available alternative position with the equivalent pay rate and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Use of intermittent leave for the birth, adoption or foster care of a child is subject to the supervising pastor or department head's approval. In all cases, leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.

If you are taking leave for a serious health condition because of the serious health condition of a family member or to care for a covered servicemember, an approved work schedule is required before taking intermittent leave or working a reduced-hour schedule. You are required to provide certification of the medical necessity for intermittent leave or a reduced schedule.

Employee Status After Leave

If you take leave under this policy, you will be able to return to the same position or a position with equivalent pay, benefits and other employment terms.

THE REMAINING PROVISIONS OF THE EMPLOYEE BENEFITS SECTION APPLY TO CHANCERY EMPLOYEES AND MAY BE IMPLEMENTED IN WHOLE OR IN PART AT PARISH LOCATIONS AT THE PASTOR'S DISCRETION.

PERFORMANCE EVALUATION

Immediate supervisors are urged to conduct evaluations of assigned employees on an annual basis following the successful completion of the orientation period.

Evaluations may include verbal discussion and written evaluation by both the supervisor and the employee (i.e. self-evaluation). Any written evaluation discussed with you will be made available to you for signature. You may add in writing any disagreement with the evaluation. Both the evaluation and any statement of disagreement will be retained in your personnel file.

Your job performance shall be evaluated on such factors as your adherence to the teachings of the Church, the quantity and quality of your work, your skill, cooperation with others, attendance, attitude and other relevant matters.

EXPENSES AND TRAVEL

Employees who travel outside the diocese or overnight on diocesan business will be reimbursed, within reasonable limits, for meals (including only a modest use of alcoholic beverages, if appropriate), lodging and transportation expenses incurred, provided that the employee sought and received prior approval from the appropriate supervisor for the travel in question and then provided appropriate receipts for the expenses. Excessive personal telephone charges, personal entertainment and other expenses of this nature, are not reimbursable.

The Diocese will not be responsible for any parking or moving violations that are incurred while on diocesan business, whether in a diocesan vehicle or a personal vehicle.

If a personal car is used on diocesan business, mileage will be reimbursed at the current diocesan mileage allowance rate, upon approval of the travel in question. Reporting of mileage and other expenses (such as parking fees) needs to be made. Reimbursement forms must be approved by the Diocesan Business Office.

VACATIONS AND LEAVE

Vacation

The Diocese provides employees vacation time with pay, based on completed years of continuous service.

Your vacation time will be calculated based on the occurrence of the anniversary of your date of hire. There shall be no pro-rata accrual of vacation benefits for time worked from the occurrence of the last employment anniversary date to the date of your termination. Vacation time earned upon the occurrence of a particular anniversary date must be taken within the succeeding 12 months. Vacation time off must be scheduled, in advance, and approved by your immediate supervisor. Vacation days cannot be accumulated from

one year to another without the written approval of your department head or supervising pastor.

If your employment terminates for any reason, any accrued and unused vacation benefits shall be paid on the next regular payday.

Vacation time for part-time employees will be computed on a percentage basis which is equivalent to the employee's normal average weekly hours worked as compared to a thirty-seven and one-half (37 1/2) hour work week.

Vacation time can be taken in a minimum of 1/2 day increments.

Maximum vacation granted to full-time employees may not exceed following schedule:

After Completing	1 year	Up to 1 week
	2 years - 4 years	Up to 2 weeks
	Over 5 years	Up to 3 weeks

Due to budget capabilities and staffing needs at your work location, the actual vacation that you may be eligible to receive, if any, based upon your number of completed years of continuous service may be less than the maximum allowed. Your supervising pastor or department head will advise you of the amount of vacation benefit which applies to your position.

Holidays

A listing of diocesan paid holidays is published annually by the office of the Vicar General. That listing applies only to Chancery office staff. Non-Chancery staff employees must consult their supervising pastor or department head for a listing of paid holidays that apply to their work locations. You must be regularly scheduled to work and not on vacation or leave of any kind on the day a holi-

day is observed in order to qualify for any pay for the holiday.

Full-time employees who work their full, last-scheduled workday before and full, first-scheduled workday after a listed holiday shall receive a regular day's pay for the holiday.

Part-time employees must work their full last-scheduled workday before and full, first-scheduled workday after a listed holiday to qualify for any holiday pay.

Part-time employees who qualify for holiday pay shall receive the number of hours pay equivalent to the employee's normal hours of scheduled work for the day of the week on which the particular holiday is observed.

Funeral Leave

Death of a loved one calls for a Christian response of prayer, concern and reflection. To help make this possible in the event of a death in the immediate family (spouse, child, father, mother, brother, sister, grandparent and "in-law" or "step" relatives to the same degree) of a full-time employee, up to three (3) days bereavement absence with pay may, at the discretion of the department head or pastor, be permitted for purposes of making necessary arrangements and/or attending the funeral. Paid funeral leave benefits may be pro-rated for part-time employees.

In the event of a death of a relative other than immediate family, one (1) day's bereavement absence with pay may be permitted for purposes of attending the funeral.

In extenuating circumstances, an extension of funeral leave time with or without pay may be granted by the department head or supervising pastor after an appropriate request.

Jury Duty

Full-time employees may be paid the difference between the sum received for jury duty service and their regular pay for work time missed due to actual jury duty service upon presentment of documentation of the amount of jury duty pay received and actual jury duty time served.

Election Day Leave

Full-time employees may take up to one and one-half hours of time off without pay for purposes of voting in general, national, state or county elections. Every effort should be made to keep the office operational.

Sick Leave

It is part of our human condition to experience illness or injury. The Diocese wishes to be as understanding as possible at such times while also preserving a spirit of good order and harmony in our everyday operations.

Sick leave entitles you to be absent from work with pay when you are unable to work by reason of: personal illness or injury of you, your spouse, or minor child; or for previously employer-approved medical, dental or optical examinations or treatment. You are entitled to this benefit only when these specified conditions, illnesses, or health care needs are present. You are not entitled to any compensation for non-use of sick leave.

If you are going to be absent from work because of illness, you must notify your immediate supervisor within one (1) hour of your regular starting time. Whenever reasonably possible, you must notify and obtain the approval of your immediate supervisor or department head before taking sick leave because of medical, dental or optical examinations or treatment.

Sick leave can be taken in a minimum of one hour increments. Over-used sick leave shall be charged as a vacation day, or time off without pay as determined by your immediate supervisor.

Your supervising pastor or department head may require a doctor's statement when you request sick leave before determining whether to authorize payment. Sick leave with pay may be granted to full-time employees in amounts not to exceed the following schedule:

Length of Service

- Sick Leave
- Less than 1 year
 - Up to 1 day for each month occurring after the 6th month of employment.
 - More than 1 year
 - Up to 10 days per year

Due to budget capabilities and staffing needs, the number of paid sick leave days, if any, that you may be authorized to take at your work location shall be set by your supervising pastor or department head.

Unused sick leave days may be accumulated from year to year to a maximum of twenty (20) days (excluding days provided for the current year) and can be only used for qualified leave taken under the Family and Medical Leave Act. The use of these accumulated days must have the approval of your immediate supervisor or department head before being used.

Sick leave for part-time employees will be computed from the number of sick days authorized for full-time employees at your work location on a percentage basis which is equivalent to the employee's normal average weekly hours worked compared to a thirty-seven and one-half (37 1/2) hour work week.

Part-time employees may not accumulate sick leave days from year to year.

TERMINATION

Resignation

We always regret the departure of good and devoted employees through resignation but we understand that at times a resignation may be necessary. Also, there may be times when the Church will have to refine its work force. At such times we always intend to carry out such a step with respect for the dignity of each one.

Written notice of resignation should be presented to your immediate supervisor/department head two (2) to four (4) weeks before the planned termination date. The earliest possible notice is appreciated. After notice of resignation, the employee and supervisor should plan for transfer of responsibilities.

Upon termination of employment, you must return all diocesan materials to your immediate supervisor or department head.

Reduction in Force

The Diocese will attempt to give such written notice of planned lay-offs and the reasons for such action as is available and practicable under the circumstances. Catholicity, competency, special skills and specific program needs will be the primary considerations reviewed when making decisions regarding the retention of employees.

REQUIRED DECORUM AND CORRECTIVE ACTION

We expect that all employees will exhibit common sense, a high level of Christian decency and courtesy, and diligence in all they do on behalf of the Diocese. When possible, reasonable efforts shall be made to correct any performance or conduct issues that arises, rather than to terminate the employment relationship.

Our corrective action procedure is intended to correct problems,

not to inflict punishment. The procedure is not a set of progressive steps because serious instances could arise where a particular offense may require immediate termination of employment.

The elements of the corrective action procedure utilized by the Diocese may include, but are not limited to, the following:

* Corrective counseling with verbal warning is an indication by the supervisor that you have either committed an offense or series of offenses which must be corrected.

* A written warning will be used to indicate that you have either committed a serious offense or have failed to correct a pattern of less serious offenses. Corrective action may require suspension without pay along with a written warning.

* Termination may result from the commission of a serious offense or as a result of a continuing pattern of less serious offenses.

Any of the above corrective actions may be used to correct a particular problem and may be noted in your personnel file.

However, there are certain circumstances where the need for termination may be immediate. These circumstances are considered gross transgressions and include, but are not necessarily limited to:

1. Immoral conduct or other conduct inconsistent with the principles or teachings of the Catholic Church.
2. Violation of any guidelines or requirement established by the Diocese for the protection of children or young people.
3. Behavior which is devious or harmful to the mission of the Church in the Diocese.
4. Personal conduct which brings discredit to the Diocese or anyone else.

5. Dishonesty, stealing, falsification or destruction of records.
6. Causing personal injury to another.
7. Willful destruction of or gross negligence resulting in damage to property.
8. Insubordination or refusal to accept a lawful assignment.
9. Being to any degree under the influence of or in possession of alcohol, marijuana or other illegal or unprescribed controlled substances.
10. Drinking or maintaining intoxicating beverages on diocesan premises or at the site of a diocesan function without appropriate authorization.
11. Job abandonment - “no-call-no show” for three (3) consecutive days.

VERIFICATION OF RECEIPT OF EMPLOYEE PERSONNEL
POLICIES AND BENEFITS MANUAL OF THE DIOCESE OF
FORT WAYNE-SOUTH BEND, INC.

By signing below, I acknowledge that I have received a copy of and agree to abide by the Employee Personnel Policies and Benefits Manual of the Diocese of Fort Wayne-South Bend, Inc. I understand that I have been given this Manual for information purposes only and that the Manual does not create an express or implied employment contract of any kind. I understand that the policies and other information referenced in the Manual are subject to change or deletion at the Diocese's discretion. I also understand that I am not required to work for the Diocese of Fort Wayne-South Bend, Inc. for any set period of time and that the Diocese is not required to employ me for any set period of time. I or the Diocese may terminate the employment relationship for any reason at any time.

Employee Signature

Date

The Diocesan School Policy Manual references policies that apply to Diocesan school teachers and administrators.

Diocese of Fort Wayne-South Bend

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