

DIOCESE OF  
FORT WAYNE-SOUTH BEND

EMPLOYEE PERSONNEL

Policies and Benefits Manual of the  
Diocese of Fort Wayne-South Bend, Inc.

Revised February 26, 2021



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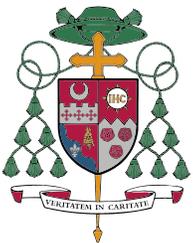


## WELCOME TO THE DIOCESE OF FORT WAYNE-SOUTH BEND, INC.

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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 toward the successful fulfillment of the sacred mission of this local Church. The primary purpose of the work of our Diocese is pastoral. This will be done in a Christian atmosphere where the warmth within exudes love and concern for all we serve. We only settle for the best, and for this reason you have been asked to join our team. We look forward to working with you. This manual applies to all school (non-contracted) employees, parish employees, and chancery employees of the Diocese. 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 KEVIN C. RHOADES



*The work of our diocese is eminently pastoral. We work to bring the message of Christ and his love 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

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### **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**

The Diocese of Fort Wayne-South Bend requires all priests, deacons, candidates for ordination and religious life, and other diocesan and parish personnel, lay and religious, paid and volunteer, to adhere to the diocese's ***Code of Conduct When Interacting with a Child or Young Person\****. Likewise, **all** are subject to and must report the physical, emotional, or sexual abuse or neglect of a child or young person to appropriate civil and diocesan authorities consistent with the diocese's ***Policy on Reporting Incidents of Child Abuse or Neglect\****. All mentioned previously as well the diocese's parishes and schools are subject to and obligated by this policy.

### **CODE OF CONDUCT WHEN INTERACTING WITH A CHILD OR YOUNG PERSON**

The priests, deacons, candidates for ordination and the religious life, paid personnel, lay and religious, and volunteers, lay and religious, working in and on behalf of the diocese's schools, parishes, Offices of Catechesis 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"). For purposes of this guideline, "children" includes anyone who has not yet reached his or her eighteenth birthday. 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 guidelines for conduct which must be observed by all the above-mentioned persons when dealing with children. These guidelines are not intended to prevent a person from performing service or ministry but rather to assist him/her in employing good sense when interacting with children. If it is necessary

to depart from these guidelines due to some extraordinary circumstance, the person should be aware of the departure and must be able to justify one's actions. Consultation with a supervisor regarding the departure is recommended. If one-on-one involvement with a child is unavoidable, use extreme discretion in those dealings with the child.

All priests, deacons, candidates for ordination and the religious life, paid personnel, lay and religious, and volunteers, lay and religious, of the Diocese must observe the following guidelines when engaging in ministry to or otherwise interacting with children:

1. Children who are not relatives may not stay overnight in a parish rectory in the diocese. No one, except priests and seminarians assigned by the Bishop, may live in a rectory on a long-term basis, that is, for more than a few days.
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. Appropriate physical contact includes: handshakes, side hugs, high fives. Inappropriate physical contact includes: prolonged front-to-front hugging, massages, wrestling, piggyback rides, lap sitting, hitting, pinching.
3. Except in unavoidable circumstances that require otherwise, for example a pre-school student who needs assistance in the restroom, do not be alone with a child in a residence, school, sleeping facility, locker room, restroom, dressing facility, or other closed area. Adults should never shower, bathe, or dress in front of children and vice versa.
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 gender as participating children, to provide adequate supervision based upon the type of activity. Adult chaperones should supervise children of the same gender whenever possible. Children should have a chaperone of their same gender present on the trip even if it is not the adult assigned to their small group.
7. Never take an overnight trip alone with a child.
8. Do not drive alone with a child in a car unless parental permission has been given, preferably in writing.
9. Topics or vocabulary that would not be discussed or used comfortably in the presence of parents should not be discussed or used with children.

10. 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.
11. 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 an adult senses that a child is developing an emotional or physical attraction, the adult should refer the child to another qualified adult, particularly in counseling situations.
12. 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 the subject matter properly precludes notification, the adult must consult with and receive the approval of his/her supervisor on the local or diocesan level before engaging in such appointments.
13. All adults have an obligation to take appropriate steps to protect children, particularly when they are in the care of the church. If an adult observes another adult violating this guideline or engaging in other conduct which causes him/her to have reason for concern for the well-being of a child, the adult should confront that other adult in a forthright manner and report his/her concerns to the supervisor, pastor, or the Vicar General. If an adult has reason to believe that child abuse or neglect has occurred or is occurring, that adult must follow the Diocesan policy on reporting incidents of child abuse to civil authorities and report the matter to his/her supervisor or the Vicar General at (260) 422-4611.
14. Refer to and abide by: the diocese's ***Policy for All Youth Events Involving Overnight Stay*** for any event for which that policy applies; the Diocese's ***Guideline for Small Group Meetings in Homes or on Property Not Owned by the Diocese*** for any events with children or young people for which that guideline applies; and the diocese's ***Electronic Communication and Technology Policy***.

## **POLICY 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 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, emotional 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

- “*Diocese*” means the Diocese of Fort Wayne-South Bend. As used in this policy, the Diocese includes all Diocesan offices, parishes, schools, agencies, programs, and departments.
- “*DCS*” means the Indiana Department of Child Services, the agency to which child abuse or neglect may be reported.
- 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 to make a required report.
- “*Employee*” as used in this policy means any priest, deacon, candidate for ordination of the religious life, paid personnel, lay or religious, and any person acting as a volunteer, in any capacity, for the Diocese.
- For purposes of this policy, “*child abuse or neglect*” refers to any physical, emotional or sexual abuse or neglect of a child less than 18 years of age. This includes children who suffer physical and/or emotional 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.
- 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.
- 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 the 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). The obligation to report exists regardless of who the accused may be. This duty applies to all Diocesan personnel:

- All priests, deacons, candidates for ordination and the religious life, 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 its priests, deacons, candidates for ordination and the religious life, paid personnel, lay and religious, 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. The Diocese expects and requires that the report be made regardless of when the suspected abuse or neglect is claimed to have occurred.

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 the Vicar General of the report. The phone number at the Fort Wayne Chancery is (260) 422-4611. The person making the report must document his/her actions. A form is attached to this policy for these purposes. The person making the report must use this form or a similar one.

## **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 a speech problem
- 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
- new instances of bed wetting or wetting of pants

## **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 ensure retention of the statutory immunity protection. Although a well-intentioned person may feel an obligation to inform the parents or guardian of the child, this is not to be done.**

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 the Vicar General, if applicable. A form for this purpose is available on the diocesan website under Youth Protection/Report Abuse.

## **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. As a precautionary measure, an

accused employee may be placed on administrative leave pending the investigation of the claim or the completion of any civil process. Pastoral counseling and guidance will be made available to any accused individual 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 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 such information is of utmost importance. Such information must be treated in a confidential manner. It should be used only for the purposes for which it was obtained and shared only internally with those having a legitimate business reason for access to the information 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 the 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.

### **DIOCESE OF FORT WAYNE-SOUTH BEND POLICY TO REPORT WRONGDOING (May 2018)**

#### **General**

The Diocese of Fort Wayne-South Bend requires all representatives of the Church, including clergy, religious, directors, and other volunteers and lay employees, to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. All representatives of the Church must practice honesty and integrity in fulfilling their responsibilities, and comply with all applicable laws and regulations.

The objectives of the Policy to Report Wrongdoing are to establish policies and procedures for:

- The submission of concerns regarding questionable financial or legal matters and violations or suspected violations of the Code of Canon Law on a confidential or anonymous basis;
- The receipt, retention and treatment of complaints received by the organization; and,
- The protection of anyone reporting concerns from retaliatory actions.

#### **Reporting Responsibility**

Each representative of the Diocese of Fort Wayne-South Bend has an obligation to report in accordance with this policy (a) questionable or improper accounting or auditing matters, and (b) other financial, legal or canonical concerns (hereinafter collectively referred to as Concerns).

Reports of Concerns should be made to Tom Skiba by any of the following methods.

Work- 260-969-1231 ext. 312

Home- 260-436-1003

E-Mail- [tskiba@hainescpa.com](mailto:tskiba@hainescpa.com)

Concerns are to be reported as soon as possible. Reports of Concerns should include all relevant information about the suspected act, including any material evidence that exists.

### **No Retaliation**

This policy is intended to encourage and enable representatives of the Diocese to raise Concerns within the Organization for investigation and appropriate action. With this goal in mind, no stakeholder who, in good faith, reports a Concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, anyone who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including dismissal from their position within the Church.

### **Investigation**

The designated personnel shall be responsible to a thorough and expeditious investigation of the reported Concern. Proposed decisions on disposition of a case will be discussed with the Bishop or his designee(s). The results of all reported Concern investigations and the final resolution shall be reported to the Audit Committee.

### **DIOCESAN EMPLOYEE TELEPHONE USE POLICY**

This policy concerns the use of phones during work time by employees of the Diocese of Fort Wayne-South Bend.

While working, Diocesan employees are expected to exercise discretion and consideration for others when using phones. Personal calls/text messaging during work time, regardless of the phone used can interfere with employee productivity, safety, and may be distracting to others. Making frequent or lengthy personal phone calls during work time is not acceptable. Text messaging frequently for personal reasons during work time is also not acceptable. Employees are encouraged to make personal calls/text messages during lunch time and to ensure that friends and family members are aware of this policy. The Diocese is not responsible for the loss of or damage to personal cellular phones brought into the workplace. Additional conditions regarding the use of cellular phones are set out in the diocese's social media policy.

Employees whose job responsibilities include driving should refrain from using a phone/communication device while driving a Diocesan vehicle, (owned or leased), or their own vehicle when used to conduct Diocesan business. If absolutely necessary, a "hands-free" method (i.e. Bluetooth) of communication is suggested while driving. Sending or reading text messages, reviewing emails, and watching videos on cellular phones is not allowed while driving. These types of activities should only be done after the vehicle is safely parked.

Failure to follow this policy may result in disciplinary action, up to and including termination.



## ELECTRONIC COMMUNICATION AND TECHNOLOGY POLICY

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### INTRODUCTION

*“The image of the body and the members reminds us that the use of the social web is complementary to an encounter in the flesh that comes alive through the body, heart, eyes, gaze, breath of the other. If the Net is used as an extension or expectation of such an encounter, then the network concept is not betrayed and remains a resource for communion. If a family uses the Net to be more connected, to then meet at table and look into each other’s eyes, then it is a resource. If a Church community coordinates its activity through the network, and then celebrates the Eucharist together, then it is a resource. If the Net becomes an opportunity to share stories and experiences of beauty or suffering that are physically distant from us, in order to pray together and together seek out the good to rediscover what unites us, then it is a resource.*”

*We can, in this way, move from diagnosis to treatment: opening the way for dialogue, for encounter, for “smiles” and expressions of tenderness... This is the network we want, a network created not to entrap, but to liberate, to protect a communion of people who are free. The Church herself is a network woven together by Eucharistic communion, where unity is based not on “likes”, but on the truth, on the “Amen”, by which each one clings to the Body of Christ and welcomes others.”*

Pope Francis, 24 January 2019, 53<sup>rd</sup> World Communications Day Message

**Note:** Throughout this policy, certain words will be noted by an asterisk. These words are defined in the appendix of this policy. Diocesan school personnel should also refer to Policy P3645 as found in the Catholic Schools Office Educational Policies. Resources and forms for use with this policy are contained in an additional supplement.

### PURPOSE

This policy assists those who minister in the Diocese of Fort Wayne-South Bend by outlining the acceptable use of electronic communication\* and technology. The policy protects both the diocese and its members by defining use that is safe, responsible, civil, and, most importantly, reflects our discipleship of Jesus Christ. The diocese believes these resources are an important educational and evangelizing tool to further the mission of the Church. Therefore, use of these resources must always be consistent with the mission of the Catholic Church. The benefits to using electronic communication and technology include its speed of transmission, ability to reach large numbers of persons, low cost, ease of use, and opportunity for feedback and collaboration. Its thoughtful and careful use promotes healthy communication in building relationships and promoting the mission of the church. However, electronic communication is a tool in relationship-building and

is never a substitute for personal encounter. Moreover, electronic communication can inflict great harm to individuals, especially minors\*, and the church itself if misused.

## **POLICY STATEMENT**

The Diocese of Fort Wayne – South Bend may supply computers, software, internet access, and/or other electronic communication devices to its clerics\*, those preparing for ordination, employees\*, volunteers\*, (“church personnel”) and students so they may complete the responsibilities assigned by their positions. All users must take care to apply these tools for their intended purposes. The diocese may monitor electronic communication or any other related use of its computers, devices and networks at any time, with or without notice to users.

The diocese encourages administrators, pastors and principals to support the use of electronic communication and technology and to give church personnel the necessary training to communicate safely and responsibly while using electronic communication.

Any communication that includes defamatory or harmful comments regarding the diocese, its personnel\*, parishes, schools, institutions or those it serves may result in disciplinary action up to and including termination. All church personnel and students of the diocese are required to adhere to the information provided in this policy when using electronic communication.

## **PROTECTION OF MINORS\***

The diocese requires that church personnel and students comply with all aspects of the Safe Environment Policy (<https://diocesefwsb.org/safe-environment-resources/#se-resources>). The diocese will review alleged violations of the *Children’s Online Privacy Protection Act* and the *Safe Environment Policy* of the diocese as needed. See also Policy 4170 in the Catholic Schools Office Educational Policies concerning disclosure of student education records.

## **ELECTRONIC COMMUNICATION**

There are many forms of electronic communication with some enabling private exchanges between two or more persons while others share information in the public domain. Some forms of communication are intended only for adults\* while others may include adults and minors. Those utilizing electronic communication should consider the type that best serves their ministry and those for whom the messages are intended. For example, a closed group on a social media platform allows adults and minors the freedom to communicate freely within the group. The communication has a public aspect, but it is contained within the group affording some protection. Whereas open groups on social media platforms allow for the greatest transparency and work well for outreach with adults and promoting events.

Those who serve in the diocese may also use electronic communication in their personal lives. If so, they must use care in those communications also. This is due to the public nature of electronic communication and the association of content to the creator.

### **Examples of electronic communication platforms**

- Learning management systems (LMS): used in educational settings for class and course work. Ex. Canvas, Blackboard, Google Classroom

- Information management systems: information system used for decision-making and reporting, including the coordination, control, analysis, and visualization of information or financial transactions in an organization. Ex. Powerschool, CMG Connect, Parishsoft, Shopwithscrip, and FACTS
- Social media\* platforms: used to communicate with others, find people with like interests, share information. Ex. Facebook, Twitter, Instagram, Snapchat, LinkedIn
- Texting/email, and marketing platforms: send short messages (texts or email) via mobile devices or using an online application. Ex. Remind, Flocknote, Constant Contact, MailChimp, and GroupMe

### **Websites/online accounts/blogs**

The diocese may approve the creation of ministry websites\*/online accounts or blogs\* on platforms but only as an extension of a ministry, program, or event. Initiation of such sites must have the prior approval of the proper supervisor\*/administrator before beginning such work. Supervisors who give approval to an individual to create a ministry website/online account/blog for dispersal of information are responsible for it. The diocese does not permit use of a personal site\* or account to be used by lay employees, volunteers, or those preparing for ordination as the official means of extending a diocesan, parish or school ministry, program, or event. Clerics may use personal sites to share homilies and other spiritual resources.

### **Email**

The diocese requires that a ministry/work email account be established and used in all ministry and professional work on behalf of the diocese by clerics, those preparing for ordination, and employees. The account should be in a domain that is owned or controlled by the diocese so that archiving of all messages is possible for retrieval if needed. The pastor/principal/supervisor should ensure every employee who needs an email account to complete job duties has one. The diocese does not permit use of a personal email account to conduct ministry or work on behalf of the diocese by clerics, those preparing for ordination, or employees. While volunteers may use their personal email accounts in their volunteer role, the parish/school may consider providing an account in the parish/school domain to certain volunteers so that it controls access to and retention of messages.

### **Cell phones/other devices**

Since the diocese does not provide cell phones to most of its church personnel, they may use their personal devices for electronic communication. When doing so, adults in their roles within the Diocese of Fort Wayne-South Bend must use the approved electronic communication methods outlined in this policy. In cases where organizations do, however, provide a device that is owned or paid for by a diocesan entity, the diocese shall retain all rights to monitor, track, or analyze usage of the device.

### **Confidential and proprietary information**

Church personnel are prohibited from disclosing information that is understood to be held in confidence by the diocese, FERPA (the Family Educational Rights and Privacy Act of 1974) or HIPAA (Health Insurance Portability and Accountability Act of 1996). Church personnel are prohibited from disclosing any information that is proprietary to the diocese, except by explicit permission of the appropriate authority.

## **Trademarks and logos**

Use of the diocesan crest, logo, and name requires explicit permission from the diocesan Communications Office. The diocese does not allow use of its name, trademarks or logos, names of any parish, school or entity of the diocese on personal websites or in any way that could reasonably suggest diocesan or affiliate sponsorship or agreement with any views expressed on personal accounts.

The crests of the bishops belong to them and are not to be used in any unofficial capacity.

## **Right to review**

The diocese reserves the right to review the electronic communications of any church personnel that is generated by diocesan accounts or using diocesan equipment.

## **RULES/PROCEDURES**

In using electronic devices to communicate in their roles with of the Diocese of Fort Wayne-South Bend, including but not limited to email messages, text messages, tweets, websites, blogs, and social networking sites, church personnel and students will:

1. Always use respectful language.
2. Maintain appropriate relational boundaries in all forms of communication.
3. Never access, post or send immoral, obscene, illegal, threatening, abusive, defamatory, or profane material or pornography (adult or minor) of any kind to any person.
4. Never send anonymous messages. Messages sent by an address from an office holder, such as [info@diocesefwsb.org](mailto:info@diocesefwsb.org) or [bishopsoffice@diocesefwsb.org](mailto:bishopsoffice@diocesefwsb.org) are permitted.
5. Create usernames on a diocesan-owned entity or third-party account that allow transparency as to the identity of the user.
6. Treat all communication as if it were public. Communication via these forms of technology does not always remain private. Always use language and communicate as if you were face to face with the person. The message may be altered and sent beyond the original author's intention.

## **When communicating with minors using forms of electronic communication:**

7. The purpose is to provide information related to a ministry, educational activity, or event and not for socialization or other personal interaction. Prolonged conversations or interactions of a personal nature with minors through such communication methods are not permitted. Family members are exempt.
8. Parents must be notified of the methods of communication which are used with their minor children and their consent obtained. Parents must be granted access to such communications including the minor's account login credentials and/or membership in a closed social media group. Written verification of understanding from parents/guardians is required. See the resources and forms document for a sample form.
9. Social Media/Network or other electronic communication may not be used to communicate directly to minors who have not reached the 9<sup>th</sup> grade, but instead should be directed to their parents.

Educational or curriculum-based electronic communications are acceptable for those below 9<sup>th</sup> grade if it is approved by the pastor/principal/supervisor and parents/guardians via signature(s) and occur on a learning management platform used by the school. These programs must always be transparent in nature and freely accessible by parents/guardians. If the school allows individual communication between adults and minors on the platform, e.g. teachers and students, then parents must be informed that this feature will be used and given access to the messages. It is also acceptable to create public organizational pages which may be viewed by any individual. Minors may only be given information to follow these public pages if they are permitted by the rules of the site to open an account.

10. For electronic messages that are sent to *groups of minors* who have reached the 9<sup>th</sup> grade, the following is required:

**Email:**

- a. Parents/guardians informed of use with their minor children and written consent given.
- b. Message sent to all members of group.
- c. Parents copied on message if they request this.
- d. Supervisor copied on all messages.

**Text:**

- a. Parents/guardians informed of use with their minor children and written consent given.
- b. Message sent to all members of group.
- c. Parents copied on message if they request this.
- d. Supervisor copied on all messages.

**Post on social media platform:**

- a. Parents/guardians informed of use with their minor children and written consent given.
- b. Posts or messages are visible to all group members.
- c. Parents are invited or admitted as members if the group is closed.
- d. Supervisor given access to the social media site or designated as a co-administrator with full access and posting privileges to the social media account.

11. For messages that are sent to *individual* minors (9<sup>th</sup> grade and above), the following is required:

**Email:**

- a. Parents/guardians informed of use with their minor children and written consent given.
- b. Parents copied on message.

**Text:**

- a. Parents/guardians informed of use with their minor children and written consent given.
  - b. Parents copied on message.

**Telephone call:**

- a. Parents/guardians informed of use with their minor children and written consent given.
- b. Calls are made infrequently and only for a purpose associated with ministry, program, or event.
- c. Calls are not made for socializing.

**Post on social media platform: Not recommended between adult and individual minor.**

12. When using social media sites for communication with minors, a closed or private group or page may keep the group safer as it prevents interference from outsiders.

13. When using a ministry social media account, adults must not “follow” or “like” a minor but may accept the request from minors who are involved in the ministry. Church personnel may not post publicly or privately on a minor’s personal social media page.
14. When minors form their own electronic communication groups, adults should not join these groups. If the teens involved with a ministry, club, team or organization have a running group message, the ministry and/or its leaders would not be responsible.
15. If minors contact an adult engaged in ministry without copying their parents/guardians on the message, (other than a “follow” request), the adult may reply with a group message (i.e., when the personal contact was for information relevant to the group). When the contact is such that a group response is not appropriate, the adult should respond with: *“I have received your message but am unable to reply as you have not copied your parent/guardian on the message. Please resend to me with at least one parent/guardian copied so that I may reply to you. If this is an emergency and you need to communicate with me immediately, reply and include that in your message. Thank you.”* It is also permissible for the adult minister to respond to the message if the parent is copied. Church personnel should maintain copies of all such messages.
16. Adults are permitted to initiate communication with minors between 8:00 AM and 9:00 PM. They may respond to communication sent to them by a minor outside of this time period only if it is an emergency, urgent such that it cannot wait until the next morning or occurs in the context of a retreat or pilgrimage and is necessary.
17. Online “chatting” with minors is not permitted.
18. Adults must remember that they are adult professionals who are rendering service to a minor. Appropriate boundaries must exist between adults and minors so that effective ministry may occur. Adults are not friends or buddies with the minors they serve. All electronic interaction with youth should be conducted as if the adult minister would be willing to say or give the same response in person, in the presence of that minor’s parent.

### **Additional information for social networking sites (as part of a parish, school or diocesan site)**

1. Before creating a social media account on a platform, the pastor/principal/administrator must approve its use in writing. See the resources and forms supplement for a form for this use.
2. There must be at least two administrators with rights for each social media account used for ministry communication.
3. The adult creating the account should use electronic communication platforms that are based in the United States to assure compliance with US laws for safety, security, and privacy.
4. Consider the audience and purpose of the account to determine if it should be a public or private site.
5. The site administrator must approve each request to follow/like the site after verification of current participation in the program or ministry.
6. Do not post or distribute personal identifiable information of a minor without verifiable consent of the parent or guardian. Personal identifiable information includes the minor’s home address, email address, telephone number or other information that would allow someone to contact the minor. Personal identifiable information pursuant to this policy also includes any photo and/or video of a minor that is published or posted along with the minor’s name or the name of any family member of the minor, or the minor’s age or grade level. Verifiable consent may be given by a release/permission

form, an email from a parent or guardian, a parent/guardian request, or spoken permission by a parent or guardian in the presence of another adult.

7. Absolutely no tagging pictures with the minors' names or other identifiers which could show up in search engines can be used without a parent's/guardian's written permission. (Use of diocesan permission form required).
8. Post rules of conduct on the site. If public posting or replies to posts are allowed, site administrators must actively monitor the content for appropriateness and civility; deleting such content and/or blocking or sanctioning members that do not abide by those principles.
9. Snapchat is not youth ministry friendly. Attempting to connect with youth with a personal account or attempting to set up a ministry account is not compliant with proper professional standards.

## **Computers**

In using a computer or other electronic device supplied by the Diocese of Fort Wayne-South Bend or one of its entities, church personnel must:

1. Respect the privacy of other users.
2. Respect and honor copyright and license agreements.
3. Safeguard user identification (user ID) and private passwords.
4. Protect information from unauthorized use or disclosure.
5. Never use the computer for illegal purposes or in any way that violates any international, federal, state or local laws.
6. Never use the computer to harass, threaten, or transmit inappropriate material.
7. When separating from employment or volunteer service with the diocese, never delete any computer files or download diocesan information without appropriate authorization.

## **Internet access**

In accessing and using the internet from diocesan-owned electronic equipment or accounts, all church personnel must adhere to the above-mentioned items. Also, they must:

1. Never attempt to block, bypass or remove filtering software.
2. Use great care when downloading files from the internet to the diocesan, parish or school system. Files must be scanned for viruses. Compressed files should be scanned before and after decompression.

## **ENFORCEMENT**

The Diocese of Fort Wayne-South Bend will enforce the policy set forth here and expects all church personnel to comply. Failure to comply with any of the provisions of the Electronic Communication and Technology Policy will be grounds for disciplinary action up to and including termination.

The diocese reserves the right to make changes to this policy at any time, at its sole discretion, and interpret and administer the policy considering circumstances and events.

## APPENDIX – DEFINITIONS

- **Adult:** An individual who is eighteen years of age or older.
- **Blog:** A blog is a website usually maintained by an individual with regular entries of commentary, descriptions of events, or other material such as graphics or video. “Blog” can also be used as a verb, meaning to maintain or add content to a blog.
- **Cleric:** An ordained priest or deacon incardinated in the Diocese of Fort Wayne-South Bend, a priest or deacon who is a member of a religious institute or society of apostolic life if engaged in a ministry in the Diocese of Fort Wayne-South Bend at the direction of its bishop, or any priest or deacon incardinated in another diocese but who is engaged in a ministry in the Diocese of Fort Wayne-South Bend at the direction of its bishop.
- **Electronic Communication:** All electronic communication technologies that are used to transmit information between persons either individually such as through text message or email message or those used to communicate through social media with small or large numbers of persons.
- **Employee:** Any person who is paid by the diocese for his or her work.
- **Interactive website:** A website that allows its users to communicate. A website in which visitors can post their replies and comments to communicate with the person behind the website to get solutions for their query in a more entertaining and effective manner. Some of the most common types of interactive websites include blogs, forums, wikis, and social networks. Interactive websites allow users to change the way the website displays, play games, interact with friends online, and perform a host of tasks.
- **Micro-blog:** A form of multimedia blogging that allows users to send brief text updates or micro media such as photos or audio clips and publish them, either to be viewed by anyone or by a restricted group which can be chosen by the user. These messages can be submitted by a variety of means, including text messaging, instant messaging, E-mail, digital audio or the web. The content of a micro-blog differs from a traditional blog in that it is typically smaller in actual size and aggregate file size. A single entry could consist of a single sentence or fragment or an image or a brief, ten-second video. \*Example: Twitter – A form of micro-blogging, entries are limited to 140 characters.
- **Ministry Website:** An Internet website/tool created by employees, clerics and volunteers for the sole purpose of conducting diocesan/affiliate business.
- **Minor:** A person under 18 years of age. A person who habitually lacks the use of reason is to be considered equivalent to a minor (ref. Essential Norms for Diocesan / Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons).
- **Password-Protected Sites:** Sites that use a username/password or other such means to access all or portions of the site. For example: Powerschool account for grade and student information at a school.

- **Personal website:** A social network page, blog or any Internet website/tool created by employees, clerics, and volunteers primarily to share personal communication with friends and family.
- **Personnel:** Persons associated with the church such as clerics, those preparing for ordination, employees and volunteers who minister on behalf of the diocese.
- **Social Media/Network:** Social media networks are Interactive, a place to share information/content, mediated by algorithms, and create virtual community/networking among members. Individuals are allowed flexibility in privacy settings, in posting text, photos, video, links and other information, and in level of interaction with other members. \*Examples: Facebook, LinkedIn, Twitter, YouTube and Flickr are often also included in lists of social networking sites (although sometimes YouTube and Flickr are designated as multimedia sharing sites, while Twitter is currently more often designated as a micro-blogging application).
- **Supervisor:** The hiring and/or supervising agent: for parish staff this is the pastor; for parish volunteers, the appropriate administrator (e.g., Director of Religious Education or Director of Youth Ministry); for school personnel, the principal / pastor.
- **Volunteer:** An adult or minor who works without financial or material gain on behalf of the diocese, who is not an employee or a cleric (for example, an intern, catechist, scout leader, coach, student teacher and others in similar capacities).



## DRUG-AND-ALCOHOL POLICY

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### **INTRODUCTION (Amended February 2019)**

The Diocese of Fort Wayne-South Bend works to ensure a drug-free, healthful, and safe workplace. Employees are required to report to work in an appropriate mental and physical condition so that they can perform their jobs to a satisfactory level.

**While conducting official business for the Diocese, no employee may use, possess, distribute, sell, or be under the influence of alcohol, illegal drugs, or cannabidiols (CBD oils).** The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively, and in a safe manner that does not endanger other individuals in the workplace. Such violations may also have legal consequences.

The Diocese of Fort Wayne-South Bend reserves the right to drug/alcohol test employees when there is reasonable suspicion that he or she may be under the influence of illegal drugs or alcohol. If the employee refuses with the request of drug/alcohol testing based on reasonable suspicion, this will be considered grounds for immediate termination of employment.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation and successful completion of an approved treatment program.

### **TESTING PROCEDURE**

The employee will be advised that the Diocese believes that there is reasonable suspicion to believe that he or she is affected by either illegal drugs or alcohol, and that the Drug and Alcohol Policy of the Diocese mandates that a test must be offered to confirm or deny this reasonable suspicion.

The employee will be transported by his/her supervisor to any one of the Diocese's approved testing facilities. Under no circumstances will the employee in question be allowed to drive himself or herself to the testing facility. After returning to the Diocesan place of employment (i.e. Parish, School, etc.) the employee's supervisor must make arrangements to transport the person home.

Employees with drug or alcohol problems who voluntarily seek help for such problems before becoming subject to discipline or termination, may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to participate in an

approved treatment program, abides by all diocesan policies and procedures, and rules relating to conduct in the workplace; and if granting the leave will not cause the Diocese of Fort Wayne-South Bend or any of its entities any undue hardship.

## DEFINITIONS

- ***“Illegal Drug”*** means a substance whose use or possession is controlled by federal law, or that is not being used or possessed under the supervision of a licensed physician.
- ***“Under the influence of alcohol”*** means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.
- ***“Under the influence of drugs”*** means a confirmed positive test result for illegal drug use per this policy. It also includes the misuse of legal drugs (both prescription and over-the-counter drugs) when there is not a valid prescription from a physician for the lawful use of a drug.



## EMPLOYEE BENEFITS

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### **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.

### **COMPENSATION CLASSIFICATION**

Depending on your position and work duties, you are classified as NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are paid on an hourly basis and entitled to overtime pay at one and one-half the regular hourly rate of pay for all hours worked over 40 in a workweek. EXEMPT employees are paid on a set salary basis and excluded from specific provisions of federal and state wage and hour laws. The Human Resources Director will notify you of any change in NONEXEMPT or EXEMPT classification status.

### **PAY PROCEDURES**

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

### **OFFICE HOURS**

Chancery office hours start at 8:30 a.m. and end at 4:30 p.m., 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.

### **EMERGENCY CLOSINGS\_(Added February 2019)**

At times, emergencies such as severe weather or power failures can disrupt the operations of the Archbishop Noll Catholic Center and/or John Paul II Center. In extreme cases, such circumstances may require the closing

of these Diocesan Offices. This decision will be made by the Bishop or his designee and communicated via the Moderator of the Curia's Office.

When Diocesan Offices are officially closed due to emergency conditions, the time off from scheduled work will be paid.

In cases where an emergency closing is not authorized, employees who choose not to report for work will not be paid for the time off unless they request the use of vacation days from their immediate supervisor.

## **PERSONAL APPEARANCE POLICY (May 2018)**

In everything we do as employees we represent the Diocese of Fort Wayne-South Bend and the Catholic Church. For this reason, personal appearance is important. Employees are expected to dress with Christian modesty and in a professional manner. Neatness, cleanliness, and appropriate attire are essential for a professional appearance. An employee's appearance inspires the confidence of the public and other employees. Although styles of attire and hairstyles change, employees are expected to avoid extremes.

### **Requirements for all employees**

#### **Grooming and hygiene**

Your clothing must be clean and fit appropriately.

Avoid using heavily scented perfumes, colognes and lotions.

Keep your hair, sideburns, mustaches and beards neat and well-groomed.

If you wear jewelry and make-up, it should be moderate.

Unacceptable body piercings include, but are not limited to, nose rings or posts, tongue posts, eyebrow rings or posts, and lip rings.

Any visible tattoo considered by your supervisor as offensive or hostile, must be covered during your shifts.

#### **Attire**

Business attire is required at the Diocese of Fort Wayne-South Bend Chancery Offices. Examples of business attire includes: suits, dresses, skirts, blouses, slacks, sport coats, casual slacks, sport or knit shirts and sweaters. Speak with your supervisor if you have questions on whether certain attire is appropriate. Final determination of appropriate clothing will be made by your supervisor, if necessary.

Examples of unacceptable attire include, but are not limited to: sweat pants, T-shirts or sweat shirts, workout attire, cutoffs or shorts, sheer clothing or clothing that is otherwise revealing, distracting or provocative, athletic shoes or flip-flops. No leggings, spaghetti straps, plunging necklines, or backless shirts should be worn, as this does not follow the business style of dress. If you require an exception to the guidelines outlined above (for health reasons or a disability, for example), please speak with your supervisor and Human Resources.

Departure from appropriate grooming, hygiene, and attire standards without proper approval will result in the employee being sent home to change. If you continuously fail to comply with these requirements, you may be subject to corrective action up to and including termination.

## **JOB DESCRIPTIONS**

The Diocese of Fort Wayne-South Bend will have a job description for each Diocesan job created by the position's supervisor. When employees are hired, they will be given a copy of their job description to help them understand what the job entails. Job descriptions summarize each job's basic purpose, organizational reporting relationship, duties, responsibilities, and qualifications. It is impossible for job descriptions to cover every task or responsibility assigned; hence they do not limit the supervisor's right to assign additional duties as needed. The job description also serves as a guide for the immediate supervisor to evaluate and create the annual performance evaluation for an employee. Job descriptions will be reviewed for accuracy whenever significant changes in job duties occur and when annual employee performance appraisals are conducted. Employees are encouraged to review and suggest changes to their job descriptions. The Diocese reserves the right to transfer duties from one job to another, as well as to transfer employees to other jobs to meet the needs of the Diocese.

## **PERFORMANCE EVALUATION**

Each Diocesan employee will receive one performance evaluation annually from their immediate supervisor. This evaluation serves both the needs of the Diocese to evaluate its mission and effectiveness and is an aid in the development of the individual's contribution. Evaluations will include completion of a written evaluation by the employee's supervisor, and a verbal discussion of that evaluation with the employee. Annual goals for the employee will be included in the performance evaluation form. Employees may add in writing any disagreement with the evaluation. Both the evaluation and any statement of disagreement will be retained in the employee's personnel file. The performance evaluations can have an impact on wage-and-salary decisions. Both the evaluation and any statement of disagreement are submitted to the Department Head, Pastor/Administrator, Principal or their designee, who reviews all evaluations.

## **HIRING OF RELATIVES**

The Diocese of Fort Wayne-South Bend gives equal consideration to all candidates in hiring, so that the best person is hired. All relatives and friends recommended by employees must meet the same employment requirements as all other individuals applying for the same position. In order to avoid the possibility of conflicts, claims of favoritism and other issues that may arise when family members work for the Diocese, immediate family members may be employed only where they are not directly or indirectly supervised by another immediate family member. In addition, the responsibilities of the employed relative may not influence work, salary, benefits, or other factors of the immediate family member hired. If relatives are employed, both individuals must understand all confidential information is not to be shared. Immediate family refers to spouses, parents, stepparents, children, stepchildren, grandchildren, sisters, stepsisters, brothers, stepbrothers, foster children, parents-in-law, sons/daughters-in-law, or family members residing in the same household.

## **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**

Full-time employees hired prior to January 1<sup>st</sup>, 2013 were automatically enrolled in a Defined Benefit Retirement Plan. They also have the option of contributing to a 403(b) Tax Deferred Annuity.

Full-time employees hired after January 1<sup>st</sup>, 2013 complete an enrollment form to be included in the 403(b) Retirement Contribution Plan. The new full-time employee becomes eligible for this plan on the first day of the month after they were hired. For more information on this, please contact the Diocesan Benefits Coordinator.

### **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 service member** – 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 outpatient 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 service member 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 service member. 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 service member 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 service member, 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 workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) workweeks 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 service member, 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.

### **NEW PARENT LEAVE – PAID LEAVE FOR FULL-TIME AND PART-TIME EMPLOYEES**

Upon release from the hospital, ten (10) days paid maternity leave shall be allowed for the mother and (10) days paid paternity leave shall be allowed for the father. These days are not cumulative and they may be

counted as days of leave under FMLA, as applicable. Adoptive parents receive the maternity or paternity leave from date of placement.

Maternity and paternity leave for part-time employees is computed by taking the employee's regularly scheduled hours per week divided by 40 hours. This percentage is then taken times 10 days. This will determine the amount of maternity or paternity leave part-time employees will receive per child. These days are not cumulative. Maternity and paternity leave only applies for part-time employees who work year-round. Part-time seasonal employees do not qualify for maternity and paternity leave.

Example: Part-time employee is regularly scheduled to work 20 hours per week.

$$20 \div 40 = 0.50$$

$$0.50 \times 10 \text{ days} = 5 \text{ days of paid maternity or paternity leave.}$$

### **PASTOR DISCRETION**

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.

### **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 (Amended February 2019)**

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 days cannot be accumulated from one year to another. Vacation time off must be scheduled, in advance, and approved by your immediate supervisor. Vacation requests will be reviewed based on several factors including: business needs, staffing requirements, seniority, and the date the individual filed his/her vacation request for dates in conflict with other employees' requests. Since the purpose of vacation is to provide opportunity for rest, recreation, and

safeguarding of health, an employee will not receive pay in lieu of vacation except if employment terminates for any reason, any accrued and unused vacation benefits shall be paid on the next regular payday.

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

New full-time employees are eligible to receive 7 days of vacation after 90 days of employment, and these days must be used by the end of the employee's first year.

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

After completing	1 <sup>st</sup> year-2 years	Up to 10 days
	3 years – 10 years	Up to 15 days
	11 years	Up to 16 days
	12 years	Up to 17 days
	13 years	Up to 18 days
	14 years	Up to 19 days
	15 years	Up to 20 days
	25 years	Up to 25 days

Vacation time for part-time employees will be computed on a percentage basis which is equivalent to the employee's previous total yearly hours worked divided by 2080 hours. Vacation days granted are computed by taking this percentage times the number of days a full-time employee would be granted for the same length of service. A part-time employee shall receive the number of hours pay equivalent to the employee's normal hours of scheduled work for the day of the week for vacation. Vacation leave only applies for part-time employees who work year-round, and have completed one year's service with the Diocese. Part-time seasonal employees do not qualify for vacation time.

Example: A part-time employee has worked with the Diocese for 3 years. The employee worked 1200 hours the previous year.  $1200 \text{ hours} \div 2080 \text{ hours} = 0.58$ .

Three years of service means that a full-time employee would be granted up to 10 days.

Take  $0.58 \times 10 \text{ days} = 5.8$  or 6 days. Under this example, the part-time employee would have 6 days of vacation.

(Note: 0.25 and 0.75 are the determining factors of whether you round up or down in regard to a vacation day). Example: If the employee was supposed to receive 5.20 days of vacation they would receive 5 days. Likewise, if the employee was supposed to receive 5.30 days of vacation, they would be granted 5.5 days of vacation.

## 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 holiday 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 (Amended February 2019)**

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 five (5) 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 presentation 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 (Amended February 2019)**

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 first month of employment.
- More than 1 year
  - Up to 12 days per year

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. Since the purpose of sick days is to provide time off for illness, an employee will not receive pay in lieu of sick days.

Sick leave for part-time employees will be computed on a percentage basis which is equivalent to the employee's previous total yearly hours worked divided by 2080 hours. Sick leave days granted are computed by taking this percentage times the number of days a full-time employee receives for sick leave (10 days). Sick leave only applies for part-time employees who work year-round, and have completed one year's service with the Diocese. Part-time seasonal employees do not qualify for sick leave.

Example: The employee worked 1200 hours the previous year.  $1200 \text{ hours} \div 2080 \text{ hours} = 0.58$ .

Take  $0.58 \times 10 \text{ days} = 5.8$  or 6 days. Under this example, the part-time employee would have 6 days of sick leave.

(Note: 0.25 and 0.75 are the determining factors of whether you round up or down in regard to a sick leave day). Example: If the employee was supposed to receive 5.20 days of sick leave they would receive 5 days. Likewise, if the employee was supposed to receive 5.30 days of sick leave, they would be granted 5.5 days.

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

### **SCHOOL TUITION BENEFIT FOR CENTRAL DIOCESAN OFFICE EMPLOYEES**

Full-time employees (average at least 30 hours per week) of Diocesan offices shall be granted a minimum tuition reduction credit of \$600 for each child enrolled in any Diocesan elementary or high school. Part-time

Diocesan employees (average less than 30 hours per week) shall be granted a tuition reduction credit of \$300 for each child enrolled in any Diocesan elementary or high school.

Diocesan department heads are hereby authorized to place the appropriate tuition reduction credit into their diocesan budgets for diocesan payment to the local parish or high school.



## TERMINATION

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### **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 individual.

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 layoffs 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.

### **CODE OF CONDUCT\_(Added May 2018)**

We expect that all employees will exhibit common sense, a high level of Christian decency, courtesy, and diligence in their personal lives, and in all they do on behalf of the Diocese. Rudeness is NEVER appropriate. NO employee is exempt from respectfulness. We require that all employees comply with the Diocesan policies, standards, and guidelines set forth in this Employee Personnel Manual and any job related rules set by an employee's supervisor, principal, pastor or department head. Employees must also, at all times, comply with all applicable laws and regulations. The importance of your role in the successful fulfillment of the Diocese's sacred mission requires that you take care to be certain that your actions cannot be interpreted as being, in any way, in contravention of laws, regulations or principles governing the activities and mission of the Diocese. If you are uncertain about the application or interpretation of any legal requirements, refer the matter to your supervisor or department head, who, if necessary, should seek the advice of the Vicar General, or his designee.

## **CORRECTIVE ACTION**

When possible, reasonable efforts will be made to correct any performance or conduct issues that arise, rather than to terminate the employment relationship. However, there are certain circumstances where the need for termination, or other discipline such as suspension without pay, 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. The acquisition, possession or distribution of child or adult pornography, by whatever means or using whatever technology.
4. Behavior which is devious or harmful to the mission of the Church in the Diocese.
5. Personal Conduct which brings discredit to the Diocese or anyone else.
6. Dishonesty, stealing, falsification or destruction of records.
7. Causing personal injury to another.
8. Willful destruction of or gross negligence resulting in damage to property.
9. Insubordination or refusal to accept a lawful assignment.
10. Being to any degree under the influence of or in possession of marijuana, or other illegal or un-prescribed controlled substances.
11. Being to any degree, during work hours, under the influence of alcohol.
12. Drinking or maintaining intoxicating beverages on Diocesan premises or at the site of a Diocesan function without appropriate authorization.
13. Job abandonment- "no-call, no-show" for three (3) consecutive days.
14. Engaging in any activity considered to be in violation of a civil law or regulation.
15. Any other serious violation of the Code of Conduct.

REGARDLESS OF THE CIRCUMSTANCES, no employee may be terminated without the PRIOR approval of the Pastor, if applicable, and either the Diocesan Attorney, the Chief Financial Officer, or the Human Resources Director.

Discipline up to and including termination may also result from a continuing pattern of less serious offenses which persist despite the supervisor's informal efforts (such as verbal or written warnings) to resolve the issue(s). Outlined below are the steps of the Diocese of Fort Wayne-South Bend's corrective action procedure applicable to less serious offenses. The procedure is intended to correct problems, not to inflict punishment, but the Diocese reserves the right to combine or skip steps of the corrective action procedure or to issue discipline up to and including termination of employment at any time depending on the Diocese's assessment of the facts in the situation. Some of the factors that will be considered are whether the performance or conduct issue is repeated despite warning, coaching, counseling or training; the employee's work record; and, the impact of the employee's performance or conduct issue(s) on the Diocese. Before the Corrective Action Process begins, the Human Resources Director needs to be notified.

## **CORRECTIVE ACTION PROCEDURE**

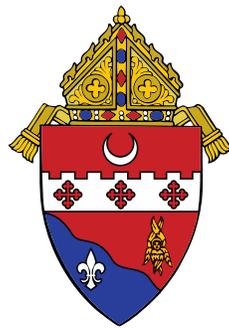
Step 1- The first step in formally addressing less serious performance or conduct issue(s) is a meeting between the employee, the Human Resources Director, and the employee's supervisor. In this meeting, the known performance or conduct issue(s), as noted by the supervisor on a Diocesan Corrective Action Form ("Form"), will be addressed by the supervisor to the employee. All noted issues will be discussed in detail with the employee. A plan for personal improvement will be established by the supervisor in consultation with the Human Resources Director and documented on the Form. All present at the meeting will sign the Form and the employee will be given the opportunity to insert comments. A date will be set for a second meeting, approximately two weeks later, when the supervisor, Human Resources Director, and employee will meet again. The signed Form will be placed in the employee's personnel file.

Step 2- The second step in the formal procedure for addressing any performance or conduct issue(s) is the scheduled second meeting between the employee, Human Resources Director, and employee's supervisor to review the employee's compliance with the terms of the personal improvement plan implemented at the first meeting. The supervisor will decide and explain whether each issue discussed at the first meeting has been resolved, or is appropriately being resolved, and determine if the personal improvement plan was or is being effective. If all issues have been addressed to a satisfactory level, the corrective action process on the designated performance or conduct issue(s) ends. If any performance or conduct issue(s) addressed in the personal improvement plan remain(s) unresolved, a second Form will be filled out. The supervisor, in consultation with the Human Resources Director, will create a new, or modify the existing, personal improvement plan. All present at the meeting will sign the Form and the employee will be given the opportunity to insert comments. A date will be set for a third meeting, approximately two weeks later, when the supervisor, Human Resources Director, and employee will meet again. The signed Diocesan Corrective Action Form will be placed in the employee's personnel file.

Step 3- If necessary, the third step in the formal procedure for addressing any performance or conduct issue(s) is the scheduled third meeting between the employee, Human Resources Director and employee's supervisor to review the employee's compliance with the terms of the personal improvement plan implemented at the second meeting. The supervisor will decide and explain whether each issue discussed at the second meeting has been resolved, or is appropriately being resolved, and determine if the personal improvement plan was or is being effective. If the supervisor and Human Resources Director agree that all issues have been addressed to a satisfactory level, the corrective action process on the designated performance or conduct(s) ends. If any performance or conduct issue(s) addressed in the personal improvement plan remain(s) unresolved, the remaining issue(s) will be addressed in a last chance agreement. A Diocesan Last Chance Agreement form will be completed by the supervisor in consultation with the Human Resources Director which identifies the necessary improvement(s) or correction(s) which the employee must make in order to remain employed by the Diocese. The completed Last Chance Agreement will be signed by all parties present at the meeting. A date will be set for a fourth meeting, approximately two weeks later, when the employee's supervisor, Human Resources Director, and employee will meet again. The signed Last Chance Agreement form will be placed in the employee's personnel file.

Step 4- If necessary, the fourth and final step in the formal procedure for addressing any performance or conduct issue(s) is the scheduled fourth meeting between the employee, Human Resources Director, and the employee's supervisor to review the employee's compliance with the terms of the Last Chance Agreement

signed at the third meeting. The supervisor will explain the reasons why the supervisor believes the employee has or has not complied with the terms of the Agreement. If the supervisor and Human Resources Director agree that all issues have been addressed to a satisfactorily level, the corrective action process on the designated issue(s) ends. If the Human Resources Director determines that any performance or conduct issue(s) required to be resolved remain(s) unresolved, the employee's employment will be terminated, subject to the approval of the Pastor, if applicable.



**DIOCESE OF  
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