

IOANNES FRANCISCUS

Divina Miseratione et



Apostolicae Sedis Gratia

EPISCOPUS MARQUETTENSIS

DECREE

**PROMULGATION OF PERSONNEL POLICIES
FOR NON-CONTRACTED EMPLOYEES OF CATHOLIC SCHOOLS**

Following an ordinary review of the Personnel Policies for Non-Contracted Employees of the Catholic Schools in the Diocese of Marquette, it was deemed opportune to update these policies.

After consultation with the Diocesan School Council on March 5, 2015 after their review of the proposed policies and receiving a positive recommendation;

Having heard the Presbyteral Council on June 4, 2015 after their review of the proposed policies and receiving a positive recommendation; it is my decision to establish these policies.

Therefore, in accord with Canons 8 §2, 29, and 391 §1 I hereby decree and promulgate as particular law for the Diocese of Marquette the Personnel Policies for Non-Contracted Employees of the Catholic Schools in the Diocese of Marquette.

The former Personnel Policies for Non-Contracted Employees for Catholic Schools in the Diocese of Marquette is hereby repealed and abrogated in accord with Canon 20 §1.

Any policy or particular law of the Diocese of Marquette that is contrary to the Personnel Policies for Non-Contracted Employees of the Catholic Schools is hereby repealed and abrogated.

The provisions of this decree shall become effective July 1, 2015.

Given at the chancery in Marquette, Michigan this 17th day of June in the year 2015.


Most Reverend John F. Doerfler, STD, JCL
Bishop of Marquette


Reverend Daniel J. Moll
Chancellor



Roman Catholic Diocese of Marquette

Non-Contracted Employees - Personnel Policies Index

Employment

At-Will Employment.....	4210
Non-Discrimination, Non-Harassment.....	4220
Religious Standard in Employment.....	4230
Exit Protocol/Interview.....	4240
Criminal Background Check.....	4250
Safe Environment Training.....	4260
Status of Employment.....	4270
Work Hours.....	4280
Whistleblower.....	4290

Compensation and Related Benefits

Compensation of Members of Religious Communities.....	4310
Health/Medical Insurance.....	4320
Dental Insurance.....	4330
Flexible Benefit Plan.....	4340
Retirement Compensation.....	4350
Unemployment and Worker's Compensation.....	4360
Disability Benefits.....	4370

Personnel Records

Personnel Records.....	4410
Electronic Systems.....	4420

Personnel Policy Manual.....	4430
Health/Infectious Diseases	4440

Absences from Work

Military Leave.....	4510
Jury Duty	4520
Absences/Sick Leave	4530
Bereavement.....	4540
Vacations.....	4550
Holidays.....	4560
Snow Day/Inclement Weather	4570
Leave of Absence without Pay	4580
Personal Days.....	4590

Personnel Policies

Revised July 1, 2015

These policies have been approved by the Bishop of the Diocese of Marquette and are the only approved policies for non-contracted personnel of the schools in the Diocese of Marquette.

Employment

4210 At-Will Employment

It is the policy of the Diocese to employ those whom it believes best qualified to perform the duties of the position for which they are hired.

Employment with the school, except for those employees with written and signed employment contracts, shall be of no definite term and may be terminated by either party at-will, with or without cause and with or without notice. This statement of the at-will status of employment with the school may not be orally amended or altered, and no representative, supervisor or other employee of the school is authorized to make any promises or statements, which would amend, alter or change this status. In addition, this statement of the nature of employment with the school supersedes all prior written and oral communications and prior practices concerning such employment.

4220 Non-Discrimination, Non-Harassment:

The Diocese of Marquette expects all employees to conduct themselves with dignity and respect for fellow employees, students and others. It is Diocesan Policy to treat all persons, including employees and applicants for employment according to their individual merit. Diocesan Policy prohibits any form of harassment, joking remarks or other abusive conduct directed at an employee because of his/her sex, race, color, national origin, disability, religion, veteran status, height, weight, marital status or other protected characteristic. Therefore, a school will not condone, nor will it tolerate, harassment, discrimination, intimidation, or harassment of any employee based on any of the foregoing. This policy applies to all employment practices, including recruiting, hiring, pay, placement, promotion, termination and all other terms and conditions of employment.

Sexual harassment specifically, may take many forms, including but not limited to the following:

1. Conduct that has the purpose or effect of unreasonably or substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

2. Employment decisions that are based on submission to or rejection of sexual advances or conduct.
3. Submission to a sexual advance or conduct that is either an explicit or implicit term or condition of employment.

An employee who believes he or she has been a subject of discrimination or harassment must immediately report it to the principal or to the pastor if the employee cannot go to the principal. An investigation of all complaints will be undertaken as soon as possible and to the extent possible consistent with thorough investigation, will be conducted in confidence. All personnel are expected to cooperate fully with any investigation. An employee found to violate this policy will be subject to disciplinary action up to and including immediate termination, depending on the circumstances.

Retaliation against an employee who reports discrimination or harassment, or who participates in an investigation of discrimination or harassment, will not be tolerated and will subject the offending employee to disciplinary action, up to and including immediate termination. An employee who believes he or she has been the subject of retaliation should immediately report it to the principal.

Provided, however that this policy shall not be construed to interfere with the right of the Diocese of Marquette pursuant to Policy 4220, or contract, to utilize religious hiring standards and to require as condition of continued employment to follow the teachings, beliefs and values of the Roman Catholic Church; and the right to terminate employment pursuant to Policies 4040 and 4140, or contract, for the failure to follow those teachings, beliefs and values.

4230 Religious Standard in Employment:

In both personal and professional life, an employee must exemplify the teachings of the Catholic Church. The employee must not teach, advocate, model, or in any way encourage beliefs or behaviors that are contrary to the teachings of the Catholic Church.

This hiring procedure is consistent with applicable law as applied to Roman Catholic educational institutions.

4240 Exit Protocol/Interview:

An exit interview is recommended for all employment separations. If a staff member voluntarily terminates employment, a letter of resignation signed by the terminating employee should be requested and placed in his/her personnel file.

4250 Criminal Background Check

Written consent must be obtained from an applicant at the time of application in order for the state police to conduct a criminal background check. Since the law requires criminal

background checks only on new hires, not every applicant must have a search done; just those you intend to hire, even if they have been employed before.

Schools may offer conditional employment until the report is received and reviewed by the school.

Criminal history record information may only be used for evaluating the applicant's qualification for employment in the position for which he/she has applied. This information MAY NOT be disclosed to anyone not involved in evaluating the applicant's qualifications for employment.

4260 Safe Environment Training

Every new hire must complete the diocesan-approved "Protecting God's Children" course.

4270 Status of Employment

Full time "fiscal year" employee. An employee hired for a position requiring a minimum of 35 hours per week for 52 weeks of the fiscal year, shall be classified as a full time employee.

Full time "school year" employee. An employee hired for a position requiring a minimum of 35 hours per week for 40 weeks of the school year and a minimum of 10 hours per week for 10 weeks, shall be classified as a full time employee.

Part time "fiscal year" employee. An employee who works 52 weeks per year, less than 35 hours per week, the same number of hours every week of the year, shall be classified as a part time "fiscal year" employee.

Part time "school year" employee. An employee who works less than 52 weeks per year and/or less than 35 hours per week shall be classified as a part time "school year" employee.

Temporary employee. An employee hired to fill in during the absence or vacation of full time and part time employees shall be classified as a temporary employee. Temporary employees are not eligible for any benefits other than social security, unemployment and workers' compensation insurance.

Non-Exempt or Exempt Employees. These terms are used to indicate which positions are eligible or ineligible for pay for overtime in accord with Federal Wage and Hour Laws. Non-Exempt employees are eligible for overtime pay. Exempt employees are not eligible for overtime pay. The Diocese will determine if an employee is classified as exempt, as there are legal restrictions regarding this classification.

4280 Work Hours

Regular work hours shall be established for each school employee. Attendance during all scheduled hours of work, reporting for work on time and continuing to work to the end of the

work period are expected of every employee. Unsatisfactory attendance, including reporting late or quitting early, may be cause for disciplinary action, including discharge.

All employees, except those exempted as executive supervisor or professional, are covered by the overtime provisions of the Federal Fair Labor Standard Act of 1938. All Non-Exempt employees who work beyond 40 hours per week will be compensated at a rate of time and one-half for their overtime. All overtime pay must receive prior written authorization of the employee's immediate supervisor.

4290 Whistleblower

The purpose of this policy is to protect those individuals who want to raise issues of illegal, dishonest, or unethical behavior with the assurance of not becoming a target of subsequent recrimination. This formal policy has been implemented in the spirit of the initiatives of the Sarbanes-Oxley Act that was signed into law in July, 2002. This law prohibits publicly traded companies from taking any adverse employment action against an employee because of his/her protected whistleblowing activities, but some of the concepts are appropriate for non-profit organizations as well.

A whistleblower is defined by this policy as an employee of a parish, school; or other associated entity who reports an activity that he/she reasonably believes to be illegal or dishonest or reports unethical behavior to one or more of the parties specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

"Dishonest" or "unethical" is defined as violating some objective and publicly identifiable standard of conduct, not merely the reporter's subjective opinion. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; or other fraudulent financial reporting. Examples of dishonest and unethical behavior include violations of employer policies in the respective Employee Personnel Manuals, or similar published policies.

If an employee has knowledge of or a concern of illegal, dishonest, or fraudulent activity or of unethical behavior, the employee is to contact: his/her immediate supervisor or school principal or the school pastor/pastoral delegate or Diocesan Director of Finance and Administration.

An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas - confidentially and against retaliation. To the extent practical under the circumstances, the confidentially of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and employer policy and to provide accused

individuals their legal rights of defense. The employer and associated entities will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and threats of physical harm for making a report. Any whistleblower who believes he/she is being retaliated against must contact their immediate supervisor or school principal or the school pastor/pastoral delegate immediately either through written or verbal communication, i.e., signed written letter, in-person visit, etc. In the event that any of the foregoing are the persons believed to be retaliating, then the contact should be directed to the Diocesan Director of Finance and Administration, and in those cases where the Diocesan Director of Finance and Administration is the person believed to be retaliating, then the contact should be directed to the Bishop. The right of a whistle blower for protection against retaliation does not include immunity from personal complicity in wrongdoing or any other misconduct.

Compensations and Related Benefits

4310 Compensation for Members of Religious Communities:

In Michigan, compensation is ordinarily determined by the Religious Institute, Congregation or Order. The Religious Community sends its financial information directly to the parish/institution. Financial arrangements are handled with the Principal or Pastor.

4320 Health-Medical Insurance

The following constitutes a summary of health-medical insurance benefits available through the Michigan Catholic Conference. The actual terms of the benefit, contained in the plan documents, are available for review and shall govern in the event of any discrepancy between this summary and the plan documents.

1. All eligible employees are able to participate in the Michigan Catholic Conferences Health/Medical Insurance Program (premium sharing paid by school may differ, according to hours worked). Active employees are eligible based upon the number of hours worked per week as defined by the MCC.
2. The employing school pays 80-90% of the employee's portion (single coverage) of the cost of the coverage for all full-time fiscal year and full-time school year employees. The employing school pays 0% of the employee's portion (single coverage) of the cost of the coverage for all employees working less than 35 hours per week.
3. Employees with dependents can, at their discretion, extend hospital/medical insurance to their dependents according to the MCC Hospital/Medical Program. The premium cost for dependent coverage shall be paid by the employee.
4. Employees enrolled in the MCC Hospital/Medical program must be enrolled in the MCC Flexible Benefit Plan.

4330 Dental Insurance

The following constitutes a summary of dental insurance benefits available through the Michigan Catholic Conference. The actual terms of the benefit, contained in the plan documents, are available for review and shall govern in the event of any discrepancy between this summary and the plan documents.

1. All eligible employees are able to participate in the Michigan Catholic Conferences Health/Medical Insurance Program (premium sharing paid by school may differ, according to hours worked). Active employees are eligible based upon the number of hours worked per week as defined by the MCC.
2. The employing school may pay 0-90% of the employee's portion (single coverage) of the cost of the coverage for all full-time fiscal year and full-time school year employees. The employing school pays 0% of the employee's portion (single coverage) of the cost of the coverage for all employees working less than 35 hours per week.
3. Employees with dependents can, at their discretion, extend dental insurance to their dependents according to the MCC Dental Program. The premium cost for dependent coverage shall be paid by the employee.
4. Employees enrolled in the MCC Dental program must be enrolled in the MCC Flexible Benefit Plan.

4340 Flexible Benefit Plan

Full time and part time fiscal and school year employees are eligible to participate in the Flexible Benefit Plan expense accounts. Also offered under the Flexible Benefit Plan is the Employer Compensation Account. The school offers the Employer Compensation Account to full time "fiscal year and school year" employees who have medical coverage through another source. This benefit can be paid to the employee in lieu of enrolling in the MCC group medical plan. The benefit is determined annually by the school. This amount is subject to annual review and revision.

4350 Retirement Compensation

The following constitutes a summary of retirement benefits available through the Michigan Catholic Conference. The actual terms of the benefit, contained in the plan documents, are available for review and shall govern in the event of any discrepancy between this summary and the plan documents.

Membership in the Michigan Catholic Conference Retirement Plan is mandatory for all lay employees (working 20 hours or more for at least 5 months of the year), of the seven dioceses of Michigan, employed in parishes, schools or other diocesan institutions under the direct jurisdiction of the Bishop.

Lay employee participation in the Retirement Plan is paid for by the employer.

4360 Unemployment and Worker's Compensation

The school shall maintain Unemployment Insurance and worker's compensation insurance coverages in accordance with state and federal statutes.

4370 Disability benefits

All employees working over 20 hours per week are provided the protection of accident and sickness disability benefits.

Subject to the expiration of ten (10) consecutive business days, an eligible staff member may receive short-term disability benefit payments for total disability at the rate of 66-2/3% of covered monthly salary. Short-term disability benefits are payable for a maximum of six months.

Personnel Records

4410 Personnel Records

The principal shall keep accurate, complete and updated personnel records on file in his/her office. An employee's medical records or information shall be maintained separately from his/her personnel records. An employee's personnel and medical information shall be confidential and subject to disclosure only as provided by Michigan law.

4420 Electronic Systems:

All information created, stored, transmitted, received or contained in parish, school, or Diocesan electronic systems is subject to review by authorized managers without notice, at any time. These systems include telephone, voicemail, e-mail, computer, facsimile and copy machines and internet access systems. There should be no expectation of personal privacy when using these systems.

Each employee using these electronic systems consents to review of all contents of the systems by authorized parish, school, or Diocesan officials. Electronic systems are to be used for school business.

1. All information is subject to inspection without notice.
2. Systems may not be used in any way that violates harassment or discrimination policies, and may not be used to access, create, or store any information that is obscene or offensive.

3. Non-public information about school operations, personnel, and students must be kept secure and is not to be disclosed, copied, transmitted, or taken outside the school without written management authorization.
4. Accessing any system or portion of a system without authorization, or using another person's password or other access codes is prohibited. An Employee's family members or friends shall not be permitted access to electronic systems, except telephone.
5. Misrepresenting one's identity or sending information anonymously using the systems is prohibited.
6. Creating or allowing any outside access to these systems through modems or otherwise is prohibited unless authorized in writing. No employee may use passcodes, access files or retrieve any stored communications to which they do not have prior written clearance.
7. No software may be placed on any system except as expressly authorized by the school.
8. Employees who violate this policy are subject to discipline, up to and including termination of employment.

4430 Personnel Policy Manual

Each school shall provide employees with a copy of these Personnel Policies. Any procedures or practices at each local school must be consistent with these Personnel Policies and must be approved by the Diocese of Marquette. To the extent that any local procedures or practices are inconsistent with these Personnel Policies, these Personnel Policies shall prevail.

4440 Health - Infectious Diseases

The principal is to notify the Office of Catholic Schools immediately in the event any employee or student is identified as having a serious communicable or infectious disease (i.e. head lice, pinkeye, etc.)

The principal will work with the Office of Catholic Schools, the pastor, family, and physicians in developing an appropriate course of action.

Reports, records, data and information regarding a serious communicable or infectious disease is, in most instances, confidential and subject to limited disclosure.

Absences from Work

4510 Military Leave

Employees who voluntarily enlist in the Armed Forces (Reserves or Regular Service) shall be granted time off without pay. Upon completion of such service, the rights under the Universal Military and Training Service Act shall be upheld. Employees who are members of an organized Reserve Unit of the Armed Forces who are expected to participate in periods of special training or emergencies will be granted time off with pay for a period not to exceed two (2) weeks during

any calendar year. Such time off will not be charged to other types of leave with pay (i.e., vacation, sick leave, etc.).

Should an employee be required to be away from work for reserve duty for a period longer than a two (2) week period, the time beyond two weeks will be without pay; the employee, however, may elect to use any accrued or unused vacation time for the duration of the assignment.

In order to receive pay under the provisions of this policy, the employee must present a copy of his/her military orders to his/her supervisor prior to the scheduled leave for reserve duty.

4520 Jury Duty

Employees called and absent because of jury duty will be paid the difference between the pay received for jury service and their regular salary, that is, the employee will receive regular pay reduced by the amount of the per diem allowance received from the court.

Employees may sign their jury pay over to the employer and then receive their full payment of salary. Employees selected for jury duty should immediately notify their supervisor. In most cases, jury duty does not necessitate full time absence from work and the employee is expected to fulfill the position's requirements to the greatest extent possible.

4530 Sick Leave

Non-contracted full time employees shall be granted paid absence from employment for health reasons or injury at the rate of one (1) day per calendar month employed (at 35 hours each week) and will be accumulated monthly. Unused absence for health reasons or injury may accumulate up to a maximum balance of twenty (20) days. Non-contracted employees who are hired on less than a full time basis and regularly scheduled to work 20 hours or more per week shall earn a proportionate share of paid absence for health reasons or injury. Sick days may only be used by the employee who earned them. No payment of unused sick leave will be given upon termination of employment.

An employee may use paid absence for his or her own illness or injury or to attend to the illness of the employee's immediate family. "Immediate family" for the sick leave policy includes the employee's spouse, children, parent or other relative living in the employee's home.

"Health reasons" include illness, pregnancy or related illness, injury, exposure to contagious disease endangering others, doctor or dentist appointments or for other similar absences that are approved by the supervisor.

During an absence in excess of five (5) days, the employee will notify the employer in writing as to probable length of absence and the Principal will request written notice from the employee's physician to verify the reason for absence and/or to ensure that the employee is physically sound and able to perform all normal duties of the employee's position upon return.

4540 Bereavement

Non-contracted employees regularly scheduled to work 20 hours or more per week shall be granted three (3) consecutive days of paid absence for the death or funeral of a member of the employee's immediate family when they fall on a normal work day. The term "immediate family" is interpreted to mean: spouse, children, step-children, foster-children, parents, step-parents, foster-parents, mother-in-law, father-in-law, grandparents, grandchildren, sisters and their spouses, brothers and their spouses, the sons-in law, the daughters-in-law, or any other relative of the employee or spouse residing in the household of the employee.

4550 Vacation

All fiscal year employees regularly scheduled to work 20 hours or more per week are eligible for paid vacation.

Accrual of vacation begins from the first day of employment. No vacation may be authorized until the employee has completed three months of employment. Vacation time is accrued for all fiscal year employees as follows:

	Fiscal Year Employees
1 st year	7 days
2 nd – 10 th year	12 days
11 th – 20 th year	17 days
After 20 years	22 days

A year for measuring vacation accruals begins with July 1 and ends on June 30. No more than 12 vacation days may be carried over to the next fiscal year. All unused days are forfeited without pay. If employment is terminated, employees will be paid for unused vacation days as of the date of termination.

Vacations are scheduled so that the needs of the school are continually met. Requests for vacation must be received at least two weeks prior to the desired date and must involve at least one-half day absence from work. Holidays that fall within a vacation are not counted as a vacation day used.

Employees falling under any classification other than, full-time fiscal year employee or part-time fiscal year employee shall not be eligible for any paid vacation time.

4560 Holidays

All full time fiscal and school year employees of the school will be allowed to take off, with pay, the following holidays when they are observed on a scheduled workday. The holidays are:

New Year's Day
Good Friday
Memorial Day
Independence Day
Labor Day

Thanksgiving Day and the
day after Thanksgiving
Christmas Eve Day and
Christmas Day

4570 Snow Day/Inclement Weather

If the weather is such that all local schools have been canceled due to inclement weather (snow, rain, tornado, other acts of God, etc.) school year employees have the day off without pay. Fiscal year employees are encouraged to come into work if and when they are able. If a fiscal year employee is unable to come in, it will be considered an excused absence without pay.

4580 Leave of Absence without Pay

The School Council may grant unpaid leave of absence for medical or personal reasons provided holding the position open will not interfere with its operation. As a general rule, unpaid leave granted for personal reasons will not exceed thirty (30) days. Unpaid leave granted for medical reasons, including child bearing, generally will not exceed three (3) consecutive months.

Except for emergencies or extenuating circumstances, requests for an extended leave of absence without pay beyond the 30-day time period must be submitted in writing to the principal at least thirty (30) calendar days prior to the date projected for the commencement of the leave. The leave may be approved for up to three (3) months, with a possibility of extension, not to exceed an additional three (3) months. Requests for such extensions must be submitted in writing by the employee to his/her principal prior to the expiration of the leave. Approval of a leave of absence does not guarantee that the same position will be available to the employee on his/her notification of intent to return to employment. The School will make an effort to place an individual returning from a leave of absence in a similar vacant position, should one exist, upon receipt of written notification of such intent to return to employment.

While on extended leave of absence without pay beyond 30 days, an employee will not be eligible for employer paid group health, disability, life insurance, or any other related benefit; nor will a contribution be made to the Michigan Catholic Conference Retirement Plan. Length-of-service time will be frozen and, on return, will be considered in calculating vacation, sick leave and length of service for retirement purposes.

4590 Personal Days

All full time school year employees are eligible for two personal days per year. Personal days cannot be carried over from year to year.