



ROMAN CATHOLIC
DIOCESE OF ROCHESTER

Employee Handbook

Pastoral Center

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1.00 WELCOME

Welcome to the Roman Catholic Diocese of Rochester ("the Diocese") and the Pastoral Center. The Pastoral Center is the Administrative hub of the Diocese of Rochester. The Diocese extends from the south shore of Lake Ontario, through New York's Finger Lakes region, and to the New York-Pennsylvania border. Established in 1868, the Diocese encompasses 12 counties and is home to more than 300,000 Catholics in over 90 parishes and several affiliated organizations.

The Pastoral Center exists to advance the mission and vision of the Diocese of Rochester by providing excellence in service and leadership to parishes, faith communities and institutions.

1.01 PURPOSE OF THIS EMPLOYEE HANDBOOK

This Handbook summarizes many of the privileges, benefits and responsibilities you have as an employee of the Pastoral Center. This Handbook is intended to acquaint employees with the human resource policies and procedures of the Pastoral Center and should be a useful reference. Above all, it will promote consistency, fairness and understanding. The provisions of this handbook do not create contractual obligations with respect to any matters it covers.

The handbook is web-based with links to supplemental information on some subjects. Periodic updates will be provided electronically on the Policies Database in Lotus Notes and announced through Diocesan Updates and/or email. If you have questions about information in the handbook, please contact the Human Resources Department.

This Handbook and its policies, procedures and benefits are in effect as of the date at the bottom of each page and supersede all other employee handbooks/manuals previously distributed by the Pastoral Center. This handbook is intended to be in compliance with all federal, state, and/or local laws. To the extent any provision is inconsistent with any applicable federal, state, and/or local law, the Pastoral Center will comply with the prevailing law. To avoid confusion, please discard any copies of previously published employee Handbooks. The Pastoral Center may enhance, alter, reduce or terminate any policies, pay practices, premium contributions, benefits, and/or benefit plans at any time. The statements regarding our policies, procedures and benefits are for information purposes only.

1.02 EMPLOYMENT-AT-WILL

Employment at the Pastoral Center is "at-will", and this Employee Handbook is not a contract of employment, either expressed or implied, and is not for guaranteed employment. Instead, either the Pastoral Center or the employee can terminate the employment relationship at any time, with or without cause, and with or without notice. Nothing in this handbook or in any document or statement, written or oral, shall limit the right to terminate employment-at-will. **The policy of employment-at-will may not be modified by any written or oral statements except by a written agreement signed by the Moderator of the Curia or Bishop of Rochester.**

1.03 EMPLOYEE DEFINITIONS

For the purpose of benefit eligibility, the following employee definitions are in effect:

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- Full-time, Benefit Eligible Employees. Employees regularly scheduled to work a minimum of 35 hours per week over twelve (12) calendar months.
- Part-time, Benefit Eligible Employees.
 - Employees regularly scheduled to work at least 35 hours per week but less than 12 months during the calendar year.
 - Employees regularly scheduled to work more than 20 hours per week over twelve (12) calendar months.
- Part-time Employees. Employees regularly scheduled to work less than less than 20 hours per week **are NOT benefit eligible.**
- Temporary or Seasonal Employees. Employees hired to perform a function for a specified period of time **are NOT benefit eligible.**

2.00 HUMAN RESOURCE POLICIES

The policies in this section of the handbook are centered on the Pastoral Center's commitment to providing a fair and safe work environment for all employees.

2.01 SAFE ENVIRONMENT POLICY

In 2002 the United States Conference of Catholic Bishops ("USCCB") issued the *Charter for the Protection of Children and Young People* ("the Charter") to provide all dioceses in the United States direction on how to better protect children and vulnerable adults. There are three major components of the Charter that affect all employees:

- A background check must be completed before each employee is hired and renewed every three (3) years or upon request of employer.
- Successful completion of *Safe and Sacred* training within the first 30 days on the job is mandatory and renewed every three (3) years. The training can be found at: www.safeandsacred-dor.org
- Code of Conduct compliance is mandatory.

2.02 EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION

The Pastoral Center is an equal opportunity employer. It is the policy of the Pastoral Center to promote equal opportunity and prohibit discrimination and harassment in the areas of recruitment, hiring, compensation, promotion, job assignments, transfers, demotions, training, leaves of absence, layoffs, benefits, termination and employer-sponsored activities, including social and recreational programs. The Pastoral Center complies with all laws of the state of New York and the federal government pertaining to civil rights and equal opportunity, including applicable executive orders. Employment, development and promotion at the Pastoral Center will go to individuals whose training and experience most closely qualify them for the positions without regard to race, creed, color, national or ethnic origin, sex, gender, age, sexual orientation, religion, marital status, military or veteran status, predisposing genetic information, domestic violence victim status, previous conviction of criminal offenses (except where permitted by law), or disability (including physical, sensory or mental), or any other status or characteristic protected under federal, state, or local law, except where religion, gender, or ordination is a bona fide occupational qualification.

Employees with questions or concerns about equal employment opportunity related issues and/or discrimination or harassment should bring these issues to the attention of their immediate supervisor or the Human Resources Department. Employees may raise concerns and make reports in good-faith, without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

2.03 REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

The Pastoral Center fully supports the Federal Americans with Disabilities Act (ADA), the ADA Amendments Act (ADAAA) and New York State Human Rights Laws which make it unlawful to discriminate in employment against a qualified individual with a disability. The Pastoral Center's

commitment to this policy includes making reasonable accommodation to qualified persons with disabilities to enable them to perform the essential functions of their jobs, unless to do so poses an undue hardship or a direct threat to health or safety.

The employee should make his/her supervisor aware of the need for an accommodation. The supervisor will work with the Human Resources Department and the individual to define his/her job-related needs and to try to accommodate those needs. Employees may not refuse to work alongside co-workers who have disabilities. The decision as to whether a particular accommodation will be made rests with Human Resources. Also, when appropriate, Human Resources may need permission from the employee to obtain additional information from his or her physician and/or other medical rehabilitation professional regarding the type of accommodation needed.

2.04 HARASSMENT FREE WORKPLACE

The Pastoral Center is committed to providing a work environment free from all forms of harassment and discrimination. In furtherance of this commitment, any form of harassment because of race, creed, color, national or ethnic origin, sex, gender, age, sexual orientation, religion, marital status, military or veteran status, predisposing genetic information, domestic violence victim status, previous conviction of criminal offenses (except where permitted by law), or disability (including physical, sensory or mental), or any other status or characteristic protected under federal, state, or local law is strictly prohibited and. Harassment, whether it is sexual, physical, verbal or written in nature, as well as unlawful discrimination, are prohibited forms of employee misconduct.

This policy applies to all employees, applicants, volunteers, and other individuals who may have a direct connection to the Pastoral Center (e.g., outside vendors, consultants, contractors, and visitors). Conduct prohibited by this policy is unacceptable in the workplace, at any work-related setting outside the workplace, business trips, business meetings, and business-related social events.

Specific types of harassment include, but are not limited to:

- **Physical harassment** includes but is not limited to pushing, hitting, touching or other offensive behavior of a physical nature.
- **Verbal harassment** refers to derogatory or degrading verbal comments regarding, or made because of, an individual's membership in one of the categories listed above. Specific examples include, but are not limited to: unwelcome jokes, gestures, epithets and teasing.
- **Written harassment** refers to derogatory or degrading written comments regarding, or made because of, an individual's membership in one of the categories listed above. Specific examples include, but are not limited to: e-mail, memos, notes, social networking sites and blogs, graffiti and other visual depictions.
- **Sexual harassment** refers to sexually oriented behavior that is not welcome, that is personally offensive and that interferes with work effectiveness. Sexual harassment includes, but is not limited to unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature where submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, situations where submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or situations where such conduct has the purpose or effect of unreasonably interfering with an individual's work performance

or creating an intimidating or hostile environment using vulgar remarks, jokes, teasing and uninvited touching.

Employees who become aware of, believe they have witnessed, or believe they have been the subject of harassment are required to report their charge immediately to the Human Resources Department, or any member of management they feel comfortable discussing the matter with. The Human Resources Department is responsible for investigating all complaints, and will do so promptly and thoroughly. The Pastoral Center will make every effort to protect the identity of the person making the complaint and of the accused party or parties, except as may be reasonably necessary to successfully complete the investigation and take necessary action to resolve a complaint.

If an allegation of harassment or discrimination is found to have merit, the Pastoral Center will take appropriate remedial and/or disciplinary action, up to and including termination. False and malicious complaints of harassment, discrimination, or retaliation, as opposed to complaints which, even if erroneous, are made in good faith, may be subject to appropriate disciplinary action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Individuals who feel that they have been retaliated against for reporting a claim should contact the Human Resources Department immediately.

2.05 DOMESTIC VIOLENCE AND THE WORKPLACE

The Pastoral Center is concerned and committed to employees' safety and health including employees who are victims of domestic violence. For employees who are affected by domestic violence, every reasonable effort will be made to provide support and assistance.

For more information or assistance please contact Human Resources Department at 328-3228 or the Employee Assistance Program at 1-800-327-2255.

2.06 DRUG, ALCOHOL AND TOBACCO FREE WORKPLACE

The use, possession, sale, conveyance, distribution or manufacture of controlled substances (as defined in Title 21 of the Code of Federal Regulations), illegal drugs, or alcohol is expressly prohibited on Parish, School or Diocesan (including vehicles) property. Compliance with this policy is a condition of employment, and any covered employee who engages in any such behavior may be subject to disciplinary action, up to and including termination, and possible criminal prosecution. Local police must be called to investigate suspicion of a violation of this policy. Employees who are taking drugs prescribed by a physician, dentist or other licensed practitioner which may affect their ability to safely perform their job, should bring this information to the attention of a supervisor. Employees may provide a written statement to their supervisor from their attending physician specifying any work restrictions and should do so prior to starting work under the influence of this drug(s).

Also prohibited is the unauthorized use of controlled substances or alcohol on non-working time off of Parish, School or Diocesan premises to the extent such actions impair an employee's ability to perform his or her job or otherwise adversely affects the Parish, School or Diocese.

Except for Parish, School or Diocesan sponsored events, alcohol will not be brought on to or consumed on Parish, School or Diocesan property. In cases where alcohol will be served, all New York State laws and licensing requirements will be followed.

New York State Law prohibits smoking in all Parish and Diocesan buildings as well anywhere on School grounds. Employees, volunteers and visitors should refrain from smoking any closer than 50 feet from Parish or Diocesan buildings or near any building entrance or parking lot where other employees and/or visitors would be exposed to second-hand smoke.

Underage possession or use of alcohol and tobacco on Parish, School or Diocesan (including vehicles) property is strictly prohibited.

2.07 WAGE AND HOUR COMPLIANCE

The Fair Labor Standards Act (FLSA) is the federal law that sets minimum wage, overtime pay, equal pay, record keeping, child labor standards, and generally governs all wage and hour matters for covered employees. New York State has similar wage and hour laws contained in the New York Labor Law.

Questions or concerns regarding overtime issues or exemption criteria be answered in the Wage and Hour Compliance Policy or by contacting the Human Resources Department.

Wage and Hour Training is mandatory for all employees and is available online at: <http://slate.workplaceanswers.com/dor/>

2.08 PERSONNEL RECORDS

The Pastoral Center maintains an official personnel file for each employee that contains necessary job-related and personal information. These files are the property of the Pastoral Center.

Active employees may see information which is kept in their own personnel file, except for confidential materials such as job references or information relating to other employees. Employees may not remove any information or material from their personnel file. Upon termination of employment, the employee is no longer allowed access to their personnel file, except for copies of medical records.

All inquiries or requests for information about employees (active or inactive) from people outside the Pastoral Center should be referred to Human Resources. This applies to all requests, whether written or verbal.

Human Resources Department is responsible for maintaining personnel files per the Records Retention Policy. Employees are responsible for updating any changes to personal data by contacting Human Resources.

2.09 EMPLOYMENT OF RELATIVES AND CLOSE ASSOCIATES

In order to avoid the possibility of conflicts, claims of favoritism and other issues that may arise when family members or close friends or associates work for the same employer, the employment of immediate family members, close friends or associates will only be approved under specific conditions. However, no employee shall supervise, vote, make recommendations,

or in any other way participate in the decision of any matter that may directly affect the appointment, promotion, salary, or any other status or interest of such employee's spouse, parents, step-parents, children, stepchildren, grandchildren, sisters, step-sisters, brothers, step-brothers, foster children, parents-in-law, sons/daughters-in-law, brothers/sisters-in-law, family members residing in the same household or any individual who is a close friend or associate of the employee. Any employee who may be involved in, or aware of an employment decision involving a close friend or associate including hiring, must reveal this fact to Human Resources as soon as possible.

2.10 POLICY COMPLIANCE

The Pastoral Center strives to provide a safe and fair work environment by ensuring employees adhere to the policies in this Handbook. Employees who violate the rights of others or Diocesan policy may be subject to appropriate corrective and/or disciplinary action, up to and including termination. Details of corrective and disciplinary actions can be found in the Code of Conduct.

2.11 WHISTLEBLOWER POLICY

Priests, employees and volunteers are protected from retaliation of any sort if they report illegal or fraudulent behavior by or within the DORAE as outlined in the Whistleblower Policy.

3.00 EMPLOYEE RELATIONS AND COMMUNICATIONS

3.01 CONFLICT RESOLUTION

If a workplace disagreement exists, every effort should be made to remedy the issue with the immediate supervisor or the first-level supervisor not involved in the dispute. Employees who are not satisfied with the outcome of this first session or are not comfortable raising a particular issue with their immediate supervisor, are welcome to discuss the situation with the Human Resources Department. Employees should not keep concerns to themselves.

3.02 SOLICITATION AND DISTRIBUTION

In order to prevent disruptions in the operations of the Pastoral Center and protect employees from annoyance, embarrassment and interference with their work, with the exception of pre-approved charities, solicitation and the distribution and posting of non-work-related literature must be approved by the Diocesan Director of your department.

3.03 PUBLIC RELATIONS AND MEDIA INQUIRIES

Contact with the media is at times, sensitive, thus media requests for official Pastoral Center statements may be handled only by the Diocesan Director of Communications or a designee. Any telephone calls or visits from members of the media requesting the Pastoral Center's official statement should be directed to the Diocesan Director of Communications.

4.00 ATTENDANCE & LEAVES OF ABSENCE

4.01 WORK HOURS

The Pastoral Center is committed to providing a full range of services during the normal business hours established, including lunch hours. Although departmental needs determine employees' specific work schedules, the Pastoral Center's usual working hours are 8:30 am – 4:30 pm, with a one-hour lunch break, Monday through Friday, throughout the calendar year. The Pastoral Center observes an alternate schedule during the summer months. (8:00 am – 4:30 pm with a 45 minute lunch break, Monday through Thursday, and 8:00 am – 12:00 Noon on Friday. Because of the nature of Pastoral Center business, workdays and hours may vary with the job. Overtime is calculated based on the start and end of the workweek.

Meal breaks are in compliance with Federal and State laws. Generally, a one-hour, unpaid meal break is standard, unless otherwise stated for an employee's position and/or department. The noonday meal period extends from 11:00 a.m. to 2:00 p.m. Employees who work six or more hours extending over the noonday meal period are required to have an unpaid meal break of at least thirty (30) minutes. Supervisors are responsible for scheduling meal breaks.

4.02 ATTENDANCE EXPECTATIONS AND ABSENCE PROCEDURES

Each employee's position and assignment is important. It is essential that employees be at work on time. An employee who is going to be late or absent from work must personally call his/her supervisor within 30 minutes of the start of the workday. Employees who are absent for more than one day must call back each day they are absent, unless other arrangements have been made for disability or FMLA leaves. An employee who is absent for three days without contacting their supervisor will be considered to have voluntarily resigned and employment may be terminated.

4.03 TIME REPORTING

Timekeeping is a legal matter, and time records are required for all employees. Time records are kept on file for all current employees and for 6 years following the end of employment. Altering, falsifying, or tampering with time records may result in disciplinary action, up to and including termination of employment. Employees are also prohibited from recording the time for, or on behalf of another employee for any reason or under any circumstances. Employees who do not believe their pay accurately reflects all hours worked should report their concerns to the Human Resources Department immediately.

- Non-Exempt employees are required to record their actual hours worked and/or any absences on a timesheet each week, signing it and then submitting it to their supervisors by no later than the last day of each pay period, unless otherwise notified.
- Exempt employees are responsible for recording and reporting their absences from work for reasons such as paid time off (PTO), bereavement or other paid time off benefits in the Lotus Notes PTO Database.

For more information on Time Reporting, see Wage & Hour Compliance Policy.

4.04 LEAVES OF ABSENCE

Employees are eligible for paid leave as outlined in this section. Relevant law or other Diocesan policy may supersede the following leave guidelines. Consult Human Resources for current applicable rules, regulations, and procedures.

Leave for Work Related Injury or Illness

For employees who are injured while on the job or who develop an occupational illness, medical expenses and loss of earnings up to the specified maximum normally will be covered by NYS Workers' Compensation Insurance Policy. Compensation under this plan is based on a formula using the employee's average weekly wages. All work related injuries should be reported to your supervisor or Human Resources immediately.

Military Leave

The Pastoral Center recognizes the obligation of those employees serving in any branch of the military or other uniformed services of the United States. Employment status is protected by the Uniformed Services Employment and Reemployment Rights Act (USERRA) and/or the New York State Military Law, as applicable.

Employees who serve on active or reserve duty will be granted an unpaid leave of absence up to the maximum time required by law. The Pastoral Center is committed to preserving the job rights of employees absent on military leave in accordance with law. Employees will receive one paid day of leave if they need time off for a health physical related to military duty. Employees will be paid the difference between their normal weekly compensation (base rate) and military duty pay for two weeks if they are called to serve on military duty. After two weeks of paid military service, employees will receive unpaid time off for military service. Employees on unpaid military leave may choose to apply PTO benefits to their absence. Employees are expected to inform their supervisors and Human Resources as far in advance as possible of military leave. Employees must submit a copy of their military orders to their supervisors.

Information about continuation of benefits during military leave is available from Human Resources. Upon return from military service, an employee must provide advance notice of, or timely submit an application for reemployment in accordance with applicable federal and state law. Employees returning from military leave will be reinstated as required by federal and state law. Contact your supervisor or Human Resources for additional information.

Spousal Military Leave

An employee whose spouse is a member of the Armed Forces, National Guard, or Reserves and has been deployed during a period of military conflict to a combat theater or combat zone of operations is entitled to up to 10 days of leave per deployment. During this period of leave, an employee may use his or her own leave accruals or request unpaid leave. To be eligible for such leave, an employee must work an average of 20 hours or more per week.

Bereavement Leave

In the event of a death in an employee's immediate family, employees may take a leave immediately following the death for the purpose of making arrangements and attending the

funeral. Employees should notify their supervisor as soon as possible of their need for a leave. Employees may be required to provide evidence of the need to take bereavement leave.

Full-time and part-time, benefit-eligible employees will receive up to three days off with pay in the event of a death of an immediate family member. For the purposes of this policy, members of the immediate family include: spouse, parents, children, stepchildren, sisters, brothers, grandparents, parents-in-law, sons/daughters-in-law, stepparents, stepparents-in-law and other relatives living in their home.

Part-time, benefit-eligible employees will be allowed a prorated number of paid bereavement hours when taken on a regularly scheduled workday. The amount of time is based on the hours scheduled normally per week divided by the number of days scheduled to work during the week.

Leave for Voting

Supervisors are to arrange employees' working hours on the day of a primary, general or special election to allow employees reasonable time to vote. (Up to two hours may be allowed.)

Jury Duty – Civic Leave

The Diocese of Rochester considers service on a jury to be an important civic duty. Employees are entitled to leave for jury duty, as subpoenaed trial witness, and/or for other subpoenaed civic duty. Employees serving on jury duty will not lose pay, benefits or seniority. As soon as possible, employees must submit a copy of the Jury Duty Attendance Certificate to their supervisor indicating the dates served. In fairness to the Diocese of Rochester and its staff members, employees are expected to return to work if they are excused from such duty during their regular working hours.

Bone Marrow and Blood Donation Leave

In accordance with New York State law, the Pastoral Center offers employees a leave of absence for the purpose of bone marrow and blood donation. Any employee who seeks to undergo a medical procedure to donate bone marrow will be granted a leave of absence no longer than 24 work hours. This leave is unpaid. Employees who work at least 20 hours per week may be granted three hours of leave in any 12-month period of time for the purpose of donating blood. This leave is unpaid. Employees must provide verification from a physician as to the purpose and length of leave requested for bone marrow donation. The Pastoral Center also may require employees who take leave for blood donation to provide sufficient proof of their blood donation. You are requested to give as much advance notice as possible for both bone marrow and blood donation.

Nursing Mother's Rights

New York State law requires that nursing mothers may receive break time each day to express breast milk for up to three years after the birth of a child. Meal periods may also be used for this purpose. Every effort will be made to provide a nearby private room in which to express breast milk. No nursing mother/employee will be penalized or retaliated against for choosing to express breast milk. If you need a private room, see your supervisor for details.

Retreat Days

The Pastoral Center encourages employees to take occasional time off for spiritual retreat purposes. With permission of supervisor, employees may take up to one scheduled workweek each year with pay to participate in an established spiritual retreat program. Employees pay for

all costs associated with the retreat. Employees may not carry over unused retreat time from one year to the next. Employees are not paid for unused retreat days upon termination.

Family Medical Leave Act

The Pastoral Center provides eligible employees with time off when compelling family or medical problems covered by the Family and Medical Leave Act ("FMLA" or the "Act") require a leave of absence. In the event that any of the provisions of this policy conflict with the FMLA and its accompanying regulations, then the Act and its accompanying regulations will control.

A. Eligibility

Employees become eligible to apply for FMLA leave after completing 12 months of employment and working 1,250 hours during the 12 month period immediately before the employee takes leave. The employee must work at a location which employs at least 50 employees, or which is within a 75-mile range in which at least 50 employees work.

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of 7 years or more need not be counted unless the break is occasioned by the employee's fulfillment of their National Guard or Reserve military obligation.

B. Qualifying Reasons for Leave

Eligible employees may take up to 12 weeks of job-protected leave during a 12-month period for:

- A serious health condition that makes the employee unable to perform the functions of his or her job;
- The birth of the employee's child and to care for the newborn child within one year of birth;
- The placement of a child under the age of 18 years with the employee for adoption or foster care;
- The care of a child, spouse or parent with a serious health condition;
- For any qualifying exigency (circumstance) arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or is called to active duty status as a member of the Armed Forces, including the National Guard or Reserves, in support of a contingency operation.

A total of 26 workweeks of leave during a "single 12-month period" may be taken by an eligible employee, who is a spouse, son, daughter, parent or next of kin of: 1) a current member of the Armed Forces, including the National Guard or Reserves, with a serious injury or illness; or 2) a covered veteran who was a member of the Armed Forces, including the National Guard or Reserves, with a serious injury or illness.

The Pastoral Center will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave.

In any case where spouses are employed by the Pastoral Center, the combined total amount of FMLA leave they may be entitled to take for the birth and care of a newborn child, placement of a child for adoption or foster care or to care for the child after placement, or to care for a parent (but not a parent "in-law") with a serious health condition, may be limited to a combined total of 12 workweeks (or a combined total of 26 workweeks if leave is to care for a covered military service member with a serious injury or illness).

C. Time off (Paid and Unpaid)

Leave taken under this policy may be paid, unpaid or a combination of paid and unpaid, depending on the circumstances of the leave. Generally, employees will have the option to utilize any accrued Paid Time Off or Vacation while on leave, but this is not required. Any such paid time will run concurrently with and be counted against the employees FMLA leave entitlement.

If an employee is taking FMLA leave for his/her own serious health condition, available statutory and full income replacement benefits must be used. There are no exceptions.

Absences due to an employee's serious health condition that are also covered by short-term disability or Workers' Compensation will run concurrently with and count against the employee's FMLA leave entitlement.

D. Intermittent or Reduced Leave Schedule

Under certain circumstances, FMLA leave may be taken intermittently or on a "reduced leave schedule."

- Employees may take leave intermittently or on a reduced leave schedule when medically necessary for their own serious health condition, to care for a parent, son, or daughter with a serious health condition, or to care for a covered service member with a serious injury or illness.
- Intermittent or reduced leave to care for a newborn or newly adopted child or a child placed in foster care may be taken only if the employee and his/her supervisor agree to the arrangement in advance of the commencement of such leave.

E. Procedure for Requesting Leave

All employees requesting leave under this policy must provide notice for the need for leave to Human Resources and call the Employee Benefit Resource Center at 844-269-6221.

If an employee's need for FMLA leave is foreseeable based on an expected birth, placement for adoption or foster care, a planned medical treatment for a serious health condition of the employee or of a family member, or the planned medical treatment for a serious injury or illness of a covered service member, an employee must provide his/her supervisor and the Employee Benefit Resource Center 30 days advance notice in writing before the date on which the leave would begin. If the employee is unable to provide 30 days' notice, he or she must provide notice as soon as practicable. For foreseeable leave due to a qualifying exigency, an employee must provide notice of the need for such leave as soon as practicable, regardless of how far in advance such leave is foreseeable. If the need for leave is foreseeable based on planned medical treatment, employees are required to make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the Pastoral Center.

If the need for leave is not foreseeable, the employee must provide notice as soon as practicable. In all cases, employees must provide sufficient information to the Employee Benefit Resource Center for the Pastoral Center to determine whether the leave requested is FMLA-qualifying.

Within 5 business days after receipt of an employee's request for FMLA leave (or knowledge that an employee's leave may be for an FMLA-qualifying reason), the Employee Benefit Resource Center will provide written notice detailing specific rights and responsibilities of an employee who is exercising his or her FMLA entitlement. The Employee Benefit Resource Center will notify the employee of his or her eligibility or ineligibility for FMLA leave, and the

reasons for any ineligibility, within 5 business days of the receipt of sufficient information to determine whether leave is being taken for an FMLA-qualifying reason.

F. Medical Certification

If an employee seeks leave for treatment of his or her own serious health condition, that of a covered family member, or to care for a service member, medical certification must be provided to the Employee Benefit Resource Center. Such certification is required in a timely manner, and must be provided within 15 calendar days after the Pastoral Center's request for such information. Failure to provide adequate certification to the Employee Benefit Resource Center may result in delay of leave until the required certification is provided. If medical certification is never provided, the leave does not qualify as FMLA leave.

Return to Work: Before returning to work, employees who have taken FMLA leave for their own serious health condition are required to present documentation from their health care provider to the Employee Benefit Resource Center certifying that they are able to return to work.

G. Employment and Benefits Protection

Employees will continue to receive health and/or dental benefits under the same terms and conditions as if they were on the job while on approved continuous or intermittent FMLA leave.

- Employees are required to pay their portion of the premium (either through payroll deduction or payment by mail as of the first of each month) while on approved FMLA leave. Coverage will cease if an employee's premium payment is more than 30 days late. If the health care premium is overdue for 15 days, Human Resources will notify the employee that their health insurance coverage will terminate if the premium is not received within the next 15 days. For employees who contribute to other benefits (e.g., supplemental life insurance), the Pastoral Center will continue making payroll deductions while the employee is on paid leave. If the leave is unpaid, employees may request continuation of these benefits during the leave and arrange payment options with Human Resources.
- Employees who provide a statement or notice of their intent not to return to work may be eligible for continuation of health and/or dental benefits under certain circumstances.
- With the exception of several circumstances, employees who fail to return from FMLA leave once their leave entitlement has been exhausted or expires, must repay the employer's share of health and/or dental coverage premiums incurred during the leave.

An employee (other than a key employee) returning from FMLA leave will return either to the same position he or she had before his or her leave commenced or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment.

Key employees may not be eligible for reinstatement to the same or an equivalent position.

H. No Discrimination or Retaliation

The Pastoral Center will not interfere with, restrain, or deny the exercise of any right provided under the FMLA, nor will it retaliate or discriminate against any employee for taking FMLA leave, asserting his or her rights under the FMLA, opposing any practice made unlawful by the FMLA, or for his or her involvement in any proceeding under or relating to the FMLA.

I. Definition of Terms

Key Employee: Refers to salaried employees who are among the highest paid 10 percent of employees within 75 miles of the work site. These employees may be denied reinstatement after FMLA leave if necessary to prevent "substantial and grievous economic injury" to the employer's operations. These employees must be notified by the employer of their status prior to a leave if there is any chance the employer may deny them reinstatement after the leave.

Spouse: Unmarried domestic partners do not qualify for family leave to care for their partners.

Parent: Does not include "in-laws".

Serious Health Condition: This is defined as an illness, injury, impairment, or physical or mental condition which involves:

- Inpatient care, meaning an overnight stay in a hospital, hospice or residential care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider, meaning an incapacity of more than three consecutive calendar days; and
 - two or more treatments within 30 days of the first incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders or referral of a health care provider; or
 - treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider (e.g. prescription medication); or
- Any period of incapacity because of pregnancy or for prenatal care; or
- Any period of incapacity or treatment for an incapacity because of a chronic serious condition which continues over an extended period of time, requires periodic visits to a health care provider, and may cause episodic periods of incapacity (e.g., asthma, diabetes, migraine headaches); or
- Any period of absence to receive multiple treatments (including recovery from those treatments) by health care providers or by a provider of health care services (under order or referral of a health care provider) for restorative surgery or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days if untreated (e.g. cancer [chemotherapy], severe arthritis [physical therapy], kidney disease [dialysis]); or
- Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective (e.g. Alzheimer's, severe stroke, or the terminal stages of a disease).

Health Care Provider: Refers to:

- MD or OD licensed by the state (or country) in which he or she practices
- Podiatrists, dentists, clinical psychologists, optometrists, chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a sublimation as demonstrated by X-Ray to exist)
- Nurse practitioners and nurse-midwives authorized under state law

- Christian Science practitioners (may be required to submit to examination [though not treatment] to obtain a second or third certification from a health care provider other than a Christian Science practitioner)
- Clinical social workers
- A health care provider who practices in a foreign country (in accordance with the laws of that country)
- Any other health care provider from whom the employer or the employee's group health plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits

Equivalent Position: Refers to jobs that involve the same or substantially similar duties, responsibilities, skills, effort, authority and privileges. Employees should be returned to the same work site (or geographically proximate work site) from which he or she commenced leave or to a nearby one and to the same shift or equivalent schedule. Employers do not have to give returned employees preferential treatment when faced with reductions in force, elimination of shifts, or cutbacks in overtime work benefits.

J. Additional Information

Employees who have questions regarding this policy should contact the Employee Benefit Resource Center or Human Resources.

5.00 EMPLOYMENT AND COMPENSATION

5.01 RECRUITMENT AND PLACEMENT

The Pastoral Center recruits and selects individuals for employment on the basis of salary, qualification and competency without discrimination as described in Section 2.02 of this Handbook. All job offers are contingent upon the applicant providing proof of legal authorization to work in the United States and successful completion of a criminal records check and Safe & Sacred on-line training. Whenever possible, the Pastoral Center seeks first to fill job openings with qualified applicants from within the Diocese. Notices of job vacancies may be posted in Diocesan updates and/or on the Diocese of Rochester website.

The hiring procedure includes recruitment, interviewing and reference checks of all applicants considered for the opening. In some cases, ordination or religious belief or practice of Roman Catholic principles is relevant to hiring or promotion and will be considered a bona fide occupational qualification ("BFOQ"). For certain positions, a valid New York State driver's license is required and a New York State Department of Motor Vehicles check will be performed and renewed at the request of the employer.

The performance of new employees should be evaluated at the end of a 90-day introductory period. Successful completion of the introductory period does not guarantee employment for any period of time thereafter and it does not affect the employee's employment-at-will status.

Providing false or misleading information on the application form, or during the interview process, is cause for automatic disqualification of the applicant from further consideration, or for termination if the knowledge about false information is discovered after the applicant has been employed.

5.02 COMPENSATION AND PAY PRACTICES

The rate of compensation assigned to each job is based on the nature of the position as well as economic conditions of the Pastoral Center and the community.

By law, new employees cannot be issued a paycheck until the employee has submitted an I-9 Employment Eligibility Verification form and W-4 and IT-2104 Withholding forms.

Pay periods are bi-weekly in arrears with 26 paydays per calendar years.

- Pay and Payday Notification. To comply with the New York State Wage Theft Protection Act, employees will be given, at the time of hire, (and every January thereafter) the "Notice and Acknowledgement of Pay and Payday" form to sign.
- Direct Payroll Deposit. Employees are encouraged to have their compensation directly deposited into their designated bank account through a direct payroll deposit system. For more information on direct payroll deposit, contact Human Resources.
- Garnishments. When an employee fails to make prompt payment of his/her personal debts, a court may order the Pastoral Center to garnish amounts directly from the employee's paycheck. The Pastoral Center must withhold the amount indicated in the garnishment from the employee's paycheck in accordance with federal and state law.
- Reporting Improper Deductions. Employees who believe that an improper deduction has been made to their salary should immediately report this information to their

supervisor and Human Resources. Employees will not be retaliated against for making a complaint under this policy.

5.03 WAGE AND HOUR TRAINING

To ensure proper payment of employees and to help employees better understand the law, mandatory training on this matter has been established as previously described in Section 2.07 of this Handbook. (Link to Training and Wage and Hour Compliance Policy.)

5.04 OVERTIME

Some positions qualify for overtime compensation. (See Wage & Hour Compliance Policy.)

Occasionally employees may be required to work longer-than-average hours in order to meet the needs of the Pastoral Center. It is necessary and requested that employees comply with overtime needs so that the deadlines established can be met. Prior to working any hours beyond their standard workweek, employees must receive written approval from their supervisor.

Non-exempt employees are paid one and one-half times their regular hourly rate of pay for overtime hours worked in excess of 40 hours in a workweek. Paid absences, including, but not limited to: holidays, paid time off (PTO), jury duty, and bereavement days, are not counted as hours worked when calculating overtime. Only actual hours worked are counted when computing weekly overtime.

5.05 BUSINESS EXPENSE REIMBURSEMENT

Employees will be reimbursed for pre-authorized expenses, such as: Pastoral Center-related travel, mileage, hotel expenses, airfare, or other business expenses incurred on behalf of the Pastoral Center. The employee must complete a copy of the Expense Report/Reimbursement Form, attach any receipts, obtain supervisor approval and submit it to Finance within 60 days of incurring or paying the expense.

6.00 BENEFITS

Disclaimer

From time to time, these benefit programs will be reviewed and revised. We reserve the right to enhance, alter, reduce or terminate any of these benefits and benefits plans, including premium contributions, in whole or in part, without advance notice. Any such changes may affect retirees and beneficiaries as well as active priests.

The benefit information found in this Handbook is intended to provide an overview of the benefit plans. The actual benefits are controlled by the terms of the applicable plan documents and insurance policies. Questions regarding the interpretation of these plans will be answered in accordance with the actual plan documents and insurance policies rather than the summaries contained in this Handbook. Employees may obtain copies of these documents from the Employee Benefit Resource Center. The Diocese and/or the plan administrator have the sole discretion to determine the eligibility for benefits and to interpret and administer these benefit plans.

Benefit Enrollment Time Frame for New Employee or Qualifying Event

New employees, or an active employee who has a qualifying event, must complete on-line benefit enrollment within thirty-one (31) days of the initial hire or qualifying event to ensure benefit rights. Qualifying events, if applicable, are detailed in each benefit section. For enrollment and benefit information, contact the the Employee Benefit Resource Center at 844-269-6221.

Coverage Start Date for Health & Dental Insurance, Life Insurance and Long Term Disability Insurance

Health and Dental Insurance, Life Insurance and Long Term Disability Insurance benefit coverage begins the first day of the month following employment, unless eligible employees begin work on the first working day of the month, in which case coverage begins that day. Optional and Supplemental coverage begins the first of the month after the forms are submitted, or after the Benefit Department approves the request.

6.01 HEALTH CARE

Health and Dental Insurance

To aid employees in covering the cost of health care, the Pastoral Center offers health and dental insurance programs. *As part of the benefits review process, the cost of health and dental insurance is evaluated periodically and the ratio of employer/employee contribution is subject to change.* The employee-paid portion of health and/or dental insurance premiums is deducted from the employee's pay on a pre-tax basis, unless the employee elects a post-tax deduction.

Part-Time, Benefit-Eligible employees (as defined in Section 1.03 of this Handbook) are eligible to participate in our group health and/or dental insurance plan. Part-time, Benefit-eligible employees may enroll in a single-only "base" plan, paid 100% by the employee through payroll deduction. The employee-paid portion of health insurance premiums is deducted from the

employee's pay on a pre-tax basis, unless the employee elects a post-tax deduction.

Employees may change their health and/or dental insurance coverage annually during open enrollment.

Adding, deleting or changing coverage during a calendar year may only be made if there is a qualifying event as defined in the list below.

- Change in legal marital status including marriage, death of a spouse, divorce, legal separation and annulment.
- A change in the number of dependents, including birth, death, or adoption.
- A change in employment status of the employee, or the employee's spouse including termination or commencement of employment, commencement of or return from an unpaid leave of absence, a change in worksite, and a change in working conditions (including changing between part-time and full-time) of the employee or the employee's spouse which results in a change in benefits they receive under a cafeteria plan or health or dental plan.
- A dependent ceasing to satisfy eligibility requirements for coverage due to attainment of age, student status, or marital status.
- A change in coverage of a spouse or dependent under another employer's plan.
- Open enrollment under the plan of another employer.
- Entitlement to Medicare or Medicaid.

The change in coverage must be consistent with the qualifying event.

COBRA

Upon separation from the Pastoral Center, health and dental insurance will continue through the last day of the month in which the employee works. While the Pastoral Center is not mandated to follow the provisions of COBRA, employees and their eligible dependents may have the option of continuing coverage through our plan for a period of time after their employment ends. To continue on our plan, employees or their eligible dependents pay the entire premium, plus a 2% administrative charge. At the end of the continuation period, employees may be allowed to enroll in an individual conversion health plan if such option is available under the group medical coverage.

Medicare Secondary Payer (MSP) Rules

Medicare is a federal health benefits program based on age (65 or over). Generally, when active employees (or dependents of active employees) - who are enrolled in the Pastoral Center group health plan - become Medicare-eligible, the health plan remains primary (for processing medical claims) and Medicare becomes secondary. These Medicare rules are subject to federal regulation and change.

Flexible Spending Accounts

Full Time Employees of the Pastoral Center may participate in Flexible Spending Accounts ("FSA") immediately upon hire. An FSA allows employees to save taxes on qualified expenses. There are two types of FSA's:

- Health Care Reimbursement Account. This account allows you to pay for qualified dental, vision and medical care expenses not covered by insurance with contributions taken from your pay on a pre-tax basis. Qualified expenses include co-

pays, coinsurance amounts, and other out of pocket expenses. You may elect to contribute up to \$2,500 per calendar year for this account.

- Dependent Care Reimbursement Account. This account allows you to pay for eligible child and dependant care expenses with contributions taken from your pay on a pre-tax basis. You may elect to contribute up to the legal limit of \$5,000 (\$2,500 for married persons filing separately) per calendar year for this account.

These two accounts are separate. Employees should determine these amounts carefully as you may not change FSA elections until the beginning of the next plan year, unless one of the qualifying events similar to the above occurs and the change is consistent with such event. Additionally, if your qualified expenses in the calendar year are less than your contributions, by law your remaining balance is forfeited. Claims must be submitted by March 31 for expenses incurred during the previous calendar year.

FSA's are administered by a third party that is paid for by the Pastoral Center. Further information on this FSA's, the third party administrator, eligible expense and reimbursement forms can be obtained by contacting Human Resources.

6.02 LIFE MANAGEMENT BALANCE – EMPLOYEE ASSISTANCE PROGRAM

The Pastoral Center offers a free service for all employees and eligible family members, confidential 24/7 Employee Assistant Program that includes: Immediate connection to a licensed mental health professional, your own personal assistant to conduct research, coordinate events, or plan tasks and projects, counseling referrals, financial and legal consultations, child/eldercare resources, online access to work/life tools, articles, videos and interactive courses via your own personal web-portal. Call 1-800-327-2255 or log-on at: www.mybalanceworks.com

6.03 TIME AWAY FROM WORK

Holidays

The Pastoral Center's observed holidays are communicated on an annual basis.

All full-time employees will be paid for the holidays. All part-time, temporary, and seasonal employees who are regularly scheduled to work on a holiday are paid their regularly scheduled hours for that day. Holiday pay is based on the number of hours each employee is regularly scheduled to work at their straight time hourly rate. Employee Definitions can be found in Section 1.03 of this Handbook.

Paid Time Off (PTO)

The Pastoral Center provides eligible employees with an annual PTO bank to give employees time off for rest, relaxation, illness, or issues of a personal matter.

Effective July 1st of each year (or after successful completion of the introductory period for new employees), all lay and religious, full time and part-time, benefit-eligible employees are provided with a paid PTO bank to use during the fiscal year (July 1 to June 30). The amount of PTO is based upon the employee's status (exempt/non-exempt; grade level; length of service).

Part-Time, Benefit-Eligible employees receive PTO on a pro-rated basis, based upon scheduled hours.

Non-Exempt Full Time Employees

Completed Years of Service (as of June 30)

- < 1 year = 10 days (70 hours)
- 1-4 years = 15 days (105 hours)
- 5-9 years = 20 days (140 hours)
- 10-14 years = 25 days (175 hours)
- 15+ years = 30 days (210 hours)

Exempt Full Time Employees – Grades E-1 through E-3

Completed Years of Service (as of June 30)

- < 1 year = 15 days (105 hours)
- 1-4 years = 20 days (140 hours)
- 5-9 years = 25 days (175 hours)
- 10+ years = 30 days (210 hours)

Exempt Full Time Employees – Grades E-4 and above

Completed Years of Service (as of June 30)

- < 1 year = 20 days (140 hours)
- 1-4 years = 25 days (175 hours)
- 5+ years = 30 days (210 hours)

- **PTO Carryover.** PTO allotment is effective annually on July 1st, with a carryover adjustment as of June 30th. Employees eligible for more than 10 days (70 hours full time) of PTO are required to use a minimum of 10 days (70 hours full time) PTO during the fiscal year. The balance of unused PTO will be carried over to the next fiscal year.
- **Utilizing PTO for Family Medical Leave Act (FLMA) and Military Leave.** Both these topics are covered in 4.04 Leaves of Absences above.

For more information on PTO, please refer to the PTO Policy ([link](#)).

6.04 INCOME REPLACEMENT

Short-Term Disability Insurance

According to New York State Disability Law, an employee temporarily disabled for more than seven (7) consecutive calendar days (one week) is entitled to a benefit of one-half of his/her weekly salary (up to a maximum weekly benefit of \$170.00 per week). This may be paid for up to a total of 26 weeks of each disability but not more than 26 weeks in any 52 consecutive week period. Most employees are eligible for this benefit. The first seven (7) calendar days (one week) of any disability are an uncompensated waiting period allowed by law. Employees may use PTO to cover this period.

The employee must contact the Employee Benefit Resource Center at 844-269-6221 to receive the necessary paperwork. The employee is also required to notify Human Resources of the absence and expected duration of the absence from the workplace.

Full time employees will receive full income replacement based upon their length of service and according to the following schedule:

➤ 1 st year	=	up to 12 days
➤ 2 nd year	=	up to 24 days
➤ 3 rd year	=	up to 36 days
➤ 4 th year	=	up to 48 days
➤ 5 th + years	=	up to 60 days

Part-time, Benefit Eligible employees will receive a pro-rated amount of days based upon their scheduled work hours. When the full income replacement is exhausted, and the employee remains disabled, the employee will be eligible for the short-term disability benefit only. Part-time employees who are regularly scheduled to work less than 20 hours per week are eligible for New York State short-term disability benefit only with no income replacement.

An eligible employee's position, or equivalent, will be held for a combined total of 26 weeks of disability leave during any 12-month period. Once this 26-week period has ended the Pastoral Center is no longer required to hold an employee's position. After the 26 weeks of short-term disability benefits concludes, an eligible employee may apply for long-term disability insurance benefits (see the Long-Term Disability Insurance policy for details). Additionally, in such circumstances, the continuation of group health/dental coverage through the Pastoral Center will cease. The employee will be offered continuation coverage directly through the insurance carrier.

Long-Term Disability Insurance

The Pastoral Center offers eligible employees a long-term disability insurance plan which may pay up to 60% of their pre-disability monthly earnings if employees cannot work because of a disabling illness or injury extending beyond the maximum short-term disability period.

Full-time benefit-eligible employees are eligible for this plan beginning the first day of the month following employment, unless eligible employees begin work on the first working day of the month, in which case coverage begins that day. Employees must be actively at work on the day coverage takes effect.

Approval for long-term disability insurance benefits is determined by the third party administrator upon submission of a completed long-term disability application from the disabled employee.

The cost of this insurance is fully paid by the Pastoral Center.

Workers' Compensation

The Pastoral Center carries a Workers' Compensation Insurance Policy which covers all employees in the event that they are injured or become disabled due to occupational illness or injury while on the job. For employees who are injured while on the job or who develop an occupational illness, medical expenses and loss of earnings up to the specified maximum normally will be covered by NYS Workers' Compensation Insurance Policy. Compensation under this plan is based on a formula using the employee's average weekly wages.

Benefits for lost earnings begin after the seventh calendar day of absence. If the absence continues beyond two weeks, the benefits will also be paid for the first week of absence. Payment of medical expenses begins on the first day of absence.

Reports of accidents or injuries, even if minor, must be filed immediately with the employee's supervisor and the Human Resources Department regardless of how minor. (link to form) Failure to provide notice of an accident or injury, and where necessary, to receive medical treatment in a timely manner may result in serious complications and also may jeopardize an employee's eligibility for medical benefits.

Before returning to work, employees are required to present documentation from a health care provider certifying that they are able to return to work. The Pastoral Center pays the entire premium for this insurance policy.

6.05 SURVIVOR BENEFITS

Group Life Insurance

A group life insurance policy is provided for full-time benefit-eligible employees effective the first day of the month following employment, unless eligible employees begin work on the first working day of the month, in which case coverage begins that day. To enroll, you must complete and sign the necessary forms and designate a beneficiary. Beneficiaries may be changed by written request at any time. Beneficiaries will be eligible to receive the full amount of the employee's life insurance coverage in the event of the employee's death, per the life insurance contract guidelines.

The premium for the Basic insurance coverage is fully paid by the Pastoral Center and is equal to one times your annual earnings. The cost of coverage in excess of \$50,000 must be reported as income on W-2 Forms each year. To avoid having to pay income tax on the cost of the insurance in excess of \$50,000, employees may waive coverage in excess of \$50,000 by completing a life insurance application/change form.

Optional Supplementary Life Insurance

New benefit-eligible employees may elect to enroll in Supplemental life insurance coverage at their own expense. Supplemental coverage can be obtained at 1, 2, or 3 times your annual earnings up to \$250,000. Accidental Death and Dismemberment coverage can also be obtained at 1, 2, or 3 times your annual earnings up to \$250,000. Current benefit-eligible employees may request an increase in their life insurance by completing a Certificate of Insurability and submitting this to the life insurance company. The insurance company reserves the right to accept or deny the employee's request.

6.06 PREPARING FOR THE FUTURE

Pension – Retirement Accumulation Plan

This is intended as a brief introduction to the Retirement Accumulation Plan. A more thorough explanation of the plan is contained in the Summary Plan Description and plan documents are available from the Human Resources Department. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

Lay employees become participants in the Diocese of Rochester Lay Employees' Retirement Accumulation Plan after completing one year of employment, provided they are at least 21 years of age and they have completed 1,000 hours or more in each calendar year. Lay employees will become fully vested after completing three years of service with a minimum of 1,000 paid hours per calendar year.

There are two components of the Plan:

- Base Accumulation Account. Pension-eligible employees earn (accrue) pension benefits into their Base Accumulation Account in each calendar year that they work at least 1,000 hours. If you were hired on or after January 1, 2002, the benefit earned in a given year is credited per the chart below:

<u>Age on December 31</u>	<u>Credit For That Year</u>
21 or more but less than 25	3.5% of Gross Wages
25 or more but less than 30	4.0% of Gross Wages
30 or more but less than 35	5.0% of Gross Wages
35 or more but less than 40	6.0% of Gross Wages
40 or more but less than 45	7.0% of Gross Wages
45 or more but less than 50	8.0% of Gross Wages
50 or more but less than 55	9.0% of Gross Wages
55 or more	10.0% of Gross Wages

Note: If you were a Participant prior to January 1, 2002, your retirement calculation will take into consideration the Prior Plan as well as the Base Accumulation Plan. You are entitled to whichever yields the greater benefit.

- Additional Accumulation Account. Pension-eligible employees may also receive a benefit from the Additional Accumulation Account if they participate in the 403(b) Plan. At the end of each calendar year your Additional Accumulation Account will be credited on a dollar-for-dollar basis, up to 2% of gross wages, based on your 403(b) Plan contributions for that year.

Contributions are paid directly into a trust fund for the benefit of Plan members, their spouses and beneficiaries. The Plan provides a monthly payment at retirement. At the normal retirement age of 65, an unreduced benefit is paid. Benefits can be paid, in a reduced amount, as early as age 55 if the employee has at least 10 years of pension-eligible service.

The benefit is reduced 6% for each year the employee is under age 65 when benefit payments begin. Employees working beyond age 65 will continue to earn pension benefits if they continue to complete 1,000 or more hours in a calendar year. A lump sum distribution option is available to employees with funds in an Additional Accumulation Account. The Plan pays a benefit to a designated beneficiary in the event of an employee's death prior to collecting a pension benefit.

The benefits earned are funded completely by the Employer.

This is a benefit that is provided at time of retirement (conclusion of employment). Retired Employees cannot collect a pension from the Diocese of Rochester and continue to receive pay through the Diocese of Rochester or any parish, school or institution of the Diocese of Rochester.

Tax-Deferred Annuity 403(b) Plan

The Pastoral Center provides eligible employees with a 403(b) plan that allows tax-deferred savings for retirement. All employees are eligible to join the 403(b) plan immediately upon hire, provided they are at least 21 years of age.

The 403(b) Plan is a vehicle for retirement savings. Money cannot be withdrawn from the Plan while the participant is employed at the Pastoral Center except under certain circumstances deemed to be Financial Hardship. Distributions can be taken after separation from service.

Plan participants may elect to contribute either a percentage of their compensation or a flat dollar amount on a pre-tax basis, through payroll deduction to the 403(b) plan, subject to the terms of the plan and certain established federal limitations. Once employees are enrolled in the plan, contributions remain the same until they elect to stop, increase or decrease savings. Election can be changed at any time.

Note: Pension-eligible employees who participate in the 403(b) Plan may also receive a benefit in the Additional Accumulation Account of their Retirement Plan. At the end of each calendar year your Additional Accumulation Account will be credited on a dollar-for-dollar basis up to 2% of gross wages based on your 403(b) Plan contributions for that year.

Employees are provided with a significant number of investment options. Contact the Human Resources Department or the Plan Administrator for additional investment information or fund prospectus.

6.07 ADDITIONAL BENEFITS

Catholic School Tuition Assistance

In recognition of its commitment to Catholic schools, the Pastoral Center offers employees a discount towards tuition for dependent children enrolled in kindergarten through eighth grade at any parish-operated Catholic school (as defined by Canon 803) within the Diocese as well as Siena Catholic Academy.

Full time and part-time benefit-eligible (20+ hours per week) employees are eligible for Catholic school tuition assistance. Employees must submit an application form to Human Resources annually to request the tuition assistance benefit.

RARES – Regional Area Recreation Employee Services (Discount Program)

RARES is a not-for-profit organization dedicated to increasing the buying power of its members. As an employee of a RARES member company, you are entitled to benefit from the over 400 discounts that are offered on local, regional and national products and services – including cars, computers, amusement parks, clothing, toys, pet products and more. Seminars are also offered to members – many at no or low cost. You may also find access to discounted group rates on life, auto, home and long-term care insurance.

To take advantage of these discounts, a membership card is distributed to each employee through Human Resources. Further information can be found at: www.rares.org

The cost of the membership is paid for by the Pastoral Center.

7.00 HEALTH, SAFETY, AND SECURITY

7.01 SAFETY GUIDELINES

Everyone is responsible for promoting safety and for taking every reasonable measure to assure safe working conditions exist throughout the Pastoral Center. Employees who notice an unsafe condition must notify their supervisor. Immediate action will be taken to correct the situation, if warranted. Employees should report any injury received at work to their supervisor and Human Resources immediately, even if it appears minor, and explain how the injury occurred.

An unsafe worker is a danger to the worker and co-workers. Attention to all safety procedures is essential, not only to prevent injury, which is paramount, but also to protect property and the tremendous investment that it represents.

Each employee is responsible for safety. To accomplish this, employees should:

- Know and apply safety measures at all times
- Know the locations, contents and use of first aid and firefighting equipment
- Understand their job fully
- Seek guidance from their supervisor when unfamiliar conditions are encountered
- Report any accident or injury immediately to their supervisor and Human Resources
- Cooperate in the application of improved work measures
- Report any damaged or defective equipment or other unsafe condition immediately to their supervisor

More specific Health and Safety Guidelines can be found under the General Risk Management Health & Safety Policies.

7.02 SEVERE WEATHER CONDITIONS

Inclement weather is to be expected during the winter months. Except in cases of severe storms, regular hours will be observed. Any alteration in the regular schedule will be determined by the Moderator of the Curia or the CFO. If the Pastoral Center is closed, employees scheduled to work will receive regular compensation. If the Pastoral Center is open, absence due to poor weather must be taken as PTO time unless otherwise required by state or federal law.

7.03 FIRST AID – MEDICAL ATTENTION

First Aid kits are provided in the kitchen area on each floor in the Pastoral Center. In the case of a more dire emergency, call 911 to get the appropriate help. Also report the emergency at extension 1209 or cell 509-4668.

7.04 IN CASE OF FIRE OR OTHER EMERGENCY SITUATION

Call 911 to get the appropriate help. Also report the emergency at extension 1209 or cell 509-4668. An "In An Emergency Quick Reference Guide" and First Aid kits are provided in the kitchen area on each floor in the Pastoral Center.

7.05 **WORKPLACE VIOLENCE PREVENTION**

The Pastoral Center is committed to providing a safe, healthful workplace that is free from violence or threats of violence. The Pastoral Center does not tolerate behavior, whether direct or through the use of Diocesan facilities, property or resources that:

- Is violent;
- Threatens violence;
- Harasses or intimidates others;
- Interferes with an individual's legal rights of movement or expression; or,
- Disrupts the workplace, the parish, the academic environment or the Diocese of Rochester and affiliated entities ability to provide service to the public.

Violent or threatening behavior can include: physical acts, oral or written statements, harassing email messages, harassing telephone calls, gestures and expressions or behaviors such as stalking. Individuals who engage in violent behavior may be removed from the premises, and may be subject to dismissal or other disciplinary action, arrest and/or criminal prosecution.

Violence in the workplace includes relationship violence that intrudes into the workplace, endangering a person in the relationship or others in the workplace. Relationship violence is physically, sexually, and/or psychologically abusive behavior that a household member or dating partner uses to establish and maintain control over another person.

An urgent threat is where there is actual violent behavior, or where it appears that violent behavior is likely to take place, such as a verbal altercation that appears to be escalating. The Pastoral Center strongly urges employees to report incidents of violence in the workplace, or to report concerns about situations that could become violent as noted below:

Step 1: Call 911

Step 2: Once you are safe, alert your supervisor to the situation

Step 3: Call **Human Resources** 585-328-3228 x1252 to report the situation.

7.06 **OPERATION OF VEHICLES FOR PASTORAL CENTER BUSINESS**

The use of Pastoral Center vehicles is limited to authorized employees. It is the responsibility of every employee operating a Pastoral Center vehicle or operating their own vehicle for Diocesan business, to drive safely and obey all traffic laws and regulations, vehicle safety, parking laws or regulations, and avoid any confrontational or offensive behavior. Fines incurred for traffic violations are the responsibility of the individual.

All employees authorized to drive Pastoral Center or personal vehicles for use in conducting Diocesan business must possess a current, valid driver's license and their driving record must meet the qualifications set by the insurance carrier.

Pastoral Center vehicles must only be used in work-related activities and may not be used for personal business or activities without the approval of their supervisor. In accordance with New York State law, smoking is not allowed in Pastoral Center owned vehicles. Employees are expected to wear seat belts at all times, whether they are the driver or a passenger. Employees may not use cellular telephones (whether personal or business-owned) without a hands-free device while operating a Pastoral Center vehicle.

Employees using Pastoral Center owned vehicles must report any accidents to local law enforcement as well as to their supervisor.

In some instances, employees may be required to drive their own personal vehicle for the purposes of conducting Diocesan business. Employees must maintain adequate personal automobile liability insurance. The Pastoral Center is not responsible for any damages or fines incurred while conducting Diocesan business in a personal vehicle.

7.07 BUILDING SECURITY AND VISITORS

The security of the Pastoral Center property and our employees is of the utmost importance.

Visitors requiring access to the Pastoral Center's offices are to be met in the reception area by an authorized employee, escorted while in the building and accompanied back to the reception area when leaving the building.

The following articles may not be brought onto Pastoral Center premises:

- Firearms, weapons, explosives
- Tobacco and narcotics

8.00 SEPARATION FROM EMPLOYMENT

8.01 WHEN YOU LEAVE US

Separation refers to either voluntary resignations initiated by the employee or involuntary terminations initiated by the supervisor and/or Human Resources. To ensure fairness and consistency within the Pastoral Center, separations are handled in accordance with the following provisions.

Resignations. Employees resigning voluntarily are expected to give a minimum of two weeks advance written notice for non-exempt employees and four weeks for exempt employees so the proper replacement can be found. Such notice in this situation will be viewed favorably should the employee reapply for employment with an employer of the Diocese at a later date. Employees are expected to work during the notice period to assist the Pastoral Center with transition efforts. Accrued PTO cannot be used during the notice period.

Presumption of Resignation. An employee may be presumed to have resigned his/her position when there has been an absence without authorized leave from the job for a period of three (3) consecutive working days. Thereafter, a notice acknowledging the presumption of resignation shall be sent by certified mail to the last known address of the employee.

The employee's separation date is their actual last day worked.

Employees who resign voluntarily giving the required advance notice will be paid for earned but unused PTO. Earned but unused PTO will not be paid to employees who resign with less than the required advance notice or to employees who are involuntarily terminated for cause. Unused PTO will be paid on a prorated basis upon termination. See Paid Time Off Section 6.03.

Earned but unused retreat days are not paid upon termination.

8.02 BENEFIT CONSIDERATIONS UPON SEPARATION

Premiums for health and dental insurance will be paid through the last day of the month in which the employee works. Employees who have health or dental insurance may have the option of continuing these benefits for a specified period of time. See COBRA information in section 6.01 of this handbook.

Upon separation from employment, life insurance coverage ceases on the employee's actual last day of work. Employees may have the option of converting their group insurance policy to an individual policy. Contact the Human Resources Department for more details.

Upon separation from employment, the FSA benefit ceases on the employee's last day of work. Eligible employees have 90 days from their last day worked to submit claims for the reimbursement of eligible expenses. Eligible expenses must have a date of service prior to the employee's last day worked.

8.03 RETURNING PASTORAL CENTER PROPERTY

Upon separation, employees are expected to return all Pastoral Center issued items, including, but not limited to: keys, tools, employee handbooks, manuals, computers, cellular phones, flash drives, Pastoral Center issued credit cards and any other Pastoral Center information.