

# **EPISCOPAL DIOCESE OF SAN DIEGO**

## **Employee Handbook**

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## INTRODUCTION

Welcome! As an employee of the Episcopal Diocese of San Diego (“the Diocese”) you are an important member of a team effort. We hope that you will find your position with the Diocese rewarding, challenging, and productive.

Because our success depends upon the dedication of our employees, we are highly selective in choosing the members of our team. We look to you and the other employees to contribute to the success of the Diocese.

We believe in the establishment of clear expectations between and among employees and the Diocese. This Handbook was developed to describe some of the expectations we have for our employees, and to share what you may expect from the Diocese through some of its policies, programs, and benefits. Employees should familiarize themselves with the contents of the Employee Handbook as soon as possible, as it will answer many questions about employment with the Diocese. Compliance with the obligations described in this Handbook is a term and condition of employment. This Handbook covers all employees. If at any time you have questions about any policies, written or unwritten, you should bring those questions to your supervisor or to Human Resources. Remember, common and good sense should drive your behaviors, whether or not you see a written policy on a particular subject. When in doubt, ask.

The Handbook does not constitute a contract guaranteeing employment of any specified length or guaranteeing any particular benefit or term. The Diocese reserves the right to revise, modify, delete, or add at its discretion to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document - except for the policy of at-will employment. Employment with the Diocese (both the term of your employment and the terms and conditions of your employment with the Diocese) is “at-will”. This means that you may resign your employment at any time and for any reason, and also means that the Diocese may terminate your employment at any time, or change the terms and conditions of your employment at any time and for any lawful reason, with or without notice. Any change to the at-will policy must be in writing and must be signed by the Bishop.

This Handbook summarizes the policies and practices in effect at the time of publication. This handbook supersedes all previously issued policies or benefit statements or memoranda that are inconsistent with the policies described here. Where an employee has a Letter of Agreement executed by the Diocese that governs the employee’s employment, the terms and conditions in that Letter of Agreement will control in the event of a conflict between terms and conditions described here or in that Letter of Agreement.

## **I. EMPLOYMENT**

### **EQUAL EMPLOYMENT OPPORTUNITY**

The Diocese is committed to equal employment opportunity. All personnel actions are taken without unlawful regard to race, religion, creed, color, sex, national origin, ancestry, age, pregnancy, sexual orientation, disability, marital status, medical condition, genetic information, gender (including gender identity or expression), sexual orientation, military or veteran status, or any other classification that is protected under applicable state, federal or local laws. This policy applies to all of the Diocese's personnel practices including, but not limited to recruitment, hiring, job assignment, training, promotion, compensation, discipline, termination, transfers, access to benefits, and to company-sponsored social and recreational activities.

Any employees with questions or concerns about discrimination in the workplace are encouraged to bring these issues to the attention of their supervisor, to Human Resources or to the Bishop. Employees can raise good faith concerns and make good faith reports without fear of reprisal.

### **ACCOMMODATION**

The Diocese is committed to providing equal employment opportunities to otherwise qualified individuals with disabilities in accordance with applicable law. The Diocese will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, unless the accommodation will result in undue hardship to the Diocese. Any employee who requires an accommodation in order to perform the essential functions of the job should advise Human Resources and request such an accommodation.

### **PROHIBITION OF UNLAWFUL DISCRIMINATION OR -HARASSMENT**

The Diocese is committed to providing a work environment free of unlawful discrimination or harassment. As part of its commitment to equal opportunity, the Diocese strictly prohibits discrimination or harassment of employees in the workplace based on race, religion, creed, color, sex, national origin, ancestry, age, pregnancy, sexual orientation, disability, marital status, medical condition, genetic information, gender (including gender identity or expression), sexual orientation, military or veteran status or any other classification that is protected under applicable state, federal or local laws.

All Diocese personnel are expected to avoid any conduct that could be construed as harassment by any employee.

This policy protects all employees from unlawful harassment by any other employee, including supervisors or co-workers. The Company's policy also prohibits unlawful harassment of employees by non-employees, including customers, vendors and clients.

Prohibited harassment generally means unwelcome conduct that is based on an employee's membership in a protected category (as outlined above). Harassment becomes unlawful and in violation of this policy where (1) enduring the offensive conduct becomes a condition of continued employment, or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Prohibited sexual harassment includes harassment based on sex or of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Sexual harassment may occur where:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is either explicitly or implicitly used as the basis for employment decisions affecting such individual; or
- the conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited discrimination or harassment may include but is not limited to the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual conduct such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of any protected basis;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors;
- Threats and intimidation that include physical acts or verbal threats of assault that threaten other co-workers sense of safety in the work environment; and
- Retaliation for having reported in good faith or threatened to make a good faith report of harassment.

Our reporting procedure provides for an immediate, thorough and objective investigation of any harassment claim and appropriate disciplinary action against one found to have engaged in prohibited harassment. If any employee believes he/she has been harassed on the job, or is aware of the harassment of others, the employee should provide a written or verbal report to his/her manager or to the Bishop, as soon as possible. The report should include details of the incident(s), the names of individuals involved, the names of any witnesses, direct quotes when relevant, and any documentary evidence. All incidents of harassment that are reported will be investigated. The Diocese will endeavor to protect the privacy and confidentiality of all parties involved to the extent possible, sharing information only to the extent necessary to conduct a thorough investigation.

If the Diocese determines that harassment has occurred, it will take remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of harassment is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

The Diocese will not retaliate against any employee for filing a complaint, or participating in the investigation, in good faith, and will not tolerate or permit unlawful retaliation. Employees should report any retaliation to his/her manager or to the Bishop.

### **EMPLOYMENT AT-WILL**

Diocesan personnel are employed on at-will basis. This means that while we hope our relationship will be a mutually rewarding experience, you are free to resign at any time, with or without notice or cause, and the Diocese may terminate your employment relationship at any time, with or without notice or cause, for any reason that is not in violation of applicable law. The Diocese also retains the right to change any terms and conditions of your employment, including your job duties, location, compensation and benefits at any time with or without notice, and with or without cause, in its sole discretion. The provisions of the Handbook have been developed at the discretion of the Diocese and, except for its policy of at-will employment, may be amended or cancelled at any time, at the Diocese's sole discretion. Further, only the Bishop of the Diocese has the authority to make any agreement modifying at-will employment, and then only in writing signed by the Bishop.

### **CONFIDENTIALITY**

Employees are responsible for maintaining confidential information obtained during the course of their employment with the Diocese. Confidential information is any Diocesan information that is not known generally to the public and cannot be discovered or replicated by a third party without substantial expense and effort.

During employment with the Diocese, you may have access to and become acquainted with confidential information relating to the Diocese's business and that of its parishioners and of third parties with which the Diocese does business. You must not use or disclose any proprietary or confidential information obtained during your employment

with the Diocese, unless such disclosure is approved by the Diocese. This obligation continues even after your relationship with the Diocese comes to an end. In addition, all employees are expected to observe good security practices, and keep proprietary and confidential information secure from outside visitors and all other persons who do not have a legitimate reason to see or use such information. Procedures regarding document control, restricted access to files, and other such procedures are to be strictly observed.

### **EMPLOYEE PERSONAL STATUS CHANGES**

The Diocese should be informed immediately concerning changes in address, telephone number, marital status, withholding tax deductions, insurance beneficiaries, or similar information.

### **PERSONNEL FILES**

Personnel files are the property of the Diocese. Employees who wish to review their own file should contact the Bishop or his designee, and with reasonable advance notice may review their own personnel file in the Diocese's offices and in the presence of an individual appointed by the Bishop. Employees have the right to request a copy of anything in their personnel file, with the copies being at the employee's own expense. Employees may obtain a Personnel File Request Form from the Bishop's office.

The Diocese will restrict disclosure of your personnel file to authorized individuals within the Diocese. Disclosure of personnel information to outside sources will be limited to dates of employment and last position held, except as required by law. The Diocese will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations and as otherwise legally required.

## **II. GENERAL INFORMATION**

### **EMPLOYMENT STATUS**

The Diocese maintains standard definitions of employment status and classifies employees for the purposes of personnel administration and related payroll transactions. Since all employees are hired for an unspecified duration, the classifications do not guarantee employment for any specific length of time. Employment is at the mutual consent of the Diocese and the employee.

Exempt: Employees in positions that are classified by the Diocese as Exempt from the overtime provisions of the federal Fair Labor Standards Act and applicable state laws based on their duties and compensation. Employees classified as exempt are not entitled to overtime

Non-Exempt: Employees in positions that are classified by the Diocese as covered by the overtime provisions of the federal Fair Labor Standards Act and applicable laws. Non-

exempt employees also are entitled to and expected to take meal and rest periods, as defined in the Handbook.

All hours worked by non-exempt employees in excess of eight (8) hours in one workday or forty (40) hours in one workweek will be treated as overtime, and will be compensated at one and one-half times the employee's regular rate of pay. Compensation for hours worked in excess of twelve (12) hours in a workday and in excess of eight (8) hours on the seventh (7th) consecutive workday will be paid at double the regular rate of pay. All overtime must be approved in advance by the employee's manager.

For purposes of determining which hours constitute overtime, only actual hours worked in a given workday or workweek will be counted. This means time off on holidays, sick time or vacation or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

For purposes of calculating overtime, a work week at the Diocese begins at 12:00 a.m. on Monday, and ends at 11:59 p.m. on the following Sunday. A workday begins at 12:00 a.m. and ends at 11:59 p.m. of the same day. A scheduled workday typically begins at 8:30 a.m. and ends at 4:30 p.m.

Full-Time: Employees who regularly are scheduled to work at least 35 hours per week. Full-time employees are eligible for benefits in compliance with the Diocesan denominational health plan and The Episcopal Church Lay Pension Plan (Appendix A). They also are eligible for vacation, sick time and holiday pay as specified in this Handbook.

Part Time: Employees who are regularly scheduled to work fewer than 35 hours per week. Part-time employees are eligible for benefits in accordance with the Diocesan Denominational Health Plan and The Episcopal Church Lay Pension Plan. They also are eligible for vacation, sick leave and holiday pay on a pro rata basis, based on the number of hours per week specified in their offer letters divided by 35 hours.

Temporary: Employees who are hired to work either full or part-time for a limited duration of time, typically not to exceed 180 calendar days. Temporary workers are eligible for sick time, but are not eligible for any other benefits.

## **TIME KEEPING**

All non-exempt employees are required to record time worked on his/her timesheet for payroll purposes. Non-exempt employees must record their own time at the start and at the end of each work period, including before and after the meal period. Non-exempt employees are expected to record any periods in which they are not working. Both non-exempt and exempt employees need to note any personal time taken (sick time, vacation, holidays, leaves of absence) on a daily basis. Non-exempt employees should not begin to work before they "clock in," should not work once they "clock out," and also should not "clock in" before they are prepared to begin working.

Any handwritten marks or changes on the timesheet must be initialed by your manager. Any errors on your timesheet should be reported immediately to your manager, who will attempt to correct errors.

Timecards are official business records and may not be falsified in any way. Your signature on your time card verifies the hours you work and for which you are paid. Co-workers may not record or alter the time record of another employee.

It is the employee's responsibility to submit timecards to the employee's manager for approval before the designated deadline for each pay period. The manager forwards the time card to the Assistant Treasurer for payroll processing. In the manager's absence, time sheets should be turned in to the Bishop or his designee for approval.

The Diocese's practice is to pay employees for all hours worked in the relevant pay period, immediately upon completion of the pay period. In other words, a paycheck for the period through the 15th of the month will take into account all days worked or anticipated to be worked through the 15th of the month. In order to do this, the Diocese asks non-exempt employees near the end of each pay period to report actual hours worked to date in the pay period, and to estimate to the best of their abilities the anticipated time that will be worked through the end of the pay period (in other words, actual time worked plus an estimate of the time that will be worked on the last couple days of the pay period, because the employees will not yet have worked those days). In any pay period in which the non-exempt employee ultimately works hours that differ from the time estimates submitted by the employee for that pay period, the employee must report the actual hours worked (for any day that differs from what previously was reported) in the next pay period, in order for the Diocese to ensure that the employee is accurately paid for all hours worked.

### **REST PERIODS**

Non-exempt employees are entitled to a paid 10-minute rest period for every four hours of work or major fraction thereof (defined to be 2 hours or more), and these rest periods should be taken in the middle of the four hours of work. Rest periods may not be combined with or added on to meal breaks, even at the employee's request. Nor may they be used to allow an employee to come in 10 minutes late or leave 10 minutes early.

### **MEAL PERIODS**

Non-exempt employees who work at least five hours in any work day are entitled to a one-hour unpaid meal period, and are entitled to and expected to take at least a one-half hour meal period. The meal period must be commenced within the first five hours of work, and should be taken between 11:00am and 2:00pm unless a different time is approved by your manager. The meal period is unpaid time, and the employee may use his/her time for any purpose. The employee is free to leave the premises. Meal periods may not be taken at the beginning or at the end of the work shift and they may not be combined with Rest Periods.

If an employee's total work period is no more than six hours, that meal period may be waived in writing by mutual consent of both the employee and the Diocese. The employee is entitled to and expected to take a second meal period of not less than thirty minutes if the employee works more than ten hours per day, except that if the employee's total hours worked are no more than 12 hours, the second meal period may be waived in writing by mutual consent of the employee and the Diocese (so long as the first meal period was not waived).

### **ATTENDANCE**

Each employee is expected to be at work, on time, for every scheduled workday. Regular and prompt attendance is a condition of employment. If an employee is unable to report for duty, that employee's supervisor must be notified at least one hour prior to the beginning of the scheduled work shift. When an employee must leave the Diocese's premises during working hours, permission from the employee's immediate supervisor must be obtained. Employees who do not report to work for three consecutive work shifts without contacting their immediate supervisor have voluntarily abandoned their jobs and terminated their employment.

### **PAYDAYS**

All employees are paid semimonthly on the 15th and last days of the month. Each paycheck will include earnings for all work performed through the end of the previous payroll period. In addition, federal and state law requires that the Diocese make certain deductions from every employee's compensation for federal, state, and local income and social security taxes.

In the event that a regularly scheduled payday falls on a day off, such as a weekend or holiday, employees will receive pay on the first day of work after the regularly scheduled payday. If a regular payday falls during an employee's vacation or sick time, the employee's paycheck will be available upon his or her return.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to the Diocese. All employees will receive an itemized statement of wages with each paycheck or direct deposit.

### **CERTIFICATION AND LICENSING**

Your supervisor will inform you if there are any licensing, certification or testing requirements for your position. If there are, compliance with these obligations will be a condition of your employment.

### **DRESS CODE**

Each employee is a highly visible representative of the professionalism for which the Diocese stands, and each employee is expected to present an appearance which creates

confidence in the employee's abilities and in the Diocese. We recognize that matters of taste and style are individually interpreted. However, all Diocesan employees are expected to dress in a manner consistent with accepted business attire. It is important for every employee to use good judgment on the matter of dress and appearance, exercising moderation and good taste. Employees who are unsure as to what is acceptable attire are encouraged to inquire with the Bishop. If the Diocese determines that an employee is not dressed appropriately, the employee will be sent home to change. In these circumstances, non-exempt employees will be paid only for hours actually worked.

**Business Casual Attire** will be required Monday through Friday. Business Casual is intended to allow employees to dress in relaxed yet still professional attire. Remember, your attire reflects on you and your professionalism. In general, Business Casual means the following:

- For Men: stylish dress shirts, with collars preferred; stylish, solid colored long pants; dark socks, closed-toe shoes.
- For Women: business skirts (appropriate length) or pants; business dresses; conservative blouses, shirts or sweaters, appropriate dress shoes.
- Tennis shoes, workout attire, tight or short skirts, t-shirts, tank tops, "spaghetti-strap blouses", anything that could be deemed "beachwear" including sweatshirts/sweatpants is never considered business casual.
- Business casual does not apply to grooming standards. Your appearance should remain neat and respectable. This includes nicely pressed clothing, polished shoes, and conservative accessories. Strong fragrances must be avoided, and attention to hygiene is required.

### **PAY ADVANCES**

Pay and vacation advances will not be granted to employees.

### **SAFETY**

The Diocese is committed to providing a safe and healthful work environment for employees, clients, and visitors. Our success depends on the alertness and personal commitment of all.

Many of the best safety improvement ideas come from employees. Those with ideas, concerns or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor. Reports and concerns about workplace safety issues may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor, and are prohibited from violating safety standards, or causing hazardous or dangerous situations.

In the case of accidents on-the-job that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate manager.

### **WORKPLACE VIOLENCE PREVENTION**

The Diocese is committed to preventing workplace violence and to maintaining a safe work environment. All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of the Diocese without proper authorization.

Conduct that uses violence or the threat of violence to intimidate or coerces another employee, a customer, or a member of the public with violence at any time will not be tolerated. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your manager or the Bishop. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to your manager. Do not place yourself in peril. If you see or hear a commotion or disturbance near your work station, do not try to intercede or see what is happening.

The Diocese will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The Diocese encourages employees to bring their disputes or differences with other employees to the attention of their manager or the Bishop before the situation escalates into potential violence.

### **MUTUAL RESPECT**

The Diocese expects all employees to demonstrate respect toward each other. The Diocese will not tolerate abusive conduct such as repeated infliction of emotional abuse, the use of derogatory remarks, insults or epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating or humiliating or the gratuitous sabotaging of an employee's work performance.

### **VISITORS IN THE WORKPLACE**

To provide for the safety and security of employees and the facilities at the Diocese, only authorized visitors are allowed. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual

is observed on the Diocese's premises, employees should immediately notify their manager or, if necessary, the Bishop.

## **SMOKING**

Smoking is not allowed in any enclosed area of the office facility, within any fenced or enclosed outdoor balcony or patio areas attached to the office facility, or within 25 feet of any entrance to the office facility.

## **DRUGS AND ALCOHOL**

The Diocese is committed to maintaining a work environment that is drug-free, healthy, and safe. To promote this goal, employees are required to report to work and to work without illegal drugs or alcohol in their systems. While on Diocese premises and while conducting business-related activities off Diocese premises, no employee may use, possess, distribute, sell, manufacture, transfer, purchase or be under the influence of alcohol, illegal drugs or other controlled substances. Illegal drugs mean any drug (a) which is not legal under state or federal law; or (b) which is legally obtainable but has not been legally obtained. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Employees are also prohibited from reporting for duty or remaining on duty with any alcohol in their systems. Employees are also prohibited from consuming alcohol during working hours, including meal and break periods. This does not include the authorized and reasonable use of alcohol at Diocese-sponsored functions or activities.

We encourage employees to seek assistance before their drug or alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves, or others. Employees with drug or alcohol dependency that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance, abides by all Diocese policies, rules, and prohibitions relating to conduct in the workplace, and if granting the leave will not cause the Diocese an undue hardship.

In order to maintain a safe, drug-free workplace, the Diocese will require employees to undergo drug and alcohol testing if the Diocese has reasonable belief that an employee is under the influence of alcohol, illegal drugs, or is misusing prescription drugs and such use or influence may adversely affect the employee's job performance, or the safety of the employee or other employees. In addition, testing may be required if an employee is found to be in possession of physical evidence, such as illegal drugs, alcohol, or paraphernalia connected with the use of illegal drugs or alcohol, and that possession gives rise to a reasonable suspicion of a violation of this policy.

The Diocese further reserves the right to take any and all appropriate and lawful actions necessary to enforce this policy including, but not limited to, the inspection of desks or other suspected areas of concealment, as well as an employee's personal property when the Diocese has reasonable suspicion to believe that the employee has violated this policy.

### **DIOCESAN PROPERTY**

All Diocesan offices and cubicles are furnished with equipment, including, but not limited to, desks, computers, telephones, electronic communications systems, office furniture and other items which are Diocesan property. This property must be maintained according to Diocese rules and regulations. In addition, all of the Diocesan offices and property must be kept clean and are to be used only for work-related purposes. The Diocese reserves the right to inspect all Diocesan property to ensure compliance with its rules and regulations, without notice to employees and/or in the employee's absence. As a result, employees do not have a reasonable expectation of privacy in Diocesan property or in any material stored or maintained on its property.

Prior authorization must be obtained from the Bishop before any Diocesan property may be removed from the premises. Employees must return all company property, equipment and material in their possession or control immediately upon the termination of employment. This includes all company documents, manuals, access cards, keys, and other items received or utilized during employment. The Diocese will take any and all action deemed necessary to protect or recover its property.

Employees who leave the Diocese as a result of termination of employment should remove only their personal items. Personal items left in the work site by former employees are subject to disposal if not claimed at the time of the employee's termination.

### **TECHNOLOGY AND INTERNET**

The Diocese's technical resources – including desktop and portable computer systems, telephones, fax machines, Internet access, voicemail, e-mail, electronic bulletin boards, and its intranet – are provided with the understanding that these resources are provided for the benefit of the Diocese's business. Accordingly, employees should use the Diocese's electronic resources to further the Diocese's ability to conduct its business and in a manner that is consistent with performance of their duties and responsibilities and this policy. Employees should never use the Diocese's electronic resources for personal use in a manner that interferes with work or any responsibilities to customers, vendors, suppliers, or colleagues. All employees are responsible for ensuring that they use the Diocese's electronic resources in a lawful manner and consistent with this Handbook.

Employees are permitted to use the Diocese's technical resources for occasional non-work related purposes during non-working time (e.g., during rest or meal periods and before or after working hours). Your use of the Diocese's technical resources must not

interfere with your productivity, the productivity of any other employee, or the operation of the Diocese's technical resources. Employees may not play games on the Diocese's computers and other technical resources. Employees may not access non-business related Web sites or commercial Web sites unless necessary for business purposes and authorized by their direct supervisor.

You may not send e-mail or other communications that either mask your identity or indicate that they were sent by someone else. You may not use another employee's password. Similarly, you should only access the libraries, files, data, programs, and directories that are related to your work duties. Unauthorized review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other property of the Diocese, or improper use of information obtained by unauthorized means, is prohibited.

Sending, saving, or viewing material that violates any policy of this Handbook is prohibited. Messages stored or transmitted by computer, voicemail, e-mail, or telephone systems must not contain content that is in violation of the Diocese's policies. Prohibited material includes, but is not limited to, pornography, sexual comments, jokes or images, racial slurs, gender-specific comments, or any comments, jokes, or images that would violate the Diocese's policies against harassment and discrimination.

Employees do not have a reasonable expectation of privacy in any Diocesan-provided technical resources or supplies. All information, including e-mail messages and files, that are created, sent, or retrieved over the Diocese's technical resources is the property of the Diocese, and is subject to review by the Diocese with or without notice. All information including text and images may be disclosed to law enforcement or to other third parties without prior consent of the sender or the receiver.

Although you may have passwords to access computer, voicemail, and e-mail systems, these technical resources belong to the Diocese, are to be accessible at all times by the Diocese, and are subject to inspections by the Diocese with or without notice. The Diocese may override any applicable passwords or codes to inspect, investigate, or search an employee's files and messages. All passwords must be made available to the Diocese. You should not provide a password to other employees or to anyone outside the Diocese and should never access any technical resources using another employee's password.

### **EMPLOYMENT OUTSIDE THE DIOCESE**

While employed by the Diocese, employees are expected to devote their energies to their jobs with the Diocese. The following types of outside employment are strictly prohibited:

- Employment that conflicts with an employee's work schedule, duties and responsibilities;

- Employment that creates a conflict of interest or is incompatible with the employee's employment with the Diocese;
- Employment that impairs or has a detrimental effect on the employee's work performance with the Diocese;
- Employment that requires the employee to conduct work or related activities on Diocese property during the employee's working hours or using the employer's facilities and/or equipment;
- Employment that directly or indirectly competes with or conflicts with the business or the interests of the Diocese.

The Diocese requires that the employee advise the Bishop of any such employment or consulting engagement for another person or entity before accepting such engagement. The Diocese will review the potential concurrent employment/consulting arrangement to ensure that it does not create a conflict of interest with the Diocese or interfere with the employee's ability to perform employee's duties.

Employees may not receive any income or material gain from individuals outside the Diocese for materials produced or services rendered while performing their jobs with the Diocese.

### **TRAVEL/EXPENSE ACCOUNTS**

The Diocese will reimburse employees for reasonable expenses incurred through pre-approved business travel or entertainment. All cash advances must be accounted for and expense receipts are required.

The following business expenses typically will be reimbursed, where authorized: Automobile/Mileage, Lodging, Tips, and Business Meals which are in excess of costs ordinarily expended by employees during the regular work day. Diocesan Expense Policy is attached (Appendix B)

### **IF YOU MUST LEAVE US**

Should you decide to leave your employment with us, we request that you provide your immediate supervisor with two (2) weeks advance notice in writing. Your thoughtfulness is appreciated and will be noted favorably should you ever wish to reapply for employment with the Diocese. The Diocese reserves the right to accept your resignation effective immediately or to ask that you not report to work during the notice period, without altering the nature of the separation.

Employees who are rehired following a break in service in excess of three (3) months are considered new employees from the effective date of their re-employment for all purposes, including the purposes of measuring benefits.

Our Diocese does not provide a “letter of reference” for lay employees. For those employees, the Diocese only will confirm dates of employment, salary history and job title.

All Diocesan property must be returned upon termination, including, but not limited to keys, phones, laptops and all computer passwords. Otherwise, the Diocese may take further action to recoup any replacement costs and/or seek the return of Diocese property through appropriate legal recourse.

You should notify the Diocese if your address changes during the calendar year in which termination occurs so that your tax information will be sent to the proper address.

### **III. BENEFITS**

#### **PAID LEAVES**

The Diocese recognizes the need for all employees to have time away from work for a variety of reasons. Therefore, The Diocese has multiple time off allowances, both paid and unpaid. Paid time off includes the following:

- Voting
- Bereavement Leave
- Holidays
- Jury Duty
- Vacation
- Sick Time

Regular full-time employees are entitled to all of these time-off allowances, and regular part-time employees are entitled to the benefits on a pro rata basis as described. Where you anticipate needing time off, that time off should be requested in advance and must be approved by your manager. If you are absent unexpectedly (for example, in case of illness), you should call your manager as early as possible to explain the situation and the probable length of absence. You may be deemed to have voluntarily resigned from your employment if you do not return to work on your anticipated return date.

#### *VOTING*

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may use working time to vote, up to a maximum of two hours. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more time for voting. Any additional time off shall be without pay. When possible, an employee requesting time off to vote shall give his or her manager at least one day’s notice.

## *BEREAVEMENT*

Full-time employees are eligible for up to five paid days for the death of an immediate family member. Immediate family includes father, mother, brother, sister, husband, wife, domestic partner, son, daughter, grand-parents, grandchildren, current mother-in-law and father-in-law, or individuals who stood in the place of a mother or father prior to an employee's 18<sup>th</sup> birthday. If a person does not fall into one of the preceding categories of immediate family, they are not covered by this policy, but employees may be eligible for vacation for this purpose. Requests for bereavement leave should be made to your manager as soon as possible.

## *HOLIDAYS*

Full time employees are entitled to observe nine and a half (9½ ) paid holidays each year: New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday ½ day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Friday after Thanksgiving and Christmas Day. Part Time employees will receive paid holidays based upon scheduled work hours on a prorated basis. Holidays do not constitute hours worked for purposes of calculating overtime. Additional days when the Office of the Bishop will be closed will be announced.

All non-exempt employees who work during a legal holiday need the prior approval of his/her immediate supervisor, and are eligible for both holiday pay and regular pay for any hours worked.

In the normal course of business some departments may need to adjust this holiday schedule to accommodate the immediate operational need of that department. In these instances, managers will notify employees of any holiday that is subject to adjustment. Employee and supervisor will work out comparable arrangements for holiday pay or substitute day off prior to making any adjustments.

## *JURY DUTY*

The Diocese encourages employees to serve on jury duty when called. Non-exempt employees will receive pay while serving on a jury, for up to five (5) consecutive days of jury duty. If employees are released from jury duty after a partial day, they are expected to return to work. Exempt employees will receive full salary for this same time period, and for any workweek in which they perform any work on behalf of the Diocese. You should notify your manager of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of performance of jury service. If work time remains after any day of jury selection or jury duty, you may be expected to return to work for the remainder of your work schedule. You may retain any mileage allowance or other fee paid by the court for jury services.

## VACATION

Vacation is provided for the purpose of rest, relaxation and a planned interruption from the workplace, to attend to personal affairs, for vacation or personal time. Vacation is in addition to the Diocese's Holiday Schedule (See Holiday Policy).

Full-time employees accrue up to 10 days (70 hours) of vacation per year (accrued weekly at the rate of 1.346 per week). Part time employees accrue at a pro rata rate, calculated by dividing their scheduled weekly hours by 35 and multiplying it by the annual/weekly accrual rate. Employees may carry over vacation up to a cap of 1.5 times annual accrual. For example, during the first five years of employment, this cap would be 15 days (105 hours) for full time employees. When this cap is reached employees may not accrue any additional vacation until they take vacation and bring their vacation total below the cap. Vacation accrual will resume as of the date the employee's accrued vacation comes below the cap, and again up to the maximum.

Full-time employees accrue up to fifteen days per year (105 hours, accrued weekly at the rate of 2.019 per week) beginning their 6<sup>th</sup> year of employment, and thereafter. Part-time employees with that seniority accrue on a pro rata basis as defined above. During this period the cap on accrual would be 22.5 days for full-time employees (157.5 hours)).

Full-time employees accrue up to twenty days (140 hours, accrued weekly at the rate of 2.69 per week) per year beginning their 10<sup>th</sup> year of employment and thereafter. During this period there is a cap of thirty days (210 hours) on the amount of vacation time employees may accrue, as detailed above. Part-time pro rata accrual applies to this seniority level as well.

Part-time employees will receive the foregoing benefits on a pro-rated basis based on scheduled time worked.

If you are going to take time off you must use your accrued vacation, except for pregnancy disability or workers compensation leaves of absence, in which case application of vacation is voluntary. You will not be allowed to have a negative vacation balance. Cashing out of all or partial amounts of vacation during the year or at the end of the year is not allowed. You will not accrue vacation time while you are on any leave of absence (other than for periods in which you are receiving PTO). Vacation is scheduled at the discretion of the Bishop or his designee. All vacation awards are at the discretion of the Bishop or his designee and must be approved in advance.

You are required to provide your supervisor with reasonable advance notice and obtain approval prior to using vacation. This allows for you and your immediate supervisor to prepare for your time off and assure that all staffing needs are met. In the event of an occasion where advance notice is not possible, you must inform your manager of your circumstances as soon as possible.

You will be paid for all accrued but unused vacation when you leave the Diocese.

## *SICK LEAVE*

Full-time employees accrue up to 10 days (70 hours of sick leave per year accrued weekly at the rate of .0385 hours of sick time per hour worked). Exempt employees are deemed to work thirty five (35) hours per workweek for purposes of this policy, unless the exempt employee's normal workweek is less than 35 hours, in which case the employee will accrue sick days based on their normal workweek.

Employees may carry over unused sick leave, up to a maximum of twenty-five days (175 hours). Cash payment in lieu of sick leave is not allowed at any time, and upon termination, used sick leave will not be paid. Part Time employees will receive paid sick leave on a pro rata basis based upon actual hours worked, up to a maximum of 2.5 times annual accrual or 80 hours, whichever is greater.

Non-exempt employees may use sick leave in increments of one (1) hour. If a non-exempt employee has exhausted sick leave, the employee may apply vacation to absences taken for illness, after which any time taken will be unpaid. Exempt employees are not required to apply sick leave to partial day absences. If an exempt employee has exhausted sick days, any full day absences thereafter will be unpaid (unless the employee has sufficient vacation to cover the absence).

Sick leave generally will be paid at the employee's hourly wage. If the employee in the 90 days of employment before taking accrued sick days had different hourly pay rates, was paid by commission or piece rate, or was a non-exempt salaried employee, then the rate of pay will be calculated by dividing the employee's total wages, not including overtime, by the employee's total hours worked in the full pay periods of the prior 90 days of employment.

If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee must provide notice of the need for the leave as soon as practicable.

Sick days are available for the following purposes:

(1) Diagnosis, care or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member. Family member includes: a child (biological, adopted, foster, step, legal ward or a child to whom the employee stands in loco parentis), a biological, adoptive or foster parent, stepparent or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child, a spouse, a registered domestic partner, a grandparent, a grandchild or a sibling.

(2) For an employee who is a victim of domestic violence, sexual assault or stalking, for the purpose of (a) obtaining or attempting to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child; (b) seeking

medical attention for injuries caused by domestic violence, sexual assault, or stalking; (c) obtaining services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking; (d) obtaining psychological counseling related to an experience of domestic violence, sexual assault, or stalking; (e) participating in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

If an employee is absent for three or more consecutive days due to illness or injury, a physician's certificate may be required to support the absence. Before returning to work from a sick leave absence of 5 calendar days or more, an employee must provide a physician's release.

### **UNPAID LEAVES**

In addition to the paid leaves offered by The Diocese, the Diocese may grant unpaid leaves of absence to employees in certain circumstances. The Diocese provides:

- Medical Leave
- Pregnancy Disability Leave
- Child's Suspension
- School or Daycare Activities
- Military Leave
- Volunteer Firefighter, Reserve Peace Officer and Emergency Rescue Personnel Leave
- Domestic Violence Leave

As with paid time off, regular full and part-time employees are entitled to all of these time-off allowances. It is important to request any leave in writing as far in advance as possible, to keep in touch with your supervisor or the Bishop during your leave, and to give prompt notice if there is any change in your return date. If your leave expires and you have not returned, it will be assumed that you do not plan to return and that you have voluntarily terminated your employment.

The Diocese does not continue to pay premiums for health insurance coverage for employees on leaves of absence except as required by law and as outlined in this Handbook.

### ***MEDICAL LEAVE, OR OTHER ACCOMMODATION***

Employees may be eligible for leaves or other accommodation for their own serious health conditions if their physician certifies that they are unable to perform the essential functions of their position due to a disability, that a leave of absence (or other accommodation) would allow the employee to perform the essential functions of the position, and if (and for the period that) the Company is able to reasonably accommodate the requested accommodation without undue hardship to the Company.

Employees must provide at least 30 days advance written notice to the Bishop or his designee, unless the need for the leave was unforeseeable. For unforeseeable events, the employee must notify the Bishop as soon as the employee learns of the need for the leave. If the need for a leave is due to a planned medical treatment or supervision, the employee must make a reasonable effort to schedule the treatment or supervision to avoid disruption to the operations of the Diocese, subject to the approval of the health care provider. Failure to comply with these notice rules is grounds for, and may result in, denial or deferral of the requested leave until the employee complies with this notice policy.

The affected employee will be required to obtain a certification from the employee's health care provider of the employee's disability and the employee's eligibility for a reasonable accommodation. The certification should include:

- (1) the date on which the employee became disabled;
- (2) the probable duration of the period(s) of disability or the period(s) for the requested accommodation; and
- (3) a statement that: (a) due to the disability, the employee is unable to work at all or to perform any one or more of the essential functions of the position without undue risk to the employee or other persons; (b) that the employee ultimately will be able to perform the essential functions with the requested accommodation; and
- (4) setting forth the proposed reasonable accommodation.

Leaves under this policy are unpaid except as supplemented by SDI. The employee is required to apply accrued sick leave or vacation to this leave before taking the remainder of the leave as an unpaid leave. Employees do not accrue sick leave or vacation during unpaid portions of the leave, and are not eligible for holiday pay during a leave of absence.

An employee on a Medical Leave may continue to receive health insurance on the same terms and conditions as when working for up to a total of 12 workweeks, after which time the employee will receive notice of the employee's rights to continued coverage at the employee's own expense pursuant to COBRA. The employee must make arrangements with the Diocese in advance of leave regarding paying any employee portion of the insurance premiums. The Diocese may recover the premium payments it makes for an employee on Medical Leave if the employee fails to return from leave.

An employee returning from a leave under this policy is requested to provide the Company with at least two weeks advance notice of the date the employee intends to return to work. Returning employees will be required to provide a release to resume employment with or without accommodation.

The Diocese will endeavor to return employees granted leaves under these circumstances to the same or equivalent positions, but cannot guarantee reinstatement.

### *PREGNANCY DISABILITY LEAVE*

If you are disabled by pregnancy, childbirth or related medical conditions, you are eligible to take an unpaid pregnancy disability leave (“PDL”) for up to four (4) months. If you are affected by pregnancy or a related medical condition, you also are eligible to transfer to a less strenuous or hazardous position for which you are qualified or to less strenuous or hazardous duties, if this transfer is medically advisable and provided that the transfer can be reasonably accommodated by the employer. In addition, upon the advice of the affected employee’s healthcare provider, the affected employee may request reasonable accommodation for conditions related to pregnancy, childbirth or related medical conditions.

The PDL is for any period(s) of actual disability caused by your pregnancy, childbirth or related medical conditions up to four months (or 88 workdays) per pregnancy. PDL does not need to be taken in one continuous period of time but can be taken on an as-needed medical basis. Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth all would be covered by your PDL.

You must provide notice sufficient to notify the Diocese that you need to take a pregnancy disability leave and/or transfer. The notice should include the anticipated timing and duration of the leave or transfer. If the need for the leave or transfer is foreseeable because of the pregnancy, you must provide at least thirty (30) days’ advance notice before the pregnancy disability leave or transfer is to begin. You must consult with the Diocese regarding the scheduling of any planned medical treatment or supervision so as to minimize disruption to the operations of the Diocese. Any such scheduling is subject to the approval of your health care provider. If thirty (30) days’ advance notice is not possible, notice must be given as soon as practicable.

You are required to obtain a certification from your health care provider of your pregnancy disability or the medical advisability for a transfer. The certification should include:

- The date on which you became disabled due to the pregnancy or the date of the medical advisability for the transfer;
- The probable duration of the period(s) of disability or the period(s) for the advisability of the transfer; and
- A statement that, due to the disability, you are unable to work at all or that you are unable to perform any one or more of the essential functions of your position without undue risk to yourself, the successful completion of

your pregnancy or a statement that, due to your pregnancy, a transfer is medically advisable.

At your option, you can use any accrued vacation during your PDL. You are required to apply accrued sick leave to any unpaid portion of the leave. You also may be eligible for state disability insurance for the unpaid portion of your leave.

An employee on PDL shall continue to receive health insurance on the same terms and conditions as when working, up to a total of four (4) months. You must make arrangements with the Diocese in advance of leave regarding paying your portion of the insurance premiums. The Diocese may recover the premium payments it makes for you if you fail to return from leave. If you elect to suspend coverage during the leave, no health statements or pre-existing condition limitations apply upon your return and reinstatement of coverage.

As with all returning disabled employees, leave returns will be allowed only when your physician sends a release that you are able to resume employment with or without accommodation. Under most circumstances, upon submission of a medical certification that you are able to return to work from a pregnancy disability leave, you will be reinstated to your same position held at the time the leave began or to a comparable position, if available. You have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not gone on leave, then you would not be entitled to reinstatement.

This is a disability leave only. You are under an obligation to notify the Diocese immediately when you are no longer disabled although you may be eligible for Medical Leave. Failure to do so within three (3) days of no longer being disabled will be deemed a voluntary quit.

#### *CHILD'S SUSPENSION*

If it becomes necessary for an employee who is the parent or guardian of a child to attend the child's school to discuss possible suspension, the employee should alert his/her supervisor as soon as possible so that alternative arrangements may be made. Accrued vacation may be used for this purpose.

#### *SCHOOL OR DAY CARE ACTIVITIES*

An employee who is a parent or guardian of a child in kindergarten through grade 12, or one who is attending a licensed day care facility may request time off to participate in activities of the school or licensed day care facility. As much advance notice as possible is requested and the employee may use accrued vacation for this purpose. A maximum of 40 hours per calendar year may be requested for this purpose. If both parents of a child are employed by the Diocese at the same worksite, only the employee who first gives notice to the Diocese of the planned absence is entitled to take time off under this provision. The other parent may only take a planned absence simultaneously to visit the

school or day care of their child if he or she obtains approval for the time off. If so requested by the Diocese, the employee shall provide documentation from the school or day care facility as proof of participation in activities of the school or day care facility.

#### *MILITARY LEAVE*

Employees who wish to serve in the military or reserve service and take military leave should contact the Bishop for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service provided you return or apply for reinstatement consistent with applicable law.

#### *VOLUNTEER FIREFIGHTER, RESERVE PEACE OFFICER AND EMERGENCY RESCUE PERSONNEL LEAVE*

No employee shall receive discipline for taking time off to perform emergency duty as a volunteer firefighter, reserve peace officer and emergency rescue personnel. If you are participating as a volunteer firefighter, reserve peace officer and emergency rescue personnel, please alert your supervisor so that he or she may be aware of the fact that you may have to take unpaid time off. You may take up to fourteen (14) days off per calendar year to participate in fire or law enforcement training.

#### *DOMESTIC VIOLENCE LEAVE*

Any employee who is a victim of domestic violence, sexual assault or stalking may take time off from work to seek any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of him or herself or his or her child. Any such employee may also take time off to seek medical attention, obtain domestic violence services, obtain psychological counseling, or to participate in safety planning or other action to increase safety from future domestic violence, sexual assault or stalking.

In the event an employee needs to take time off under this policy, the employee should provide advance notice to his/her manager if possible. Otherwise, the employee should notify his/her manager as soon as possible. If an unscheduled absence is necessary under this policy, the employee may be asked to provide, within a reasonable time, certification consisting of any of the following: (a) police report indicating that the employee was a victim of domestic violence, sexual assault or stalking; (b) court order protecting or separating the employee from the perpetrator of an act of domestic violence or other evidence from the court or prosecuting attorney that the employee appeared in court; or (c) documentation from a licensed medical professional, health care provider, domestic violence or sexual assault victim's counselor showing the employee was undergoing treatment related to being a victim of domestic violence, sexual assault or stalking.

This is an unpaid leave for employees; however, employees with accrued vacation may apply accrued vacation to this leave. Employees who do not have any accrued vacation must take the time off without pay.

Employees who are victims of domestic violence, sexual assault, or stalking also may be eligible reasonable accommodations to enhance their safety in the workplace, so long as the accommodations do not constitute an “undue hardship” on the Diocese. Reasonable accommodations may include transfer, reassignment, modified schedule, changed work telephone, changed work station, installed lock, assistance in documenting domestic violence, sexual assault, or stalking that occurs in the workplace, and other safety procedures. In determining whether an accommodation is reasonable, the Diocese will consider the current circumstances and dangers facing the employee. The Diocese may request certification for the need for a reasonable accommodation, and expect the employee to notify the Diocese both when the reasonable accommodation is needed and if a reasonable accommodation no longer is needed.

The Diocese will not unlawfully discriminate or retaliate against an employee because of the employee’s status as a victim of domestic violence, sexual assault or stalking, or because the employee requires medical attention or psychological counseling related to domestic abuse, sexual assault, or stalking; services from a domestic violence shelter, program, or rape crisis center; or must participate in safety planning.

Except as required by law or as necessary to protect the employee’s safety, the Diocese will maintain the confidentiality of any documents indicating that an employee is a victim of domestic violence, sexual assault, or stalking. The Company will give the employee notice before any authorized disclosure.

#### *VICTIMS OF CRIME LEAVE*

An employee who is himself a victim or who is the immediate family member of a victim (a spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather, a registered domestic partner, or the child of a registered domestic partner of a victim) of a violent felony or serious felony may take time off from work. The absence from work must be in order to attend judicial proceedings related to a crime listed above.

Before you are absent for such a reason, you must provide documentation of the scheduled proceeding. Such notice is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office or a victim/witness office.

If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence. This leave is unpaid, but accrued vacation time may be used for this purpose.

In addition, an employee may take time off from work to appear in any court proceeding in which their rights are in issue in certain criminal matters. Specifically, an employee may take time off where the employee or the employee’s spouse, parent, child, sibling or guardian is the victim of the following offenses (as they are defined in the state Vehicle Code or state Penal Code):

- vehicular manslaughter while intoxicated;
- felony child abuse likely to produce great bodily harm or a death;
- assault resulting in the death of a child under eight years of age;
- felony domestic violence;
- felony physical abuse of an elder or dependent adult;
- felony stalking;
- solicitation for murder;
- a serious felony;
- hit-and-run causing death or injury;
- felony driving under the influence causing injury; and
- sexual assault.

This policy applies to any court proceeding where the victim's rights are in issue, including a delinquency proceeding involving a post-arrest release decision, plea, sentencing or post-conviction release decision.

Employees requiring this leave must give reasonable advance notice of the need to take time off, unless advance notice is not "feasible." In the event of an unscheduled absence, the employee must provide certification as soon as possible to support the absence (a police report indicating the employee was a victim of a specified offense; a court order protecting or separating the employee from the perpetrator or other evidence from the court or prosecutor that the employee appeared in court; or documentation from a health care provider, domestic violence or sexual assault victim's advocate, or other counsel showing that the employee was undergoing treatment related to being a victim of a specified offense).

#### *WORKERS COMPENSATION LEAVE*

An employee may be eligible for a leave of absence resulting from an occupational illness or injury, in accordance with state law. Employees must immediately report all workplace accidents, injuries and illnesses no matter how minor to their supervisor. In addition, the employee must provide the Diocese with a certification from a qualified health-care provider of the workplace injury or illness, the inability to work, and/or any work restrictions, and the expected duration of the restrictions and/or inability to work.

Workers' compensation leaves are without pay, although the employee may be eligible for benefits through the Diocese's workers compensation insurance. An employee also

may apply accrued sick leave or vacation, which will be integrated with any state disability, workers' compensation, or other wage reimbursement benefits for which the employee may be eligible. At no time will the employee receive a greater total payment than regular compensation.

An employee on a Workers Compensation Leave may continue to receive health insurance on the same terms and conditions as when working for up to a total of 12 workweeks, after which time the employee will receive notice of the employee's rights to continued coverage at the employee's own expense pursuant to COBRA. The employee must make arrangements with the Diocese in advance of leave regarding paying any employee portion of the insurance premiums. The Diocese may recover the premium payments it makes for an employee on Medical Leave if the employee fails to return from leave.

Upon the submission of a medical certification that the employee is able to return to work, the employee will be considered for reinstatement in accordance with applicable law.

## **ACKNOWLEDGEMENT OF RECEIPT**

I have received my copy of the Diocese's Personnel Policy of the Episcopal Diocese of San Diego dated May 1, 2017. I have had an opportunity to ask any questions I have regarding the Diocese's policies. I understand and agree that these documents set forth the terms and conditions of my employment as well as the duties and responsibilities and obligations of my employment with the Diocese. I understand and agree that it is my responsibility to read and remain informed regarding these documents.. I understand and agree that compliance with the policies set forth in the Handbook is a term and condition of continued employment.

I also acknowledge that my employment with the Diocese is at will, and not for a specified period of time. As such, it can be terminated at any time for any lawful reason, with or without cause or notice, by me or by the Diocese. I acknowledge that no oral or written statements or representations regarding my employment can alter the foregoing. I also acknowledge that, except for the policy of at-will employment, the Diocese reserves the right to revise, delete and add to the provisions of this Employee Handbook. I acknowledge that, except for the policy of at-will employment, terms and conditions of employment with the Diocese may be modified at the sole discretion of the Diocese with or without cause or notice at any time.

This Employee Handbook supersedes all previous employee handbooks and management memos that have been issued on subjects covered within. If I have questions regarding the content or interpretation of this Employee Handbook, I will bring them to the attention of the Bishop or his designee.

Employee's Signature: \_\_\_\_\_

Employee's Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_