

Catholic Charities Employee Handbook

- INTRODUCTION..... 3**
 - INTRODUCTORY STATEMENT 4
 - EMPLOYEE ACKNOWLEDGEMENT FORM 5
- EMPLOYMENT 6**
 - 101 NATURE OF EMPLOYMENT 6
 - 102 EMPLOYEE RELATIONS 7
 - 103 EQUAL EMPLOYMENT OPPORTUNITY 8
 - 105 HIRING OF RELATIVES 9
 - 107 IMMIGRATION LAW COMPLIANCE 10
 - 108 CONFLICT OF INTEREST 11
 - 110 OUTSIDE EMPLOYMENT 12
- EMPLOYMENT STATUS AND RECORDS 13**
 - 201 EMPLOYMENT CATEGORIES 13
 - 202 ACCESS TO PERSONNEL FILES 14
 - 203 EMPLOYMENT REFERENCE CHECKS 15
 - 204 PERSONNEL DATA CHANGES 16
 - 208 EMPLOYMENT APPLICATIONS 17
 - 209 PERFORMANCE EVALUATION 18
 - 280 ORGANIZATIONAL CHANGE, STAFF REDUCTION 19
- EMPLOYEE BENEFITS PROGRAMS 20**
 - 301 EMPLOYEE BENEFITS 20
 - 303 VACATION BENEFITS 21
 - 305 HOLIDAYS 23
 - 306 WORKERS' COMPENSATION INSURANCE 24
 - 307 SICK LEAVE BENEFITS 25
 - 308 TIME OFF TO VOTE 26
 - 309 BEREAVEMENT LEAVE 27
 - 310 EMPLOYEE RELIGIOUS RETREAT 28
 - 311 JURY DUTY 29
 - 312 WITNESS DUTY 30
 - 313 BENEFITS CONTINUATION 31
 - 380 LIFE, DENTAL AND MEDICAL INSURANCE 32
 - 381 RETIREMENT PLAN 33
 - 382 REEMPLOYMENT ASSISTANCE PLAN 34
 - 383 LONG TERM DISABILITY INSURANCE 35
- TIMEKEEPING / PAYROLL..... 36**
 - 401 TIMEKEEPING 36
 - 403 PAYDAYS 37
 - 405 EMPLOYMENT TERMINATION 38
 - 407 SEVERANCE PAY 39
 - 410 PAY DEDUCTIONS 40
- WORK CONDITIONS AND HOURS..... 41**

501 SAFETY	41
502 WORK SCHEDULES	42
504 USE OF PHONE AND MAIL SYSTEMS	43
505 SMOKING	44
506 REST AND MEAL PERIODS	45
507 OVERTIME	46
508 USE OF DIOCESAN EQUIPMENT AND VEHICLES	47
509 COMPUTER AND EMAIL USAGE	48
510 EMERGENCY CLOSINGS	49
LEAVES OF ABSENCE	50
602 FAMILY LEAVE	50
603 PERSONAL LEAVE	52
605 MILITARY LEAVE	53
607 PARENTAL LEAVE	57
EMPLOYEE CONDUCT AND DISCIPLINARY ACTION	58
701 PROGRESSIVE DISCIPLINE POLICY	58
702 DRUG AND ALCOHOL USE	61
703 SEXUAL AND OTHER UNLAWFUL HARASSMENT	62
704 ATTENDANCE AND PUNCTUALITY	63
705 PERSONAL APPEARANCE	64
706 RETURN OF PROPERTY	65
708 RESIGNATION -	66
712 SOLICITATION	67
779 CODE OF CONDUCT FOR CHURCH PERSONNEL FOR CATHOLIC CHARITIES	68
780 POLICIES AND PROCEDURES FOR THE PROTECTION OF CHILDREN AND YOUNG PEOPLE	73
782 COMPUTER SOFTWARE POLICY	91
783 EMPLOYEE REPORTING POLICY	92
MISCELLANEOUS	93
880 EMPLOYEE PROBLEM SOLVING	93
881 WORK FROM HOME	95
882 MEETING EMERGENCY CHILD CARE NEEDS	96
883 CIVIL ORGANIZATION MEMBERSHIP	97
884 SERVICE RECOGNITION PROGRAM	98

Introduction

Introductory Statement

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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This Handbook is designed to acquaint you with Catholic Charities and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the Handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Catholic Charities to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No Employee Handbook can anticipate every circumstance or question about policy. As Catholic Charities continues to grow, the need may arise to change policies described in the handbook. Catholic Charities, therefore, reserves the right to revise, supplement, or rescind any policies or portion of the Handbook from time to time as it deems appropriate, in its sole and absolute discretion. Employees will, of course, be notified of such changes as they occur.

Employee Acknowledgement Form

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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The Employee Handbook describes important information about this organization, and I understand that I should consult my immediate supervisor or the Executive Director of Catholic Charities regarding any questions not answered in the Handbook.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the Handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. I acknowledge that any changes to the Handbook to be effective must be in writing.

While I look forward to ongoing employment with Catholic Charities, I acknowledge that I have entered into my employment relationship with Catholic Charities voluntarily and that there is no specified length of employment.

Furthermore, I acknowledge that this Handbook is neither a contract of employment nor a legal document. I have had the opportunity to review the Handbook, and I understand where to access the handbook in the future. I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it.

EMPLOYEE'S SIGNATURE

DATE

EMPLOYEE'S NAME (TYPED OR PRINTED)

Employment

101 Nature of Employment

: Effective Date: 09-22-06
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: Revision Date: 09-22-06
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This Handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this Handbook, for it will answer many common questions concerning employment with Catholic Charities.

However, this Handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor Catholic Charities is bound to continue the employment relationship, if either chooses, at its will, to end the relationship at any time.

In order to retain necessary flexibility in the administration of policies and procedures, Catholic Charities reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this Handbook. The only recognized deviations from the stated policies are those authorized by the Bishop as President of the Board of Directors or by the Board of Directors.

102 Employee Relations

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities believes that the working conditions, wages, and benefits it offers to its employees, in total, are competitive with those offered by other employers in this area. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their immediate supervisor. If those concerns are not satisfactorily answered, see policy 880 Employee Problem Solving for the procedure to follow.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Catholic Charities amply demonstrates its commitment to employees by endeavoring to respond effectively to employee concerns.

103 Equal Employment Opportunity

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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It is the policy of Catholic Charities that employment decisions shall be based on merit, qualifications, and competence. Except where required or permitted by law, employment practices shall not be influenced or affected by virtue of an applicant's or employee's race, color, sex, national origin, age, disability or any other characteristic protected by law.

The Equal Employment Opportunity Act of 1972 expanded Title VII's coverage to include both public and private educational institutions. It did, however, grant exemption to religious institutions, including religious educational institutions. The exemption applies only to positions that pertain to carrying on the religious activities of the institution or where faith and worship participation are required as essential for fulfilling the position. Religion is a bona fide occupational qualification in those circumstances that involve religious activities and hiring an individual on the basis of religion, in that circumstance, is permitted.

In addition, it is Catholic Charities policy to provide an environment that is free of unlawful harassment of any kind, including that which is sexual, age-related, or ethnic. This policy governs all aspects of employment, promotion, assignment, discharge, and other terms and conditions of employment.

Any employee with questions or concerns about any type of discrimination in the workplace, or any activity perceived to be unlawful, is encouraged to notify the Executive Director of Catholic Charities. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination or unlawful activity of any type will be subject to disciplinary action, up to and including termination of employment.

105 Hiring of Relatives

: Effective Date: 09-22-06

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: Revision Date: 06-01-07

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It is well accepted that employment of relatives in the same area of an organization can cause serious conflicts and problems with favoritism and employee morale. In these circumstances, all parties, including supervisors, leave themselves open to charges of inequitable consideration in decisions concerning work assignments, transfer opportunities, time-off privileges, training and development opportunities, performance evaluations, promotions, demotions, disciplinary actions, and discharge.

In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

It is the policy of Catholic Charities policy that relatives of persons currently employed by the organization, may be hired provided no direct reporting or supervisor or subordinate relationship exists. That is, no employee is permitted to work within “the chain of command” when one relative’s work responsibilities, salary, hours, career progress, benefits, or other terms and conditions of employment could be influenced by the other relative. The reporting relationship is not to be “finessed” so that the chain of command is circumvented only to eliminate one relative reporting to another. While not exhaustive, some examples, that are not acceptable, are: Business Manager and Principal in the same parish; Principal and Teacher in the same school, Office Manager and Regional Director in the same office.

Should employees, as of this revision date, currently be in positions which violate this policy, they will be permitted to remain in those positions. However, they are to be encouraged to pursue other employment opportunities when they become available.

In order to assure the correct implementation of this policy, when a family member is hired, no matter what the position, the Executive Director must approve the hire.

For the purposes of this policy, a relative is defined to include spouses, parents, children, brothers, sisters, brothers-and sisters-in-law, fathers-and mothers-in-law, stepparents, stepbrothers, stepsisters, and stepchildren.

107 Immigration Law Compliance

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities complies with the Immigration Reform and Control Act of 1986 and is committed to employing only United States citizens and others who are authorized to work in the United States. As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9. Before commencing work, newly rehired employees must also complete the form if they have not previously filed an I-9 with Catholic Charities, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid.

108 Conflict of Interest

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Catholic Charities wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. An actual, apparent or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of this agency's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she discloses to his or her supervisor, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which this organization does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Catholic Charities. Any employee who participates in such practices will be subject to disciplinary action, up to and including possible discharge.

110 Outside Employment

: Effective Date: 09-22-06

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An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with Catholic Charities. Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by the same performance standards and will be subject to Catholic Charities scheduling demands, regardless of any existing outside work requirements.

If Catholic Charities determines that an employee's work is not being performed satisfactorily or the outside employment is affecting the employee's ability to meet the requirements of Catholic Charities as they are modified from time to time, the employee may be asked to terminate the outside employment, if he or she wishes to remain with Catholic Charities. Outside employment will present a conflict of interest if it has an actual or potential adverse impact on Catholic Charities.

Employment Status and Records

201 Employment Categories

: Effective Date: 09-22-06
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: Revision Date: 09-22-06
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It is the intent of Catholic Charities to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state wage and hour laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary status and who are regularly scheduled to work 30 hours per week or more. Generally, they are eligible for Catholic Charities full benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are not assigned to a temporary status and who are regularly scheduled to work less than the full-time work schedule but at least 20 hours per week. Regular part-time employees are eligible for some benefits sponsored by Catholic Charities, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary status and who are scheduled to work less than 20 hours per week. While they do receive all legally mandated benefits (such as workers' compensation and Social Security benefits), they are ineligible for all of Catholic Charities other benefit programs.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project, regardless of the number of hours per week they work. Employment assignments in this category are of a limited duration.

Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of the employer's other benefit programs.

202 Access to Personnel Files

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Personnel files are the property of Catholic Charities, and access to the information they contain is restricted. Only officials and representatives of Catholic Charities who have a legitimate reason to review information in a file are allowed to do so. With reasonable advance notice, an employee may review material in his or her file but only in the Administrative Office and in the presence of the Executive Director of Catholic Charities.

203 Employment Reference Checks

: Effective Date: 09-22-06

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To ensure that individuals who join the organization are well qualified and have a strong potential to be productive and successful, it is the policy of Catholic Charities to check the employment references of applicants.

The Executive Director will respond in writing only to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No other employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

204 Personnel Data Changes

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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It is the responsibility of each employee to promptly notify the Executive Director of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

208 Employment Applications

: Effective Date: 09-22-06

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Catholic Charities relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Catholic Charities reserves the right to verify all information given. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in Catholic Charities exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

209 Performance Evaluation

: Effective Date: 09-22-06

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Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance reviews are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of all employees is generally evaluated according to an ongoing 12-month cycle, beginning at the fiscal-year end. Merit-based pay adjustments are awarded by Catholic Charities in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance review process and the financial condition of Catholic Charities.

280 Organizational Change, Staff Reduction

: Effective Date: 09-22-06

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It is the intention of Catholic Charities to do all that is possible to give our employees every consideration should organizational change affect their employment status. In order to respond to the concerns that our employees may have, the following is Catholic Charities policy regarding organizational change:

1. It is the intent of Catholic Charities to ensure that where significant changes in the duties and responsibilities of a position are made, an affected employee will, if possible, receive the necessary training to allow him/her to meet the new duties for that position. Should training not be possible or the position is to be eliminated, that affected employee will, if possible, be placed in a similar available position. Regional Directors are to keep the Executive Director advised of the changes noted above so that:
 - a. Training opportunities can be discussed and planned.
 - b. Plans can be made to utilize normal attrition to provide career opportunities for others.
2. Should a new position be created, the qualifications and duties for that position would be posted in the usual manner. All qualified employees will be encouraged to apply. The individual who best meets the qualifications for the position will be selected for that position.
3. Should there be no appropriate position available, or the training required is not possible, adequate notice will be given to the employee by their Regional Director. The Executive Director will explore possible employment at a local parish and other assistance will be given to try to secure other employment. A severance procedure will be implemented. Lastly, the employee would be eligible for the Reemployment Assistance Plan.

Employee Benefits Programs

301 Employee Benefits

: Effective Date: 09-22-06

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Eligible employees in Catholic Charities are provided a wide range of benefits. A number of the programs, such as Social Security and Workers' Compensation, cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The Executive Director can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the Employee Handbook.

Some benefit programs require contributions from the employee, but most are fully paid by Catholic Charities.

303 Vacation Benefits

Effective Date: 09-22-06

Revision Date: 11-04-2015

Vacation leave with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation leave as described in this policy. For the purpose of this policy, a week is technically defined as any fixed, defined 7-day period. The Diocese of Raleigh and its affiliate organizations define a one-week period as Sunday through Saturday.

Regular full-time employees (at least 30 hours per week)

For regular full-time employees, amount of time off is based on amount of days the employee regularly works (for example, 5 days worked per week yields 5 days off per 1 week of vacation. Over the course of one year, this would be 10 days for an employee who has been with the agency 5 years or less.).

Regular part-time employees (>20-29 hours per week)

For regular part time employees, amount of time off is based on the amount of hours the employee regularly works (for example, 4 days worked per week yields 4 days off per 1 week of vacation. Over the course of one year, this would be 8 days for an employee who has been with the agency 5 years or less.).

Employees who work **variable schedules** (for example, 10 hours on Monday and Tuesday, and then 4 hours on Wednesday and Thursday, with Fridays off), annual vacation should be calculated based on the number of hours the employee is expected/scheduled to work per week. That is, if the employee is expected/scheduled to work 28 hours per week, they will have earned 28 hours of vacation time per week (that is, 56 vacation hours per year/annually for an employee who has been with the agency 5 years or less). This accrual should be tracked and managed by the employee's manager, director, or designated site coordinator.

Part-time (<20 hours per week) and Temporary Employees

Employees designated as Part-time or Temporary are not eligible for paid vacation leave.

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule.

Vacation Earning Schedule for Regular full-time and Regular Part-time Employees

Years of Eligible Service	Vacation Days Accrued Yearly	Vacation Days Accrued Monthly (for employees working 37.5 hours/week) **
Less than 1 year*	Maximum 10 days	.83 days/month
After 1 year	Maximum 10 days	.83 days/month
After 5 years	Maximum 15 days	1.25 days/month
After 10 years	Maximum 20 days	1.66 days/month

*May be taken after 3 months employment

**For employees working less than 37.5 hours, vacation days will be accrued on a prorated basis.

The years of eligible service is calculated on the basis of a “benefit year.” This is the 12-month period that begins July 1 and ends on June 30 of the following calendar year. Individuals on unpaid leave of absence do not accrue vacation time. (See individual leave of absence policies for more information.)

Paid vacation time may be used in minimum increments of one half day. To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Vacation time off is paid at the employee’s base pay rate at the time the leave is taken.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits.

In the event that available vacation is not used by the end of the benefit year, employees will forfeit the unused time. Exceptions must be requested, in writing, before the end of the “benefit year.” Approval for up to two weeks of vacation to be carried into the next “benefit year” for special reasons, such as a trip overseas, must be given by the Regional Director and/or the Executive Director.

Upon termination of employment, employees may be paid for unused vacation time that has been earned through the last day of work. Employees must give a minimum of two weeks’ notice or the vacation balance will not be paid, and will be forfeited.

305 Holidays

: Effective Date: 09-22-06

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: Revision Date: 11-01-09

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Catholic Charities will grant holiday time off to all employees on the holidays listed below.

New Year's Day
Martin Luther King, Jr. Day (third Monday in January)
Good Friday
Easter Monday
Memorial Day (last Monday in May) ***
Independence Day ***
Feast of the Assumption *
Labor Day (first Monday in September) ***
All Saints Day *
Thanksgiving (fourth Thursday in November)
Day after Thanksgiving
Feast of the Immaculate Conception * *
December 24th through December 31st

- * This day will be celebrated only if the day is a day of obligation. Also, should this day fall on a weekend or other non-working day, the day off does not transfer to another day.
- ** This holiday will be celebrated should it occur Monday through Friday.
- *** Catholic Charities will be closed at 11:30 A.M. on the business day prior to this holiday.

According to applicable restrictions, the employer will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular full-time employees
- Regular part-time employees

Should the Independence Day holiday fall on a Saturday, the preceding Friday will be taken as the holiday. Should the holidays of New Year's Day and Independence Day fall on a Sunday, the following Monday will be taken as the holiday.

If a recognized holiday falls during an eligible employee's paid vacation, holiday pay or another day off will be provided, at the discretion of the supervisor.

If an eligible employee works on a recognized holiday, he or she will receive holiday pay plus wages at his or her straight-time rate for the hours worked on the holiday or be given an alternate day off at the discretion of the supervisor.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

306 Workers' Compensation Insurance

: Effective Date: 09-22-06

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Catholic Charities provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Any employee who sustains a work-related injury or illness should inform his or her supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

307 Sick Leave Benefits

: Effective Date: 09-22-06

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: Revision Date: 11-01-09

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Catholic Charities provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- Regular full-time employees
- Regular part-time employees

Eligible employees accumulate one paid sick day per month for each month of service up to a maximum accumulation of ninety (90) days. It is the responsibility of both employees and their immediate supervisors to keep an accurate record of the sick leave accumulation and the sick leave taken.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. If an employee is absent for five or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition of paying sick leave benefits.

Before returning to work from a sick leave absence an employee may be requested to present a physician's statement verifying that he or she may return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and normal hours worked.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Upon termination of employment, whether voluntary or involuntary, the terminating employee shall not be entitled to any payment for any unused sick leave benefits.

308 Time off to vote

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities encourages employees to fulfill their civic responsibilities by voting. If an employee is unable to vote in a statewide election during his or her nonworking hours, the employer will grant up to two hours of paid time off to vote. Employees should request time off to vote from their supervisor at least two working days prior to election day, so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

309 Bereavement Leave

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Paid bereavement leave will be provided to eligible employees in the following classification(s):

- Regular full-time employees
- Regular part-time employees

Bereavement pay is calculated based on the base pay rate at the time of absence.

Bereavement pay will be paid according to the following schedule:

- Five Days - Spouse, parent, children, sibling, guardian
- Three Days - Grandparents, grandchildren, spouse's parents

Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

These special requests must be recommended by the Regional Director and approved by the Executive Director.

310 Employee Religious Retreat

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities permits eligible employees to make a personal, religious retreat, with pay. Employees in the following employment classifications are eligible to request leave to attend a personal religious retreat as described in this policy:

- Regular full-time employees
- Regular part-time employees

Eligible employees who have completed 1 year of service may request leave for a personal, religious retreat for a period of up to 5 consecutive work days every year. The retreat must be taken at a recognized retreat center. Requests will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

The cost of the retreat is the responsibility of the employee.

Vacation, sick leave and holiday benefits will continue to accrue during this leave.

311 Jury Duty

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities encourages employees to fulfill their civic responsibilities by serving jury duty when required. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees
- Regular part-time employees

Employees must show the jury duty summons to their supervisor as soon as possible to verify the reason for their absence. Early notice will also allow the supervisor to make arrangements to accommodate the employee's absence. Of course, the employee is expected to report for work whenever the court schedule permits. Either Catholic Charities or the employee may request an excuse from jury duty if, in Catholic Charities judgment, the employee's absence would create serious operational difficulties.

Catholic Charities will continue to provide health insurance benefits for the full term of the jury duty absence.

Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will not be affected during paid jury duty leave.

312 Witness Duty

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities encourages employees to appear in court for witness duty when subpoenaed to do so. If the employee has been subpoenaed as a witness by Catholic Charities, he or she will receive paid time off for the entire period of witness duty.

Eligible Categories:

- Regular Full Time Employees
- Regular Part Time Employees

Eligible employees will be granted a maximum of 15 hours of paid time off to appear in court as a witness at the request of a party other than Catholic Charities. Employees will be paid at their base rate and are free to use any remaining paid leave benefits (e.g. vacation leave) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena is to be shown to the employee's supervisor immediately after it is received to verify the reason for absence. Early notice will also allow the supervisor to make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

313 Benefits Continuation

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities benefits program gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under Catholic Charities health plan when a “qualifying event” would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, except for gross misconduct; death of an employee; a reduction in an employee’s hours or a leave of absence; an employee’s divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Under Catholic Charities benefits program, the employee or beneficiary pays the full cost of coverage at Catholic Charities group rates plus an administration fee.

380 Life, Dental and Medical Insurance

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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All regular full time employees are eligible for coverage under the life, dental and medical insurance plans offered by Catholic Charities.

Life insurance is fully paid for by Catholic Charities and is provided under our group coverage in an amount equal to two times your annual salary rounded to the next highest thousand.

Medical and dental insurance is mostly paid for by Catholic Charities for employee coverage only. Additional coverage can be purchased under group rates by the employee for the spouse or family. Deductions, authorized by the employee, will be made from the employee's pay.

The on-line manuals for Catholic Charities Group Benefit Plan should be referred to for additional information.

381 Retirement Plan

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Retirement benefits for eligible employees are fully paid for by Catholic Charities. Contributions to the plan will be made beginning the July 1st following the third anniversary of the eligible employee's employment. Eligible employees are those employees who are at least age 21 and have completed 1,000 or more Hours of Service in the Plan Year.

The on-line manual for the Retirement Plan for Lay Employees should be referred to for additional information. Catholic Charities also sponsors a voluntary Tax Deferred 403 (B) program to provide interested employees with an attractive retirement savings program. For eligible employees, Catholic Charities will also make matching contributions to the 403 (B) plan. Employees interested in participating in the Tax Deferred 403 (B) program should contact the Benefits Administrator for further information.

382 Reemployment Assistance Plan

: Effective Date: 09-22-06

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: Revision Date: 11-01-09

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Catholic Charities provides a reemployment assistance benefit to eligible employees whose employment was involuntarily terminated without cause. For the purpose of this plan, cause means action on the part of the employee which constitutes some misconduct or fault on the employee's part including, without limitation, criminal activity, insubordination, dereliction of duty, and other actions which could, in the sole judgment of the Executive Director bring scandal upon the church. Eligible employee classifications:

- Regular full-time employees
- Regular part-time employees

Terminated employees in either of these two categories who have an employment contract, or are terminated for cause or resign their positions are ineligible for benefits.

A terminated employee must also meet the length of service requirements below in order to receive payments under this plan.

Length of Service Percent of Payment (Maximum of 66.67% of Base Pay).

0 - 3 Months	0% of Base Pay
3 - 6 Months	22.22% of Base Pay
6 - 12 Months	44.44% of Base Pay
More than 1 Year	66.67% of Base Pay

The maximum weekly benefit to be paid pursuant to this policy shall not exceed the maximum weekly benefit paid by the State of North Carolina as unemployment insurance. This benefit shall be available until the employee has found other employment or becomes self-employed, but not to exceed 26 weeks. After the benefit payment has begun, the eligible person must complete a Weekly Certification Form to certify that they have not found employment. Forms can be obtained from your supervisor or the Executive Director. Proof of registration with the North Carolina Employment Security Commission must also be submitted to Catholic Charities. Failure to provide this information or the falsification of any information will render the participant ineligible for benefits.

To the extent applicable, this policy will be implemented in a manner, so as to be exempt from Section 409A of the Internal Revenue Code of 1986.

383 Long Term Disability Insurance

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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All regular, full time employees are eligible for coverage under the long term disability insurance plan of Catholic Charities.

The on-line manual for the Long Term Disability Income Plan should be referred to for additional information.

Timekeeping / Payroll

401 Timekeeping

: Effective Date: 09-22-06
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: Revision Date: 09-22-06
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Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Catholic Charities to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. Overtime work must always be approved before it is performed.

Tampering, altering, or falsifying time records, or recording time on another employee's time record may result in disciplinary action, including discharge. Nonexempt employees should report to work no more than ten minutes prior to their scheduled starting time and should depart within ten minutes after their scheduled stop time without expressed, prior authorization from their supervisor.

403 Paydays

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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All employees are paid biweekly on alternating Fridays. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off e.g., a holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

405 Employment Termination

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Since employment with Catholic Charities is based on mutual consent, both the employee and Catholic Charities have the right to terminate employment at will, with or without cause, at any time. Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION - employment termination initiated by an employee who chooses to leave the organization voluntarily.

DISCHARGE - employment termination initiated by Catholic Charities. (Usually for disciplinary reasons)

LAYOFF - involuntary employment termination initiated by Catholic Charities for non-disciplinary reasons.

RETIREMENT - voluntary retirement from active employment status initiated by the employee.

The immediate supervisor will schedule exit interviews with the Executive Director or assignee for terminating employees. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the organization, or return of Catholic Charities-owned property. Suggestions, complaints, and questions can also be voiced.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

407 Severance Pay

: Effective Date: 09-22-06

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: Revision Date: 08-01-07

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Catholic Charities provides severance pay to eligible employees whose employment termination is initiated by Catholic Charities for other than disciplinary or performance reasons. Eligible employee classifications:

- Regular full-time employees
- Regular part-time employees

Any employee receiving severance pay shall not be eligible for payments under the Reemployment Assistance Plan until the severance pay benefits have been exhausted and then only if all eligibility rules and provisions set forth in the Reemployment Assistance Plan Policy have been satisfied.

Catholic Charities will continue to pay the same share of the employee's group medical and dental premiums during the severance pay period that it usually pays, but the employee is responsible for payment of his/her share of employee and/or dependent insurance premiums during that period.

Severance pay will be provided to eligible employees according to the following schedule:

Completed Years of Service	Weeks of Severance Pay
Less than 1	2
1	4
5	8
10	12
15 or more	16

A week of severance pay is defined as the employee's average week's base pay during the last six months of employment, excluding overtime or any other special forms of compensation paid to the employee.

Specifically excluded from benefits under this provision are employees who:

1. Were hired as temporary employees for a specified period of time;
2. Were offered but refused to accept another suitable position with Catholic Charities.

To the extent applicable, this policy will be implemented in a manner, so as to be exempt from Section 409A OF THE Internal Revenue Code of 1986.

410 Pay Deductions

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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The law requires that Catholic Charities make certain deductions from every employee's compensation. Among these are applicable federal and state income taxes. Catholic Charities also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base". Catholic Charities matches the amount of Social Security taxes paid by each employee.

Catholic Charities offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs.

If you have questions concerning why deductions were made from your pay check or how they were calculated, your supervisor can assist in having your questions answered.

Work Conditions and Hours

501 Safety

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Each employee is expected to obey safety rules and exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

502 Work Schedules

: Effective Date: 09-22-06

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: Revision Date: 11-01-09

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The normal work schedule for regular full time employees is 7.5 hours a day, 37.5 hours a week from 8:30 A.M. to 5:00 P.M. This allows one hour for lunch. Supervisors will advise all other employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

FLEX TIME

Flex time is the ability for employees to adjust their regular work day, in consultation with their supervisor and with the approval of their supervisor. An example of flex time would be an employee, with the approval of their supervisor, adjusting his or her work schedule from the regular 8:30 A.M. – 5:00 P.M. time to 8:00 A.M. – 4:30 P.M., or 9:00 A.M. to 5:30 P.M. This type of flex time is permissible, with the approval of an employee’s supervisor, as long as it does not negatively impact the service provided by that department or Regional Office.

COMPENSATORY (COMP) TIME

Catholic Charities has two categories of positions – exempt and non-exempt. Exempt employees are professionals who are exempt from guidelines that require pay for overtime, and non exempt employees must be paid for overtime. A position is classified as exempt or non-exempt based upon a variety of factors related to the nature of the responsibilities of the job.

Compensatory time for exempt employees, in the form of hour for hour time off at a future time for hours worked over 40 hours per week, is not an approved practice for Catholic Charities. Exempt professional staff members are expected to work the number of hours necessary to get the job done. In consultation with their supervisor, an exempt employee who has worked significant numbers of hours on a particular project or projects can take time off on occasion (that is not considered as vacation time) at a time they mutually agree upon. However, there is not to be an hour for hour calculation for exempt professional staff for time off verses hours worked over 40 hours per week.

Hourly non-exempt staff members do not receive comp time. They are to be paid overtime for hours worked over 40 hours per week.

504 Use of Phone and Mail Systems

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Employees, as a general rule, are not to make or receive personal calls from their work place. The use of Catholic Charities-paid postage for personal correspondence is not permitted.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

505 Smoking

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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In keeping with Catholic Charities intent to provide a safe and healthful work environment, smoking is prohibited in all areas of Catholic Charities work sites. This policy applies equally to all employees and visitors.

506 Rest and Meal Periods

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Each workday, full-time nonexempt employees are provided with two rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their work stations beyond the allotted rest period time.

All full-time employees are provided with one meal period of 60 minutes in length each full workday.

Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Ordinarily employees are not to eat meals in their work area.

507 Overtime

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's and/or the Executive Director's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state laws at the following rates:

- Straight time for all hours worked between 37.5 and 40 hours in a workweek.
- One and one-half times straight-time rate for all hours over 40 in a workweek.

If compensatory time is given in lieu of paid overtime, the above formula is to be used in computing the amount of compensatory time owed. Compensatory time must be used within the pay period of the overtime worked.

As required by law, overtime pay is based on actual hours worked. Time off such as holiday, sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

508 Use of Diocesan Equipment and Vehicles

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using Catholic Charities property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any Catholic Charities equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job. Employees who use Catholic Charities cars should follow this procedure in case of accident:

- a) notify the police;
- b) notify the Executive Director;
- c) notify their supervisor.

Information to have on hand is the name, address, telephone number, driver's license number and insurance company of the other party.

The improper, careless, negligent, destructive, or unsafe use or operation of Catholic Charities equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action up to and including discharge.

509 Computer and Email Usage

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities provides technology resources to enhance an individual's ability to advance the mission of the Church. All data stored on technology provided by Catholic Charities to clergy, employees and volunteers is the property of Catholic Charities and may be accessed by authorized Catholic Charities representatives for review. The Executive Director also reserves the right to audit or track communication transmissions via technology that is the property of Catholic Charities.

Employees should not assume a right to privacy or confidentiality relating to electronic communications over the Catholic Charities systems. Authorized personnel have a right to inspect, monitor, disclose, disseminate and delete any and all electronic communications, data files or documents.

Employees may not access, use or disclose non-public personal or confidential information without appropriate authorization, in writing, from their supervisor and must take necessary precautions to protect confidentiality of non-public personal or confidential diocesan information in the performance of their duties.

Catholic Charities strives to maintain a workplace that is free of harassment and sensitive to the diversity of our employees. Therefore, we prohibit the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale.

It is prohibited to knowingly display, download, or email sexually explicit images, messages, and cartoons. Other examples of unacceptable computer usage include (but are not limited to) ethnic slurs, racist comments, offensive jokes, or anything that may be seen by another person as harassment or disrespectful.

Employees and volunteers may not use email to solicit others for commercial ventures or political causes.

Employees and volunteers should notify their supervisor, the Executive Director or any member of management if they learn about a violation of this policy or discover inappropriate material being stored or transmitted by Catholic Charities technology. Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

510 Emergency Closings

: Effective Date: 09-22-06
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: Revision Date: 09-22-06
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Emergency conditions, such as severe weather, fire, flood, or earthquake, can disrupt operations and interfere with work schedules, as well as endanger employees' well being. Due to these conditions, the Regional Director or the Executive Director may authorize the closing of the Regional Office and sites. Employees are to call the Regional office for a message advising of the closing. When operations are required to close, the time off from scheduled work will be paid.

Leaves of Absence

602 Family/Medical Leave

: Effective Date: 09-22-06
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: Revision Date: 08-01-07
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In accordance with federal law, Catholic Charities may grant up to 12 weeks total Family/Medial Leave to eligible employees during any twelve-month period.

Family/Medical Leave is granted under the following conditions:

1. After the birth or adoption of a child by an employee, or the placement of a foster child with an employee.
2. To care for a seriously ill spouse of an employee.
3. To care for a seriously ill child of an employee.
4. To care for a seriously ill parent of an employee.
5. In connection with an employee's own serious illness.

The following criteria must be met before Family/Medical Leave can be approved:

1. The employee must have worked for Catholic Charities at least 12 months and the employee must have been employed for at least 1250 hours during the 12 month period immediately preceding the beginning of the leave period.
2. The designation of leave as Family/Medical Leave does not create a right to paid leave. Family/Medical Leave runs concurrently with other available paid leaves such as vacation or sick leave, when those leaves are used for a Family/Medical Leave reason. After all paid leave is exhausted; any remaining Family/Medical Leave is unpaid time off from work.
3. A doctor's written certification must be obtained and presented to Catholic Charities to verify an employee's or family member's serious illness. Catholic Charities reserves the right to require an employee to report periodically on his or her status and intention to return to work. An employee taking leave due to his or her own serious health condition will be required to obtain a doctor's written certification that he or she is able to return to work before the employee will be permitted to return to work. Return to work may be delayed if such certificate is not provided. When vacation or sick leave is used for a Family/Medical Leave reason, the notice and certification requirements of this policy will apply.
4. A husband and wife who are both employees of Catholic Charities may be restricted to a combined total of 12 weeks of leave within any 12 month period for the birth, adoption, foster care placement of a child or to care for a parent with a serious health condition.

Family/Medical Leave entitlements will be measured on a rolling twelve month basis. For example, if an employee used four weeks of leave beginning March 1, 2006, four weeks of leave beginning June 1, 2006, and four weeks of leave beginning December 1, 2006, the employee

would not be entitled to any additional leave until March 1, 2007. On March 1, 2007, the employee would be entitled to four weeks of leave and on June 1, 2007, the employee would be entitled to an additional four weeks of leave, and so on.

When an employee returns to work from a period of Family/Medial Leave, the employee will be reinstated to the same position, if it is available, or an equivalent position with no reduction in pay, benefits, or other terms and conditions of employment.

Catholic Charities will continue to pay the same share of the employee's group insurance premiums during a Family/Medical Leave period that it usually pays, but the employee is responsible for payment of his/her usual share of employee and/or dependent insurance premiums during the leave. Benefits such as vacation, sick leave, and holiday benefits will continue to accrue during the approved Family/Medical Leave period.

In situations where necessity for leave is foreseeable, such as leave for birth, adoption, or planned medical treatment, the employee must provide Catholic Charities with at least thirty (30) days notice before Family/Medical Leave can be approved. In all other situations, notice by the employee as soon as practicable is required.

So that an employee's return to work can be properly scheduled, an employee on Family/Medical Leave is requested to provide Catholic Charities with at least two weeks advance notice of the date the employee intends to return to work.

Family/Medical Leave may be taken intermittently or on a reduced leave schedule in some circumstances. Written requests for extension of the leave period due to extenuating circumstances will be considered on an individual basis. For additional information, contact the Executive Director of Catholic Charities.

This policy is adopted pursuant to the Family and Medical Leave Act of 1993 ("FMLA"). It is the intent of Catholic Charities to comply fully with FMLA and, to the extent anything herein is inconsistent with FMLA, the FMLA shall control.

603 Personal Leave

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Personal leave without pay is available to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classifications are eligible to use personal leave as described in this policy:

- Regular full-time employees
- Regular part-time employees

Employees may request personal leave only after having completed one year of service in an eligible employment classification. Personal leave may be granted for a period of up to 60 calendar days every one year. Your request must be approved by your immediate supervisor, your Regional Director and the Executive Director. Pending approval, employees may take vacation leave prior to the effective date of the personal leave of absence.

Requests for personal leave will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, Catholic Charities will continue to provide health insurance benefits until the end of the month in which the personal leave begins. At that time, employees will become responsible for the full costs of their health insurance benefits. Catholic Charities will resume payment of the costs of these benefits when the employee returns to active employment.

Accruals of benefit calculations, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When personal leave ends, the employee will return to the same position or to a similar one for which qualified. If the previous position or a comparable one is not available, an effort will be made to offer another position that is available and suitable. Although every reasonable effort will be made to place an employee at the end of a personal leave, Catholic Charities cannot guarantee reinstatement in all cases.

If an employee fails to report to work at the expiration of the approved leave period, Catholic Charities will assume that the employee has resigned.

605 Military Leave

: Effective Date: 09-22-06

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: Revision Date: 07-01-07

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Overview

It is the policy of Catholic Charities to provide a military leave of absence and reinstatement rights in accordance with the federal Uniformed Services and Reemployment Rights Act of 1994 (“USERRA”).

Covered Service

Catholic Charities will grant a military leave of absence to employees for the performance of “service in the uniformed services”. “Services in the uniformed services” means the performance of duty on a voluntary or involuntary basis in a uniformed service, including:

- * Active duty;
- * Active duty for training’
- * Initial active duty for training;
- * Full-time National Guard duty;
- * Absence from work for an examination to determine a person’s fitness for military duty; and
- * Funeral honors duty performed by National Guard or reserve members.

The “uniformed services” consist of the following:

- * Army, Navy, Marine Corps, Air Force, Coast Guard, or their reserve components;
- * Army National Guard or Air National Guard
- * Commissioned Corps of the Public Health Service; and
- * Any other category of persons designated by the President in time of war or emergency.

Military leave is not available for any individual employed in a position that is brief or non-recurrent and that cannot reasonably be expected to continue indefinitely or for a significant period of time.

Right of Reemployment

An employee is entitled to reemployment rights and maintenance of employee benefits only if the employee returning from military leave meets the following criteria:

- * The employee must have held a job with Catholic Charities;
- * The employee must have give advance notice as required by the USERRA regulations to Catholic Charities that the employee was leaving the job for service in the uniformed services;
- * The cumulative absence period due to military leave must not have exceeded 5 years (with limited exceptions involving certain emergencies, reserve drills, and ordered active duty during the employee’s employment relationship with Catholic Charities);

- * The employee must not have been released under dishonorable or other punitive conditions; and
- * The employee must have reported back to the job with Catholic Charities in a timely manner or have submitted a timely application for reemployment (as described below).

Catholic Charities is not required to reemploy a returning employee if reemployment would impose an undue hardship on Catholic Charities or Catholic Charities circumstances have changed in such a manner that reemployment would be impossible or unreasonable.

Reporting Back to Work

An employee's notification of intent to return to work after completion of military service must be made in accordance with the following deadlines;

- * For military service of less than 31 days. The employee must report back to work by the beginning of the first full regularly scheduled work period, on the first full calendar day following completion of the military service period plus 8 hours, after a period allowing for safe travel home. If timely reporting back to work would be impossible or unreasonable due to no fault of the employee, the employee must report back to work as soon as possible.
- * For military service of 31 to 180 days. The employee must submit an application for reemployment within 14 days after completion of military service. If submission of a timely application would be impossible or unreasonable due to no fault of the employee, the application must be submitted as soon as possible.
- * For military service of more than 180 days. The employee must submit an application for reemployment with 90 days after completion of military service.

A returning employee who is hospitalized for or convalescing from injuries incurred in or aggravated by the military leave may apply for reemployment at the end of the period that is necessary for the employee to recover from such illness or injury; provided that, such period of recovery may not exceed 2 years. This 2-year period may be extended by the minimum time required to accommodate a circumstance beyond the employee's control that would make reporting within such period impossible or unreasonable.

If the employee fails to report to work or apply for reemployment within the specified time limits, the employee will be subject to Catholic Charities rules governing unexcused absences.

Compensation

USERRA does not require Catholic Charities to continue regular pay during an employee's period of military leave. However, Catholic Charities will provide partial pay to employees for 2-week training assignments and shorter absences. The portion of any military leave in excess of 2 weeks will be unpaid. Employees may elect to use any vacation time that had accrued prior to the commencement of military service for the military leave.

Health Coverage

If an employee's coverage under the health plan of Catholic Charities would otherwise terminate because of a military leave of absence, the employee may elect to continue health coverage for up to the lesser of (i) 24 months after the date on which the absence begins, or (ii) the period of military service (plus the time allowed for reemployment as described above).

If the period of military service is less than 31 days, then, the employee may be required to pay no more than the normal employee share for coverage. If the period of military service is for 31 days or more, then, the employee may be required to pay no more than 102 percent of the full premium under the plan.

Health benefits will be reinstated upon reemployment with no waiting periods or exclusions imposed on an employee whose coverage was terminated because of military service (unless an injury or illness was incurred or aggravated during the performance of military service).

Other Welfare Benefits

Continued coverage of other non-seniority based benefits, such as life insurance, disability and vacation, will be provided to an employee on a military leave to the extent that such coverage is provided to similarly situated employees on comparable leaves of absence.

403 (b) Tax-Deferred Savings Plan

Upon reemployment after military service, an employee will be treated as not having incurred a break in service under the 403 (b) Tax-Deferred Savings Plan. Military service will be considered service with Catholic Charities for vesting purposes.

The reemployed person may elect to make up any employee contributions (without interest) to the Plan. The period for making such contributions begins on the date the employee returns to employment and ends on the earlier of (i) the ending date of the period equal to 3 times the period of military service from which the employee has just returned, or (ii) the 5th anniversary of his or her return to employment. The reemployed person will also receive any matching contributions under the Plan, the reemployed employee's compensation during the period of military service is computed at the rate he or she would have received but for the period of military service. If such rate is not reasonably certain, compensation will be determined based on the employee's average rate during the 12-month period immediately preceding the period of the employee's average rate during the 12-month period immediately preceding the period of military service (or, if shorter, the period of employment immediately preceding such period).

A participant's loan repayments may be suspended during the military leave pursuant to the terms of the Plan.

Retirement Plans

Under, the Retirement Plan for Lay Employees of Catholic Charities an employee will be treated as not having incurred a break in service for time away from Catholic Charities while performing military service. Military service will be considered service with Catholic Charities for eligibility, vesting and benefit accrual purposes under the Retirement Plan.

Reemployment Rights

An employee who returns from military leave will generally be reemployed in the position that he or she would have attained but for the period of military leave based on the length of military service described below:

- ※ For military service of 90 days or less. A returning employee whose military leave was 90 days or less is entitled to return to the position in which he or she would have been employed if his or her employment had not been interrupted by the military leave. If the employee is not qualified for that position despite reasonable efforts by Catholic Charities, the employee will return to the position that he or she held before military leave began.
- ※ For military service of more than 90 days. A returning employee whose military leave was more than 90 days is entitled to the same reemployment rights as a person whose military service was 90 days or less, or a position of like seniority, status, and pay depending upon whether the employee is qualified to perform such duties.

When a returning employee is not qualified for the position for which he or she is entitled for reemployment, Catholic Charities will make reasonable efforts, such as training or retraining, to enable returning employees to refresh and upgrade their skills in order to qualify for reemployment in the position which they would have held if employment had not been interrupted by military leave.

For returning employees who are disabled during military leave, the employee may no longer qualify for reemployment if the position that he or she would have attained if continuously employed. Catholic Charities will reasonably accommodate the returning employee's disability. If Catholic Charities reasonable efforts fail to accommodate the returning employee's disability, the employee will be entitled to another position for which the employee is qualified or may become qualified, and which is equivalent in seniority, status and pay.

607 Parental Leave

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Pursuant to G.S. 95-28.3 of the General Assembly of North Carolina, employees who are the parents, guardians or legal representatives of school-aged children shall be entitled to four hours per year leave to attend or otherwise be involved at their child's school. The four hours do not have to be taken at one time, but can cover several visits to school. For purposes of this policy, a "school" includes public and private schools, preschools and child day care facilities as defined by North Carolina law. This parental leave shall be subject to the following rules:

1. Any employee requesting leave must submit a written request for leave to his or her supervisor at least 48 hours before the leave.
2. The leave shall be at a mutually agreed time between the supervisor and the employee.
3. The employee must furnish a written statement provided by the child's school verifying that the employee attended or was involved at the school during the time of leave.
4. The time taken is to be entered on the Employee Time Record and deducted from the total hours worked.

Employee Conduct and Disciplinary Action

701 Progressive Discipline Policy

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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It is the policy of the Catholic Charities to recruit, employ and retain personnel who will demonstrate exemplary conduct and superior performance. Catholic Charities is also committed to providing a work environment that supports and encourages professional growth and career development.

When an employee's conduct or performance fails to meet requirements or the legitimate expectations imposed by the job, it is the responsibility of the supervisor to address the employee's deficiencies or inappropriate conduct in an objective and timely manner utilizing one or more of the progressive discipline steps provided by this policy. Nothing in this policy is intended to (i) alter the at will status of Catholic Charities employees; (ii) restrict the right of Catholic Charities to terminate an employee immediately, if warranted; or (iii) prevent the skipping of any of the steps in the Progressive Discipline Policy if, in the judgment of Catholic Charities, circumstances so dictate.

STEPS IN PROGRESSIVE DISCIPLINE

Progressive discipline consists of four steps:

1. Supervisory Interventions,
2. Formal Warning,
3. Probation and/or Suspension,
4. Termination.

1. Supervisory Intervention

A large number of performance and/or conduct deficiencies can be resolved satisfactorily by the supervisor discussing the problem with the employee and proposing a course of remedial action. An appropriate session will include clear identification of the problem with examples when helpful, and a mutually agreed upon plan to enable the employee to meet expectations. The session(s) will be documented by the supervisor and a copy will be placed in the employee's personnel file.

2. Formal Warning

A formal warning may be issued when the attempt at supervisory intervention fails to correct the identified employee deficiency(s), or when the conduct is sufficiently serious to warrant an immediate resolution of the problem.

A formal warning must be in writing and given in person by the supervisor at a meeting with the employee of sufficient length, to permit an explanation by the supervisor and brief response by the employee. The formal warning document will contain:

- a concise account of the conduct performance deficiency and/or the policy against which the infraction occurred
- a summary of any previous sessions
- a statement of the corrective action to be taken, with a reasonable timeline for implementation, and the specific consequences to the employee if the problem persists

The employee will be afforded an opportunity to sign the warning and to add his/her comments. The warning document will be placed in the employee's file. The formal warning will expire after six months, if there is consistent documentation of performance improvement and there are no further infractions of policies during this time period.

3. Probation/Suspension

When the employee's deficiencies/infractions have not been satisfactorily resolved after steps 1 and 2 have been completed or when the misconduct is serious enough that a second occurrence would warrant immediate termination, probation of not more than ninety (90) days and/or suspension without pay may be imposed. The procedure to place an employee on probation and/or suspension without pay involves the documentation, presentation and discussion as described in the procedure for a formal warning with the addition that there must be a written statement by the supervisor to the employee that failure to meet the conditions of probation with demonstrated and consistent performance improvement during the probation period will result in termination. The length of the probation period must also be stated and should be for a period of time sufficient to demonstrate significant and consistent performance improvement.

A written record will be placed in the employee's personnel file. Upon satisfactory completion of the probationary period, the employee will be notified in writing that the conditions of probation have been met and that the employee's probationary status has been lifted.

4. Termination

Termination will occur when:

1. The employee fails to improve after having been afforded the steps of progressive discipline or,
2. The employee is determined to have engaged in ethical misconduct or committed a serious infraction of Catholic Charities rules including, but not limited to:
 - a. Sexual abuse of a minor
 - b. Sexual abuse or harassment of an adult
 - c. Sexual or other unlawful discrimination or harassment of a fellow employee, or retaliation against an employee for reporting such conduct
 - d. Possession, distribution, sale, transfer of alcohol or illegal drugs to a minor, or on diocesan property, or while operating diocesan owned vehicles or equipment
 - e. Violence or threatening violence on diocesan property
 - f. Possession of dangerous weapons on diocesan property

- g. Theft or unauthorized use of Catholic Charities property, possession of stolen materials, falsification of time keeping records or falsification of any Catholic Charities documents
 - h. Working while under the influence of alcohol or drugs, excessive absenteeism or insubordination
 - i. Personal conduct or life style contrary to the moral and religious doctrines of the Catholic Church as interpreted by the diocese of Raleigh
- 3 Or, when in the judgment of Catholic Charities, other circumstances exist that require the immediate termination of a Catholic Charities employee without first exhausting the steps set forth in this Progressive Discipline Policy.

Supervisors who utilize the Progressive Discipline Policy must consult with the Executive Director before implementing steps, 2 Formal Warning, 3 Probation and/or Suspension, or 4 Termination.

702 Drug and Alcohol Use

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of any illegal drug or alcohol while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by Catholic Charities.

The unlawful manufacture, possession, distribution, transfer, purchase, sale, use, or being under the influence of alcoholic beverages or illegal drugs while on Catholic Charities property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by Catholic Charities is strictly prohibited and may lead to disciplinary action, up to and including discharge. When appropriate, Catholic Charities may refer the employee to approved counseling or rehabilitation programs. Employees may use physician-prescribed medications, provided that the use of such drugs does not adversely affect job performance or the safety of the employee or other individuals in the workplace.

703 Sexual and other Unlawful Harassment

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Catholic Charities is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. As an example, sexual conduct (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited. Employees have a duty to report an incident of sexual or other unlawful harassment promptly to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Executive Director or Assistant Director. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Executive Director, who will investigate the matter in a prompt and thorough manner.

Anyone engaging in sexual or other form of unlawful harassment will be subject to disciplinary action, up to and including discharge.

704 Attendance and Punctuality

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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To maintain a safe and productive work environment, Catholic Charities expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Catholic Charities. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he or she is to notify the supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, including termination of employment.

Any employee who is absent for three or more consecutive days without notifying their supervisor and securing proper approval will be considered as having resigned.

705 Personal Appearance

: Effective Date: 09-22-06

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: Revision Date: 11-01-09

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Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the professional image we present to visitors. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Appropriate professional attire is the norm that is expected for all employees. Depending upon the nature of the meetings being attended by each employee casual business attire may be acceptable.

Consult your supervisor or department head if you have questions as to what constitutes appropriate attire.

706 Return of Property

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all property of Catholic Charities that is in their possession or control in the event of termination of employment, resignation, layoff or immediately upon request.

708 Resignation

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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Resignation is a voluntary act initiated by the employee to terminate employment with Catholic Charities. Although advance notice is not mandatory, Catholic Charities requests at least two weeks' written resignation notice from all employees so as to ensure that the work of the department not be interrupted.

Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

712 Solicitation

: Effective Date: 09-22-06

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: Revision Date: 09-22-06

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In an effort to assure a productive and harmonious work environment, persons not employed by this organization may not solicit or distribute literature or any other items in the workplace at any time for any purpose.

Catholic Charities recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.) In addition, the posting of written solicitations on company bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Affirmative action statement
- Employee announcements
- Internal memoranda
- Job openings
- Organization announcements
- Payday notice
- Workers' compensation insurance information
- State disability insurance Information

Items to be posted on the bulletin board are to be approved by the supervisor, Regional Director or Executive Director.

779 Code of Conduct for Church Personnel for Catholic Charities of the Diocese of Raleigh*

Effective Date: 9-22-06

Revision Date: 01-2013

SECTION ONE: Preamble

- 1.1 By virtue of our baptism, all Catholics share in the mission of the Church to continue the work of Jesus Christ. Jesus is Lord and we must seek the Kingdom as He did. We must preach the Good News that there is a God who loves us beyond our imagining. We must give our love and the provisions of life to those who have them in small measure. By our actions we must share our conviction that everything that occurs between us is a function of our relationship with God.
- 1.2 The call to discipleship is abundant in grace. It is also an awesome responsibility. We who represent the Church, the bishop, priests, deacons, seminarians, non-ordained religious, lay employees and lay volunteers who are involved in work for the Diocese of Raleigh, its parishes and agencies and who represent the Church by virtue of office, designated position, employment or contract (hereafter called Church Personnel) have a special obligation due to roles of leadership and positions of trust. Our brothers and sisters, young and old, invite us into their lives, open their hearts, share their joys and hopes, their grief and anxieties with us. They are confident that we will listen compassionately and act honorably in their best interest. Our behavior as Church Personnel, both public and private, has the potential to inspire those entrusted to our pastoral care to faith and hope and to motivate them toward greater generosity and participation in a life of faith. Sadly, when trust is abused it also has the potential to weaken or destroy faith, and cause scandal.
- 1.3 It is essential that Church Personnel be constantly mindful of the trust given to them. Faithfully discharging the responsibilities that accompany our work requires constant prayerful reflection and must be sustained and supported by God's grace. Our obligations require each of us to act with love and prudence. This Code of Conduct will assist in this task.
- 1.4 These statements do not presume to provide answers to all ethical questions. They present a set of general standards to help guide day to day actions and form a framework for developing policies and discussing ethical questions. Church Personnel in the Diocese of Raleigh agree to abide by this Code of Conduct and understand that disregarding these principles through personal conduct or life style contrary to the moral and religious doctrines or teachings of the Roman Catholic Church may lead to corrective and/or disciplinary action.

SECTION 2: Principles

- 2.1 Church personnel of the Diocese of Raleigh shall:
- a. Respect the teachings and precepts of the Catholic Church

- b. Respect the rights, dignity and worth of each person from conception to natural death.
- c. Conduct their relationships with others free of deception, manipulation, exploitation or intimidation.
- d. Work to ensure just treatment for colleagues, employees, volunteers, parishioners and others with whom they interact.
- e. Seek to provide an environment that is non-discriminatory, free from all forms of abuse and promotes respect, self-control and personal safety.
- f. While under our supervision to protect, to the best of our ability those entrusted to our care, especially children and youth as well as adults who are physically or mentally challenged.
- g. Provide guidance for individuals or groups in a way that protects and respects each person, and is free from deception, manipulation, exploitation or intimidation.
- h. Keep all information received in the course of formal counseling or spiritual direction in the strictest confidence in accord with professional ethical codes and as mandated by canon and civil law.
- i. Make no false accusations against another or reveal the faults and failings of another to those who have no right to know.
- j. Be responsible stewards of the human, temporal, and financial resources of the Church.
- k. Maintain a high level of competence in our designated role in the Church and prudently attend to our physical, spiritual, mental and emotional well-being.
- l. Avoid accepting or conferring an office, position, assignment or compensation that creates a conflict of interest or the perception of impropriety.
- m. Examine our own actions and intentions objectively to ensure that our behavior promotes the welfare of the community and exemplifies the strong moral tradition of the Church.
- n. Promptly report incidents of ethical misconduct by other Church Personnel to the proper Church and/or civil authority
- o. Church personnel are prohibited from speaking in a manner that is derogatory or demeaning. All are expected to refrain from swearing or using foul language.
- p. Church personnel are prohibited from possessing or viewing child pornography as is consistent with North Carolina State Law. Church personnel are prohibited from possessing or allowing a person to view pornography or any sexually explicit or morally inappropriate materials on Church property, at Church sponsored events or in the presence of minors. Such materials include, but are not limited to: magazines, videos, films, recordings,

computer software, computer games, or printed materials. In addition, topics of conversation or discussion, vocabulary or any other form of personal interaction or entertainment that could not be used in the presence of parents or a responsible adult are also prohibited.

- q. Church personnel are to refrain from sexually offensive humor and conversation.

2.2 In addition to these guidelines church personnel shall abide by any applicable professional codes of conduct, ethical norms, canon or civil laws.

SECTION 3: Behavioral Guidelines for Church Personnel Working with Minors

3.1 The following guidelines are intended to assist Church Personnel in making decisions about interactions with minors in Church sponsored and affiliated programs. They are not intended to address every possible situation or designed to address interactions within families. For clarification of any guideline or to inquire about a behavior not addressed here, please contact your pastor, agency director, principal or the Director for the Program for the Protection of Children and Young People.

- a. Corporal punishment is prohibited when disciplining minors. Physical force may only be used to restrain individuals from inflicting harm on themselves and/or others.
- b. Church Personnel are prohibited from engaging in sexually oriented conversations with minors except in the context of sharing the Church's teaching on human sexuality. Church personnel are never permitted to use examples from their own sexual history or experience.
- c. Church Personnel are prohibited from using tobacco products in the presence of minors or having in their possession or being under the influence of any alcoholic beverage or any illegal drugs when working with minors. Church Personnel are prohibited from providing minors with any alcoholic beverage, tobacco, drugs or any substance prohibited by law.
- d. Medications may be administered to minors only with written parental permission. Parents should provide the medication clearly labeled (prescriptions or over-the counter medications) and dosing instructions for the medication.
- e. Church Personnel should schedule one-on-one guidance sessions or meetings with minors at times and locations that promote accountability and meet accepted standards of propriety. This includes limiting the length and the number of meetings, making referrals and notifying the parents and/or guardians as appropriate. Church Personnel providing counseling services should follow the standards of care and code of ethics for their respective professions in terms of services to minors and notification of parents and/or guardians.

- f. Adults should avoid being alone with a minor so as to remove the opportunity for, or perception of impropriety. Church Personnel are prohibited from sleeping in the same bed, hotel room, van, sleeping bag or tent with a minor unless the adult is a parent, guardian or sibling of the minor. Church personnel should not take an overnight trip alone with a minor who is not an immediate family member. Church Personnel should avoid being alone with a minor (not a member of the family) in a locker room, rest room, dressing facility, car or vehicle or other isolated area that is not appropriate to a ministerial relationship. When the good of the minor requires that they be accompanied by an adult to any of these locations, the time alone with the minor should be minimal and another adult should be made aware of the circumstances. As a general rule, changing and showering facilities should be separate for male and female and facilities and arrangements for minors separate from adults or should be used by adults and minors at different times.

NOTE: When there is only one large room that serves as the sleeping area for each gender, at least two adult leaders should be present in each sleeping area.

- g. Church Personnel, acting in their ministerial role, should not host minors who are not family members for overnight accommodations where there is no other adult supervision present. This includes, but is not limited to, accommodations in any church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
- h. Clergy should not allow minors who are not members of their family to stay overnight in their private accommodations or residence unless accompanied by other adults.
- i. Appropriate demonstrations of affection between Church Personnel and minors can be important for a child's development and a positive part of ministry. Touching must be age appropriate and based on the need of the minor not the adult. If an adult has questions regarding demonstrating affection toward a minor they should discuss the matter with their supervisor or an adult qualified to render an opinion about appropriate ministerial boundaries.

3.2 Church Personnel may be in a position to provide transportation for minors.

The following guidelines apply:

- a. Ordinarily minors should not be transported without written permission.
 - b. Minors should be transported directly to their destination with no unauthorized stops.
 - c. Drivers must be validly licensed and insured.
 - d. Drivers may not drive a diocesan vehicle without prior authorization.
 - e. Drivers are to abide by all applicable state laws (including safety seats /belts) and diocesan policies regarding the safe transportation of children and youth.
- 3.3 Church Personnel observing anyone (adult or minor) abusing a minor, must take immediate steps to intervene to provide a safe environment for the minor and report the misconduct in accord with diocesan policies and civil law. **Church personnel who have cause to suspect that a minor has been abused must report the suspected abuse in accord with the Diocese of Raleigh Policies and Procedures for the Protection of Children and Young People and civil law.**

SECTION 4: Guidelines for the Supervision of Minors

Guidelines include, but are not limited to, the following:

- 4.1 Church personnel are responsible for releasing minors in their care at the close of activities only to parents, legal guardians or other persons designated by parents or legal guardians in writing. Special circumstances for the release of children require written parental/guardian permission.
- 4.2 Programs for minors should be administered by at least two adult supervisors.
- 4.3 Church personnel should report uncontrollable, dangerous, or unusual behavior of minors to parents /guardians as soon as possible.
- 4.4 Church personnel are to report substance abuse by minors to parent/guardian as soon as possible.
- 4.5 As far as possible, facilities should be monitored during church services, and during all other (school and parish) activities on the church/school grounds.
- 4.6 Parents should be encouraged to be part of all services and programs in which their children and young people are involved.
- 4.7 Parental permission should be obtained, including a signed medical treatment authorization form before taking minors on trips.
- 4.8. Parental approval must always be obtained before permitting any minor to participate in athletic or other activities.

**Formerly the Code of Professional Responsibility*

I have read and agree to abide by the Code of Conduct for Church Personnel for the Diocese of Raleigh – Catholic Charities.

Name

Date

780 Policies and Procedures for the Protection of Children and Young People

: Effective Date: 03-01-03
:
: Revision Date: 11-01-09
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This policy is the exact policy of the Diocese of Raleigh except where licensure requires one more self disclosure question on the Personal Information Sheet.

Introduction

On November 13, 2002 the United States Conference of Catholic Bishops approved a Charter for the Protection of Children and Young People. The Charter addressed the Church’s commitment to respond effectively, appropriately and compassionately to cases of sexual abuse of minors by priests, deacons or other Church personnel. The Bishops promised to reach out to the victims of sexual abuse by anyone serving the Church in ministry, employment or as a volunteer, whether the abuse was recent or in the past.

Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these policies do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. The norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment.[1] A canonical offence against the sixth commandment of the Decalogue need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover “imputability [moral responsibility] for a canonical offense is presumed upon external violation...unless it is otherwise apparent.” (c.1321 §3)[2]

Respecting always the reputation and privacy of the individuals involved, the Bishops said that they would act as openly with the public as possible. They are committed to respond to the pastoral, spiritual and emotional well-being of victims and their families; to work with priests, civil authorities, educators, churches and community organizations to provide safe environments for children and youth.

The Bishop of Raleigh affirms the goals and policies of the Charter. Further, to ensure that procedures and personnel are in place in the Diocese in full compliance with the Charter, the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons and civil and canon law, the Bishop has, after extensive consultation and due diligence, directed that these policies and procedures be adopted as normative for the Diocese of Raleigh, that they be widely publicized, and that they be fully understood and accepted by all who are engaged in ministry to minors.

The necessary observance of the canonical norms internal to the Church is not intended in any way to hinder the course of any civil action that may be operative. At the same time, the Church reaffirms her right to enact legislation binding on all her members concerning the ecclesiastical dimensions of the delict of sexual abuse of minors.

Glossary of Terms

Administrative leave: for the purpose of the Program for the Protection of Children and Young People, administrative leave is defined as the temporary removal of individuals from their duties. An administrative leave does not carry with it any presumption of guilt. It is designed to protect the individual from further accusations pending the outcome of the investigation, to protect the public from the possibility of further wrongdoing and to ensure that the integrity of the investigation is not compromised.

Bishop: the canonically appointed bishop of the Diocese of Raleigh or in the case of a vacant See, the Diocesan Administrator. For the purpose of these norms, the Bishop or Diocesan Administrator may act personally or through a designated representative.

Church personnel: include the bishop, priests, deacons, seminarians, non-ordained religious, lay employees and lay volunteers who are involved in work for the Diocese of Raleigh, its parishes and agencies and who because of their duties/responsibilities have direct and regular contact with minors, and who represent the Church by virtue of office, designated position, employment or contract.

Initiatory decree (c.1718 §1): a formal statement by the bishop that based on the sufficiency of the evidence, a judicial process can be legally and appropriately set in motion.

Investigator: a person who by education, training and demonstrated competence is qualified to perform a systematic, confidential and impartial inquiry of an allegation of sexual abuse of a minor.

Minor: any person, to include child and youth, under the age of eighteen (18).

Promoter of Justice: a person of undamaged reputation who possesses at least a licentiate in canon law and is appointed by the bishop to intervene in contentious cases, to seek justice and vindicate the public good in penal cases. Functioning as the prosecutor, the promoter of justice brings the action, brings forth the evidence, argues the case, and appeals, if necessary.

Program for Child and Youth Protection

To achieve the goals of the Charter, the Diocese of Raleigh has established the Program for the Protection of Children and Young People to:

- Reach out to anyone who has suffered in the past or present from sexual abuse as a minor by anyone acting in the name of the Church.
- Describe the approved procedures to be followed when allegations of sexual abuse of a minor have been made.
- Designate the individuals and define the structures accountable for implementing the policies and ensuring the integrity of the Program.
- Provide guidelines for the publication and communication of the Program.
- Initiate and maintain safe environment programs for minors.

Personnel and Structures

Program Director

The Director of the Program for the Protection of Children and Young People reports to the Vicar General and is responsible for the day-to-day administration and operation of the program. In collaboration with diocesan department directors, the program director will have primary responsibility for ensuring that allegations of sexual abuse of minors are promptly and appropriately processed and that safe environment programs for minors are designed, implemented, monitored and maintained in the diocese.

Victims Advocate

The Director of Catholic Charities will designate a competent person in each of the seven regional offices of Catholic Charities to meet the immediate and long-term pastoral care needs of alleged and established victims of sexual abuse as minors, their families and faith communities. The victims advocate will coordinate outreach services, i.e., counseling, spiritual and emotional assistance, participation in support groups and will cooperate with other community, church and government agencies to provide those services deemed necessary by the Diocese, the abused and their families.

Review Board

The Bishop has appointed a seven (7) member Review Board comprised of persons of outstanding integrity and judgment. The functions of the Board include but need not be limited to:

- Assisting the Bishop in the exercise of his pastoral ministry and diocesan governance.
- Recommending investigators to be retained by the diocese to perform preliminary investigations of allegations of the sexual abuse of a minor by Church personnel, in accord with canon law.
- Receiving and evaluating reports of sexual misconduct against a minor by priests, deacons and other Church personnel. The reports will include the initial report of the preliminary investigation from the promoter of justice, and may include reports of the findings from investigations by law enforcement and/or other public authorities. The Board will also receive personnel files, correspondence and any other related documents.
- Advising the bishop in his assessment of the report of allegations of sexual misconduct and when appropriate, in his determination of the suitability of an individual for ministry. The Board may act retrospectively and prospectively.
- Ensuring that all allegations, findings and recommendations are appropriately communicated to the adult responsible for the minor, to the alleged victim if no longer a minor, to the accused and to other public authorities as may be required.
- Reviewing the Program for the Protection of Children and Young People, its policies and procedures at least every two years and recommending revisions as necessary.
- Receiving quarterly reports from the program director on the effectiveness and efficiency of the Program.
- Reviewing reports to and communications from the National Office for Child and Youth Protection.

The functions performed by the Review Board are seen to be confidential, consultative and advisory, not adversarial and adjudicative, and are directed toward the protection of minor

children, and the integrity of the priesthood and the Church itself. In assessing the information and before advising the Bishop, the Review Board (and all others involved in the investigation and review) must ensure that the processes provided for in canon law are observed and the various provisions of canon law are considered.

The Bishop's ultimate authority to determine an individual's fitness for ministry or remove an unfit person from assignment, possibly permanently, is not circumscribed by the advice of the Review Board, the findings of investigations, inquiries or consultations with experts, or the procedures and definitions contained in this document.

Board Membership

The Board shall be comprised of at least seven (7) members, the majority of whom are laypersons not in the employ of the diocese. At least five of the Board members shall be in full communion with the Church. Membership shall include a priest, a civil lawyer (not the attorney for the diocese), a canon lawyer and a clinician with expertise in child abuse treatment or detection, and may include an individual in law enforcement, a parent or a victim who has completed a course of treatment. The Chair and Vice Chair are elected by members of this Board. The Promoter of Justice, Program Director and Vicar General will attend and participate in discussions in meetings of the Board, but without vote.

Appointment: Members serve a five year term – renewable once. Terms will be staggered.

Quorum: Five members constitute a quorum for official action.

Reporting

All cases of alleged, suspected or known sexual abuse of a minor must be reported to civil authorities. The State of North Carolina grants immunity from civil and criminal liability to any person, organization or institution if the report is made in good faith.

Allegations of sexual abuse of a minor by a priest, deacon or other Church personnel should be immediately reported to the program director. The initial report must be recorded without preliminary screening, investigation or legal judgment by the Diocese. The following information, if known, should be contained in the report. A lack of information, or lack of consent of the alleged victim, victim's parent (s) or legal guardian or person(s) providing the information, will not prevent the immediate reporting of the allegation of abuse to the proper authority(s)[3]:

- The name and address of the person making the allegation.
- The name and address of the alleged victim.
- The name and address of the alleged victim's parents or responsible adult if the alleged victim is a minor.
- The name of the alleged abuser and present whereabouts if known.
- An accurate and detailed description of the alleged misconduct, the relevant dates, times, and circumstances in which the misconduct allegedly occurred and the names, addresses, telephone numbers of any other persons who may have knowledge of the alleged misconduct.

The program director will promptly notify the following persons and if possible do so within 48 hours:

- Bishop or Vicar General
- Chief Financial/Operating Officer
- Promoter of Justice
- Diocesan Attorney
- Vicar for Clergy, if the accused is a priest or deacon
- Vicar for Religious, if the accused is a non-ordained religious
- Director of Catholic Social Ministries
- Director of Human Resources, if the accused is a lay employee or volunteer
- Director of Communications
- Chairperson of the Review Board
- The Conference of District Attorneys of North Carolina pursuant to the Memorandum of Understanding Between the Roman Catholic Diocese of Raleigh, North Carolina and The Conference of District Attorneys of North Carolina. In the event that said Memorandum of Understanding is not in effect that following shall be notified: The Sheriff's Department in the county where the alleged abuse took place or the Police Department if the alleged abuse occurred in a township or within city limits.
- The date, time and person at the law enforcement agency, receiving notification of the alleged abuse will be recorded. A request that the diocese be kept informed as to the progress of the investigation will also be made.

Anyone receiving an allegation of sexual abuse will respond in a supportive manner, without initial judgment as to the truth of the complaint. In all cases the program director will be responsible for ensuring that the alleged victim, or person making the allegation, is advised of his/her right to report the allegation of sexual abuse of a minor to the public authorities and will support his/her exercise of this right by providing information as needed. In those cases where the alleged victim is no longer a minor, the diocese will cooperate with all public authorities as appropriate.

Notification of the Accused

In all cases the accused named in the allegation shall be notified promptly in person, within 48 hours of the allegation, if possible, of the substance of the allegation by:

- The Vicar for Clergy or Vicar General, if priest or deacon [4], and Religious Superior, if ordained religious.
- The Vicar for Religious or Vicar General, if a non-ordained religious. The religious superior will also be notified of the alleged allegation and the procedures and measures to be followed by the Diocese of Raleigh.
- The Director of Human Resources, if a lay employee or volunteer.

The accused will be advised of the process for a preliminary investigation, of the right to civil and canonical counsel and the right to appear before the Review Board with counsel and/or other advocate.

If the accused is a priest or deacon and he admits that the allegations are true, pleads no contest or is found guilty in a civil or criminal proceeding, the preliminary investigation may be waived under canon 1717 §1 as “superfluous” and the process will continue as described under Administrative Penal Process. The accused shall be removed from all ministerial duties immediately (c1722) and the appropriate notifications shall be made and decrees issued. The accused will be offered appropriate medical and psychological help and advised to seek the counsel of an attorney qualified in civil and canon law if such has not been retained.

If the accused is a lay employee or volunteer, they shall be immediately terminated as an employee or dismissed from their position if they admit to the allegations, plead no contest, or are found guilty in a civil or criminal proceeding.

Preliminary Investigation

Notwithstanding investigations conducted by public authorities, every allegation will be the subject of an immediate inquiry conducted by an independent investigator with training, demonstrated competency and experience in the investigation of sex crimes and/or sexual child abuse. The investigator (s), who is under contract with the Diocese, reports to the promoter of justice and is retained to investigate allegations of this nature. He/she will meet with the following persons individually as soon as possible.

- The person (s) making the allegation.
- Parents, guardian or other responsible adult of the minor alleged to have been abused.
- The alleged victim accompanied by the responsible adult, if appropriate or victim advocate, if requested. If an alleged minor victim is less than 13 years of age or is developmentally delayed, the child will be interviewed by a professional trained in interviewing child victims and the interview will be coordinated with civil authorities so as not to interfere with an on-going investigation or contaminate the child’s report.
- The accused in question may be accompanied by the Vicar for Clergy, or a person of his choosing, if priest or deacon; the Vicar for Religious, or a person of his/her choosing, if non-ordained religious; and an advocate of their own choosing, if a lay employee or volunteer. The accused may also be accompanied by legal counsel.
- Any other persons who may have information pertinent to the allegation and helpful to the inquiry.

A complete written account of the interviews will be prepared by the investigator for referral to the Review Board, but a preliminary report shall be forwarded to the promoter of justice and the bishop, as soon as reasonably possible, along with the findings of any law enforcement investigations, if available, all personnel files, correspondence or other pertinent and related documents.

A file will be opened by the program director for each reported allegation and shall contain all material pertinent to the allegation. The files will be secured in the Office of the Vicar General. During the preliminary investigation, and prior to a decision by the Bishop, all information regarding the allegation of sexual abuse of a minor by Church personnel will be held in the strictest confidence and will be communicated only to those named in the Confidentiality and Disclosure of Information Section of this document, to protect the accused should the allegation prove to be false.

Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and the person against whom the charge has been made. When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the falsely accused.

Consultation by the Review Board

The Review Board will meet as soon as practical once the investigation has been completed. In the presence of a quorum the Board will carefully examine all information obtained relevant to the allegations. After due deliberation the Board may take any/or all of the following actions:

- Request additional information.
- Request interviews with persons involved or knowledgeable about the allegation.
- Interview the accused when requested by him/her or when the Board determines such an interview would be helpful.
- Advise the bishop that the allegation has been sufficiently established to warrant further action by the bishop.
- Advise the bishop that the allegation appears to be without foundation or has not been sufficiently established and should not be considered further unless new information becomes available.

At all times, the diocesan bishop has the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry [5].

Administrative Penal Process (c. 1720)

When the investigation has resulted in sufficient evidence that sexual abuse of a minor has occurred, the process will continue as follows:

Priests/Deacons

The bishop will inform the priest or deacon about the evidence collected to date and apply the precautionary measures contained in canon 1722 (Canonical Administrative Leave) i.e. remove the accused from the sacred ministry or from any ecclesiastical office or function; impose or prohibit residence in a given place or territory; prohibit public participation in the Most Holy Eucharist pending the outcome of the penal process.

The Congregation for the Doctrine of the Faith (CDF) shall be notified. The fact of the decision and the just reasons that support it shall be set down in an initiatory decree (c.1718). If the case would otherwise be barred by the statute of limitations contained in Canon Law, the bishop shall apply to the CDF for a dispensation. Unless the CDF calls the case to itself, the bishop will be directed to proceed.

The alleged offender may be requested to seek and urged to voluntarily comply with a medical and/or psychological evaluation at a mutually agreed upon appropriate facility, so long as such does not interfere with investigation by civil authorities. He will be offered canonical and civil

legal assistance. Salary and benefits for the accused will continue at least until the penal process is completed.

The bishop will immediately notify the presbyterate and will communicate with the parish community to which the priest or deacon is assigned, in person, and within 15 days, if possible. The priest or deacon will be offered the opportunity to appear with the bishop or his designee to inform the faith community to which he has been assigned.

Religious

The accused will be immediately relieved of his/her duties and the appropriate Religious Superior will be notified.

Lay Employees/Volunteers[6]

The accused will be immediately placed on administrative leave (with pay for those who are employees) pending the outcome of further investigation, will be advised to seek counsel and avoid the school/agency or other location which may be named in the complaint.

Permanent Removal from Assignment/Duties

Priests and Deacons[7]

Diocesan policy and the Essential Norms provide that for even a single act of sexual abuse of a minor – past, present or future -- the offending priest or deacon will be permanently removed from ecclesiastical ministry, not excluding dismissal from the clerical state if the case so warrants (c.1395 § 2). [8]

Where sexual abuse by a priest or deacon is admitted or established after the appropriate process in accord with canon law (cc 1717-1719), the following will pertain.

In every case involving canonical penalties, the process provided for in canon law shall be observed and the various provisions of canon law shall be considered, including a request by the priest or deacon for dispensation from the obligation of the clerical state or a request by the bishop for dismissal from the clerical state. For the sake of due process the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary the diocese will provide canonical counsel to the priest or deacon. The offending priest or deacon will be offered professional help for his own healing and well being, as well as for the purpose of prevention.

If the penalty of dismissal from the clerical state is not applied, e.g. advanced age, infirmity, the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly, to administer the Sacraments, to wear clerical garb or present himself publicly as a priest.

Religious or Lay Employees/Volunteers

Where sexual abuse of a minor by a Religious and/or lay employee or volunteer is admitted or established after a thorough investigation, the accused will be terminated from employment, and/or any further relationship with the diocese in accord with diocesan personnel policies and the appropriate authority (pastor, principal, etc.) will be notified.

Communications

The diocese is committed to openness and honesty with the public and equally to the protection of privacy and the reputation of all individuals involved in allegations of sexual misconduct. All requests for information made by outside parties to anyone, (officials, employees or volunteers) regarding matters of sexual misconduct shall be referred to the Director of Communications.

The Director of Communications

- Provides assistance to the Bishop, Vicar General and Chief Financial/Operating Officer in the preparation of public communications, letters to faith communities, media releases, etc.
- Is responsible for coordinating all communications from the Diocese to the public through the media, in matters of sexual misconduct by church personnel.
- Provides advice and assistance to the bishop and others responsible for informing the parish community affected by the sexual misconduct.
- Is responsible for ensuring that the policies and procedures of the Program for the Protection of Children and Young People are readily available in printed form and are the subject of periodic educational/informational programs.
- Maintains files of all communications from the USCCB Office for Child and Youth Protection for use by diocesan directors.
- Assists the Bishop, Vicar for Clergy and others in the preparation and distribution of communications to defend and restore the reputation of anyone who has been falsely accused of the sexual abuse of a minor.

Confidentiality and Disclosure of Information

The Vicar General is the custodian of all information obtained in cases of allegations of sexual abuse of minors and is responsible for maintaining the system which ensures the security of the information. Information may only be disclosed to:

- Provide the accused with sufficient information to respond to the allegation.
- Provide the person making the allegation as well as the accused with information on the progress of any inquiry, investigation or canonical penal process in a timely manner.
- Provide immediate access to all information to the bishop or his designee, the diocesan counsel, the promoter of justice and the chairperson of the Review Board.
- Provide appropriate information to competent superiors of a religious community or officials of another Diocese.
- Provide such information as may be required by law to public authorities.

The diocese will not enter into confidentiality agreements except for grave and substantial reasons, brought forward by the victim/survivor, which are noted in the text of any such agreement.

Victims Assistance and Pastoral Outreach Program

The diocese will provide restorative pastoral services to victims, families, parishes and affected communities essential to begin the healing process to include:

- Expressions of compassion
- Acknowledgement and acceptance of feelings of anger, pain and mistrust
- Willingness and availability of the bishop to meet with the victim and family if requested
- Assessment, counseling and therapeutic interventions by competent professionals as mutually agreed upon by the individual requesting victim assistance and the diocese.
- Education of the parish and community to facilitate understanding, support and acceptance of victims and how to access victim assistance when needed.
- Pastoral counseling for affected faith communities and families
- Provide education and training for clergy and other church personnel on accessing the services of the Victim Assistance and Pastoral Outreach Program

Safe Environment Programs

To promote the safety of children and youth in the care of the diocese, the following protocols are in place:

- Background checks utilizing the resources of law enforcement and other community agencies are conducted for all Church personnel who directly and regularly minister to minors. Accepted screening and evaluation techniques are employed in determining an applicant's fitness for ordination to the priesthood or permanent diaconate or for service to or employment by the diocese. The process and tools for screening and evaluations are reviewed every 3 years by the Director of Vocations or Director of Human Resources.
- No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to the Diocese of Raleigh.
- Before a priest or deacon can be transferred for residence to another diocese or religious province, the bishop shall forward, in confidence, to the local bishop and/or religious ordinary of the proposed place of residence, any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people. This shall apply even if the priest or deacon will reside in the local community of an institute of consecrated life or society of apostolic life.
- The Bishop of Raleigh, when he receives a priest or deacon from outside his jurisdiction, will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.
- All superiors of religious communities proposing names of individual religious for ministry, residency or parochial faculties in the Diocese of Raleigh are required to state clearly in writing to the Bishop that there is no history which would render the individual unsuitable to work with minors. All religious communities are expected to abide by the policies and procedures of the Diocese of Raleigh should allegations of sexual misconduct be made against an individual religious serving in a diocesan parish or facility.
- Bishops of diocesan priests or deacons from other dioceses ministering or residing in a Diocesan parish or institution are required to present the same written assurances to the Bishop of the suitability of the individual for ministry to minors.

- Priests or deacons seeking incardination in the Diocese of Raleigh shall be required to complete diocesan application forms and receive background checks and psychological testing as necessary to determine their suitability to work with minors.
- No pastor/parochial administrator, associate pastor or director of any diocesan institution, agency or facility is permitted to grant residence in a diocesan-owned residency or grant full, part-time, weekend ministry to an extern priest, deacon or religious until a letter has been received from the Bishop of Raleigh that written assurances have been obtained from the appropriate religious superior and/or diocesan bishop that the individual is suitable ministry to minors in accordance with diocesan requirements.
- Protocols with Institutes of Consecrated Life, Societies of Apostolic Life, Personal Prelatures and Public Associations of the faithful whose members maintain or seek faculties or employment in the diocese will require a statement from the appropriate superior that the member will abide by the policies and procedures of the diocese, that the member working in the diocese does not have a history that would render them unsuitable for working with minors and that they will provide the diocese with a copy of their policies and procedures.
- Education and training programs for children, youth, parents, ministers, and educators about ways to initiate and maintain a safe environment for children will be held regularly.
- Agencies of the diocese will cooperate with other churches, institutions of learning and community organizations in addressing the effects of sexual abuse in our society and analyzing the root causes of the problem.

Information Questionnaire

All Church personnel working in an environment where children are being served are required to be appropriately screened, evaluated and trained, prior to beginning their duties. Personal Information Sheets are to be completed by all employees and volunteers. Employees' forms are to be kept in their personnel files and volunteer forms are to be kept in an appropriate file at the parish or agency. Clergy are to complete the Clergy Personal Information Sheet. The completed forms are to be kept in their files in the Vicar General's Office. All Church personnel shall attest to the fact that they have read, understand and agree to abide by the Code of Conduct and the Policies and Procedures of the Program for the Protection of Children and Young People and will attest to their status regarding the issue of child sexual abuse every two years... (All state guidelines will be followed.)

Sanctions

Church personnel who fail to comply with the provisions of the policies of the Program for the Protection of Children and Young People will be subject to such action (s) by the Diocese as may be deemed necessary up to and including termination from any positions with the Diocese and/or with any parish, mission or other Catholic institutions and organizations which are subject under canon and/or civil law to the administration, authority or governance of the Diocese. Applicants for positions with the Diocese of Raleigh who similarly fail to comply with the Program for the Protection of Children and Young People (as applicable), or who answer falsely any questions on the application form, or bi-annual attestation, shall be denied or removed from such positions.

Conclusion

The Program for the Protection of Children and Young People was adopted on March 1, 2003. This program will be reviewed as often as necessary and at minimum every two years to ensure its full compliance with the Charter for the Protection of Children and Young People, The Essential Norms for Diocesan Policies Dealing with Allegations of Sexual Abuse of Minors and applicable civil and canon law.

FOOTNOTES

[1] Canonical Delicts Involving Sexual Misconduct and Dismissal from Clerical State, USCC, 1995. (page 6)

[2] If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted and the opinions of recognized experts should be appropriately obtained. (Canonical Delicts). Ultimately, it is the responsibility of the diocesan bishop, with the advice of a qualified review board, to determine the gravity of the alleged act.

[3] Right to Privacy: To respect the privacy of those involved, confidentiality is maintained, to the extent possible, consistent with civil reporting requirements and the policies and procedure of the diocese, taking into account:

- The need to advocate for those who are victims
- The need to provide appropriate outreach to victims
- The need to be in compliance with civil and canon law.
- The right of Church Personnel to be treated fairly
- The need to investigate all complaints of child sexual abuse.
- The need to resolve the allegation in a timely manner.
- The need to protect the good name of one falsely accused

[4] The Director of Vocations will inform the seminarian and may accompany him at the preliminary investigation

[5] See Canons: 35 – 58, 149, 157, 187 – 189, 192 – 195, 277 § 3, 381 § 1, 383, 391, 1348, 1740 – 1747. The diocesan bishop may exercise his executive power of governance to take one or more of the following administrative actions (Canons 381, 129 ff):

- a. He may request that the accused freely resign from any held ecclesiastical office (cc. 187 – 189)
- b. Should the accused decline to resign and should the diocesan bishop judge the accused to be truly not suitable (c. 149 § 1) at this time for holding an office previously freely conferred (c. 157), then he may remove that person from office observing the required canonical procedures (cc. 192-195, 1740 – 1747).
- c. For a cleric who holds no office in the diocese, any previously delegated faculties may be administratively removed (c. 391 § 1 and 142 § 1) while any *de iure* faculties may be removed or restricted by the competent authority as provided in law (e.g., c. 764)
- d. The diocesan bishop may also determine that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to celebrate the Eucharist with no

member of the faithful present (c. 906). The bishop may forbid the priest to celebrate the Eucharist publicly and to administer the Sacraments, for the good of the Church and for his own good.

- e. Depending on the gravity of the case, the diocesan bishop may also dispense (cc. 85 – 88) the cleric from the obligation of wearing clerical attire (c. 284) and may urge he not do so for the good of the Church and for his own good.

These administrative actions shall be taken in writing and by means of decrees (cc. 47 – 58) so that the cleric affected is afforded the opportunity of recourse against them in accord with canon law (cc. 1734ff).

[6] The Direction of Vocations will inform the seminarian of the available options.

[7] Seminarians will be dismissed from the Diocesan Program

[8] Removal from the ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or as suffering from a related sexual disorder that required professional treatment.

Exhibit I - PERSONAL INFORMATION SHEET: EMPLOYEE AND VOLUNTEER

: Effective Date: 09-22-06

:

: Revision Date: 09-22-06

.....

Name: _____

Address: _____

Social Security #: _____

Work Location: _____

Has a civil lawsuit or employment complaint ever been filed against you for child abuse or sexual abuse? _____

If yes, please give details. _____

Have you ever been convicted of a crime related to child abuse or sexual abuse? _____

If yes, please give details. _____

Have you ever left an assignment or employment or been removed from an assignment or employment for reasons related to allegations of child abuse, physical abuse or sexual abuse?

If yes, please give details. _____

Have you ever had a criminal, social or medical history which would adversely affect your capacity to work with children and adults? _____

If yes, please give details. _____

I understand that in signing this Personal Information Sheet, I affirm that the information I have given is true and correct. I also understand that any misrepresentation, falsification or omission in any of this information shall result in Catholic Charities' termination of my employment.

Signature

Date

**Exhibit II (U) - PASTORAL PERSONNEL COMMITTEE: CLERGY PERSONAL
INFORMATION DATA SHEET**

: Effective Date: 01-01-93
:
: Revision Date: 03-01-03

Name: (Rev.) (Rev. Mr.) _____
Street _____
City _____ State _____ Zip _____
Telephone: () _____
Social Security # _____

I. This portion is to be completed by clergy who wish to serve in the Diocese of Raleigh:

Date of Ordination: _____
Date of Birth: _____
Diocese/Order: _____
Currently Incardinated? _____ Where? _____
Education:
College: _____

Seminary: _____

Post-Graduate: _____

Assignments: List last ten years and begin with most recent:

1. Location: _____ Title: _____
Address: _____
Street _____
City _____ State _____ Zip _____

Telephone: () _____
Dates:
From: _____ To: _____

Reason for leaving: _____

2. Location: _____ Title: _____
Address: _____

Street _____

City _____ State _____ Zip _____

Telephone: () _____

Dates:
From: _____ To: _____

Reason for leaving: _____

3. Location: _____ Title: _____
Address: _____

Street _____

City _____ State _____ Zip _____

Telephone: () _____

Dates:
From: _____ To: _____

Reason for leaving: _____

List areas of ministerial interest: e.g. parish, hospital, campus ministry, etc.

1. _____

2. _____

Do you speak any other languages? _____ Fluency? _____

List: a) _____

b) _____

Do you read and write other languages? _____

List: a) _____

b) _____
Why do you wish to come to the Diocese of Raleigh? _____

II. This portion is to be completed by clergy who wish to serve in the Diocese and by all clergy each subsequent year:

Has a civil lawsuit, criminal complaint, or employment complaint ever been filed against you for child abuse? _____

If yes, please give details. _____

Have you ever left an assignment or been removed from an assignment for reasons relating to allegations of physical or sexual abuse? _____

If yes, please give details. _____

Have you ever received any medical treatment or counseling for committing physical or sexual abuse or misconduct? _____

If yes, please give details. _____

Have you ever received any medical treatment or counseling involving alcohol or drug abuse? _____

If yes, please give details. _____

I understand that in signing this Clergy Personal Information Sheet, I affirm that the information I have given is true and correct.

Signature

Date

**Exhibit III (U) - DIOCESE OF RALEIGH PASTORAL PERSONNEL COMMITTEE:
CLERGY PERSONAL BIENNIAL INFORMATION DATA SHEET**

: Effective Date: 01-01-93
: Revision Date: 03-01-03

Name: (Rev.) (Rev. Mr.) _____
Street _____
City _____ State _____ Zip _____
Telephone: _____
Rectory _____
Office _____
Cell _____
Social Security # _____

Date of Ordination _____ Date of Birth _____

**TO BE COMPLETED BY ALL CLERGY SERVING IN THE DIOCESE OF RALEIGH
EVERY TWO YEARS!**

Has a civil lawsuit, criminal complaint, or employment complaint ever been filed against you for child abuse? _____
If yes, please give details. _____

Have you ever left an assignment or been removed from an assignment for reasons relating to allegations of physical or sexual abuse? _____
If yes, please give details. _____

Have you ever received any medical treatment or counseling for committing physical or sexual abuse or misconduct? _____
If yes, please give details. _____

Have you ever received any medical treatment or counseling involving alcohol or drug abuse? _____
If yes, please give details. _____

I understand that in signing this Clergy Personnel Information Sheet, I affirm that the information I have given is true and correct.

Signature

Date

Please return to:
Most Rev. Michael F. Burbidge
715 Nazareth St.
Raleigh, NC 27606

782 Computer Software Policy

: Effective Date: 09-22-06

:

: Revision Date: 09-22-06

:

Catholic Charities recognizes that computer software written for all computers is intellectual property, and is usually protected by copyright rules established by the United States. Further, Catholic Charities recognizes that by protecting the investment of companies who develop computer software, we also protect those companies and allow them to gain a fair return on their development costs, and thus allow those companies to continue to produce enhancements and advancements to the software. Catholic Charities also recognizes that it has a unique position of influence in the community and must make every effort to uphold the law and respect for property, including intellectual property.

The Catholic Charities policy regarding the illegal duplication and use of pirated software requires all Catholic Charities employees to comply with the law. Therefore, anyone who purchases a copy of software has the right to load that copy of software onto a single computer and make another copy for archival (backup) purposes only. It is illegal to use that software on more than one computer or to make or distribute copies of that software for any other purposes unless specific permission has been obtained from the copyright owner.

All Catholic Charities employees are subject to United States copyright laws. Illegal reproduction of software by employees may result in their being personally liable in a civil suit for damages, facing criminal liability, and being subject to fines and/or jail terms.

Employees of Catholic Charities who are found copying, or to have copied, software for other than backup purposes without the permission of the owner of the software, will subject themselves to disciplinary action, up to and including discharge.

All multi-use software, such as software written for networks, must be used in accordance with the license agreement.

An employee must contact the Data System Manager in the following circumstances:

1. When seeking permission from a software company to copy a piece of software.
2. When seeking permission to copy software written by Catholic Charities.
3. When volunteers are asked to use their software on Catholic Charities computer system.
4. When wishing to obtain a multiple copy or an educational discount license.
5. When disposing of old computer equipment.

Any employee who determines that there may be a misuse of software must notify the Regional Director or Executive Director and the Data System Manager.

783 Employee Reporting Policy

: Effective Date: 09-22-06

:

: Revision Date: 11-01-09

:

If an employee has a concern about any of the following matters set forth below, the employee is required to promptly report these circumstances by a written complaint to the Executive Director.

- Perceived violations of federal, state or local laws or regulations.
- Gross mismanagement, waste, fraud, embezzlement or neglect of duty.
- Actions that are in violation of express Catholic Charities policies.
- Actions that threaten or are viewed as harmful to the health, safety and/or welfare of others.

In addition to, or in lieu of reporting the foregoing to any of the persons listed above, an employee may send a written complaint directly to the Chief Financial/Operating Officer of the Diocese.

Failure by an employee to report any of the above circumstances could result in disciplinary action, up to and including discharge.

All persons, who in good faith report matters pursuant to this policy, shall be protected from disciplinary treatment and workplace retaliation.

Miscellaneous

880 Employee Problem Solving

: Effective Date: 09-22-06

:

: Revision Date: 11-01-09

:

Employees of Catholic Charities may have problems, concerns or complaints about their employment situation that they wish to address. The following is the process to follow in order to have those issues heard. Employees are encouraged to use this process so that they may be assured of fair and equitable treatment without fear of retaliation; however, nothing herein alters the at-will employment status of those employees who are presently so classified.

Consulting with the Executive Director, Regional Directors are encouraged to develop clear and fair mechanisms for resolving differences and problems at the local level. These mechanisms are to be communicated to all employees at that location. Employees are to be encouraged to use those mechanisms. The Diocesan Problem Solving Procedure will not be implemented until all local means of resolution available to employees, including participation by the Regional Director, have first been exhausted.

The Diocesan Problem Solving Procedure:

1. Within five (5) calendar days after the employee has made a good faith effort to resolve the difference with his or her supervisor, the employee will present in writing, to the Executive Director, a request for a problem solving hearing. This should include:
 - a. Name, address and work location of the employee
 - b. Name of the person in authority against whom the complaint is made
 - c. The local process that was used in an attempt to resolve the problem
 - d. The identification of the specific complaint
 - e. The remedy sought
2. Within ten (10) calendar days of receipt of the hearing request, the Executive Director will meet with the employee and the supervisor and try to guide them to a resolution. The Executive Director will discuss the results of the meeting with the Regional Director.
3. Should the employee still be dissatisfied and wish to pursue the matter, the Executive Director will then arrange a meeting within ten (10) calendar days with the employee, supervisor, Regional Director and him/herself to try to resolve the issue.
4. Should the matter still not be resolved to the satisfaction of the employee, the Executive Director, within (10) calendar days, shall arrange a meeting with the Chair of the Board and all the parties listed above. The Board Chair will hear the facts of the case and he will make his decision known within five (5) calendar days. The decision will be final.

5. Should the resolved matter involve the Executive Director, the employee will present in writing to the Chair of the Board of Directors a request for a problem solving meeting. This request shall include:
 - a. Name, address and work location of the employee
 - b. Name of the Executive Director against whom the complaint is made
 - c. The identification of the specific complaint
 - d. The process that was used in an attempt to resolve the problem and its conclusion
 - e. The remedy sought

The Chair of the Board, within 10 work days after receipt, shall respond to the employee. The response may include a meeting with the employee at the Board Chair's discretion. The Board Chair's decision will be final.

881 Work From Home

: Effective Date: 09-22-06

:

: Revision Date: 09-22-06

:

A request to work at home, for a brief period of time, may be made subject to the following:

- Only exempt employees are eligible to work at home.
- Permission to work at home, including the hours, days etc., is at the discretion of the Executive Director and can be rescinded at any time.
- The work at home does not impair the operation of the department or does not require frequent, immediate interaction with other members of Catholic Charities on site
- Others do not have frequent need to interact on site with the person working at home.
- The work at home does not require the use of inaccessible files and materials.
- Provision is made for a clear job description.
- Goals, objectives and timetables are clearly defined in advance.

882 Meeting Emergency Child Care Needs

: Effective Date: 09-22-06

:

: Revision Date: 09-22-06

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In order to help meet the needs of staff members with children, in the case of an emergency situation, such as an unexpected school closing, last minute baby sitter problems or the child being too ill to attend school, the staff member may remain home, without loss of pay to care for the child. The staff member's supervisor must recommend approval to the Regional Director. It is the responsibility of the staff member to make the necessary provisions for the child following the emergency.

Children are not to be brought to the workplace for more than a visit.

It should be underscored that this policy is for emergency, one time situations only and should not be abused. Should there be any questions regarding this policy, contact your Regional Director or Executive Director.

883 Civil Organization Membership

: Effective Date: 09-22-06

:

: Revision Date: 11-01-09

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It is the policy of Catholic Charities that exempt employees be encouraged to become active participants and representatives of Catholic Charities in the life of their local communities. Membership in a service organization such as the Lions Club, Rotary and Civitan groups is an appropriate way of participating.

Membership costs of dues and luncheon/dinner meetings and other expenses may be reimbursed, if prior approval by the Regional Director is received.

884 Service Recognition Program

: Effective Date: 09-22-06

:

: Revision Date: 09-22-06

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In order to recognize employee service to Catholic Charities, all categories of employees, who achieve the length of listed below, shall receive a certificate of appreciation and a gift certificate.

The amounts of the gift certificates are as follows:

5 years of service	\$25
10 years of service	\$75
15 years of service	\$150
20 years of service	\$250

**and each 5 year increment

For the purposes of computing years of service for this policy, years of service in a parish, school, agency, or at the Catholic Center will be included in determining the award level. The years of service need not be consecutive.