



The Episcopal Church of  
St. John the Baptist

**Manual of  
Personnel Policies,  
Procedures and Practices  
(Second Edition)**

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## **100 INTRODUCTION**

This edition of the personnel policies, procedures and practices (“Policies”) was adopted by the Vestry St. John the Baptist (“Parish”) on April 12, 2012 and it supersedes any and all previous policy statements of the Parish. The Policies are to be reviewed annually by the Personnel Committee to ensure that they continue to reflect current legal requirements and that they are consistent with local, Parish, and national trends. The intent is to provide the basis for clear understanding by all parties for reasonable and consistent working relationships with staff, and to provide guidelines for supervision. The Policies apply to all employees of the Parish unless superseded by an employment contract. The Parish is committed to a working environment in which relationships are characterized by dignity, courtesy and respect. Further, the Parish is committed to providing a clean, safe, and comfortable environment in which to work.

### **101 Equal Employment Opportunity Statement**

The Parish provides equal employment opportunities to all people regardless of race, color, ancestry, sex, sexual orientation, age, religion (unless required by the position and allowed by law), veteran’s status, mental or physical disability, national origin, or marital status. Personnel policies and practices of the Parish are administered in accordance with federal, state, and local employment laws. It is the supervisor’s responsibility to ensure that all personnel actions are in accordance with this policy. The Parish will reasonably accommodate an otherwise qualified individual who is known by the Parish to have a disability, to the extent required by law.

## **200 EMPLOYMENT**

All employees except temporary employees of the Parish, whether clergy or laity, are employed under the legal principle of “employment at will.” As such, neither the Parish nor the employee is bound to continued employment. Employees are free to terminate at will and may be terminated at the discretion of the Parish, with or without cause.

### **New Positions Approval**

When a new position is to be filled, a brief description of the key duties and responsibilities should be reviewed by the Personnel Committee, which will assign a temporary salary range to the position. A final position description will then be prepared by the Personnel Committee and given to the Vestry for approval before any offer of employment is made.

### **201 Employment Procedure**

New and/or replacement positions should be approved by the Vestry *before* any offer of employment is made. Reference checks and background investigations, including criminal records check, verification of degrees, relevant licenses and certificates, and employment history will be completed for all candidates to whom an offer is contemplated. Offers of employment shall be conditioned upon the applicant’s having given proof of eligibility to work in the United States. Hiring offers shall be in writing and include salary, benefits, if any, position, starting date,

any special contingencies and relocation coverage, if applicable. Any and all employment agreements must be approved in advance by the Vestry

**202 Employment of Relatives**

The Parish affords equal employment opportunities to all people regardless of their relationship to others employed by the Parish, subject to the restrictions described below.

Relatives are defined as spouses, members of the same household, domestic partners, natural or adopted parents, grandparents, children, brothers, sisters, first cousins, aunts, uncles, nephews, in-laws, or step-relationships.

Adverse or preferential treatment of relatives is expressly prohibited in all personnel decisions and practices except as follows: one relative may not report directly to another or be employed in circumstances that otherwise pose difficulties for supervision, security, safety, or morale.

If during the course of their employment, employees marry or become relatives as defined above and work in a direct supervisory relationship with one another, the Parish will try to reassign one of the employees to another position for which he/she is qualified. If no such position is available, then one of the employees will be required to leave the Parish. The affected employees may make the decision as to which employee will leave. In the event that the affected employees cannot make the decision in a timely fashion, the Parish will make the decision for them.

**203 Salary Offers**

All salary offers will be at or above the minimum of the rate range determined pursuant to Section 303. Offers above the midpoint should only be made in exceptional cases, after review with the Personnel Committee. The Vestry has the final authority on salaries.

Salary offers will be stated in hourly or monthly amounts. Annual figures will *not* be used.

**204 Terminations**

a) All assignments and continued employment are at will unless specifically described otherwise in a written agreement approved by the Vestry. Separation can be initiated by the Parish or the employee. All terminations require an exit interview using approved forms to the extent possible.

**b) Voluntary**

Resignation is a voluntary permanent separation that the employee initiates. It is helpful to the Parish to have early notice of an employee's intention to leave. Therefore, the Parish requests that employees give at least 2 weeks' written notice of resignation. A voluntary termination shall also include an absence of 3 or more consecutive days without compliance with the attendance policies set forth in these Policies.

**c) Involuntary Without Cause**

When an employee is terminated at the will of the Parish, 4 weeks notice may be given when considered appropriate and feasible by the Parish.

d) **Involuntary With Cause - Discharge**

The discharge of an employee for poor conduct, poor attendance, poor performance, malfeasance, violation of Parish policies, or other willful failure to fulfill the requirements of the position is an action of serious consequence and should only be undertaken after documentation of the facts. Written warnings and/or suspension may be appropriate as an alternative depending on the results of the investigation (see Appendix A). In the event of grievous or extensive misconduct, a suspension without pay may be given while the matter is reviewed. No notice need be given, nor will severance pay be paid, if an employee is so discharged.

e) **Severance Pay**

The Parish does not have a formal severance pay policy. The Parish may consider granting of severance pay to regular staff members when termination is initiated by the Parish. However, such discharge and compensation must have prior approval.

**Unemployment Insurance**

Parish employees are not covered by state unemployment insurance.

f) **Accrued Vacation**

Terminating employees will receive payment for accrued vacation time as required in accordance with state, federal and local laws.

g) **Payment at Termination**

An employee is entitled to immediate payment of salary and accrued vacation if terminated with cause by the Parish (reference Section 205[d], Involuntary With Cause - Discharge). When an employee resigns, the Parish will pay salary and accrued vacation within 72 hours of termination (reference Section 205[b], Voluntary). If the employee has given more than 2 weeks notice of resignation, the payment of salary and accrued vacation will be paid on the last day of work.

h) Employees will receive information regarding cessation of benefits.

**300 COMPENSATION**

It is the Parish's desire to compensate employees equitably with similar positions in commerce, industry, and non-profit organizations in the area contiguous to the Parish Office, but budget constraints may not always make this possible.

**301 Employee Classifications**

Each employee shall be classified into one of the categories listed below.

- a) **Regular Full-Time.** These are employees hired to work a regular schedule of 40 hours per week and who are hired at the will of the Parish without

specified term of employment. These employees are entitled to the full range of benefits outlined in this manual.

b) Regular Part-Time

1. Employees hired to work between 20 and 39 hours per week are entitled to benefits on a pro-rated basis as described in these Policies.
2. Employees hired to work fewer than 20 hours per week are not entitled to benefits.

c) Short Hour

An employee hired to work less than 20 hours per week. Short hour employees are not entitled to health or pension benefits.

d) Temporary

Temporary employees are employees hired to work for a period of time less than 6 months in duration. They shall sign an employment agreement stipulating the complete terms of employment including duration, compensation, hours, place of work, job or project description, and supervisor identity. Temporary employees are not entitled to benefits.

e) Exempt and Non-Exempt

Exempt. These are employees designated as exempt from overtime and compensatory time rules according to guidelines in the Fair Labor Standards Act and applicable orders of the Industrial Welfare Commission.

Non-exempt. These are employees not exempt from overtime and compensatory time rules and to whom such rules apply.

**Note:** *The Personnel Committee will determine this exemption status as each position is described and evaluated.*

### 302 Position Descriptions

a) A position description shall be prepared for all positions on the Parish staff.

1. Position descriptions should be prepared with a summary statement of the key duties and responsibilities, level of supervision given or recommended, prerequisite education, skills, competencies, and/or experience for the job.
2. Each description will provide a brief listing of the primary responsibilities in priority order.
3. Position descriptions shall be submitted to the Personnel Committee for review prior to submitting the position description to the Vestry for approval and prior to using the position description for employment or other purposes.

- b) The Personnel Committee will be responsible for reviewing the position description and development of any additional data needed. The Personnel Committee will determine whether the position is exempt or non-exempt under the Fair Labor Standards Act (see Section 301d).
- c) Position descriptions should be reviewed at least annually by the employee's supervisor and the Personnel Committee to ensure that the description is up to date and reflects the duties and responsibilities as performed by the employee.

### **303 Salary Ranges**

A salary range for each position will be developed by the Personnel Committee based upon comparison with similar private sector positions in Santa Cruz County and available wage and salary surveys. The salary range will be reviewed in the first quarter of every odd year to review cost of living data, Diocesan data, and determine St. John's placement within the local private sector job market. Personnel Committee recommendations, if any, will be forward to the Vestry for consideration.

### **304 Salary Administration**

#### **a) Working Hours**

1. A normal workweek consists of 40 hours.
2. Normal Parish Office hours are from 9:00 a.m. to 5:00 p.m., Monday through Friday, except holidays.
3. With the specific written approval of the supervisor, the working hours of an employee may vary from normal office hours provided the normal workweek hours are fulfilled.

#### **b) Record Keeping**

1. Non-exempt employees are required to submit each week to the accounting office, through their supervisor, a time slip showing the hours worked each day. Time not worked will be explained on the slip, e.g., sick leave, vacation, etc., and the explanation must be signed off by the supervisor.
2. At the end of each month in which leave is taken, exempt employees will submit a slip to the accounting office, through their supervisor, showing the extent and categories of such leave.

#### **c) Overtime**

The nature of this organization and its budgetary limitations require every effort to accomplish essential work without resorting to overtime.

1. Should non-exempt employees be required by his/her supervisor to work beyond the scheduled 8 hour day and/or 40 hour week, the following shall apply:

- a. Work performed in excess of 8 hours in a day and/or 40 hours in the work week (but not in excess of 12 hours in a day or in excess of 8 hours on the seventh consecutive day worked in a work week) will be paid at the rate of one and one-half the basic hourly rate.
  - b. Work performed in excess of 12 hours in a day or in excess of 8 hours on the seventh consecutive day worked in a work week will be paid at the rate of two times the basic hourly rate.
2. Non-exempt employees performing overtime work without authorization will be subject to disciplinary action. An employee in a non-exempt position may request in writing the opportunity to work additional time in order to make up for unpaid time during the same workweek. An employee who requests make-up time must make up the time within the same workweek as the unpaid time was taken. The employee will not be paid overtime for these make-up hours, except for hours worked in excess of 11 in one workday or 40 in one workweek.

Full time employees in a non-exempt position who are required to work on a scheduled holiday will receive their regular hourly rate of pay for holiday pay, plus overtime pay at the above described applicable rate. Part-time employees in non-exempt positions who are required to work on a holiday on which they are regularly scheduled to work will receive their regular hourly rate of pay for the holiday, plus the applicable hourly rate of pay due based on the total hours reported for the holiday. Part-time employees in non-exempt positions who work on a holiday on which they are not typically scheduled to work will receive pay for hours worked. Short hour employees scheduled to work on holiday for which the office is closed may schedule make up hours with the approval of his/her supervisor.

### **305 Performance Reviews**

The performance review is a communication and evaluation process aimed at evaluating accomplishments, assisting in goal setting and measurement, and developing a better mutual understanding between supervisor and employee of the major work to be done. A review also serves to affirm and to modify a position description, as well as to enhance the equity of salary determinations.

#### **a) Performance Review Intervals**

The supervisor should conduct a written performance review with each new employee at the completion of 3 months of employment, immediately after 6 months and 12 months of employment, and annually thereafter within 20 days after the anniversary date of employment. While formal performance reviews occur on an annual basis, positive or negative performance issues should be addressed in a timely manner.

b) **Performance Review Form**

Using the Performance Review Form approved by the Personnel Committee, the supervisor should meet personally with the employee and review the applicable job description and the employee's performance.

c) During the performance review, the supervisor will provide a review of the performance since the last review, and articulate suggestions for improvement, as well as establish specific objectives or areas of emphasis to be pursued in the future. This is also the appropriate forum for the employee to clarify his/her expectations and objectives for the future.

d) The Performance Review Form will be signed by both parties with comments added by either or both. The Performance Review Form will be placed in the employee's personnel file.

e) See the Performance Improvement Plan in Appendix A to be used pursuant to Section 504.

**400 BENEFITS**

The following sections outline both the insured and granted benefits of the Parish for all full-time employees. Insured benefits are outlined only and are governed by the policies and materials issued by the insurer.

a) Holidays are:

New Year's Day (January 1)	1 day
Martin Luther King Day	1 day
Memorial Day	1 day
Independence Day (July 4)	1 day
Labor Day	1 day
Thanksgiving Holiday	2 days
Christmas Holiday	2 days
Personal Days	2 day

All non-clergy personnel working 25 hours or more per week will be paid for Holidays based upon the average hours per day worked over the six month period prior to the holiday, only if the employee is regularly scheduled to work on the day the Holiday is observed. The Parish will not pay for unused holidays.

**402 Vacation**

The Parish provides annual vacation with pay for the purpose of rest and relaxation from work. Full-time exempt staff receives 20 working days per calendar year, accrued on the basis of 1 2/3 days per month.

Full-time non-clergy staff shall accrue vacation with pay in accordance with the Vacation Accrual Schedule below.

VACATION ACCRUAL SCHEDULE – 40 hour week		
During Service Year	Hourly Rate of Accrual per Month	Vacation Hours Accrued per Year
0.5	6.666	40
1.0	6.666	80
2.0	6.666	80
3.0	6.666	80
4.0	8.6666	104
5.0	10.0000	120
10.0 or more	13.3333	160

- a) Regular part-time staff working over 20 hours a week will be given pro-rated vacation leave with pay in accordance with Vacation Accrual Schedule based upon the average of hours in paid status the six months prior to the beginning of the vacation leave. After 6 months, an employee may take one week of vacation. Vacation is accrued from the date of employment.
- b) Temporary/short hour employees are not eligible for vacation.
- c) Holidays falling within an employee’s scheduled vacation will not be charged as vacation.
- d) Should an employee become ill for at least 3 consecutive days during a scheduled vacation period, the working days of illness may be charged as personal absence pursuant to Section 406 leave rather than vacation upon presentation of a doctor’s certificate to the employee’s supervisor.
- e) A minimum of 70 hours (if so available) vacation must be taken in each calendar year. When an employee has accrued 50 hours of unused vacation, accruals shall cease until the employee’s accrued but unused vacation is less than 50 hours.
- f) Vacations will be scheduled by the Rector based upon four weeks written notice. However, no vacation may be taken during the first 90 days of employment.
- g) On termination, all accrued vacation will be paid, regardless of cause of termination.

**403 Insurance Benefits**

- a) Medical and Dental Insurance  
 Medical Insurance paid for by the Parish is available for all full-time and their eligible family members. Part time employees working 25 hours or more per week shall have benefits pro-rated. There are several plan

designs offered. Contact the Parish office for coverage and enrollment information on each plan design. See summary plan descriptions for detailed coverage information.

- b) Dental Insurance is available for all full-time and part-time paid employees who work 30 hours or more per week and their eligible family members. Contact the Parish office for coverage and enrollment information on each plan design. See summary plan description for detailed coverage information.
- c) Worker's Compensation  
All employees are covered by a Parish policy for job related injuries or illness. The policy can be found in the Parish Office or in the office of Risk Management.
- d) All employees are covered by the State Disability Insurance Program

Note: The above programs are subject to change based on applicable tax laws and available church programs. Check booklets for current details.

#### **404 Retirement Benefits**

- a) Clergy pension rights and benefits are defined and governed by Title I, Canon 12, of the Canons of the Episcopal Church. The Parish will contribute 18 percent of the qualified clerical employee's compensation to the defined benefits plan of the Church Pension Fund.
- b) The Parish contributes 50% of the FICA for lay employees. The balance is paid by the employee to provide Social Security benefits at the time of retirement.
- c) In addition, the Parish has a 403(b) plan available for use by regular full time and part time lay employees. The Parish will contribute 9% of the qualified lay employee's salary to this plan. The employee may contribute additional salary to his or her 403(b) plan within the allowable guidelines.

#### **405 Authorized Absence**

- a) Jury Duty  
Full-time employees who are legally summoned or subpoenaed for jury or witness duty will be paid the difference between jury pay and regular salary while on jury duty up to a maximum of 4 weeks. Mileage and other allowances will not be included in the calculation. Employees must notify supervisors of each summons or subpoena immediately upon receipt and are expected to return to work each day or portion of a day not engaged in witness or jury duty. Part time and short hour employees may have their hours adjusted with approval of his/her supervisor.
- b) Bereavement Leave-  
Full-time employees, or part-time employees scheduled to work 20 or more hours a week, are eligible for funeral attendance leave with pay. All

Bereavement Leave requires the approval of the employee's supervisor based on the following guidelines:

1. A maximum of 5 working days shall be granted to an employee when the death is a member of the employee's immediate family (parent, spouse, domestic partner, sister, brother, child, step-relative, grandparent, grandchild, mother-in-law, or father-in-law.
2. One working day may be granted to attend the funeral of a close relative not listed in #1, above.
3. One-half (1/2) day may be granted at supervisor discretion for the employee to attend the funeral of someone other than those listed above.
4. If additional time for travel is needed, personal time off must be used and arrangements are to be made with the employee's supervisor.

c) All employees are expected to minimize absences, whenever possible, by using personal time to attend to personal affairs and obligations.

d) Attendance Standards

The frequency, type, and length of absences or tardiness, along with the performance of the organization, are all factors that may be considered in the evaluation of attendance. Absences or instances of tardiness that negatively affect the employee's ability to fulfill his or her job responsibilities may be addressed by corrective action, up to and including termination.

e) Notification of Absence

An employee who must be absent from work, or who will be late in arriving for work, must notify his or her supervisor within one hour of his or her regular starting time. An employee who expects to be absent from work due to a planned medical leave of absence should notify his or her supervisor in advance of the planned leave.

Any absence without notification by the employee to his or her immediate supervisor may be grounds for corrective action, up to and including termination.

Three consecutive work days of absence without notification by the employee to his or her immediate supervisor will be considered a voluntary termination by the employee of his or her job (see Section 205 on Terminations).

f) Attendance Records

It is the employee's obligation to accurately and completely record attendance. Failure to do so may be grounds for termination. The Accounting Office should keep copies of attendance records for reference.

g) Break, Meal Periods

Employees are entitled to a 15-minute break for every 4 hours of time worked. Additionally, employees are entitled to up to 30 minutes for a lunch break at a time agreed upon with the supervisor, unless the employee's work will be concluded in 5 hours.

**406 Sick Leave**

- a) Sick Leave is time off, with pay, granted to regular full time and part time employees Lay employees working 25 or more hours per week for periods of illness and time required for doctor/dentist visits.

These regular employees shall accrue Sick Leave at the rate of four hours for each full month of employment. Part time employees shall accrue on a pro-rated based on the average hours worked per day over the six months prior to usage. Employees may carry over 30 hours of Sick Leave from one calendar year to the next.

An employee unable to work because of illness, injury, or pregnancy must notify his or her supervisor immediately. If the employee is unable to notify the supervisor, he or she may appoint a designee to provide notification.

An employee who is absent 5 or more consecutive work days must provide a physician statement verifying his or her inability to work. This statement must be submitted to their supervisor who may verify the statement (i.e. possibly contact the attending physician).

- b) The Parish may require an attending physician's statement for absences of less than 5 consecutive work days and reserves the right to require an examination by a physician of the Parish's choice.
- c) Personal absence credits are accrued at the rate of 8 hours per completed month of employment and may be accumulated to a maximum of 20 working days. Part time employees will have their accrual rate pro-rated.
- d) No payment shall be made beyond the amount accrued.
- e) No payment for personal time accrued will be made on termination.

**407 Medical Leave (without pay)**

- a) Unpaid medical leaves of absence of up to 4 months may be granted for employees. Such medical leave may be granted for any non-occupational injury or illness, including pregnancy, childbirth, or related medical conditions. In the event of the birth or adoption of a child, an additional unpaid leave of 2 months may be granted if requested by the employee at least 30 days prior to start of leave.
- b) In the event of absence due to medical leave, the Parish reserves the right to require written proof from a licensed physician of the beginning and ending dates of the employee's inability to work.

- c) Applications for medical leaves of absence should be submitted, when practical, at least 2 weeks before the start of the medical leave of absence.
- d) Health and life insurance benefits ordinarily provided by the Parish, and for which the employee is otherwise eligible, will be continued during the medical leave at the employee's expense under the National Church Plan. The Administrator can provide the details of this plan upon request.
- e) Employees returning from medical leave will be required to provide a physician's release stating that the employee is fit to return to work.
- f) The leave period will not count as time worked for the purpose of calculating months served for vacation or personal absence accumulations.

**408 Parental Leave**

- a) Paid medical leave of up to 30 working days may be taken by a parent for the birth or adoption of a child.
- b) Such leave must be taken within 60 working days of such birth or adoption (adoption shall include the initial placement of a child in preparation for adoption). Where practicable, notice of intent to take such leave must be given no later than 30 days prior to the start of such leave and preferably earlier than that time.
- c) If a parent receives disability payments for such birth and elects paid leave, the disability payment shall be turned over to the Parish.
- d) If both parents are employees of the Parish, only one may take such leave for a particular birth or adoption.

**409 Military Service**

All employees who are covered by the Veterans' Re-employment Rights Act ("Act") and other applicable laws and regulations will be granted leaves of absence in accordance with the provisions of that Act for active duty training periods and extended active duty in the U.S. Armed Forces. The person seeking such leave shall give 2 weeks prior notice to his/her supervisor unless such notice is precluded by military necessity or is otherwise impossible or unreasonable, all pursuant to provisions of the Act.

**500 PERSONNEL ADMINISTRATION**

This section includes policies, procedures, and practices to assist management and employees in maintaining a stable and communicative working relationship, and to provide formal steps in the solution of problems in the work place.

**501 Personnel Records**

- a) A personnel record is maintained for each current employee and kept for each former employee for the period required by state, local and federal law. Records indicate name, address, telephone number, pay rate, position and performance information, insurance records, and Form I-9. For

former employees, records should indicate reason for termination and eligibility for rehire.

- b) Personnel files are confidential and are kept in locked file cabinets at the Parish Office. Access to information is restricted to legal administrative purposes. No files, or material within, may be removed from the office.
- c) Employees may review their personnel files at the site of the files and under general supervision of the Rector (or designated custodian of the files). Employees may also copy from their own files any documents on which that employee's signature appears. Employees may not remove original files or paperwork from the site where they are stored, but may add items upon approval of the Rector.
- d) Response to request for information from outside sources should be limited to confirmation of most recent position and dates of employment. The Parish may provide additional data, if necessary, but only if a written release is provided by the employee.
- e) The Parish will cooperate with authorized representatives for federal and state governments only after proper identification is received. Investigators retained by the Parish, or other entity affiliated with the Parish may review the file and make copies of information relevant to the investigation.

#### **502 Anti Harassment Policy**

- a) The Parish is committed to creating and maintaining a community in which all employees of the Parish can work together in an atmosphere free of tension caused by violence or demeaning or harassing conduct, including animosity engendered by inappropriate religious, racial, ethnic, age, disability, or sexual conduct or comments. The Parish will not tolerate verbal or physical conduct by any employee related to or because of a protected category that harasses, disrupts or interferes with another person's work performance or that creates an intimidating, offensive or hostile work environment. It is the intention of the Parish to take whatever action may be needed to prevent, correct, and if necessary, discipline behavior that violates this policy.
- b) The Fair Employment and Housing Commission regulations define sexual harassment as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. It includes solicitation of sexual favors, unwelcome sexual advances, and creating or maintaining an intimidating, offensive, or hostile work environment, such as telling offensive jokes and engaging in offensive behavior in the workplace.
- c) Sexual harassment or violence is specifically prohibited by the Parish. It is the obligation of each person to report any conduct that violates these standards – whether the victim or not; whether the perpetrator is a supervisor, member of management, coworker, or business invitee; and regardless of the sex of the perpetrator.

- d) Other types of harassment are identified as verbal or physical conduct that denigrates or shows hostility toward another because of his or her race, color, religion, ancestry, sexual orientation, veteran status, pregnancy, medical condition, creed, gender, national origin, age, or disability. As with sexual harassment, this conduct is prohibited and should be reported immediately.
- e) The Parish, ordinarily through the Rector, will conduct a prompt, thorough investigation of any complaint, protecting the identity of the complaining party, witnesses, and the individual alleged to have violated the policy, to the extent possible. A complaint made in good faith should not result in any retaliatory action. Appropriate action will be taken if a violation of policy has occurred, up to and including termination of employment.
- f) Procedure
  - 1. A person (the complainant) who believes that she or he has been harassed or attacked by another is encouraged to confront the offending party (respondent) and request that the harassing/violent behavior cease. If the conduct by another continues, or if the complainant doesn't feel comfortable confronting the offending party, the complainant should immediately contact the Rector.

The Rector shall promptly and thoroughly investigate the facts, review the incident as a whole and consider the totality of the circumstances, including the context in which the alleged incident occurred. The investigation shall include interviews and a review of relevant documents. Findings shall be reported to both the complaining party and the alleged harasser, with whom the Rector will then confer. Appropriate action which may follow this conference may include any of the following: 1) action to cause the cessation of the harassing behavior; or 2) other action deemed appropriate by the Rector (e.g., counseling, probation, termination, etc.). Acts of violence shall result in termination. The Rector may seek additional counsel from persons of his/her choice. The decision and action of the Rector is final.
  - 2. In the event that the Rector behaves in a manner that is perceived as harassment by a person who is offended by that behavior, the complainant is encouraged to confront the Rector and request that the behavior cease. Should the offensive behavior continue, the complainant is then to ask that the Personnel Committee investigate the alleged action in accordance with the Canons of the Diocese.

### **503 Complaint Procedure**

The complaint procedure is a systematic process for the objective hearing and orderly handling of staff complaints concerning the application of policies and procedures governing personnel practices or working conditions. Although many

potential complaints can be anticipated and prevented by supervisors who understand the basic principles of employer/employee relations, some situations may still arise concerning the aforementioned policies and procedures or working conditions.

It is the employee's right to make complaints known. Any employee who feels he/she has a complaint is encouraged to do so. The exercising of this complaint procedure will in *no way jeopardize the job of the complainant*. During the process the employee will be expected to perform his or her job duties as directed by his or her supervisor.

There are several ways to approach the informal complaint procedure which include:

- a) A face-to-face discussion with the supervisor.
- b) A written memorandum to the supervisor.
- c) In some cases, the employee and/or the supervisor may accede to have an agreed upon third person meet with them to try to work out an understanding satisfactory to both parties.
- d) In the event the employee cannot find amicable agreement, the matter shall be brought to the attention of the Rector for resolution. The Rector's decision shall be final. If the complaint involves the Rector, the Personnel Committee shall substitute for the Rector.
- e) There shall be written documentation of actions agreed upon, which will be filed in the personnel file.
- f) If a complaint is not settled, it should be formally presented, in written form, to the Rector, or, in a case involving the Rector, the Personnel Committee.

#### **504 Disciplinary Procedure**

- a) In order to assure orderly operations and to provide the best possible work environment, The Parish expects employees to follow standards of conduct that will protect the interests and safety of personnel. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of standards of conduct that may result in disciplinary action, including formal warnings, suspension, or termination of employment.
- b) To provide employees with some guidance concerning what constitutes unacceptable behavior, the following examples are provided:
  1. Falsification of or making a material omission on forms, records, reports, or work or laboratory notebooks, including time cards, employment application documents, expense reports, or other Parish records, no matter when such conduct is discovered.
  2. Actual or threatened violence toward another employee or a Parish visitor.

3. Insubordination, disruptive behavior, refusing to follow a supervisor's directions, or other disrespectful conduct to another employee, supervisor or manager.
4. Theft or embezzlement or unauthorized possession or removal of Parish, employee, or third party property, records, or other materials, including equipment, fixtures, or automobiles.
5. Possessing or bringing firearms, weapons (including knives), alcohol (except when authorized), illegal drugs or hazardous chemicals on or to Parish property.
6. Provoking a physical fight or fighting on Parish property.
7. Using profane or abusive language at any time while on Parish property.
8. Destroying or damaging Parish or employee property, records, or other materials.
9. Violating safety or health rules or practices, engaging in conduct that creates a safety health hazard, or failure to use appropriate personal protective equipment.
10. Unauthorized disclosure of confidential or proprietary information.
11. Violation of the Parish's Use of Electronic Media Policy set forth in Section 505.4.a).
12. Violation of the Parish's Substance-free Workplace Policy, including using or possessing, alcohol (except when authorized) or unlawful substances while on Parish premises as defined in Section 505 3.
13. Failing to observe work schedules, including required rest and lunch periods.
14. Failing to notify the appropriate supervisor when unable to report to work.
15. Falsifying absences.
16. Enabling or allowing an unauthorized person to enter Parish premises.
17. Smoking in non-smoking areas.
18. Refusal to permit a management representative to access Parish property, including desks, offices, lockers, or Parish vehicles.
19. Discrimination against any person on the basis of any factor protected by law.
20. Violation of the Parish's policy against harassment.
21. Committing acts that are fraudulent, dishonest, or illegal.

22. Violating Parish policies or employee agreements.
  23. Failing to reimburse Parish overpayments, clear expense reports, or repay debts owed to the Parish.
- c) The purpose of this policy is to provide for the compassionate and equitable handling of disciplinary and performance problems.
  - d) The immediate supervisor is responsible for taking immediate corrective steps in the event a performance or disciplinary problem arises.
  - e) In the initial step, the supervisor will discuss the problem with the employee informally and try to reach an agreement on the solution.
  - f) In the second step, the supervisor will document the problem in writing, using the form in Appendix B, review it with his/her supervisor, and determine appropriate steps to correct the problem, indicating what action will be taken if improvement is not noted.
  - g) The final step is an action step at which time the employee may be suspended without pay for up to 2 weeks or may be terminated (discharged).

#### **505 Parish Property**

1. The Parish also needs to protect itself against the unauthorized removal of property, and to assure its access at all times to documents, records and files, whether on paper or on magnetic media, such as tapes and computer disks.
2. Accordingly, the Parish has established this policy concerning inspections, searches, and access to property on Parish premises. This policy applies to all employees. The computer storage systems, voice mail systems, and electronic mail systems are Parish property and are to be used for business purposes only. They are subject to inspection, search, and access at any time.
3. Guidelines – Certain terms pertaining to these guidelines are defined below:
  - a. “Prohibited materials” means firearms or other weapons, explosives and/or hazardous materials or articles; illegal drugs or drug-related paraphernalia; legal but unauthorized drugs, and alcoholic beverages which the employee is not authorized to have in his/her possession.
  - b. “Parish property” includes all documents, records, and files relating to the Parish’s business, regardless of the mode of storage (paper, tape, computer disk); and all equipment and other property of any kind, whether owned, leased, rented, or used by the Parish.
  - c. “Parish premises” include all premises and locations owned or leased by the Parish, including parking lots, lockers, and storage areas.

- d. “Reasonable suspicion” includes a suspicion based on specific personal observations, such as an employee’s manner, disposition, muscular movement, appearance, behavior, speech, or breath odor; information provided to management by law enforcement officials, security services, or by other persons believed to be reliable; or a suspicion based on other surrounding circumstances.
- e. “Possession” means that the employee has the substance or item on his/her person or otherwise under his/her control.

4. Inspections and Searches – Access to Parish Property:

The Parish reserves the right to conduct an inspection or search at any time for Parish property on Parish premises.

Routine searches or inspections for Parish property may include an employee’s office, desk, file cabinets, computer or similar places where employees may place Parish property, whether or not those places are locked.

Because even a routine search for Parish property may result in the exposure of an employee’s personal possessions, all employees are encouraged to refrain from bringing into the workplace any item of personal property that they do not wish to reveal to the Parish.

Inspections or searches for prohibited materials may include an employee’s office, desk, file cabinets, locker, or similar places where employees may place personal possessions, regardless of whether the places are locked or whether the employee is present. Inspections or searches for prohibited materials also may include an employee’s vehicle when on Parish premises, or an employee’s pockets, purse, briefcase, or other item of personal property that is worn or carried by the employee while on Parish premises. Searches of an employee’s pockets, purse, briefcase, or other item of personal property worn or carried by the employee shall be conducted by requesting the employee to conduct a self-search, that is, by emptying pockets or other items in the presence of an observer.

Employees who refuse to cooperate during any inspection or search will not be forcibly detained or searched. However, the Parish will base any disciplinary decision on the information that is available, including the basis for the search and the employee’s failure to cooperate. The Parish reserves the right to take appropriate action to prevent the unauthorized removal from Parish premises of Parish property.

5. Approval for Inspections:

- No approval for an inspection is necessary for a search to retrieve Parish property when an employee is unavailable.
- If a search is necessary because of a reasonable suspicion that employee(s) may be in possession of prohibited materials and in cases

where an employee's personal property will be searched, approval for the search should be obtained from the Bishop or the Canon to the Ordinary or the Parish Administrator.

6. Access to Computer Storage Devices, Voice Mail, Electronic Mail:

The Parish's computer storage systems, voice mail systems, and electronic mail systems are Parish property, to be used for business purposes only, and are subject to inspection, search and access at any time, including but not limited to, after an employee terminates from the Parish.

The Parish reserves the right to access any messages transmitted or recorded over its voice mail and electronic mail systems, notwithstanding the ability of employees, in some cases, to use codes, personal identification numbers, or other techniques to restrict access to such systems. Likewise, the Parish reserves the right to access any files, records, data, or other information stored on magnetic media which is Parish property, such as computer disks, even though the employee also may be using codes, personal identification numbers, or other techniques to restrict access. Employees should be aware that neither voice mail, neither electronic mail, nor data storage on magnetic media is confidential, and that there is no expectation of privacy with respect to such information.

No employee, without authorization, may access computer storage systems, voice mail systems, or electronic mail beyond what is reasonably necessary to enable the employee to perform the essential functions of his or her job.

7. Disciplinary Action:

Employees who possess prohibited materials in violation of this or any other Parish policy are subject to disciplinary action up to and including discharge, regardless of the Parish's reason for conducting the search or inspection.

**506 Drugs and Alcohol**

The Parish believes that a workplace free of illegal drugs, alcohol, and other harmful materials is vital to the health and safety of its employees and to the success of its mission. This statement does not apply to alcohol as used in the ordinary conduct of worship services or to the serving of alcohol for special events.

**507 Confidentiality**

Parish property includes not only tangible property, like desks and equipment, but also intangible property, such as information. Of particular importance are confidential information and proprietary information. Proprietary information includes all information obtained by Parish employees during the course of their work. Confidential information is any Parish information that generally is not known to the public or to the industry. Personnel files, computer records, financial data, and trade secrets are examples of confidential information.

Given the nature of the Parish's activities, protecting proprietary and confidential information is of vital concern to the Parish and its employees.

Employees must not use or disclose any proprietary or confidential information obtained during employment with the Parish, except as may be required by their Parish jobs. This obligation remains in effect even after an employee's employment relationship with the Parish ends. In addition, all employees must observe good security practices. All employees are expected to keep proprietary and confidential information secure from outside visitors and all other persons who do not have a legitimate reason to see, know, access, or use such information.

#### **508 Smoking**

Pursuant to state and local law, employees, contractors, retailers, vendors, and other guests are not allowed to smoke in any building, outdoor eating area adjacent to a building, or enclosed area, or within 20 feet of an entrance to any building, outdoor eating area adjacent to a building, or enclosed area at any time. "Enclosed area" means (1) any area surrounded by 4 walls and a roof with appropriate openings for entry and exit or (2) any area not open to the sky due to a cover or shelter consisting of any impermeable or semi-permeable material or fabric.

#### **509 Solicitation and Non-Disclosure**

Any solicitation by employees or non-affiliated entities or people on Parish premises requires approval of the Rector. In the case of an authorized solicitation on behalf of a charitable organization, employee contributions are entirely voluntary. No pressure shall be exerted upon any employee, by any other employee, regardless of position, to make a contribution.

Lists or other documents, such as the Parish telephone book, organizational charts, names and/or addresses of employees, may not be given or disclosed to anyone outside the Parish, unless as a Parish necessity. In such a case, both a nondisclosure agreement and approval by the Rector are required.

## APPENDIX A PERFORMANCE IMPROVEMENT PLAN

### **Informal Performance Improvement Plan**

When an issue surfaces, deal with it promptly. By being informal, objective and supportive, you can motivate your employee to overcome and resolve the issue.

#### **Identifying the Problem and Taking Appropriate Action:**

- Define the issue. Determine if the issue is a performance problem (the employee has not been able to demonstrate mastery of skills/tasks) or a behavior problem (the employee may perform tasks but creates an environment that disrupts the workplace).

#### **Potential Performance Issues:**

- Missed deadlines, poor quality work, not doing enough work, policy violation, etc.

#### **Potential Behavior Issues:**

- Attendance related issues (unscheduled absences, excessive absences, and tardiness), inappropriate behavior, insubordination, personality conflict, etc.
- Define the tasks or behaviors where improvement is required.
- What are the aspects of performance required to successfully perform these duties?
- Which skills need improvement?
- What changes need to be made in application of skills an employee has already demonstrated?
- What behaviors need modification?
- Establish the priorities of the tasks.
- What are the possible consequences of errors associated with these tasks?
- How frequently are these tasks performed?
- How do they relate when compared with other tasks?
- Identify the standards upon which performance will be measured for each of the tasks identified. Are they reasonable? Are they attainable?
- Establish short range and long range goals and timetables for accomplishing change in performance/behavior with the employee. Are they reasonable? Are they attainable?

#### **Documenting a need for improvement can be:**

- verbal only; and/or
- by written memo to the employee, with a copy kept in the supervisor's file or
- on the employee's annual written performance review

To increase the chances of a positive outcome:

- choose a private setting;
- focus on the specific issue rather than the person;
- ask the employee for help in creating a plan to resolve the issue; and
- gain the employee's commitment to resolving the issue.

Formal Written Performance Counseling:

- If performance, behavior or attendance shows no signs of improvement or continues to decline after informal counseling, or if something happens to cause the escalation of the performance counseling process, the supervisor will document the situation in a written formal counseling.
- Confer with your manager in any situation where the formal written performance counseling may be appropriate, and discuss the content of the written document with your manager prior to delivering it to the employee.

This performance counseling document will contain:

- A description of the nature of the employee's new or continued poor performance. Use specific examples and explain the business impact of the unacceptable performance or behavior;
- Reference to all prior discussions and plans regarding performance;
- A description of the performance expectations or the improved behaviors required, including measurements;
- Identification of time frame for improvement (usually 30-60 days) along with specific time frames for progress reviews of performance during this period;
- Specification that failure to improve behavior/performance could lead to further corrective action up to and including termination;
- Include a statement, (if appropriate) that the employee may be terminated before the end of the time frame specified if performance does not improve as required at certain intervals during the overall time frame;
- State that if the employee's performance improves but subsequently reverts to the unacceptable level once the employee completes this Performance Counseling period, the employee may be subject to further corrective action up to and including immediate termination;
- The employee as an acknowledgment signs this plan that the information has been discussed. An employee signature does not indicate agreement with the plan. If the employee refuses to sign, the manager should document the employee's refusal on the memo; and
- The manager retains a copy, gives a copy to the employee, and sends the original signed copy to the Parish Administrator to be placed in the employee's central personnel file.

Note: While an employee is on a Formal Written Performance Counseling, the manager should try to provide regular, timely and ongoing performance feedback to the employee throughout this period.

Termination:

- Termination may be initiated when an employee has failed to improve, or to sustain improvement as outlined in the Performance Counseling document. Terminations also may be initiated for serious violations of Parish policy.
- The Bishop or Canon to the Ordinary must concur with any termination and notice of termination before implementation. The manager typically communicates termination notice to the employee. Assure that the employee's final paycheck is ready at the time of termination.

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**APPENDIX B  
FORMAL PERFORMANCE COUNSELING DOCUMENTATION**

**Employee Name**

**Department**

**Job Title**

**Supervisor/Manager**

**Extension**

**Date**

- Description of Performance/Behavior Issue (Specific, Including Impact)
- Prior Discussions and Plans Regarding the Poor Performance/ Behavior
- Description of the Performance Expectations or Improved Behaviors Required
- Time Frames for Improvement Along With Dates For Specific Progress Reviews During This Time Period.

**CONSEQUENCES** – Failure to improve performance/behavior could lead to further corrective action up to and including termination. (Employee name) \_\_\_\_\_ may be terminated before the end of the overall time frame if performance does not improve during the counseling period related to specified deadlines within the period. If your performance improves and subsequently reverts to an unacceptable level once you have completed this performance counseling period,, you may be subject to further corrective action up to and including immediate termination.

**I have read and received a copy of this document:**

\_\_\_\_\_

Employee Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Manager Signature

\_\_\_\_\_

Date

**Employee Comments:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**APPENDIX C**

**CONTENTS CHECKLIST FOR EMPLOYEE PERSONNEL FILES**

1. Employee application
2. I-9 form
3. Current employee contact information
4. Personnel evaluations
5. Disciplines