

CHANCERY PERSONNEL MANUAL

Diocese of Tyler

April 2017



Decree of Promulgation

JOSEPH EDWARD STRICKLAND
BY THE GRACE OF GOD AND THE APOSTOLIC SEE
BISHOP OF TYLER

D E C R E E

On Matters Concerning the Governance of the Diocesan Chancery

Mindful that the Church, the Mystical Body of Christ, which exists on earth as a visible society, must be well and lawfully ordered so that it may manifest the Lord's presence to the world effectively; and

Mindful that one of my principal concerns as chief shepherd is to ensure that all who are employed by the Church have clear policies and procedures for guiding their work as they offer their gifts of labor in the Lord's name; and

Conscious of my right and duty to exercise legislative power in the governance of the Church entrusted to me while ensuring a fair and just employment relationship which recognizes both the unique nature of the relationship between the Church as an employer and its lay and clerical ministers as employees, as well as the need for flexibility in carrying out the ministry of the Church consistent with the realities of each situation;

Therefore, having received the counsel of the Moderator of the Curia, and members of the Curia and presbyterate, I decree as follows:

1. The *Chancery Personnel Manual* is promulgated as particular law for the Diocese of Tyler and is applicable to all full-time and part-time employees of the Diocesan Chancery.
2. Any previous laws, policies, directives and procedures contrary to the provisions of the *Chancery Personnel Manual* are abrogated, unless other provision is explicitly made.
3. Any amendments to the *Chancery Personnel Manual* must be approved by the Diocesan Bishop and promulgated through the Office of Human Resources in cooperation with the Chancellor.

All things to the contrary notwithstanding.

Given at Tyler, at the Diocesan Curia, under my sign and seal, and the countersign of my Chancellor, on the 10th day of the month of February, the Memorial of St. Scholastica, in the year of our Lord and Savior Jesus Christ, two thousand and seventeen.

Most Reverend JOSEPH E. STRICKLAND
Bishop of Tyler

Peyton Low
Chancellor

Prot. No. 2017/C-0038

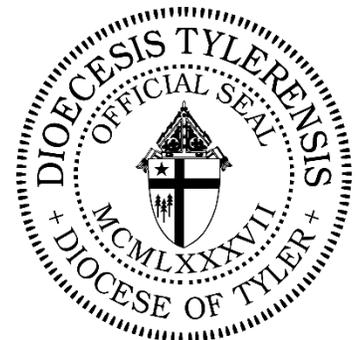


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Introduction

Work is not only good in the sense that it is useful or something to enjoy; it is also good as being something worthy, that is to say, something that corresponds to man's dignity that expresses this dignity and increases it. If one wishes to define more clearly the ethical meaning of work, it is this truth that one must particularly keep in mind. Work is a good thing for man, a good thing for his humanity, because through work, man not only transforms nature, adapting it to his own needs, but he also achieves fulfillment as a human being and indeed, in a sense, becomes "more a human being".

– Encyclical Letter *Laborem Exercens* of the Holy Father John Paul II

The Catholic Church teaches that the work we do in this world has more than a visible, tangible purpose and effect. It also changes and transforms us and is one of the principal means by which we respond to God's grace and become co-workers with Christ in his work of redeeming the world and perfecting his creation. Through the work we do, the Lord fashions and shapes us in his image and likeness. This is true of all human work. It is especially true of the work we do together in the church, building up the Body of Christ, making a return to the Lord for all the good he has given to us and supporting the efforts of our brothers and sisters to respond to gospel and grow as people of faith.

In the Catholic Church the mission of Jesus to go and make disciples of all the nations was entrusted to his Apostles before the Ascension (Matthew 28: 18-20). The Bishops as the successors of the Apostles carry on that mission and oversee the growth and development of the many and varied gifts given to the members of the church for the sake of that mission (1 Corinthians 12:7). As co-workers with the Bishop, and with the priests who share in his ministry, the staff in the Chancery Office employ their expertise and talents in assisting the bishop to teach, sanctify and administer the temporal goods of the Diocese for the sake of the whole church and for the sake of the broader community in which we live.

Since this mission is always carried out in the world and in the cultural reality of our day, the following policies and procedures are provided to support the careful coordination and collaboration of the work of chancery employees and to assure that all who work in the service of the church receive fair treatment and just compensation for their work, since the workers deserve their pay (Luke 10:7). These policies also support good stewardship on the part of all in their use of their time, their talents, and in the use of the material resources at their disposal for accomplishing their work successfully.

Purpose

It is our belief that all benefit when those who are involved in carrying forward the mission of the church understand not only that mission, but also the rights and duties that come into play when carrying it out. Hence, the purpose of this manual is to set forth the specific policies that govern the relationship of all employees to their Employing Entity, namely the Chancery Office of the Diocese of Tyler. This entity falls under the juridical authority of the Bishop of Tyler, exercising that authority under the Canon Law of the Roman Catholic Church. The manual does not purport to apply to other entities that might be located within the diocese, but which are not directly supervised by the bishop or his delegates. Acceptance of employment implies acceptance of the policies by parties, the Diocese and the employee.

These policies cannot and are not intended to cover every possible situation nor are they absolute in and of themselves, nor are they intended to create contractual rights. This is a living document and these policies will continue to be updated as needed by the Bishop of Tyler. The Human Resource Department will be responsible for informing employees of any changes to the policies/procedures in the manual by electronic memo. The authoritative version will be maintained on the diocesan web site. The Human Resource Department will also be the “day to day” resource regarding the manual.

In general, all employees of the Chancery Office are subject to the policies contained in this manual. The supervisors are responsible for the implementation of these policies. It is the responsibility of all supervisors to facilitate a consistency in the application of these policies.

The Diocese of Tyler Chancery Office (the "Diocese") has not created an employment obligation with any of its full-time or part-time employees by issuing this Personnel Manual or by any of the policies contained herein. The employment of each employee remains at will.

It is our hope that setting forth these policies will safeguard rights, clarify expectations, and in general, promote a harmonious and efficacious furthering of the mission of the Diocese.

Section 1: Employment Practices

101. Equal Employment Opportunity

The Diocese assures equal employment opportunity in all its employment policies and practices. These policies and practices are administered without regard to race, color, national origin, age, sex (gender), marital status, political affiliation, veteran status, or mental or physical disabilities not affecting one's ability to perform the essential functions of one's job. All employment in the Diocese requires compliance with moral standards acceptable to the Catholic Church. There are certain positions in the Diocese for which it is necessary to be Catholic, and some positions involving ministerial duties for which preference in hiring shall be given to people who are Catholic and who evidence an understanding of the Catholic faith and a commitment to living that faith. Such preference is allowed under state and federal law, and does not constitute an illegal act of discrimination.

102. Employment-at-Will

All lay employees are employed at the discretion of the employing authority. The Diocese and all employing entities are employers-at-will.

103. Diversity Policy

The Diocese is composed of and enriched by people of diverse national, ethnic and cultural backgrounds. In order to serve all members well, the Diocese promotes staffing in parishes and other institutions that reflects this diversity and supports the inclusion of the gifts of all the members of the Church in its pastoral life.

The Diocese also promotes programs that help employees understand and serve people from diverse cultures and backgrounds.

104. Recruiting and Hiring

The Diocese seeks to hire the most qualified applicants. Generally, all available positions for which the Diocese advertises will be posted internally for three days before posting externally. All qualified applicants that meet the posted job requirements will be considered during the hiring process.

Reasonable efforts will be made to fill vacant positions with internal candidates. However, the Diocese may consider both internal and external candidates in order to hire the most qualified applicant.

105. Safe Environment

All employees must complete and be cleared through the Diocesan Ethics and Integrity Program at the time they are hired (See the diocesan website for the Policy on Conduct for Church Personnel). They must successfully complete the required ongoing training, including the Acceptance Certificate for Service, as a condition of continued employment.

106. New Employee Orientation

An orientation program will be conducted to acquaint employees to the organization, new position and department. The program includes information relative to the history, philosophy, purpose and objectives of the Chancery, its administrative policies and procedures, fire and safety program, and facilities and grounds. The Human Resource Department will conduct a review of the manual and obtain the required new employee paperwork.

A department orientation to the specific job position shall be conducted by the direct supervisor and/or delegated person.

107. Provisional Period

The provisional period for new employees, except temporary employees, is ordinarily 90 calendar days. At the end of the 90 days, the direct supervisor, after consulting with the Moderator of the Curia, may extend the provisional period up to 30 additional calendar days, if deemed necessary. If, at the end of the extended provisional period, the employee has adequately attained the basic competencies required for the position, his/her status will then be adjusted to "regular." If the employee has not adequately attained the basic competencies after the extended period, his or her employment will be terminated. If termination of employment is likely, the direct supervisor must first consult the Moderator of the Curia and receive the approval of the Bishop.

The provisional period serves a dual purpose: it permits the direct supervisor to examine the employee's performance and capacity for development, and it provides an opportunity for the employee to assess whether the position provides a suitable setting for effective use of his/her skills. At any time during this stage, or for any reason, a decision to terminate the employment relationship can be made by either the employee or the employer unilaterally. The direct supervisor is not required to follow the progressive discipline process prior to termination of employment of a provisional employee, nor is the employee required to give the usual advance notice, although written notice is required. The new employee in the provisional period may not use the procedure in Section 605 for the purpose of appealing a provisional release from employment.

During the provisional period, the new employee is not eligible for paid medical leave, personal leave, bereavement leave, or vacation. However, any absence must be documented on the "Request for Leave" form.

The provisional period ordinarily allows for at least two formal progress reports by the direct supervisor. Progress reports (Appendix A) are to be in writing and signed by the employee and the direct supervisor. The initial progress report is normally done around the 45-day mark, and the second report is done at or shortly before the end of the 90-calendar day provisional period. During or at the end of the provisional period, the direct supervisor subsequently informs the employee in writing of:

- a) the successful completion of the provisional period and transfer to regular employee status,
- b) the decision to extend the provisional period, or
- c) the decision to terminate employment.

If termination of employment is likely, the direct supervisor must first receive prior approval of the Moderator of the Curia and the Bishop.

Successful completion of this provisional period does not guarantee the employee continued employment. Continued employment with the Chancery is dependent upon the employee's job performance and conduct, as well as the business and employment needs of the Diocese.

108. Career Advancement and Changes

The Chancery will attempt to promote or transfer employees to fill all available job positions whenever, at its sole discretion, it believes an employee is the best-qualified candidate. All available positions will be made known within the Chancery. However, if an employee accepts a different position with the Chancery, they must commit to remain in this position for a minimum of one year before applying for any other available position.

109. Rehiring Former Employees

Applications received from former employees will be processed according to the same procedures and given the same consideration as afforded all other external applicants for positions. The Chancery will review the former employee's performance records and the circumstances surrounding termination of previous employment with the Diocese.

110. Employment of Family Members

The Chancery does not permit the employment of family members of current employees.

On occasions when the relationship occurs after the fact of employment, or if the situation creates an actual or perceived conflict of interest, the Moderator of the Curia will determine the disposition of the affected employees.

111. Personnel Files

The Human Resource Department of the Diocese will maintain separate employee personnel and benefits files. All information contained in a personnel file is confidential property of the Diocese and access is controlled by the Human Resource Department. No information will be placed in a personnel file unless there is a clear business reason to do so. Because of the confidential nature of employee files, the Human Resource Department is responsible for securing all access to employee files. Personnel files are not to be removed from the Chancery, where they are maintained.

Employees are responsible for informing the Human Resource Department of any changes to personal status that may alter payroll or benefits status. Such information may include and is not limited to: Last Name, Marital Status, Beneficiaries, Address, Telephone Number, Emergency Contact, Gain or Loss of Dependents, and W-4 Deductions. Failure to do so in a timely fashion could result in changes and/or loss of benefits, delays in notifications, improper deductions, etc.

112. Employment References

All mail and telephone inquiries concerning current and former employees are confidential and are to be directed to the Human Resource Department. Only the employee's employment dates and position title will be provided in response to a request for reference information regarding an employee. In addition, factual information other than employment dates and job titles necessary to secure a loan or proceed with a business transaction will be released only with a written authorization from the employee. Direct supervisors and/or coworkers are not allowed to give employment references or information for current or former employees in any capacity where they act as a representative of the Diocese.

113. Job Descriptions

Every position has a job description outlining the essential functions, responsibilities, duties, and qualifications of the position, as well as clarifying whether the position is exempt or non-exempt. Job descriptions are key documents for determining the appropriate pay range for specific positions. They also assist employees and supervisors to communicate about job responsibilities, and they are utilized as the basis for performance appraisals.

The job description is reviewed annually, usually at the time of the performance appraisal. The Chancery reserves the right to make changes to any job description at any time during the year, especially during diocesan restructuring, reduction or expansion, to reflect the current demands of the job.

114. Performance Appraisal for Regular Employees

The job performance of each regular employee is evaluated ordinarily every year by their direct supervisor prior to the budget process for each fiscal year. However, performance appraisals may be

conducted prior to an employee's change in job classification, responsibility or prior to a change in a supervisor.

The purpose of the evaluation is to set developmental goals for the next year, to evaluate the success with which previously set goals have been met, to commend the employee for accomplishments, and to help the employee to improve performance where necessary. The job description is a useful guide for goal setting and evaluation.

Prior to the scheduled evaluation meeting, an appraisal form (Appendix D) is usually completed by the direct supervisor and the employee separately. During the meeting, the completed forms and any other issues are discussed. At the end of the meeting, the direct supervisor's copy is signed and dated by both to signify that it has been read and discussed. The employee is also given the opportunity to provide a response to the review. Once this is done, copies of both appraisal forms are given to the employee. Both originals are forwarded to the Human Resource Department for inclusion in the employee's personnel file. The Chancery reserves the right to review previous performance appraisals of certain employees and/or departments on an as needed basis in unique circumstances (i.e.: change in department supervisor) with approval from the Moderator of the Curia.

115. Ecclesiastical Offices

Where a canonical office is concerned, the provisions of the Code of Canon Law will also be observed in matters relating to appointment and removal from office, as well as for its exercise.

Section 2: Compensation

201. Employment Status Categorization

Diocesan employment status is classified as follows:

Full-Time/Part-Time - Employees who are hired to work 30 hours or more per week and in positions that are continuous in nature are considered as full-time. Those who work fewer than 30 hours per week are part-time employees.

Temporary or Seasonal - This term designates employees who are hired to work for a specific period of time not to exceed six months. They may be paid hourly or may receive a predetermined amount. They are not entitled to receive retirement benefits, health care insurance, life insurance, or paid leave benefits.

Provisional - A new employee is classified as "provisional" during the initial 90 calendar days of employment or longer if the direct supervisor or the Moderator of the Curia determines a need to extend the provisional period. During this time, the employee is not eligible for a pay rate increase, paid medical leave, personal leave, bereavement leave or vacation.

Regular - Regular employees are those who have successfully completed the provisional period and are regularly scheduled to work the agreed upon hours and who, if they qualify, are entitled to the employee benefits stipulated in Section 3 of this manual.

202. Exempt and Non-Exempt Employees

Exempt - The Fair Labor Standards Act (FLSA) provides an exemption from overtime pay requirements for any employee employed in an executive, administrative, professional or computer professional capacity. For additional details please see www.dol.gov.

Those directly responsible for a department or office and for administering all general policies and administrative procedures or whose positions regularly require the performance of duties related to management and general business operations meet these criteria. Job descriptions for these employees focus on responsibilities and accountability.

Exempt employees are not entitled to overtime pay or compensatory time for hours worked above 40 in a week. Exempt employees are not limited to a standard work week of 37.5 hours; the actual work week will be as long as it takes to get the job done. It is understood that the nature of their jobs will sometimes require more than a 40-hour week, e.g. some evening or weekend work. If this is considerable, their direct supervisor may grant adjustable time off as soon as it is feasible. However, by labor law exempt staff are not provided hour-for-hour time off.

Non-Exempt - Employees whose job duties do not meet the FLSA exemption tests are categorized as non-exempt. Support staff employees performing secretarial, clerical, receptionist, or maintenance tasks meet the FLSA criteria of having a standard 40-hour work week. Job descriptions are task oriented. State and Federal law require an employer to keep accurate, permanent records of actual hours worked by each non-exempt employee. Hours worked in excess of 40 per week are to be compensated. It is the direct supervisor who initiates and authorizes the occasional need for overtime (e.g. to meet a deadline, assist with an evening or weekend meeting).

Overtime is only allowed with written permission of the direct supervisor. The Chancery will generally attempt to avoid conditions which may cause overtime, but the nature of individual jobs sometimes requires overtime work. Employees are expected to be able to work overtime when the need arises.

Employees classified as non-exempt will be paid time and one-half for time actually worked that exceeds 40 hours during a scheduled workweek (Monday through Sunday).

Hours, for which an employee receives pay but which are not actually worked (such as holiday, bereavement or jury duty pay, sick leave or vacation) will not be considered as hours worked for purposes of calculating eligibility for overtime pay. Employees must actually work over 40 hours in the week in order to be paid at the rate of time and one-half.

Should a non-exempt employee be granted compensatory time off in lieu of overtime pay, it will only be granted in the week in which the overtime has been worked.

203. Recording Time

All non-exempt employees are required to record their daily hours worked on time sheets. Lunchtime (see Section 4) is not paid time and should be reflected accordingly. All other personal time away from work must also be recorded on the time sheets. Employees are not allowed to record time for other employees. Each employee must maintain their own time sheet. Employees must sign the completed time sheet, provide the reason for any absences, and submit the time sheet to their direct supervisor for submittal to payroll. Time sheets are to be turned in on the following Monday (or first workday following a holiday) following the end of the pay period.

204. Payroll

Payroll is processed according to the pay schedule provided at the beginning of each year.

Pay will not be advanced or paid prior to the regularly scheduled payday. Payroll is distributed electronically through direct deposit and pay stubs are available online through the payroll system. Login details can be obtained through Accounts Payable in the Finance Office. If an employee needs to change deposit account information, they must contact the Finance Office and allow at least 1 pay period before the payroll change can be confirmed. Provisions will be made for individuals without bank accounts.

Certain deductions, by law, must be withheld from employee paychecks, including federal withholding tax and Social Security Tax. Employees must authorize other deductions, including insurance premiums.

Employees should discuss any questions regarding a paycheck with the Finance Office.

Section 3: Benefits

301. General

It is the policy of the Chancery to provide a comprehensive benefits program for all eligible employees. Details of each benefit plan are contained in separate Summary Plan Descriptions and can be requested from the Human Resource Department. In the event any contradiction arises between the information contained in this manual and the official plan documentation and/or master insurance contracts, the latter will govern in all cases.

Additional information regarding the Diocese benefit plans can be obtained from the Human Resources Department. The Diocese reserves the right to amend or terminate any of these voluntary programs at any time at its discretion. The Human Resource Department will give written notice of any changes to employee benefits.

302. Credited Service

Credited service date begins with the first day of employment and consists of the total time actually worked. Credited service dates will affect seniority status and employment benefits eligibility, including vacation and medical days. Employees who terminate employment but return within three years of their termination date will automatically keep any credited service earned before termination.

303. Benefits Eligibility

Eligibility for certain benefits is dependent upon the number of hours an employee is regularly scheduled to work in a week. Lay employees who are regularly scheduled to work 30 or more hours per week will be eligible for full participation in all benefits programs. Any part time employees working in the Chancery as of January 1, 2017, are grandfathered with regards to vacation (section 305) and the 403(b) retirement plan (section 313).

304. Holidays and Holy Days

The Diocesan Chancery Holiday and Holy Days Schedule will be published by October 1 each year. The Bishop will designate which holidays and holy days will be observed.

Full-time employees will be eligible for holiday pay. Part-time employees are eligible for holiday pay on a pro-rated basis. Temporary and seasonal employees will not be eligible for holiday pay.

305. Vacation

Vacation provides a period of rest and relaxation that is important to each employee's ability to function to his/her fullest potential. Thus, all lay employees are expected to take the vacation time available to them each fiscal year. Lay employees are eligible for vacation following completion of the 90-day provisional period and conversion to regular employment status.

For purposes of vacation entitlement for regular full-time employees, the years of documented continuous full-time employment with a parish or Catholic school in the Diocese will be counted. There is no carry-over of unused vacation days from a previous employer.

The following schedule is used in determining regular employee vacation:

Vacation Schedule for Full-Time Employees

Years of Completed Service
0* to 4 years

Maximum Paid Time Off

Full Time (37.5 hours)	10 days
Full Time (less than 37.5 hours)	5 days
5+ years	
Full Time (37.5 hours)	15 days
Full Time (less than 37.5 hours)	10 days
<u>10 + years</u>	
Full Time (37.5 hours)	20 days
Full Time (less than 37.5 hours)	10 days

Vacation may not be taken until the provisional period has been successfully completed and status converted to regular full-time at which time vacation will be credited on a prorated basis based on the number of months remaining in the calendar year.

Scheduling of Vacations

Scheduling for all employees of the Chancery will be at the discretion of the direct supervisor.

Priority in scheduling vacation times will be based first upon seniority. The seniority privilege will not allow employees to change scheduled vacation times at the expense of another employee after the schedule has been arranged.

Every effort will be made to schedule vacations according to personal preference unless diocesan needs require otherwise.

Vacations will be scheduled in such a manner as to provide unimpaired service by the Chancery and adequate coverage of all positions.

Vacation days are not cumulative from one fiscal year to the next (may not be carried over). Vacation days must be used by the end of the fiscal year. Monetary consideration is not given for unused vacation days except at termination of employment.

306. Medical Leave

Medical leave provides regular full-time lay employees with an authorized paid absence from work for illness, medical appointments, or injury for oneself, an immediate family member (spouse, dependent child) or one who lives in the same household or is dependent upon the employee. Each regular full-time employee is eligible for nine medical days per fiscal year. If initial employment begins after January 1 the employee is credited with the pro-rata number of medical days for full months only.

Unused medical days may accumulate to a maximum of 60 days. Accumulated medical days are transferable to employment in another Chancery office (same employer) when accompanied by proper documentation. They are transferable to/from a different church employer, such as a parish or Catholic school.

Unused medical leave for all employees may not be taken as extra vacation time nor given monetary consideration, even at termination of employment.

Part-time employees are eligible for medical leave on a pro-rated basis.

If an employee exhausts all medical leave days, then other leave available must be used. Once all other available days are used, the remaining absence will be without pay in accordance to the FMLA laws.

Use of Medical Days

Employees must notify their direct supervisor by the time they are regularly scheduled to begin work if they will be absent due to an illness.

A physician's statement may be required in order to verify an illness that lasts more than three days.

307. Personal Leave

For regular full-time lay employees, up to three days may be used per fiscal year for personal leave. Use of personal days must be scheduled and approved in advance with the employee's direct supervisor. Personal days may also be used as floating holidays. Unused personal days cannot be carried over to the next fiscal year, and there is no payment for unused personal days at the end of any calendar year or in the event of termination of employment. Part-time employees are not eligible for personal leave.

308. Family Leave Under the FMLA Act of 1993

The Family Medical Leave Act entitles eligible full-time employees who have been with the Diocese for at least 12 months and have worked at least 1250 hours in the most recent 12-month period (rolling backward), to take up to 12 work weeks of unpaid job-protected leave for specified family and medical reasons. The employee is also eligible for continuation of group insurance under the same terms and conditions as if the employee had not taken leave. If the employee is not enrolled in the Group Health Insurance plan, FMLA still applies. Any employee needing to go on leave needs to contact the Human Resource Department immediately to start the leave request process.

The following are the rules regarding the 1,250-hour requirement and how to count this:

- Employee must have worked at least 1,250 hours during the 12 consecutive months prior to the leave begin date.
- Only actual work time counted. Regular and overtime hours both count toward the 1,250 hours.
- Leaves of absence, paid or unpaid, including FMLA leave, are not counted toward the 1,250 hours.
- Pursuant to USERRA, employees returning from military service shall be credited with hours that would have been performed but for the military service.
- Time worked as a temporary employee counts toward the 1,250 hours.

Eligible employees are entitled to 12 work weeks of leave in a 12-month period for the following reasons:

- The birth or placement for adoption or for foster care of a child.
- The serious health condition of a spouse, child, or parent.
- The employee's own serious health condition. A "serious health condition" is defined by the FMLA as an "illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital or hospice or residential medical care facility or continuing treatment by a health care provider."

Any qualifying exigency arising out of the fact that an employee's spouse, son/daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty status in the National Guard or Reserves in support of a contingency operation or is deployed to a foreign country as part of the Regular Armed Forces.

Twenty-six (26) workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave)

The Diocese has adopted the rolling backward calculation method as of 11/1/2012 as the "12-month period."

Types of FMLA Leave

Increments of Leave available under FMLA are single block of leave, intermittent leave taken in separate blocks of time for a single illness or injury (while on Intermittent leave, employee needs to call UNUM on all subsequent absences), and reduced leave schedule which results in regular alternation/reduction of scheduled work hours during the certified period when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered service member. By its very nature, qualifying exigency leave also may be taken on an intermittent basis.

Spouses who are employed by the same employer/entity, and who request FMLA leave for the birth, adoption, or foster care placement of a child with the employee, are eligible for a combined 12 weeks between the two employees. Both employees continue to be eligible for 12 weeks of FMLA leave each, but they may only take a combined 12 weeks of FMLA leave between them for this type of event.

Pay and Benefits During FMLA Leave

An employee's health and welfare insurance benefits, if any, must be continued by the employer while an employee is on FMLA leave. While on FMLA leave, employee is responsible for paying insurance premiums for any voluntary coverage as well as insurance premium for dependent spouse and children previously covered or risk cancellation of those benefits. Payment for these benefits must be received no later than the 10th day of the month for that month's coverage. If employee is on paid leave (PTO), all benefit premiums will be deducted from employee's paycheck as usual.

While FMLA leave is unpaid, an eligible employee taking FMLA leave must use available paid time off (PTO). If an employee uses PTO such as unused vacation and sick hours, such PTO taken, are concurrent with FMLA leave. This time will still be counted toward the 12 week FMLA maximum.

An employee on unpaid, job protected FMLA leave does not accrue PTO. However, an employee, who takes PTO while on FMLA, does accrue PTO. Unpaid FMLA leave time does not count toward earning PTO but such time does count toward vesting in the 403(b) Retirement Savings Plan. The 403(b) Employer contribution is not continued while employee is on FMLA. However, if PTO is taken while on FMLA, then the 403(b) contribution and matching (if applicable) will continue for that period of time.

In any event, this policy shall not be interpreted in any manner inconsistent with or expand the rights of any employee beyond the requirements of the FMLA.

Return to Work After FMLA Leave

Employees who return from family leave must be reinstated to the same or similar position. In the case of a leave for the birth or placement of a child, an employee must give the employer at least 30-days notice of the necessity for the leave.

An employee should notify the Human Resources Department of their intent to return to work at least two weeks prior to the anticipated date of return, as well as any medically necessary changes in their ability to perform their job duties. If the leave involves the employee's own serious health condition, the Diocese will require a "fitness for duty" certification from the employee's health care provider verifying the ability of the employee to return to work, with or without restrictions. If the employee returns to work on or before expiration of available FMLA leave, the employee will normally be returned to his or her former position or an equivalent position. If an employee has been medically released to return to work and fails to report to work or fails to call in with a satisfactory explanation, the Diocese will treat this as a voluntary resignation.

In the case where an employee is unable to return to work due to a serious illness or injury and the twelve (12) weeks of job protected leave has expired, the employee will have the option of continuing

medical and dental coverage for themselves and any dependents previously covered before the leave through the Diocesan Continuation of Benefits program at the employee's own expense for up to 18 months.

If an employee has questions regarding the FMLA policy, please contact the Human Resources Department at the Chancery Office. The Diocese is committed to complying with the FMLA and whenever necessary, shall interpret and apply this policy in a manner consistent with the Family and Medical Leave Act of 1993.

309. Bereavement Leave

Regular full-time employees may be allowed up to three paid days off in the event of a death in their immediate family and one day for non-immediate family. For this purpose, immediate family is defined as spouse, child, parent, in-laws, grandparent, grandchild, brother, sister or anyone living in the household. Non-immediate family is uncle, aunt, cousin.

Factors used in determining the number of days allowed, at the discretion of the direct supervisor, include relation of the family member, location of the funeral and time required for travel.

Exceptions providing paid or unpaid time off to attend funerals under special circumstances or funerals of others with special relationships may be made at the discretion of the direct supervisor.

310. Leave Without Pay

Leave without pay may be granted for special reasons when there is no appropriate accrued paid leave available for use. Special leave must be requested in advance and approved by the direct supervisor and the Moderator of the Curia. Depending on the unpaid leave, the job position cannot be held the same way as under FMLA. Coordination of benefits and premium payments must be resolved beforehand.

311. Jury Duty Leave

Employees will be given the necessary time off for jury duty and related court obligations upon presenting the proper legal documentation to their direct supervisor in advance.

Employees may retain any jury duty fees received. Additionally, non-exempt employees will receive their regular pay of up to twenty days spent on jury duty each year. By law, exempt employees must receive full pay for the entire amount of time spent serving on a jury.

Employees are expected to provide documentation and return to work if excused by the court at or before 1 p.m.

312. Military Leave

Employees who are required to serve in any branch of the Armed Forces of the United States or who are engaged in state military service will be given the necessary time off and the Diocese will comply with all applicable laws. The specific terms of the absence and of the employee's right to reinstatement, seniority, benefits, and compensation after a military leave are governed by law. For additional information, see the USERRA.

313. Other Benefits

Health, Dental, Life, Accidental Death and Dismemberment Insurance Coverages
Employees who are regularly scheduled to work 30 or more hours per week and have completed 60 days of continuous service are eligible to participate in the health/dental/life/ADD program offered by the Diocese. Employees are also covered by a group term life insurance policy. This insurance coverage is effective after the completion of 30 days of continuous service.

For further details of these policies, employees should contact the Human Resource Department.

403(b) Retirement Savings Plan

The Diocese has adopted a 403(b)-retirement savings plan for lay employees in order to provide retirement benefits for eligible lay employees.

Per the plan document, any employees who regularly work 30 hours or more will be eligible to contribute into the 403(b) plan and to receive employer matching contributions.

Employer Matching Contribution is 100% of the first 4%. Employees can make pre-tax and/or after-tax (Roth) salary reduction contributions to the 403(b) plan, up to the allowed IRS limits. Employee contributions and earnings in the 403(b) plan are always 100% vested.

Employer contributions and earnings are vested as follows:

2 years of Service	20%
3 years of Service	40%
4 years of Service	60%
5 years of Service	80%
6 years of Service	100%

Any employees hired before January 1, 2017, working less than 30 hours currently enrolled in the 403b Plan will be grandfathered.

Employees should contact the Human Resource Department with any questions concerning participation.

Pension Plan (Defined Benefit Plan)

All diocesan priests are enrolled in the Diocesan Priest Pension Plan. The employer makes contributions to the plan on a monthly basis.

Social Security

The Federal Insurance Contributions Act (FICA) requires that all lay employees be covered under this plan. The program is funded through equal payments by the employing institution and payroll deductions from salary, except for diocesan priests who are required to pay the entire tax. The rate of payroll deduction is determined by the Social Security Act.

Workers' Compensation

The Diocese provides workers' compensation insurance for its employees who may be injured while acting in the scope of their employment. Any lay employee full-time or part-time, clergy, or religious who sustains injuries functioning as an employee and acting within the course and scope of employment, is covered under Workers' Compensation. All work-related injuries must be reported immediately to the Director of Operations. All injuries must be reported within 24 hours and a Workers Compensation Report initiated. Forms are available from the Office of Operations at the Chancery. Since medical treatment for work-related injuries is not covered through the group health insurance plan, injured employees should not present their major-medical insurance card when seeking treatment for a work-related injury. Before seeking treatment for a Workers Compensation injury, the employee or supervisor must contact the Director of Operations and follow the directions of said Director in regards to that injury unless it is an emergency

Unemployment Compensation

The Diocese is not subject to the State Unemployment Compensation Act. The Diocese does not participate in unemployment compensation; therefore, terminating employees are not eligible to receive

unemployment compensation as a result of their employment with the Diocese or any parish or Catholic school within the diocese.

314. Expense Reimbursements

Employees who use their own cars for diocesan business travel required by their work and authorized by their direct supervisor are reimbursed at the current IRS reimbursement rate, once the documented mileage is submitted. This excludes mileage from home to the office and from the office back home. A Travel Log is to be submitted to the direct supervisor, then to the Finance Office for reimbursement no more than once a month, but at least twice per year within the same fiscal year.

315. Honorariums

From time to time employees will be offered stipends for services they provide to other departments, to parishes, or to outside organizations.

When employees provide services to other departments, or at department-sponsored events where such service is within the scope of their department's responsibility to the Diocese, they will not receive a stipend. In this case, it is understood that employees make use of their regular weekly work schedule for the preparation and presentation involved.

When employees use work time to prepare and/or give programs, workshops, or consultations for any group other than diocesan-level departments or offices, any stipend given for this work is to be turned over to the Diocese as a reimbursement to the department budget.

Any questions regarding this policy are to be clarified with the employee's direct supervisor.

Section 4: Operating Procedures

401. Working Hours

General office hours are from 8:30 a.m. to 5 p.m., Monday through Friday. Occasional exceptions to these hours for non-exempt employees are permitted, pending agreement between the direct supervisor and employee.

The schedules of exempt personnel may vary, due to the nature of their job responsibilities and the need for evening or weekend work.

402. Lunch and Rest Breaks

Employees are entitled to one unpaid hour per workday for lunch. A 10-minute rest break may be taken mid-morning and mid-afternoon.

403. Social Media Policy

For the most current policy, see the Diocesan Ethics and Integrity policy on the diocesan website.

404. Computer Systems and Internet Use Policy

See Appendix B.

405. Media and External Communications

The objective of our external communication policy is to communicate in a pastoral manner the position of the Church. In using the news media to communicate, every attempt will be made to show compassion, concern, and willingness to extend the love of Christ to all parties involved.

Communication in Normal Situations

- The Director of Public Affairs for the Diocese shall serve as spokesperson.
- All media inquiries and requests for interviews should be directed to the Director of Public Affairs.
- The Director of Public Affairs may designate staff members to be interviewed by the media.
- Employees are encouraged to seek assistance from the Office of Public Affairs in preparing public statements.
- When employees make statements in public expressing their opinions, they have the responsibility to be clear that their opinions are personal.

As needed, the Office of Public Affairs will provide training for designated employees to respond effectively to the media.

All matters of the Diocese that require news releases or public statements must be reviewed and coordinated with the Director of Public Affairs.

Communication in Crisis Situations

In the event where media inquiries are urgent or in a crisis situation, the Director of Public Affairs will serve as spokesperson for the Diocese. The Moderator of the Curia acts as spokesperson when the Director of Public Affairs is not available.

No statement may be made on behalf of the Diocese or any employing entity unless it has been approved by the Director of Public Affairs or the Bishop.

406. Publication of Materials for Public Distribution and Viewing

The Bishop is the publisher of all internal and external public communications of the Diocese. His authorized representative in these matters is the Director of Public Affairs. All materials appearing over or in the Bishop's name that are for public distribution or viewing must be reviewed by the Director of Public Affairs prior to release.

The Office of Public Affairs is responsible for maintaining a consistent editorial and graphic identity in all official diocesan print and electronic materials and ensuring those materials are well-written, well-designed and well-produced.

All media contacts and requests for interviews or comments are to be reported to the Director of Public Affairs upon receipt and before answering any questions.

407. Whistleblower Protection

The Chancery desires to protect those individuals who want to raise issues of illegal, dishonest, or unethical behavior with the assurance of not becoming a target of subsequent recrimination.

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

"Dishonest" or "unethical" is defined as violating some objective and publicly identifiable standard of conduct, not merely the reporter's subjective opinion. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; fraudulent financial reporting or accepting or giving bribes or kickbacks. Examples of dishonest and unethical behavior include, but are not limited to, violations of employer policies in the respective Chancery Personnel Manual, Code of Business Conduct, Safe Environment Program or similar published policies.

If an employee has knowledge of or a concern of dishonest or fraudulent activity, or of unethical behavior, the employee is to contact the Moderator of the Curia and the Human Resources Department. If a crime has occurred or is suspected, the person with such knowledge should contact local law enforcement.

An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination. Whistleblower protections are provided in two important areas – confidentiality and against retaliation. Whenever possible the confidentiality of the employee will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and employer policy and to provide accused individuals their legal rights of defense. The employer and associated entities will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and threats of physical harm for making a report. Any whistleblower who believes they are being retaliated against must contact their direct supervisor or the Moderator of the Curia immediately either through written or verbal communication, i.e., signed written letter, in- person visit, etc. The right of a whistleblower for protection against retaliation does not include immunity from personal complicity in wrongdoing or any other misconduct.

The Promoter of Justice should be contacted for issues related to our Ethics and Integrity Program.

408. Continuing Education and Professional Development

In order to encourage employees to develop themselves for greater effectiveness in their present and future work assignments, it is the policy of the Chancery to provide assistance for employees who indicate their desire for additional education. Decisions about continuing education are made in consultation with the direct supervisor, the Moderator of the Curia and the Bishop, and are contingent upon the budget and needs of the Diocese. Interested employees should see Human Resources to obtain and submit an Education Application.

To encourage the personal and professional development of employees, the Chancery may allow employees time off with pay to attend various conferences and seminars that are related to their current position. Generally, the Chancery will pay for attendance and participation in seminars or conferences requested or approved by direct supervisors as the budget allows.

409. Inclement Weather Policy

In the event of inclement weather, the Chancery Office observes the Tyler ISD schedule for closure or late opening.

410. Attendance and Punctuality

All employees should report absences or tardiness to their direct supervisors prior to the beginning of the workday. Notice must be given as to the nature of the illness or the reason for the absence or tardiness. Notice can be given by telephone, email or text message. If the absence continues beyond the first day, employees must notify their direct supervisor on a daily basis unless the supervisor arranges otherwise. Calls by individuals other than the employee will not be accepted as appropriate notice unless approved by the direct supervisor.

While exempt employees maintain their own work schedules to accommodate the requirements of the job, they are expected to notify the office of their appointments, meetings and whereabouts during each workday.

See sections 401 and 402 for working hours.

411. Security

All employees are responsible for maintaining security of the facility. Keys and access cards must not be given to non-employees or unauthorized employees without authorization and documentation. Keys, access cards and door codes must not be loaned or duplicated without permission of the Director of Operations. Upon termination, all keys, access cards and door codes for the facility must be turned into the Director of Operations or other designated individual.

412. Emergency Procedures

Procedures to follow during emergency situations in the Chancery Office are outlined in Appendix E. Emergency procedures and guidelines are presented for information only and are not all inclusive. They are intended to minimize the potential danger, damage and disruption for employees and guests of the Chancery during an emergency. Individuals should make their own judgments and assessments as the circumstances warrant.

413. Telephone Calls

The telephone system is an important link for individuals needing or providing assistance to the Diocese, as well as for that entity's business purposes. As such, personal telephone calls made or received should be minimized in order to ensure that the lines are available.

Personal use of cell phones should be kept to a minimum during office hours.

Chancery telephones and long distance lines may be used for personal long distance calls provided the employee uses his/her own calling card for the call. If use of a calling card is not possible, the employee must receive permission from the direct supervisor for the call and must then reimburse the Chancery. Polite professional language and volume should be used during phone conversations.

414. Voice Mails and E-Mails

Professionalism should be exercised at all times when using voice mail and e-mail. Misuses of electronic-mail and voice-mail can result in disciplinary action. Examples of misuse include, but are not limited to, the following:

- Transmitting obscene, profane or offensive material from being transmitted over any diocesan communication system.
- Using diocesan communications systems for personal businesses.
- Accessing copyrighted information in a way that violates copyright law.
- Broadcasting unsolicited personal views on social, political, religious or other non-diocesan or parish related matters.
- Solicitation to buy or sell goods or services.

For further detail on the use of voice or electronic communication please see the Diocesan Policy on Computer and Internet Usage in Appendix B of this document

Section 5: Standards of Conduct and Work Performance

501. Anti-Harassment

See the policy for Ethics and Integrity for Church Personnel on the Diocesan website.

502. Sexual Misconduct on the Part of Employees

See the policy for Ethics and Integrity for Church Personnel on the Diocesan website. Sexual misconduct on the part of an employee is forbidden and will be addressed when observed or reported to the Moderator of the Curia.

503. Code of Business Conduct

It is the responsibility of every employee of the Chancery to act in an honest and forthright manner in all workplace concerns; treat co-workers, supervisors, volunteers, parishioners, and visitors with respect and conduct oneself in an ethical manner consistent with the teachings of the Catholic Church.

The following list should serve as a guideline regarding ethical conduct:

- Employees should not engage in outside employment that results in a conflict of interest with duties that pertain to their church related responsibilities.
- Employees should not use Diocesan property other than for approved purposes.
- Employees should not disclose confidential information without proper authorization.
- Employees should not accept, without approval from their direct supervisor, any gift from any individual or entity engaged in business dealings or seeking to engage in business dealings with any entity within the Diocese.
- Employees should always engage in moral and ethical conduct consistent with the teachings and principles of the Catholic Church.

If an individual's behavior interferes with the orderly and efficient operation of the entity or reflects negatively on the entity, the Diocese or the Catholic Church, corrective disciplinary actions will be implemented up to and including termination.

The above list is not exhaustive and good business sense should be used at all times. Violations of these guidelines are subject to disciplinary action up to and including termination.

504. Confidentiality

Employees may be provided with and/or have access to certain privileged, confidential and/or personal information. Information gained from or through employment is considered confidential and may not be disclosed to outside parties, except in the furtherance of Diocesan business.

During employment or anytime thereafter, employees will not disclose or permit to be disclosed any confidential information of the Diocese without prior written consent of the Diocese. Confidential information includes, but is not limited to, any and all correspondence, litigation records, financial records, notes, memoranda, data, ideas, processes, methods, techniques, computer data/databases, programs, computer software, studies, writings, research, personal information, analysis, manuals, plans, formats, policies, procedures, or any other information of any nature in the possession or control of the entity which has not been published or disclosed to the general public.

All confidential information, whether prepared by the employee or otherwise coming into his/her possession, shall be the exclusive property of the Diocese. All such confidential information shall be returned to the Diocese upon termination of employment or at any time specified by the entity.

The retention and use of duplicates in any form of such files or records by the employee is prohibited unless authorized by the Diocese after termination of employment.

All members of boards, councils and commissions may also be provided with and/or have access to certain privileged, confidential and/or personal information. Information gained by participation is considered confidential and may not be disclosed to parties, except in the furtherance of the board, council, and/or commission's business. It is inappropriate for employees and others to attempt to obtain said confidential information from these entities.

505. Gifts or Gratuities

Employees are not to accept gratuities, favors or entertainment, directly or indirectly, from any person, firm, corporation, or other entity, when such could affect the performance of the employee's duties in an objective manner. Questions or concerns should be discussed with the employee's direct supervisor. Soliciting of personal gifts or gratuities is prohibited. Gifts from parishes, schools and/or parishioners should be approved by the employee's direct supervisor.

506. Conflict of Interest

Employees are to refrain from any private business or other activity that would place them in a position of creating a conflict between the employee's private interests and the interests of the Diocese.

Employees will not use their official position in any way to induce or attempt to induce another person to provide any monetary benefit to the employee or persons with whom the employee may have family, social, monetary, or business connections. This policy also pertains to independent contractors who are engaged in work for the Diocese.

Employees may be asked to sign a conflict of interest statement on an annual basis.

507. Personal Appearance

As diocesan staff members and representatives of the Diocese, employees are expected to practice good personal hygiene and to dress professionally, modestly, and neatly during their working hours. This is part of the courtesy and respect we owe as representatives of the Diocese and to those whom we serve. Inappropriate attire would be, for example, jeans, sweats, cut-offs, tight-fitting garments, leggings worn as pants, low-cut tops, t-shirts, athletic shoes, flip-flops (rubber/beach sandals). The supervisor may authorize casual (but modest) attire for special events (e.g. outdoor activities or retreats) or for clean-up days in the department. If an employee's attire should be placed in question, the employee's direct supervisor shall be responsible for addressing the matter with the employee. If attire or hygiene is in question the employee will be counseled. If violation is repeated, the employee will receive a formal written warning at the time of the second infraction.

508. Drug/Alcohol-Free Work Environment

The Diocese promotes and enforces a drug-free environment. This policy prohibits the illegal use, sale, distribution or possession of narcotics, drugs or controlled substances while on the job or on the Diocesan property. Any violation of this policy will result in disciplinary action to include possible termination.

Alcohol may not be consumed on the work premises except when used for Holy Mass and during celebrations or special events on rare occasions when the Bishop of Tyler specifically approves the use of alcoholic beverages.

An employee whose performance is impaired as a result of the use or abuse of drugs or alcohol while on diocesan property or official diocesan business will be subject to disciplinary action.

509. Smoke-Free Work Environment

The Diocese is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. We recognize the effects of tobacco smoke and the health hazards of second hand smoke. Implementing a smoke free workplace eliminates potential exposure and contributes to a healthier work environment and healthier employees. By City Ordinance, smoking is only permitted 20 feet away from entrances.

Smokeless tobacco and e-cigarettes are also excluded from the workplace. This policy applies to employees, visitors and volunteers.

510. Weapons/Violence in the Workplace

Police shall be notified immediately if an assault or battery occurs or if there is the use or threat of use of a firearm, weapon, or dangerous object. All media inquiries shall be directed to the Director of Public Affairs for the Diocese.

Every employee has the responsibility to preserve a safe and welcoming environment in the work place and on church property. In addition to our Diocesan Ethics and Integrity program, the physical safety of employees and visitors to church facilities is an important concern. Employees have an obligation to report incidents of violent behavior or suspicious activities they may notice to appropriate authorities: e.g. law enforcement officers, their direct supervisor, or the Director of Operations. This includes any situations that involves other employees or visitors. Any threats or acts of violence, aggressive behavior or offensive comments will not be tolerated on or off diocesan premises.

The State of Texas licenses people to carry handguns, and the Diocese has elected not to limit the carrying of handguns on its properties, except where civil law prohibits the possession of licensed firearms. Any employee, client and/or visitor who is licensed to carry a handgun is expected to be properly trained and to observe state laws concerning both carrying and use of the weapon. Employees are asked to refrain from openly carrying firearms.

When a threatening situation arises, the Diocese will take prompt action to insure the safety of those in the affected area. A timely response will be taken against the employee/client/visitor who engages in any threatening behavior, acts of violence, or use of any obscene, abusive or threatening language or gestures.

Any employee found to have violated this policy, whether by misuse of a weapon or failure to report, will be subject to discipline up to and including immediate discharge.

511. Workplace Environment

Though employees or contractors are hired for cleaning and maintenance, cleanliness of the work environment is every employee's responsibility.

This means keeping work places neat, clean, and free of articles not being used, keeping equipment clean and in its proper place, disposing of waste properly, storing materials and equipment in an orderly manner and in its designated place. In addition, each employee is expected to contribute to the cleanliness and good order in any area where food is eaten. Lit candles are prohibited except in a church or chapel during liturgies. Space heaters must be approved by the Director of Operations at the Chancery Office. Space heaters must not overload the circuits they are plugged in to and they should be a ceramic type with a tip over shut off switch.

512. Copyrighted Materials

It is unethical and illegal to reproduce copyrighted texts, music, images and resources by any means without written permission of the copyright owner. The fact that these duplicated materials are not for sale but for private use does not alter the legal or moral situation of copying without permission. This policy includes all current and future technologies, such as audiotapes, videotapes, DVD's, compact disks, laser disks, computer floppy disks and programs, and the Internet. This policy pertains to all employees and volunteer ministers in the Diocese.

It is the intent of the Diocese to comply with the provisions of the current copyright laws and congressional guidelines. Teaching professionals and parish ministers are responsible for knowing the fair use guidelines of copyright law. The infringement of copyright and plagiarism of any sort by employees is prohibited and subject to possible disciplinary action.

513. Immigration Law Compliance

In compliance with the Immigration Reform and Control Act of 1986, all new hires will be required to complete the Immigration and Naturalization Service Form I-9 within three days of their first day of work to verify their identity and eligibility for employment in the United States. If the employee does not have a completed I-9 on file within three days of their first day of work, they cannot continue to work until the I-9 form is completed. All employee I-9 forms will be kept in a separate I-9 file. For any additional information on the I-9 form, please refer to www.uscis.gov/i-9 or contact the Human Resource Department.

514. Guidelines for Progressive Discipline Procedures

Standards of the Chancery

1. It is the policy of the Chancery to maintain the highest quality personnel who exhibit exemplary conduct and superior performance. To this end, all employees are to be informed by their direct supervisor of what is expected of them in the performance of their roles and how to conform to diocesan policies.
2. When an employee's performance or conduct does not meet the expectations of the Chancery, it is the responsibility of the direct supervisor to address the problem(s) in a timely and equitable manner. The Bishop or the Moderator of the Curia may choose the appropriate form of disciplinary action to take depending on the circumstances. While no specific sequence of disciplinary action is required, the procedure would normally include four steps:
 - a. Counseling
 - b. Formal Warning
 - c. Probation
 - d. Termination
3. All documents associated with the Progressive Discipline Procedure are to be retained in the personnel file of the employee. In cases regarding Ethics and Integrity, Formal Warning Documents are also forwarded to the Promoter of Justice electronically at promoter@dioceseoftyler.org.
4. The Promoter of Justice serves as a resource in matters regarding Ethics and Integrity. He may be contacted for advice in dealing with concerns of Ethics and Integrity. In more serious cases, the direct supervisor should consult with the Promoter of Justice to help guide the response.
5. The Moderator of the Curia also serves as a resource for matters involving employees. The Moderator of the Curia should always be consulted in cases which are likely to result in termination.

6. Procedures for progressive discipline of clergy will be consistent with these policies and the appropriate norms of canon law defined in the Pastoral Manual.

Steps in Progressive Discipline

1. **Counseling.** A large portion of performance and conduct deficiencies are identifiable and in many cases, can be addressed and resolved through informal counseling between the direct supervisor and the employee. Effective counseling includes the following:
 - a. Clear identification of the problem with specific examples,
 - b. A mutually agreed upon action plan to resolve the problem,
 - c. Documentation of the counseling and communication, which is kept in the personnel file of the individual who receives counseling.
2. **Formal Warning.** Formal warnings should be initiated when 1) counseling fails to resolve the problem, or 2) the problem is of such a serious nature that immediate and formal resolution is required.
 - a. Formal warnings should be in writing and may follow the format provided in the “Formal Warning Document” (See Appendix C). The document should include:
 - i. A specific statement of the problem.
 - ii. Reference to any counseling that was attempted.
 - iii. A statement of the policy that was violated.
 - iv. A summary of corrective actions to be taken.
 - v. A statement of the consequences of failure to resolve the problem(s).
 - vi. A reasonable timeframe for resolution (often 15 to 30 days).
 - b. Formal warnings should be presented at a meeting with the direct supervisor.
 - c. Employee should sign the Formal Warning Document.
 - d. Formal Warning Documents and all accompanying materials should be stored in the personnel file of the individual who receives the warning.
 - e. If formal warnings relate to ethics and integrity in ministry, Formal Warning Documents are also forwarded to the Promoter of Justice electronically at promoter@dioceseoftyler.org.
3. **Probation.** Probation is the third step in the Progressive Discipline Procedure prior to dismissal.
 - a. Probation should be initiated when a warning process has not succeeded or when the misconduct is such that a second infraction would clearly warrant termination.
 - b. The probation process consists of the same elements as the formal warning process with an emphasis on the fact that failure to meet the conditions of the probation will result in termination if significant improvement is not demonstrated consistently in the probation period (typically 30 days).
 - c. A second Formal Warning Document should be completed when the employee is placed on probation.
 - d. At the successful conclusion of probation, the employee should be notified in writing that he or she is no longer in a probationary status.
 - e. Any documentation of probation that relates to ethics and integrity in ministry are also forwarded to the Promoter of Justice electronically at promoter@dioceseoftyler.org.
4. **Termination.** Termination should be administered under one of two conditions:
 - a. Failure to improve conduct during the steps of Progressive Discipline, or
 - b. Serious and major offenses including, but not limited to, violations of the policies on Ethics and Integrity in Ministry. Please refer to the Ethics and Integrity Policy for the list of infractions.

- c. Consultation with Moderator of the Curia should precede termination, and the final decision rests with the Bishop.

Section 6: Employment Separation

601. Voluntary Resignation

Employees are expected to give reasonable advance written notice to their direct supervisor prior to the effective date of resignation. A two-week notice is expected of non-exempt staff members and a four-week notice is expected of exempt staff.

Employees should state the effective date of termination and the reason for resignation.

The Diocese may permit employees to continue employment during the notice period, or accept the resignation immediately and pay the employee for the balance of the notice period and all accrued and unused vacation.

602. Retirement

If an employee is eligible for and is considering retirement, they should provide appropriate notice of the intent to retire. A two-week notice of retirement is expected of non-exempt staff members and a four-week notice is expected of exempt staff. Approximately two months may be required for the processing of applicable retirement forms. Employees should realize this possibility when determining receipt of their retirement benefits. Employees should contact the Human Resources Department to secure the necessary paperwork to apply for 403(b) benefits.

603. Abandonment

It is the policy of the Chancery to consider that an employee who abandons his/her job has voluntarily resigned. Absences from work without proper notification to the employee's direct supervisor will be considered abandonment after the third consecutive day of absence (i.e. three days, no call, no show). The effective date of termination will be the last day which the employee actively worked. If a position is abandoned, the employee will be paid only for each day actually worked. Any paid leave days earned by the employee will be applied toward the abandoned (days) period. Example: if the employee was gone for three days and had three days of unused paid leave, then the employee would be paid for those days. The remaining paid leave days are forfeited.

604. Reduction in Force

Reorganization or retrenchment within the Diocese may require the release or transfer of some employees. An employee's qualifications and performance record will be the primary factors for consideration in the layoff process, as well as in determining eligibility for rehire if and when reorganization or expansion makes rehiring feasible.

Employees who accept a transfer to another position will be compensated according to the salary designated for the position to which they are moved.

605. Termination and Appeal Procedures

The following steps constitute the appeal process for terminations:

1. An employee who is terminated has 10 days from the last day of active work to make an appeal following termination.
2. Appeals must be in writing and submitted to the Moderator of the Curia.
3. Within 5 business days of receiving the appeal, action must be taken. The Moderator of the Curia must meet with the employee and the employee's direct supervisor, either together or separately, to determine if further fact finding is necessary. If further fact finding is not

necessary, then the employee is informed of the decision by the Moderator of the Curia. The decision in consultation with the Bishop is final.

4. If further fact finding is justified, then this should be accomplished within 10 business days by the appropriate parties. This decision will be made within the above given timeframe and communicated in writing, as well as verbally to the employee. The Moderator of the Curia, in consultation with the Bishop, will make the final decision.

606. Exit Interview

When an employee voluntarily terminates, a final interview should be conducted by the Moderator of the Curia or other appropriate person based on the reason for separation. The exit interview should cover the minimum reasons for leaving and any benefit or compensation issues that may apply to the employee. It is also necessary at this time to obtain any keys, diocesan property, etc. that the employee may possess. There should be a notation made in the employee's record whether the employee is eligible for rehire.

Closing Statement and Changes

This manual supersedes and rescinds all previous employee policy and procedure statements and becomes the official policy and statement of the Diocese of Tyler. This manual shall govern all employee decisions unless it is determined to be in conflict with civil or canon law.

Amendments to the foregoing statements must be approved by the Bishop or his designated representative, and may be made at any time and without notice. Amendments will be made available to each employee.

The current and authoritative version of the Chancery Personnel Manual will be posted on the Diocesan web site.

Acknowledgement

This Chancery Personnel Manual describes important information about my employment and I understand I should consult my direct supervisor regarding any questions I may have concerning my employment. I have entered into my employment relationship voluntarily and acknowledge there is no specified length of employment or employment contract. My employment is at-will. Accordingly, either I or my employer can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

I understand the information in the Chancery Personnel Manual represents guidelines only. The Diocese and/or my employer reserves the right to modify this manual, amend or terminate any policies, procedures or employee benefit programs, whether or not described in this manual at any time. Since the information, policies and benefits described here are subject to change, I acknowledge revisions to the manual may occur, except to the policy of Employment-at-Will.

I understand that I am responsible for reading this Manual, familiarizing myself with its contents, and adhering to all of the policies of the Diocese, whether set forth in this manual or elsewhere. Furthermore, I acknowledge that this manual is neither a contract of employment nor a legal document and that I should not view it as such, or as a guarantee of employment for any specific duration. I have received the manual, and I understand that it is my responsibility to read and comply with the policies contained in this manual and any revisions made to it.

I further understand that no supervisor or representative of the Diocese and/or my employer, other than an official designated by the Bishop, has any authority to enter into any agreement guaranteeing employment for any specified period of time. I also understand that any such agreement, if made, shall not be enforceable unless it is in a formal written agreement signed by both parties.

I also acknowledge receipt of the policies contained in this manual, including, but not limited to, those concerning harassment and discrimination in the workplace.

EMPLOYEE NAME (printed) _____

EMPLOYEE SIGNATURE _____

DATE _____

Appendix A: Provisional Employee Progress Report

Report Number _____

Name _____

Date of Hire _____

Position/Department _____

Supervisor's Comments

Job Knowledge and Skills

Quality of Work

Organizing Ability

Dependability /Responsibility

Creative/Creativity/Flexibility

Accountability

Collaboration/Teamwork

Ability to Withstand Pressure

Stewardship of Resources

Supervisor's Comments

Professionalism

Adherence to Policies, etc.

Budget Management (if applicable)

Supervisors Comments/Recommendation

Employees Comments

Supervisor

Date

Employee

Date

Appendix B: Computer Systems and Internet Use Policy

Definitions:

1. The term “Communication(s) Assets” as used herein shall include but not be limited to computers, computer systems and networks, software and related connections, equipment, telephonic access and voice mail.
2. The term “User(s)” as used herein shall include any person who has access to, responsibility for and uses any Communication Assets.
3. The term “Diocesan Entity” as used herein shall include the Diocese, the Chancery Office, each Parish and its school, each Mission, each Chapel, Diocesan High/Middle Schools, and Catholic Charities of Tyler.
4. The term “Employee(s)” as used herein shall include lay employees of a Diocesan Entity and Clergy and Religious assigned to a Diocesan Entity.

All Communication Assets, as well as any data files, software, or communications created, transmitted by or received from or stored in the systems in the course of Diocesan Entity work, are the property of the appropriate Diocesan Entity. To ensure use of the Communication Assets is consistent with legitimate business interests, the Diocese and each Diocesan Entity reserves and may exercise the right to inspect, review, audit, intercept or access all matters on the Diocesan Entity e-mail, voice mail and computer systems at any time, with or without notice. Electronically generated material is stored and may be retrieved and inspected even if it has been “deleted” by the user.

Employees are responsible for all use of the Communication Assets in an effective, ethical and lawful manner. Every employee has a responsibility to report any violation of this policy to law enforcement agencies or the Director of Operations, or both, as appropriate. No employee should undertake an investigation or seek to retrieve files or data.

Communication Assets are not to be used in any way that may be immoral, illegal, unethical, and disruptive in violation of Diocesan policies and guidelines, invidious to others, or harmful to morale. Items prohibited and which are considered disruptive or invidious include sexually explicit materials or those which contain threats of violence or defamatory comments that invidiously address a person’s age, sexual orientation, religious or political beliefs, national origin or disability. Use of Communication Assets for harassment is also prohibited.

Incidental and occasional personal use of Communication Assets is permitted, but they are not to be used for any commercial purposes. All personal files, data and recordings will be treated in the same manner as business and work-related files, data and recordings.

Employees are prohibited from retrieving or reading any e-mail or voice mail not addressed or directed to them without proper authorization. Violation of Diocesan policies, or inappropriately accessing computer files, data and recordings in violation of this Policy are grounds for discipline, up to and including termination of employment.

Use of Communication Assets and the Internet are governed by the following policy:

I. Use

Diocesan Entity Communication Assets are to be used only for legitimate Diocesan Entity purposes. Users may be provided access to Diocesan Entity Communication Assets to assist in the enhancement and performance of their employment and duties. Users may also be provided with access to the

Internet. All users have a responsibility to use Diocesan Entity Communication Assets and the Internet in a professional, lawful and ethical manner. Abuse of the Communication Assets or the Internet, may result in disciplinary action, including possible termination, and civil and/or criminal liability.

II. Computer Use Restrictions

Use of Communication Assets. Communication Assets may not be used to disseminate, view or store commercial or personal advertisements, solicitations, promotions, destructive code (e.g., viruses, trojan horse programs, etc.) or any other unauthorized materials. At all times users are responsible for the professional, ethical and lawful use of Communication Assets. Personal use of Communication Assets is a privilege that may be revoked at any time. Accessing, downloading, possessing or transmitting Child Pornography is absolutely prohibited. All employees are obligated by law to immediately notify the authorities of a violation of the Child Pornography laws.

Occasional limited appropriate personal use of Communication Assets is permitted if such use does not a) interfere with the user's or any other employee's job performance; b) violate any other provisions, guidelines or standards of this Policy.

Illegal Copying. Users of Diocesan Entity Communication Assets may not download, store, copy or reproduce material protected under copyright law or make that material available to others for copying. Users are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other electronic material users wish to download or copy. Users may not agree to a license or download any material for which a registration or user fee is charged without obtaining the express written permission of the appropriate administrative superiors.

Communication of Confidential Material. Unless expressly authorized to do so, a user is prohibited from reproducing, copying, sending, transmitting, or otherwise distributing proprietary information, data, or other confidential information belonging to a Diocesan Entity. Unauthorized reproduction or dissemination of such material may result in severe disciplinary action, including possible termination of employment, as well as substantial civil and criminal penalties under state and federal laws.

Accessing the Internet. To ensure security and avoid the spread of viruses, users accessing the Internet through Communication Assets must do so through an approved Internet firewall or other security device. Bypassing security by accessing the Internet directly by modem or other means is strictly prohibited.

Frivolous Use. Communication Assets resources are not unlimited. Users must not deliberately perform acts that waste the user's time, other's time, computer resources or unfairly monopolize resources to the exclusion of others. Prohibitions include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet playing games, engaging in online chat groups, uploading or downloading large files, accessing streaming audio and/or video files, or other non-business-related uses of the Internet.

Virus Detection. Files obtained from sources outside the Diocesan Entities, including disks brought from home, files downloaded from the Internet, newsgroups, bulletin boards, or other online services, files attached to e-mail and files provided by other users, customers or vendors may contain dangerous computer viruses that may damage the Communication Assets. Users may never download files from the Internet, accept e-mail attachments from outsiders, or use disks from outside sources, without first scanning the material with an approved virus checking software. If a user suspects that a virus has been introduced, the supervisor must be notified immediately.

III. No Expectation of Privacy

Employees are provided with Communication Assets and Internet access to assist them in the performance of their duties. There should be no expectation of privacy in anything created, stored, sent or received using Diocesan Entity Communication Assets or personal laptops or personal computer equipment used on Diocesan Entity facilities. The Diocesan Entity Communication Assets may be used only for purposes set out in this Policy.

Waiver of Privacy Right. Users of Diocesan Entity Communication Assets do not have an expectation of privacy in anything created, stored, sent or received using the Communication Assets or Internet access provided by a Diocesan Entity. Users consent to allow appropriate personnel access to and review of all materials created, stored, sent or received by the user through any Diocesan Entity provided Communication Assets. This also applies to privately-owned equipment used on the Diocesan Entity's premises.

Monitoring of Computer and Internet Use. The Diocesan Entity retains the right to monitor and log any and all aspects of its Communication Assets including, but not limited to, Internet sites visited by users, chat rooms, newsgroups, file downloads, and all communications sent and received by users.

Blocking Sites with Inappropriate Content. The Diocesan Entities have the right to utilize software that makes it possible to identify and block access to Internet sites containing sexually explicit or other material deemed inappropriate in the workplace.

Follow-Up Meeting

The employee has remedied the deficiency/problem satisfactorily, and his/her employment will continue as long as he/she fulfills job performance requirements and standards of conduct.

Supervisor _____ Date _____

I acknowledge that I remain on permanent probation for the deficiency/problem(s) that necessitated the formal warning and that my employment may be terminated should the problem(s) re-occur.

Employee _____ Date _____

Appendix D: Employee Performance and Appraisal Form

EMPLOYEE PERFORMANCE APPRAISAL (Exempt)

Name of Employee: _____ Date of Evaluation: _____

Position / Department: _____

PART 1 Completed by: Supervisor Employee

JOB KNOWLEDGE / SKILLS:

Possesses sufficient skills, knowledge, and ability to fulfill the responsibilities of the position; needs minimal supervision; initiates work improvement and learns new skills for improved effectiveness; uses good judgment in planning work, establishing priorities, and making decisions, etc.

QUALITY OF WORK:

Carries out responsibilities within accepted performance standards; thoroughly and accurately completes assignments; plans and organizes workload; is able to work under pressure/meet deadlines without compromising results, etc.

HUMAN RELATIONS

Treats others with courtesy and respect; works with others in a spirit of cooperation and teamwork; is flexible to make changes as needed; maintains a positive attitude; deals prudently with difficult persons; observes confidentiality; demonstrates professionalism in behavior and attire, etc.

RESPONSIBILITY / DEPENDABILITY

Manages expected workload in a timely and dependable manner; exercises initiative; is accountable to one's supervisor; exercises good stewardship of limited resources; is adaptable to changing needs; takes responsibility for own actions, etc.

ACCOUNTABILITY

Notifies supervisor when absent from work; Documents absences for HR in a timely manner and according to personnel policies; Alerts supervisor of potential problems; Follows through with responsibilities and projects; Observes financial guidelines and procedures; Exercises good stewardship of limited resources; Observes personnel and diocesan policies, etc.

PART 2

1. Accomplishments:

2. Areas for improvement:

3. SUPERVISOR'S OVERALL ASSESSMENT:

Supervisor

Date

Employee

Date

Original: Human Resources

Copy: Employee

EMPLOYEE PERFORMANCE APPRAISAL (Non-Exempt)

Name of Employee: _____ Date of Evaluation: _____

Position / Department: _____

PART 1 Completed by: Supervisor Employee

JOB KNOWLEDGE / SKILLS:

Possesses sufficient skills, knowledge, and ability to fulfill the responsibilities of the position; needs minimal supervision; initiates work improvement and learns new skills for improved effectiveness; uses good judgment in planning work, establishing priorities, and making decisions, etc.

QUALITY OF WORK:

Carries out responsibilities within accepted performance standards; thoroughly and accurately completes assignments; plans and organizes workload; is able to work under pressure/meet deadlines without compromising results, etc.

RELATIONSHIP WITH SUPERVISOR, CO-WORKERS, AND THE PUBLIC:

Regularly keeps supervisor informed of work progress and work-related matters; accepts constructive criticism; maintains a positive and professional attitude; works with others in a spirit of cooperation and teamwork; uses time wisely and respects the job demands and time constraints of co-workers; demonstrates respect for others; deals prudently with difficult persons; observes confidentiality; etc.

WORK HABITS:

Completes assigned tasks in a timely manner; demonstrates professionalism in behavior and attire; is conscientious about attendance and punctuality and documents absences for HR in a timely manner; is flexible with changing needs; observes personnel and diocesan policies and practices; follows through on supervisor's recommendations; does not use work time for personal matters; exercises good stewardship of limited resources and operates within the approved budget, etc.

Appendix E: Chancery Emergency Procedures

DIOCESE OF TYLER CHANCERY EMERGENCY PROCEDURES

FIRE	<ul style="list-style-type: none"> · Call 9-1-1. · Safely notify everyone in the building, beginning with those in your area. · Exit the area, turning off lights and shutting doors behind you. · Evacuate building through nearest exit; assemble in back parking lot by dumpster. · Do not return to building unless authorized by fire or law enforcement personnel.
MEDICAL	<ul style="list-style-type: none"> · If the injury appears to be serious or if the injured person requests it, call 9-1-1 immediately. · Do not attempt to move a person who has fallen or appears to be in pain. · If properly trained persons choose to administer first-aid for minor injuries, ensure proper procedures are followed. · For serious injuries, check breathing and give artificial respiration if necessary.* · Control serious bleeding by direct pressure on the wound.* · Continue to assist the victim until help arrives. * · AEDs are located near the women’s restroom and in the St. Paul Meeting Room. <p><small>*Note: Only trained personnel should provide first aid treatment (e.g.: first aid, CPR/AED).</small></p>
SUSPICIOUS PERSON	<ul style="list-style-type: none"> · Activate the intercom and use the DISTRESS PHRASE. · Do not threaten, intimidate, or physically confront the person. · Do not let anyone into a locked building or room. · Do not block the person's access to an exit. · If you feel threatened, call 9-1-1 or activate the intercom and use the EMERGENCY PHRASE. · Make mental notes of descriptive characteristics of person.
DANGEROUS PERSON	<ul style="list-style-type: none"> · Call 9-1-1 if possible or activate the intercom and use the EMERGENCY PHRASE. · Try to provide a safe, quiet, secure place for the individual. · Do not threaten, intimidate, or physically confront the person · Maintain a straightforward, supportive attitude. · Do not moralize or minimize concerns. · Make mental notes of descriptive characteristics of person.
SEVERE WEATHER	<ul style="list-style-type: none"> · Listen for city tornado sirens or other warnings, monitor weather conditions. · Safely notify everyone in the building, beginning with those in your area. · Move to designated tornado safe area (men’s and women’s restrooms). · Stay away from doors and windows. · Do not go outdoors to get to a shelter. · Remain sheltered until given the all-clear.

<p style="text-align: center;">UTILITY FAILURES</p>	<p><i>ELECTICAL</i></p> <ul style="list-style-type: none"> · Unplug all equipment. · Move to a lighted area. <p><i>FLOODING</i></p> <ul style="list-style-type: none"> · Stop using all electrical equipment. · Notify Director of Operations. <p><i>GAS LEAK</i></p> <ul style="list-style-type: none"> · Cease all operations. Do not switch lights or any electrical equipment on or off. Remember, electrical arcing can trigger an explosion! · Safely notify everyone in the building, beginning with those in your area. Then evacuate to dumpster.
<p style="text-align: center;">ACTIVE SHOOTER</p>	<ul style="list-style-type: none"> · If possible, move away from the person as quickly and quietly as possible using the nearest exit. · Warn others if possible. · Move with hands open and elevated to show law enforcement you are not a threat. · If you cannot safely evacuate the area you are in, lock doors and windows, lower blinds, turn off lights. Stay out of sight and away from doors and windows. · Do not let anyone into a locked building or room. · Remain quiet and turn off cell phone ringers. · Have ONE person from the room call 911 to give details and information. · Remain in place until verified authorities give an all-clear notification. · If caught outside, stay alert and take cover behind vehicles, thick walls and trees. · FOLLOW POLICE INSTRUCTIONS.
<p style="text-align: center;">HOSTAGE SITUATION</p>	<ul style="list-style-type: none"> · Remain calm and be patient. Time is on your side. Avoid drastic action. · The initial 45 minutes are the most dangerous. Follow instructions, be alert and stay alive. The captor is emotionally unbalanced. Don't make mistakes that could hazard your well-being. · Don't speak unless spoken to and only when necessary. Don't talk down to the captor, who may be in agitated state. Avoid appearing hostile. Maintain eye contact with the captor at all times if possible, but do not stare. Treat the captor like royalty. · Try to rest. Avoid speculating. Comply with instructions the best you can. Avoid arguments. Expect the unexpected. · Displaying a certain amount of fear can possibly work to your advantage. Be observant. When you are released, or when you escape, the personal safety of others may depend on what you remember about the situation. · Be prepared to answer the police on the phone. Be patient, wait. Attempt to establish rapport with the captor. · If medications, first aid or restroom privileges are needed by anyone, tell the captor.

BOBM OR SUSPICIOUS ITEM

- If you observe a suspicious object or potential bomb, **DO NOT HANDLE OBJECT!**
- Safely notify everyone in the building, beginning with those in your area. Then evacuate.
- Call 9-1-1 from a land-line telephone. Do not use cell phones.
- If you receive a phone call bomb threat, attempt to ask the caller:
 1. When is the bomb going to explode?
 2. Where is the bomb located?
 3. What kind of bomb is it?
 4. What does it look like?
 5. Why did you place the bomb?
- Talk to the caller as long as possible and document the following:
 1. Time of call.
 2. Age and sex of caller.
 3. Speech pattern, accent.
 4. Emotional state of caller.
 5. Background noise.
- While evacuating, employees may make a visual inspection of their area for suspicious objects and report the location to law enforcement . **DO NOT HANDLE OBJECT!**

GENERAL PROCEDURES

- Always ensure your own safety first, then your co-workers and guests in the building.
- If you hear the **DISTRESS PHRASE**: Remain in your office. Your presence will not help the situation.
- If you hear the **EMERGENCY PHRASE**: Lock your office and turn off the lights until you hear the **ALL CLEAR PHRASE**.
- Notify Director of Operations and Director of Communications after following these procedures.
- Refer all public/media inquires to the Director of Communications.