



# Time Off & Benefits

## Employee Handbook



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### Time Off & Benefits

Benefits provided to employees are an important part of their total compensation package. It is important that employees understand the benefits which they are eligible to receive. It is also important that benefits be administered fairly and consistently among employees.

It is the policy of the Diocese of Fort Worth of Fort Worth to provide a comprehensive benefit program for all eligible employees. The information regarding benefit programs contained in this section is intended only as a summary. Refer to the Plan Documents or Summary Plan Descriptions regarding the specific nature of a policy.

The Diocese of Fort Worth of Fort Worth reserves the right to amend or terminate any of these voluntary programs at any time at its discretion. Employees will be provided information regarding any changes to benefits.

Regular employees may participate in the health, welfare and retirement benefits offered by the Diocese of Fort Worth of Fort Worth subject to the terms of the particular plan documents, contracts and requirements. Employees who waive benefits under applicable plan provisions (including employees who waive medical insurance due to coverage through another plan) may not be paid for the cost of the benefits waived.

### Family and Medical Leave Act (FMLA)

The Diocese of Fort Worth will provide Family and Medical Leave to its eligible employees. The Diocese of Fort Worth posts the mandatory Family and Medical Leave Act (FMLA) Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act in Texas.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact the Diocese of Fort Worth Human Resources Office in writing.

# Family and Medical Leave Act (FMLA) (Cont.)

## A. General Provisions

Under this policy, Diocese of Fort Worth will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service-member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy. FML may run concurrently with Worker's Compensation leave when the injury meets the "serious health condition" criteria.

## B. Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

- The employee must have worked for the Diocese of Fort Worth for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the Diocese of Fort Worth intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- The employee must work in a worksite where 50 or more employees are employed by the Diocese of Fort Worth within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

## Family and Medical Leave Act (FMLA) (Cont.)

### C. Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. The birth of a child and to care for that child.
2. The placement of a child with you for adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child or parent with a serious health condition (described below).
4. The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform any of the essential functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FML policy or under the Diocese of Fort Worth's sick leave policy are encouraged to consult with the Director of Human Resources.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the Diocese of Fort Worth may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

### Family and Medical Leave Act (FMLA) (Cont.)

5. Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

- a. short-notice deployment
- b. military events and activities
- c. child care and school activities
- d. financial and legal arrangements
- e. counseling
- f. rest and recuperation
- g. post-deployment activities, and
- h. additional activities that arise out of active duty, provided that the Diocese of Fort Worth and employee agree, including agreement on timing and duration of the leave.

Eligible employees are entitled to FML to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

### Family and Medical Leave Act (FMLA) (Cont.)

In order to care for a covered service-member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service-member.

- A “son or daughter of a covered service-member” means the covered service-member’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service-member stood in loco parentis, and who is of any age.
- A “parent of a covered service-member” means a covered service-member’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service-member. This term does not include parents “in law.”
- The “next of kin of a covered service-member” is the nearest blood relative, other than the covered service-member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service-member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service-member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service-member, all such family members shall be considered the covered service-member’s next of kin and may take FML leave to provide care to the covered service-member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service-member’s only next of kin. For example, if a covered service-member has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered service-member’s next of kin. Alternatively, where a covered service-member has a sibling(s) and designates a cousin as his or her next of kin for FML purposes, then only the designated cousin is eligible as the covered service-member’s next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered service-member pursuant to § 825.122

“Covered active duty” means:

- “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.

### Family and Medical Leave Act (FMLA) (Cont.)

- (2) Covered active duty or call to covered active duty status in the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The leave may commence as soon as the individual receives the call-up notice.

(Son or daughter for this type of FML leave is defined the same as for child for other types of FML leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FML leave in a 12-month period.

- Military caregiver leave (also known as covered service-member leave) to care for an injured or ill service-member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service-member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service-member.

Next of kin is defined as the closest blood relative of the injured or recovering service-member.

The term "covered service-member" means:

- a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term "serious injury or illness means:

- in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of

### Family and Medical Leave Act (FMLA) (Cont.)

the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

- in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service-member, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered service-member in the line of duty on active duty that may render the service-member medically unfit to perform the duties of his or her office, grade, rank or rating.
- Outpatient status, with respect to a covered service-member, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

#### **D. Amount of Leave**

An eligible employee can take up to 12 weeks for the FML circumstances (1) through (5) above under this policy during any 12-month period. The Diocese will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Diocese will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FML circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the Diocese will measure the 12-month period as a rolling 12-month period measured forward. FML already taken for other FML circumstances will be deducted from the total of 26 weeks available.

If spouses both work for the Diocese and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the spouses may only take a combined total of 12 weeks of leave. If spouses both work for the Diocese and each wishes to take leave to care for a covered injured or ill service-member, the spouses may only take a combined total of 26 weeks of leave.

# Family and Medical Leave Act (FMLA) (Cont.)

## **E. Employee Status and Benefits during Leave**

While an employee is on leave, the Diocese will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the Diocese will require the employee to reimburse the Diocese the amount it paid for the employee's insurance premium during the leave period.

Under current Diocese policy, the employee pays a portion of the dependent care premium. While on paid leave, the Diocese will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received by the employee's location representative each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. Additionally, the employee may make arrangements for additional payroll deductions upon return to work if necessary for repayment.

The Diocese will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the Diocese will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the Diocese may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the Diocese may discontinue coverage during the leave. If the Diocese maintains coverage, the Diocese may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

## **F. Employee Status after Leave**

An employee who takes leave under this policy may be asked to provide a fitness for

### Family and Medical Leave Act (FMLA) (Cont.)

duty (FFD) clearance from the health care provider. This requirement will be included in the Diocese's response to the FML request. Generally, an employee who takes FML will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The Diocese may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

#### **G. Use of Paid and Unpaid Leave**

An employee who is taking FML because of the employee's own serious health condition or the serious health condition of a family member must use their available accrued leave time less 80 hours, if applicable, prior to being eligible for unpaid leave. The employee can elect to use all accrued leave time if they so choose. If an employee does not have accrued of leave time, they are not required to use it to be eligible for unpaid leave. Sick/Personal leave may be run concurrently with FML if the reason for the FML is covered by the established sick/personal leave policy

Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FML and will run concurrently with FML. For example, if the Diocese provides six weeks of pregnancy disability leave, the six weeks will be designated as FML and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use their available accrued leave time less 80 hours, if applicable, prior to being eligible for unpaid leave. The employee can elect to use all accrued leave time if they so choose. If an employee does not have accrued of leave time, they are not required to use it to be eligible for unpaid leave.

An employee who is using military FML for a qualifying exigency must use their available accrued leave time less 80 hours, if applicable, prior to being eligible for unpaid leave. The employee can elect to use all accrued leave time if they so choose. If an employee does not have accrued of leave time, they are not required to use it to be eligible for unpaid leave.

### Family and Medical Leave Act (FMLA) (Cont.)

An employee using FML military caregiver leave must also use their available accrued leave time less 80 hours, if applicable, prior to being eligible for unpaid leave. The employee can elect to use all accrued leave time if they so choose. If an employee does not have accrued of leave time, they are not required to use it to be eligible for unpaid leave.

Employees on approved unpaid leave are not eligible to accrue additional paid time off while they are absent. Additionally, employees are not eligible for holiday pay while on an approved leave of absence.

#### **H. Intermittent Leave or a Reduced Work Schedule**

The employee may take FML in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service-member over a 12-month period).

The Diocese may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the Diocese and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the Diocese before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

#### **I. Certification for the Employee's Serious Health Condition**

The Diocese will require certification for the employee's serious health condition. The

### Family and Medical Leave Act (FMLA) (Cont.)

employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The Diocese may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The Diocese will not use the employee's direct supervisor for this contact. Before the Diocese makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the Diocese will obtain the employee's permission for clarification of individually identifiable health information.

The Diocese has the right to ask for a second opinion if it has reason to doubt the certification. The Diocese will pay for the employee to get a certification from a second doctor, which the Diocese will select. The Diocese may deny FMLA to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the Diocese will require the opinion of a third doctor. The Diocese and the employee will mutually select the third doctor, and the Diocese will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

#### **J. Certification for the Family Member's Serious Health Condition**

The Diocese will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

The Diocese may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The Diocese will not use the employee's direct supervisor for this contact. Before the Diocese makes this direct

### Family and Medical Leave Act (FMLA) (Cont.)

contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the Diocese will obtain the employee's family member's permission for clarification of individually identifiable health information.

The Diocese has the right to ask for a second opinion if it has reason to doubt the certification. *The Diocese will pay for the employee's family member to get a certification from a second doctor, which the Diocese will select.* The Diocese may deny FMLA to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the Diocese will require the opinion of a third doctor. The Diocese and the employee will mutually select the third doctor, and the Diocese will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

#### **K. Certification of Qualifying Exigency for Military Family Leave**

The Diocese will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

#### **L. Certification for Serious Injury or Illness of Covered Service-member for Military Family Leave**

The Diocese will require certification for the serious injury or illness of the covered service-member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service-member.

#### **M. Recertification**

The Diocese may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days

### Family and Medical Leave Act (FMLA) (Cont.)

unless circumstances have changed significantly, or if the Diocese receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the Diocese may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FML absence. The Diocese may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

#### **N. Procedure for Requesting FML Leave**

All employees requesting FML leave must provide verbal or written notice of the need for the leave to their supervisor/manager or the Diocese Human Resources Office. Employees would then make the official request to the Leave Management Vendor. Within five business days after the employee has provided this notice, the Leave Management Vendor will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the Diocese with at least 30 days' notice. When an employee becomes aware of a need for FML less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FML leave is not foreseeable, the employee must comply with the Diocese's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Failure to provide such notice may be grounds for delaying FMLA-protected leave, depending on the particular facts and circumstances.

#### **O. Designation of FML**

Within five business days after the employee has submitted the appropriate certification form, the Leave Management Vendor will complete and provide the employee with a written response to the employee's request for FML using the DOL Designation Notice.

#### **P. Intent to Return to Work from FML**

On a basis that does not discriminate against employees on FML, the Diocese may require an employee on FML to report periodically on the employee's status and intent to return to work. The Diocese may require a "Fit for Duty" release from the doctor to

### Family and Medical Leave Act (FMLA) (Cont.)

return to work. In instances of reasonable accommodations, the Diocese will comply with the Americans with Disabilities Act.

Under the current practice, the Diocese works with a Third Party Administrator to administer all requests and determinations of FML to ensure compliance with the Family Medical Leave Act.

Eligible employees on approved leave will be removed from “Active” status and placed on “Leave” status in the HRIS system during their leave for accurate recordkeeping and administration purposes.

### Personal Leave of Absence without Pay

Based on current business conditions and operational needs, the Diocese of Fort Worth may grant up to 30 days’ unpaid leave of absence for employees who are not FML eligible. A 30 days’ advance notice, if possible, and a doctor’s certification will be required validating the need for time off for treatment of a medical condition. An employee on non-FML medical leave who is released back to work may apply or be scheduled for an available position for which he or she is qualified.

Special leave must be requested by the employee with a 30 day advance, or as soon as possible in emergency circumstances, and approved by the Benefits Committee.

Employees on approved unpaid leave are not eligible to accrue additional paid time off while they are absent. Additionally, employees are not eligible for holiday pay while they are on an approved leave of absence.

The Diocese of Fort Worth will require the employee to reimburse the Diocese of Fort Worth the amount it paid for the employee’s insurance premium during the leave period.

Under current Diocese of Fort Worth policy, the employee pays a portion of the dependent care premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received by the employee’s location representative. The employee may make arrangements for additional payroll deductions upon return to work if necessary for repayment.

The Diocese of Fort Worth will provide 15 days’ notification prior to the employee’s loss

### Personal Leave of Absence without Pay (Cont.)

of coverage.

If the employee contributes to a life insurance or disability plan, while the employee is on unpaid leave, the employee may request continuation of such benefits and pay his/her portion of the premiums, or the Diocese of Fort Worth may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the Diocese of Fort Worth may discontinue coverage during the leave. If the Diocese of Fort Worth maintains coverage, the Diocese of Fort Worth may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

### Administrative Leave

When required to take administrative leave, an employee will be informed of the nature of the circumstances precipitating the requirement and must comply with all applicable procedures.

- a. Various circumstances may occur that result in the need to conduct an investigation into an allegation of serious employee misconduct that, in the judgment of the Administrator (in consultation with the Director of Human Resources and the General Counsel) requires that the employee remain away from the workplace while the investigation takes place.
  - School occurrences must be brought to the attention of the Superintendent of Schools prior to putting any employee on Administrative Leave.
- b. Examples of such circumstances include but are not limited to: Allegations of harassment, sexual misconduct, sexual abuse, financial misconduct, theft, or violence.
- c. The supervisor and/or the Director of Human Resources will advise the employee of the nature of the allegations and the anticipated length of time for the investigation to be concluded. The employee is required to hand in keys and other methods of access, and will not be allowed to conduct business during the administrative leave. The employee may be instructed to remain off of the property of their employment location for the duration of the leave. All communications with the Diocese of Fort Worth should be made only through the employee's supervisor unless other

### Administrative Leave (Cont.)

arrangements are made.

- d. During the investigation, care is to be taken that the employee's right to a good reputation and right to protection of privacy are safeguarded.
- e. Administrative leave may be ended by the employee's return to work, corrective action, demotion, termination, or other action as determined by the Administrator in consultation with the Director of Human Resources.

### Bereavement Leave

When an employee experiences the loss of a relative, usually a few days are required to make arrangements, attend services and attend to personal and family needs. For these unexpected absences, eligible, active full time and part time employees are provided with time off without loss of pay as follows:

All eligible employees:

- Employees in their introductory employment period are eligible for one occurrence of paid bereavement leave at their supervisor's discretion.
- Death of a spouse or child – up to 10 work days
- Death of a parent or sibling – up to 6 work days
- Death of a close family member – up to 2 work days.

According to family need, employees may use accrued sick or vacation time to extend absences for bereavement. When an employee attends the funeral or burial of a spouse, child, parent or sibling more than 150 miles away, an additional day may be added, and if out-of-state, two additional days, if necessary.

### Jury Duty

Employees called for jury duty will be granted leave with pay for this purpose. The employee must provide his supervisor with a copy of the jury summons and keep the supervisor informed concerning the trial status. If court is not in session for any reason between Monday – Friday, the employee is expected to be at work.

### Jury Duty (Cont.)

In order to be entitled to jury duty leave pay, an employee must present a letter or the check stub from the court clerk to the employee's pastor and/or supervisor showing evidence of jury duty pay and time served, within one week of receipt.

### Voting Time Off

An employee will be permitted to take up to two hours from work without loss of pay to vote in a federal, state or municipal election if she or he cannot vote outside of office hours. Employees wishing to take advantage of this time-off-to-vote privilege must notify their supervisor at least two days in advance of the election date.

### Military Leave/Reinstatement

If an employee is called to active military duty or to Reserve or National Guard training, or volunteers for the same, an employee must submit copies of the military orders to their supervisors as soon as possible.

The Diocese of Fort Worth will grant a military leave of absence for the period of service in accordance with applicable federal and state laws. An employee's eligibility for reinstatement after military duty or training is completed is also determined in accordance with applicable federal and state laws.

An absence for military service will not be considered a break in employment service for pension purposes. Nor will an employee forfeit benefits already accrued or earned or be required to re-qualify for participation in the pension plan by reason of absence for military service.

### Domestic Violence Leave

Employees who are victims of domestic violence, sexual assault or stalking are allowed to take reasonable or intermittent leave to take care of legal or law enforcement needs or get medical treatment, social services assistance, or mental-health counseling.

Employees who are family members of victims of domestic violence, sexual assault or stalking may also take reasonable leave to help the victim obtain treatment or seek help. Family member (for purposes of domestic violence leave) is defined as child, spouse, parent or person the employee is seriously dating. Family relationship may

### Domestic Violence Leave (Cont.)

be determined by birth certificate, court document, other similar record or a statement from the employee. This leave may be paid with accrued vacation time or be unpaid.

The Diocese of Fort Worth may require verification from the employee who is requesting leave, including one or more of the following:

- A police report indicating the employee or employee's family member (as defined above) was a victim;
- A court order providing protection to the victim;
- Documentation from a healthcare provider, advocate, clergy, or attorney;
- An employee's written statement that the employee or employee's family member is a victim and needs assistance.

Administrators are required to contact the Diocese of Fort Worth Director of Human Resources for guidance if an employee will be utilizing leave for these purposes.

### Lactation/Breastfeeding

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. The location has or will provide a designated room for this purpose. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting their supervisor or Human Resources. Additional rules for use of the room and refrigerator storage may be posted in the room. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

### Health Insurance Portability and Accountability Act (HIPAA)

In compliance with the Federal Law, the Diocese of Fort Worth requires every entity of the Diocese of Fort Worth to comply with the Health Insurance Portability and Accountability Act known as HIPAA. This act requires, at a minimum that no Pastor, Pastoral Administrator, Principal, Business Manager, HR Representative, the Diocesan HR Representatives, or any other person request or disclose to others any Protected Health Information or identifiable information that is more than the minimum necessary to accomplish the intended purpose. Protected Health Information (PHI) is any information relating to another employee, spouse, or dependent concerning: payroll, personnel information, FMLA, ADA and similar laws, drug testing, Workers' Compensation information, disability information, life insurance information, dependent care flexible spending account information and summary health information.

If an employee should ask the HR Representative to assist them in processing any type of medical, dental, or health reimbursement claim the HR Representative must ask the employee, the employee's spouse or the personal representative of the employee for a signed authorization form stating the specific information that can be released and to whom it may be released.

The Diocese of Fort Worth and its health and benefit providers ask that employees maintain the relevant information confidentiality of all with whom they work. Please be careful with protected information. Do not leave papers out on desks that might contain PHI. If an employee has protected material on the desk close and lock the door when the leaving the room. Do not leave information on the fax or copy machine. Do not gossip or mention PHI in the Diocese of Fort Worth of others whether they are employees or friends.

The government has severe fines and penalties for people who either inadvertently or intentionally disclose protected health information. Penalties range from civil sanctions to fines of \$250,000 plus up to 10 years in jail. For additional information concerning HIPAA please contact the Diocesan Human Resources Department. Additionally, any employee violating HIPAA disclosure rules is subject to disciplinary action up to and including termination of employment.

### Diocese of Fort Worth Benefits

Active, full-time employees who work 30 hours or more per week are eligible for benefits beginning on the first of the month after their date of hire. Active, part time employees who work 20 to 29 hours a week are eligible for limited benefits. All eligible employees are subject to the terms, conditions and limitations of each benefit program and applicable law. The list of benefits the Diocese of Fort Worth offers are as follows:

- Medical/Dental Insurance
- Group Term Life and Accidental Death & Dismemberment Insurance
- Short-Term Disability Benefits
- Long-Term Disability Benefits
- Section 125 (Cafeteria Plan) Benefits
- 403(b) Tax Deferred Retirement Savings Plan
- Lay Employee Pension Plan
- Priest Pension Plan (Priest only)
- Workers' Compensation Benefits (All employees are eligible for Workers' Compensation)
- Employee Assistance Program (EAP)
- Continuation of Coverage for Group Insurance
- Social Security

For more information regarding each of the benefits programs and eligibly, please refer to the plan documents listed on the Diocese of Fort Worth Payroll/HR system or contact the Diocese of Fort Worth Office of Human Resources.

### Holiday Policy - Catholic Center and Parishes

Generally, the Catholic Center observes 18 to 19 holidays each year (depending on which days they fall). The Catholic Center holiday calendar will be published annually on the website. The Diocese of Fort Worth holidays may vary upon location but it is recommended that Parish locations follow the Catholic Center holiday schedule.

Occasional and temporary employees are not eligible for holiday pay. Active full time

### Holiday Policy - Catholic Center and Parishes (Cont.)

and active part time employees are eligible for holiday pay. Part time employees will be paid in accordance with their scheduled days and hours worked. A holiday recognized by the Diocese of Fort Worth is not considered time worked for overtime purposes. To be eligible for holiday pay, employees must work their scheduled day before and scheduled day after the holiday. Additionally, the holiday must fall on employees regularly scheduled workday to be eligible for holiday pay. It is permissible to have advanced pre-approved time off as permitted by the employees' supervisor.

### Paid Time Off Policies

The Diocese of Fort Worth grants paid time away from work under its annual time off with pay policies. Diocese employees are encouraged to schedule sufficient time off for relaxation and/or to promote good physical and mental health.

**The policies outlined below supersede all previous policies regarding Paid Time Off, in the same manner as the new Diocese Employee Handbook, as was announced previously.**

### Vacation Policy – Catholic Center and Parishes

An employee may use vacation for any purpose he/she wishes, including vacation, unpaid holidays, time away from work for personal or family matters. Vacation time off needs to be requested in advance by the employee, via the Payroll/HRIS system, with the supervisor or manager's approval, except in emergency situations. With that in mind Diocesan employees should actually take their vacation in the year it is accrued. Now, the Diocese' overall vacation philosophy includes limited carryover from year to year and "Accrual Caps" as outlined in the table below.

#### **Eligibility**

Active, regular, full time and/or part time employees of the Diocese of Fort Worth, begin accruing vacation time on the first day of employment. However, an employee may only schedule vacation time off after successful completion of the initial 90-Day Introductory Period.

**Note:** See table on the next page.

## Vacation Policy – Catholic Center and Parishes (Cont.)

Years of Employment	Number of Weeks Provided Annually	Annual # of Weeks Rollover Allowed	Final Max Payout When Employment Ends
<b>Effective Date</b>	<b>4/1/2018</b>	<b>1/1/2020</b>	<b>7/1/2018</b>
0 – 3	2 Weeks	1 Week	2 Weeks
4 – 9	3 Weeks	1 Week	2 Weeks
10 – 15	4 Weeks	2 Weeks	2 Weeks
16 (+)	5 Weeks	3 Weeks	2 Weeks

**Note:**

- Rollover date is January 1 of each year.
- The Terms “Termination” and “Separation” are used interchangeably. They both refer to “End of Employment.”
- When an employee reaches their anniversary employment date with the Diocese of Fort Worth in which they begin accruing the next level of vacation accrual, as outlined in the table above, the new accrual amount will begin in the pay period following their anniversary date.

**Accrual Rates**

The following categories are listed for the accrual rates. An employee will accrue and be paid for a week of vacation at the hourly accrual rate they are assigned in the payroll system, based on the table below.

## Vacation Policy – Catholic Center and Parishes (Cont.)

For example, an employee working 27 hours will accrue and be paid for a week of vacation at the 25-Hour rate, as defined below, not for 27 hours.

Number of Hours Actually Worked Per Week	Number of Hours Paid For A Week of Vacation
1 Hour to 19 Hours	0 Hours
20 Hours to 24 Hours	20 Hours
25 Hours to 29 Hours	25 Hours
30 Hours to 34 Hours	30 Hours
35 Hours to 39 Hours	35 Hours
40 Hours or more	40 Hours

A Payroll Change Notice (White Form) must be completed and approved to change the accrual amounts in the table above.

### Vacation Advance

An employee can request vacation if they do not have the accrued hours of vacation, but only due to special circumstances. This can be decided at the local level, but approval should be based on the following:

- The reason the employee is requesting time off must be submitted, in writing, by the employee.
- The amount of time it has been since they took their last vacation should not be less than 30 days.

The maximum number of vacation days an employee may request to obtain an advance is 3 days. Additionally, they may not request another vacation advance for the next 12 months following a vacation advance being approved and taken.

**Note:** If additional time off is documented, approved and needed it will be without pay.

### Negative Vacation Advance

At separation, an employee will be required to reimburse the location, via payroll deduction in the final check, for any vacation time taken in advance but not accrued.

# Vacation Policy – Catholic Center and Parishes (Cont.)

## Exceptions

Employees are encouraged to take their accrued time off. Anyone hired before **April 1, 2018**, will be allowed to continue accruing vacation time at the rate that they were hired in on. If an employee has worked for the Diocese of Fort Worth more than once, the amount of accrual will be based on their most recent date of rehire.

For consistent time off policy administration and in alignment with the table and dates noted above in this policy, all employees who are eligible for vacation will accrue at the rates in the table above listed for their appropriate tenure. All “Grandfathered” accrual rates will be null and void effective on **January 1, 2020**.

Effective **April 1, 2018**, anyone who is terminated “For Cause” at any location in the Diocese of Fort Worth, will not receive any payout of accrued, but untaken, vacation time.

Effective **July 1, 2018** anyone who is separated from the Diocese of Fort Worth (other than “For Cause”) will be paid out no more than 2 weeks of accrued, but untaken, vacation time (based on the chart above).

## Transferring Accrued But Untaken Vacation Time

Employees of the Diocese of Fort Worth may transfer from one location to another due to promotions, relocations, etc. It is recommended that when possible, the employee should be able to take vacation time while still in their current position, before beginning their new assignment. This is recommended because it is often more difficult to take time off once a new position commences.

This will only occur when an employee transfers between two different Schools, two different Parishes, or between the Church and a School at the same Parish or School and/or a different Parish or School.

When a transfer takes place, the employee who is transferring should not lose the accrued, but untaken, vacation time due to the transfer. At the same time, it is important to ensure that the new location is not receiving the liability of a large balance of accrued, but untaken, vacation time. Therefore, a maximum of 2 weeks of accrued, but untaken, vacation time may be transferred to the new location. The remainder must either be taken by the employee before they leave their former location or be paid out to the employee from the location they are transferring from. The paid out

### Vacation Policy – Catholic Center and Parishes (Cont.)

vacation amount will be based at the current rate of pay at the location the employee is transferring from, prior to the transfer taking place.

**Example:** Employee works 40 hours, has 120 hours of accrued, but untaken, vacation time and transfers from Parish A to Parish B.

- 80 Hours of the accrual may be transferred to Parish B.
- The remaining 40 hours must either be taken or be paid to the employee by Parish A on the employee's final check from Parish A.

### Other Transfer Situations

There are a variety of other situations (different from the one illustrated above) that might involve accrued, but untaken vacation time. So, please contact Human Resources at the Catholic Center to determine the appropriate way of handling unique situations in a consistent manner.

#### **Examples Include:**

- An employee retiring from a Part Time or Full Time position and remaining as an occasional employee. The employee should take all of their accrued, but untaken vacation before they retire.
- An employee transferring from a Parish to a School or vice versa. The employee should be allowed to take their accrued but untaken vacation before they transfer. However, if this is not possible, then refer to the guidelines as outlined above or contact Human Resources at the Catholic Center.

### Medical/Sick Pay Policy – Catholic Center and Parishes

The Diocese of Fort Worth also provides sick time away from work under its annual paid time off policies. Sick time cannot be taken as a substitute for accrued but untaken vacation.

#### **Eligibility**

Active, regular, full time and/or part time employees of the Diocese of Fort Worth, begin

## Medical/Sick Pay Policy – Catholic Center and Parishes (Cont.)

accruing sick time on the first day of employment. However, sick time may only be taken after the initial 90-Day Probationary Period is successfully completed.

Years of Employment	Number of Weeks Provided Annually	Maximum Accrual Cap Allowed	Maximum Payout At Terminations
Effective Date	4/1/2018	1/1/2019	4/1/2018
0 (+)	2 Weeks	12 Weeks	0

## COVID-19 Sick Time

The Catholic Diocese of Fort Worth recognizes that Full-Time Regular and Part-Time Regular employees (“Employees”) may need time off from work for certain COVID-19 related absences. To assist Employees, the Diocese is implementing the following special policy, effective January 1, 2022 through June 30, 2023, to provide 5 days of additional sick time per fiscal year (5 additional days for January 1, 2022-June 30, 2022 and 5 additional days for July 1, 2022-June 30, 2023) to use only for COVID-19 related reasons in accordance with this policy.

Employees may not report to the workplace if the following COVID-19 related reasons occur:

- Employee is experiencing COVID-19 symptoms, regardless of vaccination status.
- Employee has tested positive for COVID-19 or is awaiting results from testing.
- Employee has been in “close contact” with an individual who has tested positive for COVID-19 or who is presumed to have COVID-19, unless Employee is vaccinated or has natural immunity due to contracting COVID-19 within the past 90 days.
- Employee has been ordered to quarantine or self-isolate by their supervisor.

The Centers for Disease Control and Prevention (“CDC”) describes “close contact” as being within 6 feet of an infected person (laboratory-confirmed or a clinically compatible illness) for a cumulative total of 15 minutes or more over a 24-hour period. However, some instances of in-person interaction that have an increased likelihood of the potential spread of COVID-19 may be considered as close contact, even

### COVID-19 Sick Time (Cont.)

though the interaction was for less than 15 minutes. Examples of close contact may include: direct physical contact (e.g., hugging or touching), sharing eating or drinking utensils, or the infected person sneezed, coughed, or otherwise spread respiratory droplets on the other person. Employees should notify their supervisor if they have had close contact with an individual who has tested positive for, or is presumed to have, COVID-19.

Employees who are not able to report to the workplace due to the following reasons must quarantine at a location away from the workplace and promptly notify their supervisor of the reason for their absence: (1) they are experiencing COVID-19 symptoms; (2) they have had a positive COVID-19 test; (3) they have been in close contact with an individual who has tested positive for, or is presumed to have, COVID-19, unless they are vaccinated or have natural immunity due to contracting COVID-19 within the past 90 days; or (4) they have been ordered to quarantine or self-isolate by their supervisor. The duration of the quarantine period will be based on a variety of factors and will be assessed by the diocesan nurse. Employees who are in quarantine but who are not experiencing COVID-19 symptoms may be required, at the sole discretion of their supervisor, to work remotely. Employees who are in quarantine for one of the reasons listed above but who cannot work remotely are eligible for up to a total of 5 additional days of sick time for periods of COVID-19-related quarantine (COVID-19 SICK TIME). Exempt Employees who are working remotely will continue to be paid their regular salary and will not have to use COVID-19 SICK TIME or their regular sick time; non-exempt Employees will be paid based on hours worked remotely. Employees may use COVID-19 SICK TIME for qualifying absences under this policy.

Employees may use COVID-19 SICK TIME for qualifying absences under this policy. Employees will use regular sick time for absences from work that are not covered by this policy or for any qualifying absences after their COVID-19 SICK TIME is exhausted.

Employees are required to communicate with their supervisor regarding any absences or the need to work remotely, in accordance with their location's regular policies and procedures. Employees may be required to provide documentation (medical or otherwise) of their need to be absent from work for COVID-19 related reasons, such as documentation of a positive COVID-19 test result or medical provider certification. Employees are asked to communicate with their supervisor as soon as possible

### COVID-19 Sick Time (Cont.)

regarding any need to be absent from work.

This COVID-19 SICK TIME is not accrued and will not be paid to Employees if it is not used during the effective period of this policy or upon termination of the Employees' employment for any reason. COVID-19 SICK TIME is available only for the reasons stated in this policy, and not for other reasons.

Employees who are absent from work for their own medical condition may be eligible to apply to receive additional paid benefits through short-term or long-term disability benefit plans, subject to the terms of the applicable plans.

Employees should contact their supervisor or the diocesan Human Resources Department with any questions regarding these or other benefits.

*THE CATHOLIC DIOCESE OF FORT WORTH RECOGNIZES THAT THE GUIDANCE AND POLICIES REGARDING COVID-19 ARE SUBJECT TO CHANGE AS CIRCUMSTANCES CHANGE. THIS POLICY IS SUBJECT TO REVOCATION OR EMENDATION, AT THE SOLE DISCRETION OF THE DIOCESE, WITHOUT PRIOR NOTICE.*

### Time Off Policies - Schools

#### **Eligibility**

Employees' eligibility for certain benefits is dependent upon the combined number of hours which they are regularly scheduled to work in a week for all entities within the Diocese of Fort Worth.

Employees who work in more than one location within the Diocese (multiple salary source) are required to inform both entities of their work schedule. The Administrator must contact the other entity and the Diocesan Office of Human Resources in order to ensure proper compensation and administration of benefits under applicable State and Federal laws. Both entities must agree to the arrangement before hiring someone which puts that employee into a Part-Time or Full-Time status. The cost of benefits should be shared between the two entities based upon the hours worked for each entity. Cost of benefits will be split as a percentage of total pay. For example, if an

### Time Off Policies - Schools (Cont.)

employee works 20 hours for one entity and 10 hours for another, then the first entity would pay 66.7% of the benefit cost and the second entity would pay 33.3% of the benefit cost.

Dependent medical/dental coverage is available through the Diocese. The premiums for dependent coverage will be paid by the employee and will be deducted from the employee's pay.

#### **Dependents include:**

- An employee's spouse, if not in the Armed Forces, and not covered as an Employee; and
- Natural or legally adopted child up to age 26 years, if not in the Armed Forces and not eligible as an Employee provided:
  - The child is claimed as an exemption, as defined by the I.R.S. Code of the U.S., or the employee Federal income tax return; or
  - Stepchild or any child for whom the employee has legal guardianship, living with the employee, if they meet all requirements above and approval is obtained in writing from insurance provider.

To be eligible as a Dependent, the Dependent's principle residence must be in the U.S.

In no event may a Dependent child be covered by more than one employee. If more than one employee would otherwise cover the Dependent, the child may only be covered by the employee with the longest period of continuous service, unless otherwise determined by a mutual written agreement.

The medical program offered by the Diocese of Fort Worth includes benefits for prescription drug purchases. Generally, only a co-payment amount for prescriptions will be required upon presentation of a Member ID card at participating pharmacies.

Employees, as described below, may participate in the benefit programs offered by the Diocese of Fort Worth. New hires are eligible on the first of the month coincident or next following date of hire.

#### **Full-time, ten and twelve month employees are eligible for the following benefits:**

- Medical/Dental/Life/AD&D Insurance

### Time Off Policies - Schools (Cont.)

- Medical/Dental Insurance
  - Dependent Medical/Dental Insurance
- “Dental Only” Insurance
  - Dependent “Dental Only” Insurance
- Accidental Death and Dismemberment Insurance
- Employee and Dependent Supplemental Life Insurance
- Term Life Insurance
- Section 125 (Cafeteria Plan)
  - Medical Flexible Spending Account
  - Dependent Care Flexible Spending Account
- Pension Plan for Employees of the Diocese of Fort Worth
- 403(b) Tax Deferred Retirement Program
- Short-Term Disability Insurance
  - Long Term Disability Insurance
- Bereavement Leave
- Family and Medical Leave of Absence (after 1 year of service and 1,250 hours)
- Workers’ Compensation Insurance

**Part-time employees who will work more than 1000 hours during the calendar year, are eligible for the following benefits:**

- Section 125 (Cafeteria Plan)
  - Medical Flexible Spending Account
  - Dependent Care Flexible Spending Account
- Pension Plan for Employees of the Diocese of Fort Worth
- 403(b) Tax Deferred Retirement Program
- Bereavement Leave
- Family and Medical Leave of Absence (after 1 year of service and 1,250 hours)

## Time Off Policies - Schools (Cont.)

- Workers' Compensation Insurance

**Occasional or temporary employees, who will work less than 1000 hours during the calendar year, qualify for the following benefit:**

- Workers' Compensation Insurance

## Holidays - Schools

Ten and twelve month, full-time employees receive paid holidays each year, to be designated by the Diocese. Part-time, occasional, and temporary employees are not eligible for holiday pay.

Twelve month, full-time employees will receive nine holidays paid at their regular rate of pay for an eight-hour workday. Ten month, full-time employees will receive eight holidays paid at their regular rate of pay for an eight-hour workday. A holiday recognized by the Diocese is not considered time worked for overtime purposes. An employee must actually work over 40 hours during a week in which a holiday occurs to be compensated at the rate of time and one-half his/her regular base rate of pay.

The Diocese will typically observe holidays on the date that is nationally recognized as the holiday. If the holiday date falls on a weekend, the Administrator may approve observance of the holiday on either the preceding Friday or following Monday. The Diocese will publish the scheduled holidays each year.

**The Diocese's guidelines for paid holidays for schools are as follows:**

Holiday	Day	Rule for Closing
New Year's Day	January 1	If it falls on Saturday or Sunday, offices will be closed the following Monday.
Martin Luther King Day (or Memorial Day)	January 15	Offices are closed.
Good Friday	Friday prior to Easter	Offices are closed.
Memorial Day (or Martin Luther King Day)	Last Monday in May	Offices are closed.

## Holidays - Schools (Cont.)

Independence Day *	July 4	If it falls on Saturday, offices will be closed previous Friday. If it falls on Sunday, offices will be closed the following Monday.
Labor Day	First Monday in September	Offices are closed.
Thanksgiving	Fourth Thursday in November	Offices are closed.
Day after Thanksgiving	Friday after Thanksgiving	Offices are closed.
Christmas Eve	December 24	If it falls on Saturday, offices will be closed the previous Friday. If it falls on Sunday, offices will be closed the following Monday.
Christmas Day	December 25	If it falls on Saturday, offices will be closed the previous Friday. If it falls on Sunday, offices will be closed the following Monday.

\* 12-month, full-time employees only.

## Vacation Time - Schools

The Diocese provides vacation time for eligible twelve month, full-time school employees to enable them to have time for rest and renewal away from the workplace.

Ten month full-time, part-time, occasional, and temporary school employees are not eligible for vacation time.

### Earning Vacation Time:

Vacation time, up to 160 hours annually, is earned on July 1 of each year, or at time of employment on a pro-rated rate.

- a. Vacation time will generally be used during June and July.

### Vacation Time - Schools (Cont.)

- b. Employees who change from twelve month, full-time to part-time will keep their hours until the end of the fiscal year at which time any unused hours will be forfeited and you will lose eligibility.
- c. Employees who change from part-time or occasional to twelve month, full time employment, will earn vacation time prorated to the date of change of status.
- d. Employees who transfer from school to parish employment will begin to accrue vacation hours at their new location based on years of service.
- e. Employees, who transfer directly (without a break in service) from one parish or administrative office of the Diocese to a school, as a twelve month, full-time employee, then their vacation time will transfer to the new entity up to a maximum of 160 hours. If the transfer is to a contracted position, then no time will transfer.
- f. All unused vacation hours will be forfeited at the end of the fiscal year and does not roll over into the next year.

#### **Using Vacation Time:**

Vacation generally will not be allowed when school is in session during the 195-day school calendar and must be pre-approved by the Principal. Vacation time must be used during the fiscal year and will not roll over into the next year. Use of Vacation time must be requested through the approved Diocesan timekeeping system.

- a. Vacation time may not be taken during the introductory period, unless approved in advance by the supervisor during the hiring process.
- b. Vacation time generally may not be taken the day before or the day after a scheduled school closure or holiday and must be preapproved by the Principal.
- c. Employees may take up to the maximum amount of vacation time which they have available during that fiscal year. Employees are not permitted to borrow vacation time from future years.
- d. If an established holiday occurs during an employee's scheduled vacation, that day is paid as a holiday and will not count as a day of vacation.
- e. Employees should request vacation time and dates sufficiently in advance of the actual vacation to ensure that office scheduling needs are met. Approval of vacation is at the sole discretion of the Principal. If multiple employees request time off for the same period and all requests cannot be honored, the Principal must use a

### Vacation Time - Schools (Cont.)

non-discriminatory manner, such as first come-first served, seniority, or historical vacation records to determine whose time will be approved.

- f. Vacation will be scheduled in such a manner as to provide unimpaired service and adequate coverage of all positions to the organization.
- g. Vacation may be taken in one-half day (4 hour) increments, or maximum of the employee's scheduled hours (up to 8 hour) increments, unless a shorter increment is approved by the Principal.
- h. Hours that are paid as vacation leave do not count as hours worked in calculating overtime.
- i. All time paid may not exceed the total number of hours regularly scheduled to work per day/week. For example, an employee is scheduled to work 40 hours during their normal workweek and requests 8-hours of vacation time, however, the employee works 33 hours, then the employee would only be paid 7-hours of vacation time.

#### **Vacation Payout:**

- a. Compensation will not be substituted for unused or forfeited vacation.
- b. Vacation leave is not transferable to other employees.
- c. If you leave the organization, your termination date will be the last day you actually worked. You will not be able to use vacation time during your resignation period without prior approval from the Principal.
- d. Employees who submit their notice of retirement, and have worked for the Diocese for one or more years, may continue to use their vacation leave up to their retirement date with prior approval from the Principal.
- e. Employees who are separated will not be paid for any unused earned vacation time.

### Personal Time - Schools

The Diocese provides personal time to eligible employees when they are absent from work for occupational or non-occupational reasons due to disability or illness for themselves, serious health conditions of their spouse, for care of a minor/dependent

## Personal Time - Schools (Cont.)

child’s health condition, or for serious health conditions of their parent or spouse’s parent. Absences for other reasons, such as personal business may be requested and authorized by the Principal at his/her sole discretion. Employees requesting leave for a death in the family should follow the Bereavement Leave policy in the Employee Handbook.

Employees classified in an occasional or temporary status are not eligible for personal time. Time earned is computed in the following manner:

Employee Status	Maximum Annual Rate *
Full Time, Twelve Month	80 hours
Full-Time, Ten Month	80 hours
Part-Time	40 hours

\* Personal time is deposited in the eligible employees’ account on August 1 each year.

Full-time and part-time employees are entitled to personal time.

An employee who is absent for three or more consecutive regular scheduled work days, or who has a pattern of absenteeism, may be requested to bring a physician’s statement when he/she returns to work. The medical excuse is due on the first day of returning to work. Refusal of any employee to submit such a statement may be considered cause for nonpayment of Personal leave and may be cause for termination. The statement must indicate any restrictions upon your ability to return to work. The Diocese reserves the right to request a second or third opinion from a health care provider to verify the illness, at the expense of the Diocese.

### Earning Personal Time:

Personal time is earned on August 1 of each year, or at time of employment on a pro-rated rate.

- a. At the beginning of each fiscal year (July 1), no more than 480 hours for full-time or 240 hours for part-time of unused personal time may be rolled over to the next school year. Earned personal time that exceeds the maximum annual accrual at the beginning of the fiscal year (July 1) will be forfeited.

### Personal Time - Schools (Cont.)

- For example, if a full-time eligible employee has 480 personal hours as of July 1, 2019, he/she will not receive an additional allotment until the start of following school year on July 1, 2020 AND unless time has been taken.
- b. Employees, who transfer directly (without a break in service) from one school to another school, are eligible to transfer their earned personal time balance with them to the new entity.
- c. If an employee transfers from one parish or administrative office of the Diocese to a school, as a regular full-time employee, then available sick time will roll over to personal time up to a maximum of 480 hours. Part-time employees will roll over available sick time to personal time up to a maximum of 240 hours.
- d. Employees who change from full-time to part-time status will carry-over personal time earned while in a full-time status. If the employee's earned personal time balance exceeds the allowed carryover for their new status at the end of the fiscal year, they will be forfeited. If the employee moves to occasional status, the employee's personal time that has been earned but not used will be forfeited at the end of the fiscal year. For example:
  - If you are regularly scheduled to work 40 hours per week and have accumulated 480 hours of Personal Time, and
  - If on January 31st you change to a 20-hour per week, part-time schedule, then
  - You will keep all earned hours until you use them or until the end of the fiscal year at which time any earned personal time that exceeds the maximum (240 hours) will be forfeited, and
  - Then on July 1 of the new fiscal year, you will earn hours at the part-time rate.

#### **Using Personal Time:**

Use of Personal time must be requested through the approved Diocesan timekeeping system.

- a. If employees have an unplanned absence, for any reason, they should notify their supervisor by the time they are regularly scheduled to begin work if they will be absent, late, or have to leave early. Your supervisor must also be contacted on each additional day of absence.

### Personal Time - Schools (Cont.)

- b. Personal time should be taken in full hour increments of four (4) hours or eight (8) hours, with the approval of your supervisor, for a family event or medical leave of absence.
- c. Personal time may not be taken the day before or the day after a scheduled school closure or holiday unless prior approval has been granted by the Principal. In cases of an unplanned absence, a health care provider's statement may be required verifying the reason for the absence. For a contract employee, this may result in unpaid time.
- d. Employees may take up to the maximum amount of personal time which they have available during that fiscal year. Employees are not permitted to borrow personal time from future years.
- e. If an employee's personal time is exhausted,
  - for non-exempt positions, the remainder of the time off will be unpaid; or
  - for exempt positions, the remainder of the time off will be unpaid only if a full day was missed; or
  - the time off will be unpaid if the employee is on an approved FMLA leave of absence; or
  - for contracted positions, the remainder of the time off will be an unpaid absence only if a full day was missed, which will result in a reduction of salary commensurate with the number of contracted days missed.
- f. Hours that are paid as personal time do not count as hours worked in calculating overtime.
- g. The number of eligible personal hours per day is 8 hours for exempt employees or the number of regularly scheduled hours on that day for non-exempt employees. For example, if you are scheduled to work 5 hours per day and take a personal day, then you would be paid 5 hours for that day.
- h. Doctor's appointments may be scheduled during the workday only after obtaining approval from the Principal and must be taken from personal time unless the hours are otherwise made up with prior approval from the Principal.
- i. Use of personal time will be counted as an absence occurrence unless the leave qualified under the Family and Medical Leave policy (see the Attendance and

### Personal Time - Schools (Cont.)

Punctuality policy in The Workplace section of the employee handbook).

#### **Personal Time Payout:**

- a. Terminated employees will not be paid for any unused personal time. Employees will not be compensated for absences due to illness following submission of their resignation from employment unless a health care provider's statement is submitted.
- b. Personal time is not transferable to other employees.
- c. Any earned personal time balance will be lost at the end of the fiscal year if an employee changes from a benefits eligible status to an occasional status of less than twenty hours a week.
- d. Unused personal time is not convertible into cash or vacation time. As a separated employee, any earned personal time balance will be lost. No attempt should be made to "use up" available personal time.

### Disclaimer

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