

PERSONNEL POLICIES HANDBOOK
FOR CATHOLIC SCHOOL TEACHERS AND
ADMINISTRATORS

ROMAN CATHOLIC DIOCESE OF SYRACUSE, NEW YORK
Revised 9/1/2018

Catholic Schools of the Diocese of Syracuse Mission Statement

The Catholic Schools in the Diocese of Syracuse share in the evangelizing mission of Jesus Christ to love and be of service to God and one another. Together with our families, communities, and parishes, our schools provide an education rooted in the Gospels that is “living, conscious, and active”. Students witness and are taught values and ideals that are in accordance with the teachings of the Roman Catholic Church. We empower our students to live their faith with compassion, integrity, and respect for all life and the diversity of our world.

Our schools are faith-centered communities focused on promoting academic excellence while developing a strong moral conscience and embracing Catholic social teachings that enable our students to meet the lifelong challenges and demands of our rapidly changing world.

Approved, July, 2018 Most
Rev. Robert J. Cunningham
Bishop of Syracuse

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INTRODUCTION

This Handbook sets forth the Revised and Restated Personnel Policies for Teachers and Administrators in the Roman Catholic Diocese of Syracuse, New York (—Personnel Policies), which have been updated to address changes in the law and which better reflect the current environment in which our Teachers and Administrators serve their communities. They are the collaborative effort of the Catholic School Office, our Principals, and our Teachers. These Personnel Policies are incorporated into every employment contract for Teachers and Administrators in the Catholic Schools in the Diocese, including those Catholic Schools operated directly by local parishes.

These Personnel Policies have three purposes:

1. To state the mission, philosophy, and vision of the Catholic Schools in the Diocese, of which our Catholic educators are integral part;
2. To define the rights and responsibilities of Teachers and Administrators in the Catholic Schools of the Diocese; and
3. To articulate and foster a spirit of cooperation and mutual respect among the members of our Catholic School community.

DEFINITIONS

Unless otherwise specifically stated, the following terms have the below-stated meanings.

1. **-Absence** means a Teacher's or Administrator's failure to report for work at the designated time and place, physically and mentally ready to perform assigned duties.
2. **-Administrator** means a Principal, Assistant or Associate Principal, or Dean of a Catholic School.
3. **-Catholic School** or **-Catholic Schools** mean the Catholic Schools within the Diocese sanctioned by the Bishop and each such Catholic School.[1] Each individual Catholic School is known by its particular name and by the BEDS number assigned by the New York State Education Department.
4. **-Catholic School Office** or **-CSO** shall mean the Diocesan office designated by the Bishop to promulgate policies and regulations and to provide for or assist with the management and operation of the Catholic Schools.
5. **-Certification** and/or **-Certified** means certification as a Teacher or Administrator by the New York State Department of Education pursuant to Part 80 of the Commissioner's Regulations. Certification shall exclude any certification or accreditation provided by any State other than New York State.
6. **-Certification Area** means those areas of certification designated by the SED.
7. **-Commissioner** means the New York State Commissioner of Education.
8. **-Commissioner's Regulations** means the regulations promulgated by the Commissioner located in Title 8, Chapter II, of the New York Codes, Rules and Regulations.
9. **-Diocesan Operated Catholic School** shall mean any Catholic School operated directly by the Diocesan Catholic School Office.

10. -**Disability** shall mean a physical or mental impairment that substantially limits a major life activity of an employee, or a history of such impairment, or a condition an employee is regarded as having by the school community.
11. -**Eligible Teacher** shall mean a Teacher who has completed three years of service with a specific Catholic School with satisfactory or better evaluations and performance grid scores and who continues to satisfy the criteria for Teachers set forth in these Personnel Policies and as articulated by the Teacher's Principal and the Superintendent. An Eligible Teacher is eligible for a new employment contract for the next school year as detailed in these Personnel Policies.
12. -**Employing Unit** means a Catholic School that is undergoing a Reduction in Force.
13. -**Full-Time Teacher** shall mean a Teacher who is employed to work a full school day all five days of the workweek during each of the ten months of the academic year.
14. -**Full-Time Equivalent Teacher** means a Teacher who is employed by and splits his/her workday or workweek between or among more than one Catholic School but, collectively, works the same time as a Full-Time Teacher.
15. -**Observation** shall mean the formal observation of a Teacher or Administrator.
16. -**Parish Catholic School** shall mean any Catholic School operated by a local Parish.
17. -**Part-Time Teacher** shall mean any Teacher who is employed to work fewer hours and/or days than a Full-Time Teacher.
18. -**Personal Days** are days earned by each Teacher at the outset of each school year, as detailed in these Personnel Policies, for use, with prior approval, for personal or family matters or time.
19. -**Principal** shall mean the person hired by the Diocesan Superintendent of Schools with the approval of the Bishop or by the Pastor of a Parish Catholic School to serve as the Chief Executive Officer of a Catholic School.
20. -**Reduction in Force** or -**RIF** shall mean the elimination or reduction of at least five percent of the teaching force in a Catholic School.
21. -**RIF Category** means the grading and/or subject area category to which a Teacher is assigned by the Employing Unit relative to a Reduction in Force.
22. -**School Closing** means the discontinuation of operations by a particular Catholic School in its existing form.
23. -**SED** means the New York State Education Department.
24. -**Serious Health Condition** has the same meaning as the definition of this term in the Family Medical Leave Act.
25. -**Sick Days** refers to days of paid leave provided to Teachers in each school year for use when the Teacher's own illness or injury requires the Teacher's Absence from school.
26. -**Superintendent of Schools** or -**Superintendent** shall mean the officer appointed by the Bishop as head of the Catholic School Office.
27. -**Teacher** shall mean any individual employed in a Catholic School as a teacher, librarian, media specialist, information technology personnel, coach, counselor and student group advisor.
28. -**Teaching Area** shall mean the academic subject area of a teaching position (e.g., seventh grade mathematics).
29. -**Vacation Periods** are those periods during the school year when school is not in session because of a holiday or planned school break.

The Educator in the Catholic School

The educator in the Catholic School must be a facilitator of learning and demonstrate the competencies and skills for effectively managing the learning/teaching process in any school system including the following:

- Knowledge of child growth and development
- Knowledge of content to be taught
- Motivational skills
- Human relation skills
- Instructional skills
- Classroom management skills
- Leadership skills
- Organizational skills

The educator must also be a person who strives for continuous personal and professional growth and development on his/her own behalf.

Moreover, the educator in the Catholic Schools of the Diocese of Syracuse responds to the mandate Christ gave to his disciples – *Go teach!*

Ever since then, education has been one of the most important missions of the Church. All Catholic School educators continue to share in the mission of the Church, —making faith become living, conscious, and active through the light of instruction. (*To Teach as Jesus Did*, 102) -The Catholic school is the unique setting within which this idea can be realized. Indeed, Catholic Schools are the most effective means available to the Church for the education of children and young people. (*Sharing the Light of Faith*, 232)

The success of our Catholic educational system depends upon professional competence and the quality of instruction. It also depends on the dedication and commitment of the educator- both the administrator and teacher.

—The achievement of the specific aim of the Catholic School depends not so much on subject matter or methodology as on the people who work there. The extent to which the Christian message is transmitted through education depends to a very great extent on the educators. The integration of culture and faith is mediated by the integration of faith and life in the person of the educator. (*The Catholic School*, 43)

QUALITIES OF CATHOLIC SCHOOL EDUCATORS

We set forth here the qualities and attitudes which should be a part of the life style of all Catholic School educators. These characteristics should stimulate all who are involved in the educational ministry to integrate religious truths and values as they strive to develop the full intellectual, religious, social, physical and emotional potential of each student.

The Catholic School educator is a person of faith:

- Who reflects the Gospel message and professes that message in action and personal attitudes;
- Whose own prayer life is –living, conscious and activell;

- Who is truly committed to and enthusiastic about being part of Catholic education and, therefore, constantly strives toward excellence in teaching and in dedication to the Catholic School system;
- Who makes students aware of the need to be ministers of the faith as they grow into adulthood as lay persons, as priests, or members of the religion;
- Who accepts and supports the faith community not only as a concept to be taught but a reality to be lived.

The Catholic School educator is a person who builds community:

- Who works to form a strong community with understanding, cooperation and support among faculty, students and parents;
- Who promotes social justice and peace in the school and the local community;
- Who is aware of the human worth and dignity of students and so maintains a classroom and school where the environment is conducive to the growth and development of students; and
- Who helps to develop student potential for Christian leadership within the parish, school and the civic community.

The Catholic School educator is a person who serves:

- Who is generous and unselfish in responding to the needs of the administrators, faculty, parents, students and the Church;
- Who strives to create ways for students to help each other in all school activities;
- Who fosters apostolic consciousness and commitment in himself/herself and in students, helping them to be aware of the need to be active and concerned about others in their family, in their community and in their parishes;
- Who helps students develop skills necessary for adjusting in a changing world and society;
- Who instills in students those human values necessary to community-trust, freedom and fairness.

PHILOSOPHY AND PRINCIPLES

Each Catholic School Teacher and Administrator shall treat students, parents, and colleagues in a manner consistent with the Gospel message and the Catholic Church's teaching. Each Teacher and Administrator is also expected to be familiar with the philosophy and principles set forth in the below-listed documents, which set forth the Church's philosophy and teachings regarding Catholic education and the essential convictions and commitments of Catholic educators:

- To Teach as Jesus Did: A Pastoral Message on Catholic Education (Washington, DC: USCCB, 1973).
- Catechism of the Catholic Church, 2d ed. (Washington, DC: USCCB Libreria Editrice Vaticana, 1997), available at <http://www.vatican.va/archive/ENG0015/INDEX.HTM> (last accessed July 28, 2010).
- Lay Catholics in Schools: Witnesses to Faith (1982), http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_19821015_lay-catholics_en.html (last accessed May 11, 2016).

- Renewing Our Commitment to Catholic Elementary and Secondary Schools in the Third Millennium (Washington, DC: USCCB, 2005), available at <http://www.usccb.org/beliefs-and-teachings/how-we-teach/catholic-education/upload/renewing-our-commitment-2005.pdf> (last accessed May 11, 2016).

CODE OF ETHICS

The Code of Ethics provides a concise description of the personal attributes, behavior, and practices expected that typifies the attitude and practice of the Catholic School Teacher and Administrator in relation to the student, the parent, the community and the profession.

Principle I – Commitment to the Student

As Catholic school educators, we believe that students, like ourselves, are pilgrim people making their journey through this life with a constant focus on the next. As Catholic Christian educators, we have a special responsibility to encourage each student to achieve his/her maximum potential. We work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. In fulfilling our obligations to the students, we are called to:

- Help students see the relevance of a Christian value system in their daily lives.
- Help students learn to relate human culture and knowledge to the news of salvation.
- Show Christian concern about the joys and problems of each student.
- Speak with charity and justice about students even when called upon to discuss sensitive matters.
- Work with students in preparing liturgies and para-liturgies and other religious programs.
- Respect confidential information concerning students and their homes, consistent with obligations stated in the Charter for the Protection of Children and Young People (USCCB 2002) and the Diocese's Child and Youth Protection Policy (<http://www.syracusediocese.org/assets/Uploads/pdfs/ChildYouth-Policy-November-2012-1.pdf>).
- Plan appropriate service projects for students that will develop their sense of responsibility to the community.
- Enable students to grow in a sense of self-worth and accountability, by selecting activities which promote a positive self-concept as becomes a maturing Christian and
- Refuse to accept any compensation to tutor students assigned to our classes or who attend our school and reject any other use of students for personal financial gain.

Principle II – Commitment to Parents

As Catholic School educators, we believe children are influenced by home, community and a society in which attitudes toward Christian values are often challenged. Parents, the source from whom children and youth derive their values, entrust their children to the Catholic School to instruct, complement and intensify the education and formation

begun at home. We are all called to assist these parents in fulfilling their obligation for the Christian formation and education of their child; therefore we will:

- Respect a parent's fundamental right to know, to understand, and share in decisions that affect the education of the child by:
 - Assuring parents of a commitment to ongoing education as a professional educator and informing them, on request, of educational qualifications
 - Keeping parents apprised of the curriculum and methods of instruction.
 - Developing educational programs to promote values that enhance family life as well as the home-school relationship
 - Being sensitive to the needs and concerns of parents in formulating classroom and school policy;
- 1. Respect any confidential information which parents share with us; and.
- Report to parents their child's progress regularly and as needed, with the spirit of charity, with professionalism and honesty.
 - Ensuring an adequate understanding of history and its lessons.
 - Providing opportunities for making responsible moral choices and taking responsible and moral positions concerning current issues

Principle III – Commitment to Community

As Catholic School educators, we believe the school community is both the agent of appropriate change and a preserver of basic tradition. We consider the school community an integral part of the Parish and the Diocese whose people it serves, and a vital force for preparing future civic and Church leaders. In fulfilling our obligation to our apostolic profession, we commit ourselves to:

- Promote the peace of Christ in the world by:
 - Modeling peaceful solutions to community conflicts.
 - Encouraging a spirit of cooperation and healthy competition, while avoiding extremes in competition; and
 - Developing skills which will enable students to interact with members of society.
- Cooperate wholeheartedly in the continued building of parish and diocesan life and spirit by:
 - Emphasizing the integral nature of the Catholic school within the parish and diocesan communities.
 - Assisting communication concerning parish and diocesan resources, and needs; and
 - Modeling active participation in one's own parish.
- Develop student potential for constructive Christian leadership within the American democracy by:
 - Ensuring an adequate understanding of history and its lessons.
 - Providing opportunities for making responsible moral choices and taking responsible and moral positions concerning current issues

..

- Contribute to the well-being of the area in which the school is located by:
 - Reflecting the philosophy of the school in one's attitudes and actions.
 - Manifesting respect and appreciation for the work of educators in other schools and systems.
 - Helping to foster in students a respect for all persons at all stages of life, as well as the property of their neighbors.
 - Avoiding any inappropriate activities that disturb the peace and/or order of the community.

Principle IV – Commitment to the Profession

As Catholic School educators we believe that professional excellence in Catholic schools directly influences our Church, our country and the world. We strive to create a Christian environment which promotes sound moral and professional judgment. Through our spirit of joy and enthusiasm, we encourage others to join us in our apostolate in Catholic schools.

In fulfilling our responsibilities as professional educators we commit ourselves to:

1. Maintain professional standards by:
 - Acting justly and fairly concerning the reputations of our colleagues, administrators, parents and student;
 - Safeguarding confidential information to prevent its unauthorized and/or inappropriate dissemination to third parties;.
 - Refusing to use the classroom to further personal and/or financial gain.
 - Refraining from using the classroom as a platform for one's own personal political beliefs or views that are not in accord with the school's philosophy and the Church's teaching;
 - Assisting with the orientation of new educators in our school community.
 - Fulfilling our contractual obligations to our schools and treating those obligations in a most serious, conscientious and dedicated manner; and
 -
 - Presenting honest, accurate, professional qualifications concerning ourselves and our colleagues when required to do so for professional reasons.
2. Seek and encourage persons who live a life consonant with Gospel values and Catholic Church teachings to pursue the Catholic School apostolate by:
 - Modeling the faith life and witnessing to the faith community on the Parish, Diocesan, State and National levels.
 - Exemplifying the teaching of Jesus Christ by dealing with children and adults in true love and justice; and
 - Exhibiting knowledge of the Church's teachings and important documents, including those referenced above.

TEACHER QUALIFICATIONS AND PREPARATION

Qualifications

Catholic School Principals will make every reasonable effort to hire Administrators and Teachers who have been certified by SED pursuant to Part 80 of the Commissioner's Regulations. In addition, each Catholic School Administrator and Teacher must live his/her life consistent with the morality and dogma of the Catholic faith and the teachings of the Catholic Church.

To be eligible for hire and continued employment as an Administrator, each applicant must satisfy such criteria as shall be established by the Superintendent

To be eligible for hire and continued employment as a Catholic School Teacher, each applicant must satisfy each of the following criteria:

1. Possession of at least a bachelor's degree from an accredited college or university and coursework in the content/subject area relevant to the Teaching Area that the Teacher seeks to fill. Preference shall be given to teachers holding a Certification in the grade and/or Teaching Area of the teaching position. Current Teachers with an Associate's Degree and special expertise or extensive experience in a subject area, who might not otherwise meet the qualifications of a Teacher, may be granted a Special Subject Teacher contract with the approval of the Superintendent. bound by all Diocesan policies, rules, and procedures, as well as those of any employing Parish Catholic School
2. Such certification and/or accreditation as specifically required for any particular teaching position, as established by the CSO or the employing Catholic School.
3. Completion of the background investigation and reference check process established by the Diocesan Child and Youth Protection Policy and all training mandated by that policy. No person shall be eligible for employment as a Catholic School Teacher who has been convicted of any of the following charges:
 - (a) any felony conviction where there is a nexus between the crime for which the person was convicted and the position's teaching duties, or which indicates that the hiring or continued employment of the individual involves unreasonable risk to the property, safety, or welfare of school faculty, staff, students, volunteers, or community;
 - (b) any charge that involves the possession, sale, or use of an illegal drug or narcotic;
 - (c) any charge that involves possession or distribution of child pornography; or
 - (d) any charge of child abuse, endangerment, or maltreatment.

Any applicant or teacher shall be ineligible for employment as a Catholic School Teacher if he/she has a record or a history of conduct determined by the CSO or employing Catholic School to be inconsistent with the mission of the Catholic Schools or which poses an unreasonable risk or danger to students, staff, or faculty.

4. A record of participation in continuing education programs as necessary to maintain a teacher's Certification or as otherwise required by the CSO.
5. A lifestyle and a history and record of personal and professional behavior and conduct that is consistent with Catholic moral values and teachings.
6. Teachers will participate in continuing education courses and Catholic formation programs offered or approved by the Principal and reviewed by the Catholic School Office.

Diocesan Child and Youth Protection Policy

All Diocese of Syracuse offices, ministries and agencies share a commitment to building and maintaining safe environments for children. All employees, whose work brings them into contact with children, must complete the required Safe Environment Adult Awareness training within 60 days of assuming employee duties.

To achieve a safe environment all employees and volunteers in Catholic Schools have the following specific obligations:

1. To conduct themselves at all times as a representative of the Diocese of Syracuse and the Roman Catholic Church;
2. To participate in all training required by the Safe Environment Program;
3. To comply with all of the stipulations of the Safe Environment Program detailed at <http://www.syracusediocese.org/safe-environment/>;
4. To maintain physical and emotional boundaries from children and young people with whom he or she is in contact;
5. To avoid situations, events or meetings with children and adolescents in venues that are not accessible to the public during any such meeting or event;
6. To promptly report any suspected abuse of a minor to his or her school administrator, CSO administration or the Safe Environment Office;
7. To cooperate fully in any investigations regarding any suspected abuse.

This list of obligations does not abrogate or replace any other obligations under an applicable law, guideline, policy or regulation.

Continuing Education

All Administrators and Teachers are required to complete the components of the Faith Formation and Religious Development for Catholic School Educators Program on an annual basis as directed by the CSO. Additionally, each teacher is expected to complete continuing education either as required by the New York State Department of Education to maintain his/her Teacher's Certification or as directed by the Catholic School Office.

Certification

All teachers in the Catholic School are required to keep abreast of developments in their subject areas and of new trends and techniques in education and should acquire permanent or professional New York State Certification over a reasonable period of time, e.g., before the expiration of the New York State provisional or initial or qualifying certification. Only permanent or professional certifications will be compensated. All teachers in the Catholic Schools of the Diocese are encouraged to earn Master's degrees.

Permanent certification from other states will be reviewed as a possible substitution for New York State certification.

NON-DISCRIMINATION

The Catholic Schools are committed to a policy of Equal Employment Opportunity with respect to all employees and applicants for employment. The Catholic Schools prohibit discrimination against qualified employees and applicants in all aspects of employment including, but not limited to: recruitment, hiring, compensation, promotion, job assignments, transfers, demotions, discipline, training, leaves of absence, layoff, benefits, termination and employer-sponsored activities, including social and recreational programs. This policy prohibits discrimination against all legally protected classes including, but not limited to: race, color, sex, age, disability, religion, citizenship, national origin, ancestry, military status or veteran status, marital status, predisposing genetic characteristics, and any other status protected by law.

However, in some cases, ordination, religious belief and practice or promotion of Roman Catholic principals, is relevant and will be considered a bona fide occupational qualification (BFOQ).

Employees who have questions on the administration of this policy or a complaint regarding Equal Employment Opportunity should contact Catholic School Office Human Resources at 315-470-1453.

INDIVIDUALS WITH DISABILITIES

The Catholic Schools are fully compliant with the Americans with Disabilities Act (ADA), ADA Amendments Act (-ADAAll), and New York State Human Rights Law which make it unlawful to discriminate in employment against a qualified individual with a disability. The Catholic School's commitment to this policy includes making reasonable accommodations.

Qualified individuals with disabilities should make the appropriate Administrator aware of the need for an accommodation. The Administrator will work with each individual to define their job-related needs and to try to accommodate those needs. Employees may not refuse to work alongside co-workers who have disabilities.

PROHIBITED HARASSMENT

The policy of the Catholic Schools is to provide employees with a work environment free from all forms of harassment.

Harassment includes, but is not limited to, the creation of an intimidating or hostile working environment, behavior that is not welcome, behavior that is offensive or abusive and behavior that interferes with work effectiveness. This policy prohibits harassment for any reason based on another's race, color, sex, age, disability, religion, citizenship,

national origin, ancestry, military status or veteran status, marital status, predisposing genetic characteristics, and any other class, status or activity protected by applicable federal, state or local law. Specific types of harassment include, but are not limited to:

- Physical harassment: this may include unwanted touching, pushing, hitting or other offensive behavior of a physical nature;
- Verbal abuse: this may include derogatory or degrading verbal comments regarding or made because of an individual's membership in one of the categories listed above. Specific examples include, but are not limited to, unwelcome jokes, gestures, epithets, and teasing.
- Written harassment: this may include derogatory or degrading written comments including, but not limited to, emails, memos, notes, graffiti or other visual depictions made because of, an individual's membership in one of the protected categories listed above.
- Sexual harassment refers to sexually explicit or oriented acts or communications. All employees must refrain from sexually harassing anyone. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature where submission to such conduct is either explicitly or implicitly a term or condition of an individual's employment, submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual, or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or hostile environment. Specific examples of sexual harassment include, but are not limited to, vulgar remarks, jokes, teasing and uninvited touching.

Employees who believe they have been the subject or a witness of harassment should immediately report such information to their supervisor, a school administrator or Catholic School Human Resources or the Superintendent. Complaints to Human Resources should be addressed to: Human Resources, 240 East Onondaga Street, Syracuse, New York 13202; (315) 470-1453, hr-office@syrdio.org. Complaints may also be brought to the attention of William Crist, Superintendent, 240 East Onondaga Street, Syracuse, New York 13202; (315) 470-1450; wrist@syrdiocese.org. Complaints of harassment will be investigated promptly and, to the greatest extent possible, confidentially. Retaliation against any employee for having made a good faith report of an incident of sexual harassment or having cooperated in an investigation into such a report is strictly prohibited and such conduct by any employee of a Catholic School or the Diocese will result in employee discipline, up to and including potential termination of employment.

In cases where reported harassment is found to have occurred immediate and appropriate corrective action will be taken. Any employee who has violated this

harassment policy will be subject to disciplinary action, up to and including termination of employment, as appropriate based on all the facts of the case.

HEALTH AND SAFETY

Safety is the personal and individual responsibility of everyone at Catholic Schools of the Diocese of Syracuse. Accordingly, employees are expected to do their part by working in a safe manner, reporting unsafe conditions, keeping their work space neat and clean, and, above all, using good common sense.

Employees are required to:

- Report any unsafe conditions to your supervisor;
- Report all injuries, no matter how minor;
- Avoid any attempt to lift or push objects which may be too heavy;
- Avoid tampering with electrical equipment or electrical panel boxes;
- Avoid blocking fire extinguishers, exits, or doorways; and
- Adhere to all policies affecting safety in the workplace.

Working safely is a condition of employment. You are responsible for complying with the safety rules which have been established for your protection.

ALCOHOL/DRUG FREE WORKPLACE

As a condition of employment with the Catholic Schools, all employees are required to fully comply with the provisions of this policy.

The unauthorized use, sale, purchase, possession, distribution, dispensation, formulation, manufacture or transfer of controlled or illegal substances or alcohol on Catholic School property, in Catholic School vehicles or while on Catholic School business is strictly prohibited. Likewise, employees are strictly prohibited from being under the influence of alcohol or any illegal drug or controlled substance at any time during work hours or while at any Catholic School event. Employees who have been prescribed medication or a drug by a licensed physician, dentist or other authorized practitioner which may affect their ability to safely perform their job must, before using such medication at work, provide the Administrator/Human Resources with a written statement from their physician confirming the prescription and that the employee can safely perform his/her job duties while taking such medication or drug(s)).

Employees are strictly prohibited from unauthorized use, sale, possession, distribution, dispensation, formulation, manufacture or transfer of any controlled or illegal drug or substance.

Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

WORKPLACE THREATS AND VIOLENCE

The Diocese and the Catholic Schools are committed to providing safe working and learning environments. Accordingly, there is a zero tolerance for employee violence. Violence in the workplace includes, but is not limited to, physically harming another person, shoving, pushing, creating a reasonable apprehension of assault, brandishing a weapon, or making any statements that express or intimate an intent to commit a violent act.

Any employee engaging in or threatening to engage in violent behavior shall be subject to employee discipline, up to and including termination from employment. Any employee who speaks of committing violence, whether seriously intended or not, will also be subject to employee discipline.

All Catholic School employees are responsible to help prevent violence in our schools. If an employee notices something in the workplace that suggests that another employee may need help, the employee must alert his/her supervisor to the issue. Employees must report any incident that may involve a violation of the Diocese's policies that are designed to provide a comfortable workplace environment. All reports will be investigated, and information will be kept as confidential as possible under the circumstances.

BASIC RULES OF CONDUCT AND CORRECTIVE ACTION

In order to operate efficiently and provide a safe work environment, the Diocese and its Catholic Schools have adopted the following rules of conduct. Employees are required to conduct themselves in conformity with these rules, and in a professional and ethical manner at all times, regarding co-workers, supervisors, clients, parents, students, volunteers, and the public.

The following non-exclusive list is intended to illustrate the types of prohibited conduct. Engaging in such conduct may result in employee discipline, potentially including termination of employment, considering the circumstances of any incident of such conduct and the prior work record of the employee. In the sole discretion of the Diocese or the employing Catholic School, an employee reported to have engaged in such behavior may be subjected to suspension from work, pending the results of any investigation into the matter.

- Insubordination;
- Violation of any rule or policy;
- Failure to adhere to the Education Law, the Commissioner's regulations, and/or procedures and processes concerning security measures to protect the validity of results on New York State mandated tests.
- Absence without proper notice;

- Leaving the school for personal reasons during work hours without informing his/her supervisor;
- Careless or poor work performance;
- Abuse, misuse, or deliberate destruction of school property, equipment, or vehicles;
- Being under the influence of alcohol or drugs at any time during the work day or while attending a Catholic School or Diocesan student event;
- Unauthorized possession, sale, consumption, or delivery of controlled substances or illegal drugs while on school premises, at school events, on school business, or in school vehicles;
- Possession of firearms, fireworks, explosives, or any other weapon while on school premises, on school business, or in school vehicles;
- Falsification of application, personnel records, time reports, expense reports, or other records;
- Theft or misappropriation of school property;
- Sleeping or loafing on the job;
- Dishonesty;
- Horseplay;
- Physical, written, verbal, or sexual harassment of employees, students, parents or vendors;
- Corporal punishment against any student;
- Excessive taking of breaks, absenteeism, and/or tardiness.

EMPLOYEE DISCIPLINE

The Diocese has developed a disciplinary procedure to provide notice of infractions to employees and the opportunity to improve. You are required to become familiar with these rules and observe them without exception. The rules set forth in this Handbook are not exhaustive of the rules that may apply to the performance of your job duties, and your local Catholic School may also publish rules in this regard. These policies may be modified without notice and as deemed appropriate by the Superintendent in his/her discretion.

The Diocese and/or the Catholic Schools reserve the right to discipline Administrators or Teachers for any misconduct or failure to perform, taking into account the severity of the misconduct or failure to perform, the employee's work history and personnel file, and other relevant facts, as determined by the Superintendent or Principal in his/her sole discretion. Such discipline may take any form, up to and including termination of employment.

If a Teacher violates these Personnel Policies or a Catholic School rule or policy or otherwise engages in conduct or an omission that, in the exclusive judgment of the Superintendent or Principal, requires further investigation, the Teacher may be placed on paid or unpaid administrative leave pending the results of the investigation. Upon

completion of the investigation, the Teacher will be subjected to appropriate discipline, provided counseling by his/her supervising Principal or the Superintendent, up to and including termination of employment, as deemed appropriate in the sole discretion of the Principal or Superintendent.

RULES GOVERNING NON-TYPICAL TEACHERS

Full-Time Equivalent Teachers

Teachers who serve at several schools are considered full-time equivalent teachers. Full-time equivalent teachers are employed for five full days a week for ten months. Salary and benefits are distributed on a pro-rated basis between the schools. One school carries the teacher on its roster and pays the full benefits. The other school(s) reimburses that school on a pro-rated basis. Each school assumes the responsibility for recording pro-rated medical days for the teacher.

Full-Time Equivalent Teachers shall be provided the same benefits given to Full-Time Teachers and shall be afforded the same amount of sick leave provided to Full-Time Teachers, but shall only have a pro rata share of those Sick Days available at any employing Catholic School according to the percentage of time the Full-Time Equivalent Teacher is employed by each Catholic School. Each employing Catholic School shall be responsible to keep a record of the prorated sick leave available to the Teacher at that Catholic School. For purposes of a Reduction in Force or School Closing, a Full-Time Equivalent Teacher shall be considered a Full-Time Teacher within his/her Employing Unit and shall be provided seniority credit accordingly.

Part-Time Teachers

Part-Time Teachers must meet the minimum standards and qualifications of a Full-Time Teacher. Part-Time Teachers must attend all in-service faculty meetings and/or programs and/or meetings conducted by their Catholic School or Department unless previously excused from such attendance by their Principal. Part-Time Teachers may also be assigned additional duties, including proctoring, hall monitoring, study hall supervision, or similar obligations, taking into account the number of hours for which they have been hired to work each week. Part-Time Teachers are subject to all Diocesan policies, rules, and procedures, as well as those of any employing Parish Catholic School.

Part-Time Teachers shall be provided with a number of Sick Days equal to the number of days provided to a Full-Time Teacher, calculated on a prorated basis, based on the number of days or hours a Part-Time Teacher is employed. (For example, a Part-Time Teacher working .4 of the hours of a Full-Time Teacher shall be entitled to .4 of the Sick Days provided to a Full-Time Teacher.)

Part Time Teachers regularly scheduled to work in the Catholic Schools at least four days per week or the equivalent (.80 FTE) are entitled to health insurance benefits at a prorated premium. See p.44 for more information on benefits for Part Time Teachers and Administrators.

TEACHER OBSERVATION AND SUPERVISION

Rationale and Purpose

The Diocese and its Catholic Schools are committed to the employment of highly-qualified and proficient Teachers, as well as to maintaining the highest levels of quality instruction. In order to ensure that such standards are being met, it is necessary and appropriate that Catholic Schools should regularly observe and evaluate their Teachers in the performance of their duties. Such Observations and evaluations serve not only to recognize excellent performance, but also to identify those Teachers whose performance requires improvement and to assist those Teachers in improving their performance.

These policies concerning Teacher Observations and evaluations are intended to facilitate the continued improvement of the Teacher's proficiency, knowledge, and performance. The process is designed to help every Teacher improve his/her professional abilities and performance and assist Teachers in identifying their specific areas of strength and weakness. It is also intended to serve as a means of identifying substandard performance and assisting those Teachers in achieving an acceptable level of proficiency.

Classroom Visits and Observations

The Principal of each Catholic School may informally visit any classroom from time to time, at the Principal's discretion, and while such visits are not intended to be formal Observations of a Teacher, the Principal shall be free to comment on or take any warranted action concerning any issue or occurrence observed during a visit.

Formal Observations

Teachers with five or more years of experience who, in the Principal's judgment, meet the below-stated criteria may be —self-directed and will only be observed by the Principal once each year. Teachers in their first four years of employment at a Catholic School will receive no less than two formal evaluations each year. All other Teachers will receive at least one formal Observation each year by their Principal. In the case of secondary school teachers, the Principal may designate an Assistant or Associate Principal or a Teacher's Department Chair to perform one or more evaluations. Unless unannounced, each formal Observation shall proceed according to the rubric stated below.

Pre-Observation Conference. The observer and the Teacher shall meet at least one day prior to the observed class. The Teacher shall provide the observer with his/her lesson plan prior to or at the pre-Observation conference, as required. During the pre-Observation conference, the observer and Teacher will discuss the Teacher's lesson plan, the class' objectives, intended and useful methods of pedagogy, and any challenges posed by the planned lesson.

Observation. On the day of the observed class, the observer shall visit the classroom, arriving at the beginning of the lesson and remaining throughout the lesson to observe and critique the Teacher's methodologies of instruction, classroom management, use of information technology, and such other criteria as identified from time to time by the Catholic School Office.

Observation Report. The observer shall prepare a written Observation Report, providing an evaluation and critique of the observed lesson on such form as the Catholic School Office shall issue. The Observation Report shall include a record of the pre-Observation conference and an anecdotal record of the Observation, and shall state specific examples of concerning areas requiring improvement, recommendations, and commendations.

Post-Observation Conference. Preferably within one week of the observed class, the observer and the Teacher shall meet to discuss the observer's evaluation and critique of the observed lesson. The Teacher shall be provided with a copy of the Observation Report and shall sign the report to indicate its receipt and discussion. During the post-Observation conference, the observer shall discuss with the Teacher each significant matter mentioned in the Observation Report, particularly any areas noted to require improvement and all recommendations.

Post-Observation Records. The Observation Report shall be filed in the Teacher's personnel file and maintained consistent with the retention schedule published by the New York State Commissioner of Education. The observed Teacher is entitled to submit a rebuttal or written explanation concerning the Observation Report, which shall be maintained with the Observation Report. The Catholic School shall forward a copy of the Observation Report to the Catholic School Office.

EMPLOYMENT IN SUBSEQUENT YEARS

All Teacher contracts shall have a term of one school year from September 1 through June 30 of each year. During the first three (3) years of the Teacher's employment with the school, the Teacher's employment is completely discretionary and the school may, without restriction, decline to provide the Teacher with employment in any subsequent year or to modify the terms of employment offered the Teacher relative to any subsequent year.

Teachers who have completed three years of satisfactory employment with the school as a teacher shall be given a right of rehire, pursuant to which the School will provide the Teacher with a contract of employment for the next subsequent school year, provided the School has sufficient enrollment and will continue to provide an education program at the grade level for which the Teacher is employed, unless there is good and sufficient cause for the Teachers termination as set forth below:

- The Teacher has not satisfied the criteria for a Catholic School educator, as stated in these Personnel Policies, thereby demonstrating that he/she is a person of faith who helps build and serves the school community and its people;
- The Teacher has not fulfilled all contract requirements and stipulations and has not diligently and competently discharged his/her duties;
- The Teacher does not hold the necessary criteria for employment, including successful completion of any background checks or verifications conducted by the Diocese or the employing Catholic School, as they may deem necessary, or has been found guilty by a competent court or authority of any of the disqualifying infractions listed in the Teacher Qualifications section of these Personnel Policies;
- The Teacher has had his/her certification revoked by the New York State Department of Education;
- The Teacher has not acquired his/her certification by the New York State Education Department, and is not making diligent and good faith progress toward receiving such certification;
- The Teacher has not exhibited and maintained a professional attitude toward the administration, colleagues, students, and parents;
- The Teacher has not demonstrated an ability to work amicably and collaboratively with the administration and colleagues;
- The Teacher has not demonstrated an ability to work amicably and justly with students, parents, and colleagues;
- The Teacher has not given evidence of sound ethical and moral conduct consistent with the teachings of the Catholic Church and has demonstrated evidence of an absence of the required moral fitness or character;
- The Teacher has not upheld the philosophy and teachings of the Catholic Church in the Catholic School system in a particular Catholic School where he/she serves; and
- The employing Catholic School does not require the services of the Teacher in the upcoming school year, and the Teacher's position has been abolished.

Those Eligible Teachers who are to be re-employed in the upcoming school year shall be provided with an employment contract by June 15th or as soon thereafter as is practicable. Those Teachers must sign and return the contract within two weeks of its receipt, and a Teacher's failure to do so shall constitute a waiver of any right to uninterrupted employment in the upcoming school year.

By June 15th, each Catholic School Principal shall notify any Teacher who will not be offered a new contract for the upcoming school year that the Catholic School shall not employ him/her in the upcoming school year and the reasons for that decision.

PROFESSIONAL PREPARATION OF ADMINISTRATORS

Each administrator in a Catholic School brings to the position academic preparation, professional competence, ethical standards and dedication. In addition, the daily example of the administrator who lives Gospel values is important in the Catholic School learning-teaching process. (Note: The term administrator includes principals, associate principals and assistant principals and these titles are used interchangeably in this text.)

The professional preparation of administrators in the Catholic School is a Bachelor's degree and a Master's degree with a Professional SBL or SDL certification. Those without a Master's degree or certification should have an equivalent work experience as determined by the Diocesan Superintendent.

All administrators in the Catholic School are required to keep abreast of developments in the field of educational leadership and spiritual leadership as well as to continue their own personal growth and development. They are encouraged to acquire permanent New York State school administrator certification over a reasonable period of time.

SCHOOL CLOSINGS AND REDUCTIONS IN STAFF

A reduction in force is an elimination or reduction of at least ten percent of the faculty of a Catholic School. This is an action initiated by the employer due to a reduction in operating budgets, reduction in school population, or a reduction in or elimination of programs.

The following procedures apply to a Reduction in Force (RIF) or a School Closing. The Catholic School and/or CSO should send affected employees notice of a RIF or School Closing by May 15 of the school year preceding the closure or 90 days prior to the closure. Four weeks after doing so, the CSO shall identify those positions within the Employing Unit (Individual School) that will be available for employment after the RIF or School Closing

When a staff reduction is needed, each teacher, religious or lay, in the affected employing unit (individual school) will be evaluated in the following areas by the Principal:

- Mission of the School
- Needs of the Curriculum
- Professional Qualifications
- Performance Evaluations
- Skills, Abilities and Adaptability
- Years of Service

Above all, the principal will take into account the needs of the students entrusted to the care of the school.

Teachers who lose employment because of a reduction in force at a Catholic School will be considered for available teaching positions for which they are qualified in other Catholic Schools within the Diocese, but are not guaranteed employment in such positions.

Individual teachers who are excessed and wish to continue teaching in the Catholic Schools should notify the Catholic School Office of their desire to continue in the Catholic School. This should be done in writing within two weeks after the announcement of the reduction or the closing of a school.

Efforts will be made to consider teachers for available positions for which they are qualified in other schools within the diocese, but there is no assurance of employment.

Administrators

In the case of a school closing or other situations which would necessitate administrative reduction, the administrators involved may apply for available teaching and administrative positions.

DISPUTE RESOLUTION

The Catholic Schools are committed to treating their employees with justice and fairness and to providing an atmosphere where concerns or disputes can be discussed openly and frankly. Employees having a difference with coworkers or supervisors are encouraged, when appropriate, to attempt to resolve those difference informally, at the point of origin. Such discussions should be conducted respectfully and commensurate with the qualities and qualifications of a Catholic School Teacher, as detailed above.

DIOCESAN GRIEVANCE PROCESS

It is the policy of the Diocese and its Catholic Schools for supervisors to maintain an open door policy, allowing employees to discuss any area of concern relative to their employment, including disputes with colleagues or supervisors and reporting prohibited harassment or discrimination under the provisions of these Personnel Policies concerning such prohibited conduct. Typically, disputes are best resolved by the individuals involved engaging in frank and respectful discussion. Therefore, Catholic School employees who have a dispute with a colleague or supervisor should first attempt to meet with the colleague or supervisor to resolve the dispute. If a Teacher or Administrator believes he/she has been subjected to inappropriate discipline or other adverse employment action that is inconsistent with these Personnel Policies or the

employee's contract of employment, the employee must first try to resolve the matter informally, as stated above.

When frank and respectful dialogue between the parties fails to satisfactorily resolve a dispute, a Teacher or Administrator may file a written grievance with the Diocesan Superintendent, requesting the Superintendent or the Superintendent's designee to consider and decide the matter in dispute, pursuant to the process specified below. The Superintendent's decision concerning a grievance shall be final and binding on all parties to the grievance.

A Teacher or Administrator may commence a grievance by filing a written statement of grievance with the Superintendent of Schools within ten (10) days of the act, occurrence or event that is the subject of the grievance. The written statement of grievance must include the following:

- A statement that the grievant first sought to resolve the dispute informally, as described above;
- All relevant facts concerning the subject of the grievance;
- Each section of the grievant's employment contract and/or these Personnel Policies that the grievant believes to have been violated or to otherwise support his/her grievance;
- The specific resolution sought by the grievant; and
- The identification and/or attachment of any document or material referenced in the written grievance or which is otherwise relevant to the grievance.

Within three (3) school days of receiving a written statement of grievance, the Superintendent shall determine whether the written statement of grievance satisfies the above-stated requirements. If it does not, the Superintendent shall so notify the grievant within seven (7) days of having received the written statement of grievance, and this notice shall conclude the grievance process

If the written statement of grievance complies with the above-stated requirements, the Superintendent shall forward a copy of it to the grievant's immediate supervisor and direct the supervisor to forward to the Superintendent a written response to the grievance within seven (7) school days. The supervisor's written response shall include a response to each factual assertion and claims stated in the grievance, and include copies of relevant documents or other material.

The Superintendent shall provide the parties to the grievance with a written determination within thirty (30) days of receiving the supervisor's written response. The Superintendent's determination of a grievance shall comport with the grievant's employment contract, these Personnel Policies, other Diocesan policies, and law. In reaching a determination, the Superintendent shall not be bound by formal rules of evidence and may seek additional information or material from the grievant and/or the respondent, as the Superintendent deems necessary. The Superintendent's determination of a grievance shall be final and binding on all parties to the grievance.

A grievant's failure to comply with the above-stated requirements shall constitute a waiver of any grievance and preclude the grievant from seeking further review of the matter in any other forum.

TEACHER TIME AWAY FROM WORK

Absence Procedures

When illness, injury, or personal reasons make it impossible for a Teacher to be present at his/her assigned place of duty, the Teacher must advise his/her supervisor of such development as soon as possible in order to provide the maximum possible notice to the supervisor. When a Teacher is physically incapable of providing such advance notice, or such notice is not possible for some other reason, the Teacher shall provide notice to his/her supervisor as soon as possible, together with an explanation for the absence of advance notice.

Any Teacher absent from work for five or more consecutive workdays due to illness or injury may be required to submit a certification from a health care provider that verifies that the Teacher is physically able to return to work and perform his/her regular duties. Any Teacher who is absent from work for five or more consecutive calendar days due to personal illness or injury shall complete a NYS Disability Benefits Form (DB450) which is available from Human Resources.

Substitution

Each Teacher must have appropriate lesson plans and instructional materials prepared for upcoming lessons at least one week in advance so that such material is available to substitute teachers in the event of the Teacher's unplanned absence. A Principal may request to review such lesson plans and material at any time. Any violation of this policy may result in disciplinary action. On rare occasions, Teachers may be required to serve as a substitute teacher for an absent colleague.

Personal and Sick Time

A Teacher's absence from work during Personal Leave and/or Sick Days shall be paid. A Teacher may use Personal Days for personal or family matters when given prior approval by his/her Principal. A Teacher may use Sick Days when required by his/her own illness or injury or serious illness of a spouse, parent or child.

On the first day of each school year, each Full Time Teacher shall earn five (5) Personal Days and eight (8) Sick Days for use during that school year. Teachers accrue unused Sick Days and Personal Days as Sick Days, to a maximum of sixty (60) Sick Days. Accrued sick days may be used only for the illness of the teacher or administrator.

As a general rule, Teachers may not take Personal Days immediately before or following Vacation Periods. Under extenuating circumstances, a Principal may authorize a Teacher to use Personal Days before or after such a period.

Emergency Closings

On inclement weather days when the roads are impassable, Teachers are not expected to report for school. On days when the roads are passable (e.g., a School Closing due to the wind chill factor for students walking to school), faculty is expected to report to school. These days are considered faculty planning days. The Administrator will ensure that radio announcements that announce a School Closing also state whether Teachers are required to report to school. When required to report, Teachers must arrive no later than 9:00 a.m., barring extraordinary circumstances.

Bereavement Leave

In the event of a death in an employee's immediate family, a Teacher or Administrator may take a leave immediately following the death for the purpose of making arrangements and attending the funeral. Employees will receive up to five (5) work days of leave in the event of the death of an immediate family member (i.e., spouse, parents, grandparents, children, step children, siblings, parents in law, brother/sister in law, son/daughter in law). Such leave shall be paid. The Diocese and its Catholic Schools may request verification of the entitlement to such leave.

Jury Duty

In recognition of the importance of service on our juries, the Diocese and its Catholic Schools support their employees providing such service when they are called upon to do so. A Teacher must provide notice to his/her Principal of a summons to jury duty no later than the first scheduled workday following receipt of such summons. The CSO or the employing Catholic School may seek the Teacher's excusal or exemption from jury

service when, in the opinion of the Superintendent or Principal, the Teacher's absence would create an operational hardship.

A Teacher's absence from work because of a summons to jury duty shall be paid at the Teacher's regular rate of pay for the first three days. Thereafter, the employee shall be paid the difference between any compensation (exclusive of expense reimbursements) the Teacher receives from the court, if any, and his/her salary. Such paid time will not exceed 8 hours in one day, 40 hours in one week or 10 days in one year. Teachers and Administrators are expected to work during any hours when they are not required to be absent for jury duty, including —on-call time.

Unauthorized Absences and Tardiness

Unless previously excused or in the case of an emergency, every Catholic School employee is required to be physically present at their assigned place of duty, at the assigned time, in a fit condition for work. Likewise, unless previously excused, every Catholic School employee is required to remain at work, actively performing their assigned duties, until the end of each workday. Employees are expected to return from any required religious or Parish events and from meal periods promptly to be present and ready for work by the next period of instruction. All Teachers are required to remain in their school during the workday unless previously granted permission by their Principal or supervisor to leave the school. Any failure to comply with these obligations may result in disciplinary action, up to and including discharge from employment and/or deductions from salary and benefits and a proportionate share to any unauthorized absence.

Any employee who absents himself/herself from his/her assigned place of work without prior authorization for more than three consecutive days shall be considered to have abandoned his/her position and resigned.

Disability

Teachers or administrators who are absent for medical reasons for more than five consecutive days are required to complete a disability form (DB450). This form can be obtained from your school office or Human Resources. The final certification of disability is determined by the physician. The teacher's or administrator's request for a leave must be in writing and must indicate the expected dates for the leave as certified by the physician. Where possible, disability leaves are to be arranged in advance.

The first 12 weeks of disability leave shall constitute Family Medical Leave (–FMLA) leave. During that time, the employer shall continue to pay the employer's portion of the employee's health and life insurance premiums. Should the employee's disability leave continue beyond 12 weeks, the employee shall be responsible to pay the entire amount of the employee's health and/or life insurance premiums. Such insurance coverage shall continue for the duration of the period of disability or Family Medical Leave,

provided the teacher or administrator timely pays the employee's premium contribution during the first 12 weeks of leave and the entire premium thereafter.

During disability leave, a teacher or administrator may use accrued personal, vacation and paid sick days until disability insurance payment begin. The employer shall pay the teacher or administrator partial accrued medical days concurrent with the standard disability payments to provide full pay until all accumulated medical days are used. Upon use of all accrued sick leave, the teacher or administrator will receive only disability benefit payments, which he/she shall receive directly from the disability carrier.

Teachers and administrators requesting a Family Medical Leave must complete a Family Leave Request Form, which is available at the school office. The Family Leave Request Form requests the information that is needed to determine if a teacher or administrator qualifies for a Family Medical Leave. This form should be completed and returned to the Catholic School Human Resources Office as quickly as possible.

Leaves of Absence Covered Under FMLA

1. *General Policy*

The CSO and/or its Catholic School may grant a Teacher a leave of absence from his/her normally assigned job duties in the following circumstances:

- (a) An employee is unable to perform his/her duties because of a verified Serious Health Condition (**Medical Leave**);
- (b) An employee is caring for his/her newborn child or a child placed with the employee for adoption or foster care (**Child Care Leave**);
- (c) An employee is caring for a child, spouse, or parent who has a verified Serious Health Condition (**Family Medical Leave**);
- (d) An employee has a qualifying exigency (emergency) arising out of the fact that the employee's child, spouse, or parent is on active duty or is called to active duty status in the National Guard or Reserves in support of a contingency operation (**Service Member Exigency Leave**);
- (e) An employee is caring for a child, spouse, parent, or next of kin who is recovering from a serious illness or injury sustained in the line of duty while on active military duty with a branch of the Armed Forces of the United States (**Injured Service Member Leave**), and if such injury or illness renders the service member medically unfit to perform the duties of his/her office, grade, rank or rating, the employee shall be entitled to 26 weeks of leave; or
- (f) An employee is either drafted, enlists, or is ordered to active duty to serve in the Armed Forces of the United States (**Military Leave**).

Eligible employees must apply for a leave of absence by completing a Family Leave Request Form and filing it with his/her Principal or as directed by the Principal, preferably at least thirty days before the commencement of the leave. In circumstances making it impractical for a Teacher to apply for a leave of absence in advance, he/she must do so as soon as possible following the leave of absence. A Teacher requesting a leave of absence

will be advised of the conditions under which his/her Catholic School will grant that request, including any requirement to provide supporting medical certification.

All leaves of absence shall be covered by and subject to the policies concerning the Family Medical Leave Act (—FMLA) and shall be considered unpaid FMLA leave.

2. Leave Eligibility/Approval

Although the Diocese and its Catholic Schools reserve the right to grant or deny any request for a leave of absence, and/or to require the requesting employee to provide medical and/or military certification of eligibility for a leave of absence, the employing Catholic School and/or CSO will generally grant such a request in the following circumstances:

(a) *Medical Leave.* An employee who has worked for the employing Catholic School for a minimum of one year and 1,250 hours in the preceding twelve-month period is eligible for Medical Leave if he/she is unable to perform the essential functions of his/her regular position because of a Serious Health Condition and is under the care of a health care provider.

An employee who is granted a Medical Leave must return to active employment when able to perform the essential functions of his/her regular position or at the expiration of the leave of absence, whichever is earlier. Subject to applicable law, failure to so return will result in termination of employment and the termination or reduction of benefits in accordance with applicable policies or plan provisions.

An employee who is granted a Medical Leave must not engage in activities during the leave that the employing Catholic School considers unreasonable under the circumstances (*e.g.*, engaging in other employment) or that might prolong the disability. If so, the school reserves the right to end the leave and terminate the employee.

(b) *Child Care Leave.* Each employee with at least one year and 1,250 hours of continuous employment with the employing Catholic School during the preceding twelve-month period is eligible for Child Care Leave to care for his/her newborn child or a child placed with him/her for adoption or foster care, provided the employee intends to return to the employing Catholic School at the expiration of the leave. Child Care Leave is only available and must be completed within twelve months of the birth or placement. Such leave constitutes FMLA leave and is unpaid.

(c) *Family Medical Leave.* An employee who has worked for the employing Catholic School for a minimum of one year and 1,250 hours during the preceding twelve-month period is eligible for Family Medical Leave to care for his/her child, spouse, or parent who has a Serious Health Condition, provided the employee intends to return to the employment of the Catholic School at the expiration of the leave.

(d) *Service Member Exigency Leave.* An employee who has worked for the employing Catholic School for a minimum of one year and 1,250 hours in the preceding twelve-month period is eligible for Service Member Exigency Leave to address a qualifying exigency (emergency) arising out of the fact that his/her child, spouse, or parent is on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation, provided the employee intends to return to the Diocese at the expiration of the leave.

(e) *Injured Service Member Leave.* An employee who has worked for the employing Catholic School for a minimum of one year and 1,250 hours in the preceding twelve-month

period is eligible for Injured Service Member Leave to care for his/her child, spouse, parent, or next of kin who is recovering from a serious illness or injury sustained in the line of duty while on active military duty with a branch of the Armed Forces of the United States, if the employee intends to return to the Diocese at the expiration of the leave.

(f) *Military Leave.* The employee must be inducted (either voluntarily or involuntarily) into the U.S. Armed Forces and ordered to active duty or the employee is a member of the National Guard or Reserves and ordered to active duty.

3. Length of Leave

The Diocese and all Catholic Schools calculate their employees' entitlement to any leave of absence by using a —rolling twelve-month period, and shall determine each employee's entitlement to such leave by reviewing the twelve-month period immediately preceding an employee's request for leave. An eligible employee may be granted a Medical, Child Care, Family Medical, Service Member Exigency, or Injured Service Member leave of absence as follows:

(a) *Medical Leave* may be approved up to a maximum of twelve weeks, less any Medical, Child Care, Family Medical, or Service Member Exigency Leave taken during the twelve-month period immediately preceding the requested leave. Under certain circumstances, the amount of Medical Leave may also be reduced as a result of Injured Service Member Leave taken during the preceding twelve months. In certain circumstances, an approved Medical Leave may be taken intermittently or on a reduced schedule basis.

(b) *Child Care Leave* may be approved up to a maximum of twelve weeks, less any Medical, Child Care, Family Medical, or Service Member Exigency Leave taken during the twelve-month period immediately preceding the requested leave. Child Care Leave may not be taken intermittently or on a reduced schedule basis. Under certain circumstances, the amount of Child Care Leave may also be reduced as a result of Injured Service Member Leave taken during the preceding twelve months.

(c) *Family Medical Leave* may be approved up to a maximum of twelve weeks, less any Medical, Child Care, Family Medical, or Service Member Exigency Leave taken during the twelve-month period immediately preceding the requested leave. Under certain circumstances, the amount of Family Medical Leave may also be reduced as a result of Injured Service Member Leave taken during the preceding twelve months. In certain circumstances, an approved Family Medical Leave may be taken intermittently or on a reduced schedule basis.

(d) *Service Member Exigency Leave* may be approved up to a maximum of twelve weeks, less any Medical, Child Care, Family Medical, or Service Member Exigency Leave taken during the twelve-month period immediately preceding the requested leave. Under certain circumstances, the amount of Service Member Exigency Leave may also be reduced as a result of Injured Service Member Leave taken during the preceding twelve months. In certain circumstances, an approved Service Member Exigency Leave may be taken intermittently or on a reduced schedule basis.

(e) *Injured Service Member Leave* may be approved up to a maximum of twenty-six weeks, provided the service member's illness or injury renders him/her medically unfit to perform the duties of his/her office, grade, rank or rating, less any Medical, Child Care, Family Medical, Service Member Exigency, or Injured Service Member Leave taken during the twelve-month period immediately preceding the requested leave. In certain

circumstances, an approved Injured Service Member Leave may be taken intermittently or on a reduced schedule basis.

(f) *Military Leave* will be approved for the period of active duty.

4. *Intermittent Leave*

An employee may take Medical, Family Medical, Service Member Exigency, or Injured Service Member Leave intermittently or on a reduced schedule as determined by the employing Catholic School only in the following circumstances, unless otherwise agreed to by the employing Catholic School:

(a) The employee has a disability that substantially limits him/her in a major life activity and intermittent Medical Leave is reasonable accommodation that the employee needs to perform the essential functions of his/her position;

(b) The employee has a Serious Health Condition that requires intermittent leave because of a verified medical necessity;

(c) The employee has a child, spouse, or parent with a Serious Health Condition and requires intermittent Family Medical Leave to care for that family member because of a verified medical necessity;

(d) The employee has a qualifying emergency that arises from his/her child, spouse, or parent being on active duty in the United States Armed Forces or has been called to an active duty status in the National Guard or Reserves in support of a contingency operation, which requires intermittent Service Member Exigency Leave; or

(e) The employee has a child, spouse, parent, or next of kin who is recovering from a serious illness or injury sustained in the line of duty while on active military duty in the United States Armed Forces, which requires intermittent Injured Service Member Leave because of a verified medical necessity.

When a Teacher requests foreseeable intermittent Medical Leave or Family Medical Leave for planned medical treatment that requires leave lasting more than twenty percent of the employee's total number of working days within the period of requested leave, the Diocese or the employing Catholic School may, in its sole discretion, require the Teacher to choose:

(a) A leave for a period or periods of a specified duration, which shall not be longer than the planned medical treatment and, in which case, the entire time away from work will count against the Teacher's leave entitlement; or

(b) A temporary transfer to an alternative, available, and equivalent position for which the Teacher is qualified, if any, which better accommodates the requested recurring periods of leave.

5. *Employer Extended Leave*

With the exception of Military Leave, if a Teacher requests a leave that would commence more than five weeks prior to the end of a semester and is likely to last at least three weeks, and the Teacher would return to work at the conclusion of the leave, the employing Catholic School may require the Teacher to continue taking the leave until the end of the semester. In that case, only the leave time the employee actually needs will be deducted from his/her leave entitlement.

If a Teacher requests at least two weeks of Child Care, Family Medical, Service Member Exigency, or Injured Service Member Leave that commences during the five-week period before the end of a semester, and the Teacher intends to return to work at the conclusion of the leave, the Diocese or the employing Catholic School may require the Teacher to

continue taking the leave until the end of the semester. In that case, only the leave time the employee actually needs will be deducted from his/her leave entitlement.

If a Teacher requests at least six days of Child Care, Family Medical, Service Member Exigency, or Injured Service Member Leave that commences during the three-week period before the end of a semester and lasts at least six days, and the Teacher would return to work at the conclusion of the leave, the Diocese may require the Teacher to continue taking the leave until the end of the semester. In that case, only the leave time the employee actually needs will be deducted from his/her leave entitlement.

It is the policy of the Diocese and its Catholic Schools to comply with applicable statutory leave requirements. Any leave of absence granted under this policy shall run concurrently with statutorily required leaves of absence.

Special Extensions of Leaves

A Teacher requiring a Medical, Child Care, or Family Medical Leave may request a semester or a full year of leave. This permits the Teacher or Administrator to return either at the beginning of a semester or the beginning of the school year. The employing Catholic School will consider each such request individually, and reserves the right to grant or deny such requests in their sole discretion, considering all relevant facts, including whether the employee is certified by any State agency and the effect on the School's total program. In order to accommodate planning and personnel placement, the Principal or Superintendent may grant all or part of any requested leave or condition the leave on the requesting employee taking leave for an entire semester or school year instead of a portion thereof.

Upon an the expiration of a Teacher's leave, the CSO or the employing Catholic School shall attempt to provide the returning Teacher to a teaching position, although such position may not necessarily be in the same grade or class to which the returning Teacher was assigned prior to his/her leave, but which shall be within his/her area of competence.

Any request for extended Medical Leave must be considered and approved by the Superintendent, in addition to the Principal of the employing Catholic School. The terms and conditions of any extended leave shall be put in writing and signed by both the Teacher and his/her Principal. A copy of this agreement must be filed with the Superintendent. A Teacher on leave must provide written notice to his/her Principal of his/her return in the Spring Semester no later than November 1st, and shall provide such notice of a return in the Fall Semester no later than June 1st.

All extended leaves shall be unpaid. Any such leave, after any weeks covered under FMLA, shall not count toward an employee's seniority. Medical benefits may continue after the FMLA period of extended leave, provided the Teacher pays the entire premium (employer plus employee cost). Otherwise, such benefits shall only continue as provided by law.

Effective Date of Leave

The effective date of a leave shall be the first working day of absence regardless of the date on which the leave is approved.

End of the Leave

A leave of absence may end in either of the following ways:

1. *The Employee Returns to Work*

If an employee returns to work prior to the expiration of the leave, and the employee would not have been affected by a layoff or a change in the Diocese's organization while on leave, the employee will be reinstated to the same position or a position of similar status and pay.

While an employee is on an approved leave, the Diocese will take such steps as it considers reasonable (e.g., leaving a position temporarily vacant, filling a position temporarily, etc.), with the objective of reinstating the employee in the position vacated when the leave began. However, there is no guarantee that an employee who is granted a leave will always be reinstated in the original position.

Prior to returning from a Medical Leave, the employee must present a release signed by the health care provider permitting him/her to return to the job. Two weeks prior to the date of return to work or expiration of the leave, the employee must report to his/her supervisor to give notice of his/her intention of returning to his/her job. Failure to return to work at the end of the leave will be considered a voluntary resignation.

Returning from a Military Leave entitles the employee to the veteran's re-employment rights as prescribed by law.

2. *The Employee Does Not Return to Work and Is Terminated*

The employee may fail to return by the established expiration date, may resign, retire, violate the conditions of the leave, or be affected by a layoff or a change in the Diocese's organization. In such cases, the effective date of termination will be (a) the expiration date established for the leave, or (b) the date the employee notifies the Diocese that he/she will not be returning, or (c) the notification date provided by the employer when there is a layoff, a change in the Diocese's organization, or when the employee has violated the conditions of the leave, whichever occurs first.

LEAVE OF ABSENCE FOR CONTINUED STUDIES/CAREER ADVANCEMENT

Teachers and administrators who have completed three (3) years of continuous service in the Catholic Schools of the Diocese of Syracuse may request a leave of absence for career advancement or continued studies. Leaves of absence are for one school year, and run from September through August.

Process

A teacher or administrator must request such leave in writing, directed to the appropriate administrator no later than March 15. The administrator, in consultation with the Superintendent, will decide whether to grant the requested leave and communicate that decision to the employee making the request. In addition to the employee's request, the impact of the leave on the program will be considered when making this decision. The person requesting the leave will be informed of the decision by April 1. The leave will be for the following school year starting in September.

For those granted a leave of absence, a position will be open at the time of return. For administrators this will be the position he/she had before taking the leave of absence. For teachers this position may not be at the same grade or subject level, but will be within the teacher's competency area. However, if it is necessary to make any cutbacks during that year, the person on leave will be considered along with all other employees in the seniority process.

No seniority or salary increase is gained while on leave. There will be no salary, benefits or accrued medical day payments for the period of the leave of absence.

If an employee wishes to continue on the Diocesan Health and Life Insurance program, the employee must inform the building administrator or the Superintendent of this intention in writing no later than one week after having been granted the leave. In these cases, the employee is responsible for the entire premium while on leave.

Return Notification

An employee on leave desiring to return to the Catholic Schools the following September, must inform the building principal or Superintendent of this intention in writing no later than March 1. If this notification is not received by the date indicated, there is no responsibility on the part of the Catholic Schools to have a position available the following September.

BENEFITS

Your employment benefits are described in the following paragraphs. Please remember that this handbook only describes the benefits program in general. Complete plan provisions are contained in actual plan documents and policies where applicable. These are the legal documents governing the operation of the plan and are used to determine actual benefits payable from the plan.

Diocesan Health Insurance

All full-time employees have the option of enrolling in the Diocesan Health Insurance Plan. Enrollment in a medical plan must take place within thirty (30) days of employment. Employees failing to enroll within that time must wait until the next open enrollment period to enroll in the health insurance plan. Health insurance coverage extends from the first of the month following date of new hire and from September 1 to August 31 in subsequent years. All health insurance is contributory on the part of the employee. Each employer will pay a percentage of the employee's premium for individual and family health insurance. The amount of the employee's contribution will be announced each year before the open enrollment period.

Specific details about all health insurance plans are available at the Diocesan Human Resources Office, 240 East Onondaga Street, Syracuse, NY 13202, (315) 422-9092. Teachers and administrators are encouraged to review this material carefully before opting for a particular health plan.

Changing Plans

Teachers and administrators may change from one health plan to another during the open enrollment period, which generally takes place during the month of May. Changes in coverage will not be effective until July 1. The only other time changes may be made is when a qualifying event has occurred, i.e. marriage, birth, loss of other coverage. Proof of the qualifying event must be furnished to the Human Resources Department and any change to benefit elections must be made within 30 days of the event.

Updating Health Insurance Information

To ensure continuity of benefits, Teachers and Administrators must update the HR/B system by going online to <https://adp.eease.com> whenever the information supplied at the time of initial enrollment changes.

Continuation of Health Insurance Coverage

In accordance with applicable provisions of the New York State Insurance Law, if you are an employee of the Diocese or a Catholic School who is covered by the Diocese's Health Insurance Plan, you have a right to a temporary extension of your health coverage (called —Continuation Coverage) at group rates in certain instances where coverage under the plan would otherwise end. Dental coverage may also be continued, but only if health coverage is also continued. Continuation coverage is available if you cease to be in the class or classes eligible for coverage under the plan, or because of termination of your employment.

If you are a spouse of an employee covered by the Diocese's Health Insurance Plan, you have the right to choose continuation coverage for yourself if you lose group health coverage under the plan for any of the following reasons:

1. The death of your spouse;
2. The termination of your spouse's employment or if your spouse ceases to be a member in the class or the classes eligible for coverage under our plan;
3. Divorce or legal separation from your spouse; or
4. Your spouse becomes eligible for Medicare.

A dependent child of an employee covered by the Diocese's Health Insurance Plan is entitled to continuation coverage if group health coverage under the plan is lost for any of the following reasons:

1. The death of a parent;
2. The termination of a parent's employment or if the parent ceases to be a member of the class or classes eligible for coverage under the plan;
3. Parents' divorce or legal separation;
4. A parent becomes eligible for Medicare; or
5. The dependent ceases to be a —dependent child as defined by the plan.

It is the responsibility of the employee or family member to inform the Diocese Personnel Department of a divorce, legal separation, or a child losing dependent status under the Health Insurance Plan. The Diocese will assume responsibility to notify the health insurance administrator of the employee's death, termination of employment or failure to be a member in the class or classes eligible for coverage under the plan, or where Medicare eligibility is established. When the insurance administrator is notified that one of these events has happened, the administrator will in turn notify you that you have a right to choose continuation coverage. You will then have at least sixty (60) days, from the date you would lose coverage because of one of the events described above, to inform the administrator that you want continuation coverage.

If you do not choose continuation coverage, your group health insurance coverage will end. If you choose continuation coverage, the Diocese must give you coverage which,

as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that you be afforded the opportunity to maintain continuation coverage for 18 months. However, the law also provides that continuation coverage may be cut short for any of the following reasons:

1. The Diocese no longer provides group health insurance coverage;
2. The premium for your continuation coverage is not paid;
3. You become an employee or dependent covered under another group health plan;
4. You become eligible for Medicare; or
5. You are divorced from a covered employee and subsequently remarry and are covered under your new spouse's group health plan.

You do not have to show that you are insurable to choose continuation coverage. However, as permitted by state law, you are required to pay all the premium for your continuation coverage.

If you have any questions about the right to health insurance continuation coverage, please contact the Human Resources Department.

Basic Life Insurance

Basic term life insurance equaling the teacher's or administrator's salary rounded up to the next thousand dollars is provided for all full-time employees. (Example: If a salary were \$12,100 the insurance provided \$13,000) The benefit is non-contributory on the part of the employee. It is necessary to enroll in the life insurance coverage to be covered; coverage is not automatic.

Life insurance extends from September 1 until August 31 unless other dates are explicitly stated on the employee's contract or the employee terminates employment. This policy can be converted to an individual life insurance policy if employment with the Catholic Schools is terminated.

Supplemental Life Insurance

Supplemental Life Insurance options equal to one or two times the employee's annual salary are available to each teacher and administrator at a very favorable rate. This is non-contributory on the part of the employer.

Group Dental Insurance

Group Dental insurance is available to full-time teachers and administrators. Dental insurance is non-contributory on the part of the employer. Enrollment in the dental plan is offered every two years. Employees who enroll must enroll for a minimum of two years.

Vision Insurance

Vision insurance is available to full-time teachers and administrators. Vision insurance is non-contributory on the part of the employer. Enrollment in the vision plan is offered every two years. Employees who enroll must enroll for a minimum of two years.

Termination of Insurance Coverage

Should the teacher or administrator terminate employment for any reason during the contract period, health insurance coverage ends on the last day of the month in which the termination is effective. Teachers who terminate at the end of the contract period will be covered through August 31 provided all premium payments have been collected.

WORKERS' COMPENSATION

The Diocese provides Workers' Compensation coverage which covers all employees in the event that they are injured or become disabled due to occupational illness or injury while on the job. Benefits are paid for lost wages and medical expenses.

Benefits for lost earnings begin after the seventh day of disability. If the disability continues beyond two (2) weeks, the benefits will also be paid for the first week of disability. Payment of medical expenses begins on the first day of disability.

Reports of work related accidents or injuries, even if minor, must be reported within twenty-four (24) hours to the employee's supervisor. The employer will complete a C-2 and forward it to Risk Management. Failure to receive medical treatment in a timely manner may result in serious complications and also may jeopardize an employee's eligibility for medical benefits.

The Diocese strictly prohibits discrimination of any kind against employees who apply for or receive workers' compensation benefits or who are otherwise protected under the New York State Workers' Compensation Law. If any employee believes that they have been subjected to such discrimination, they should immediately contact Human Resources who will promptly conduct an investigation and take corrective action as needed.

Short Term Disability Insurance

Disability insurance is provided for all employees of the Catholic Schools. Benefits are payable according to New York State Disability regulations. They are available upon certification by a physician, for up to twenty-six (26) weeks for regular disability within any fifty-two (52) week period. Weekly benefits are fixed by New York State within a minimum and maximum framework. Within this range, benefits are 50% of the weekly salary up to the maximum benefits which are currently \$170/week in New York State.

Disability insurance coverage applies to injuries and illnesses sustained while not functioning as an employee of a Catholic School. Disability benefits and a full week's salary may not be collected at the same time. However, arrangements can be made to use a portion of accrued medical days, to supplement the weekly disability pay.

NEW YORK STATE PAID FAMILY LEAVE

The Roman Catholic Diocese of Syracuse provides eligible employees with paid leaves of absence for various family- and military-related reasons in accordance with the New York State Paid Family Leave Program. Such leaves of absence are referred to in this policy as "PFL."

Eligibility

In general, an employee whose regular employment schedule is 20 or more hours per week will become eligible to receive PFL benefits after 26 weeks of employment. An employee whose regular employment schedule is less than 20 hours per week will become eligible to receive PFL benefits after 175 days worked. Eligibility for PFL does not necessarily mean an employee is eligible for leave under the Family and Medical Leave Act ("FMLA").

Qualifying Reasons For Leave

An eligible employee may be entitled to PFL:

- (1) To participate in providing care, including physical or psychological care for a family member (spouse, domestic partner, child, parent, parent-in-law, grandparent, or grandchild) of the employee made necessary by a serious health condition of the family member.
- (2) To bond with the employee's child during the first 12 months after the child's birth; during the first 12 months after the placement of the child for adoption or foster care; or before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed.
- (3) Due to any qualifying exigency (as set forth in the FMLA) arising out of active duty or an impending call or order to active duty in the Armed Forces of the United States for the spouse, domestic partner, child or parent of the employee.

Length of Leave and Benefit Rate

On or after January 1, 2018 the length of allowable PFL and paid benefit rate is as follows:

- up to 8 weeks during any 52 consecutive week period; and
- paid at 50% of the employee's average weekly wage, not to exceed 50% of the statewide average weekly wage.

On or after January 1, 2019 the length of allowable PFL and paid benefit rate is as follows:

- up to 10 weeks during any 52 consecutive week period; and

- paid at 55% of the employee's average weekly wage, not to exceed 55% of the statewide average weekly wage.

On or after January 1, 2020 the length of allowable PFL and paid benefit rate is as follows:

- up to 10 weeks during any 52 consecutive week period; and
- paid at 60% of the employee's average weekly wage, not to exceed 60% of the statewide average weekly wage.

On or after January 1, 2021 the length of allowable PFL and paid benefit rate is as follows:

- up to 12 weeks during any 52 consecutive week period; and
- paid at 67% of the employee's average weekly wage, not to exceed 67% of the statewide average weekly wage.

The 52-week consecutive period is computed retroactively to the first day for which benefits are claimed. The benefit rate for the employee's period of PFL is the rate that is in effect on the first day of PFL taken.

An employee on PFL may use available paid vacation, personal and/or sick time concurrently with PFL to supplement PFL benefits in order to receive his or her full compensation during PFL.

An employee who is eligible for both New York State short-term disability benefits and PFL benefits during the same period of 52 consecutive calendar weeks may not receive more than 26 total weeks of combined New York State short-term disability benefits and PFL benefits during that period of time. Employees may not use PFL during periods of time when the employee is receiving workers' compensation benefits.

When an employee simultaneously qualifies for both PFL and leave pursuant to the FMLA or any other statutorily required leave of absence, the employee's PFL and FMLA leave or other statutorily required leave run concurrently.

Requesting PFL

When an employee's need for PFL is foreseeable, the employee is required to provide the Roman Catholic Diocese of Syracuse 30 days advance notice of his or her intention to use PFL. If the need for PFL is not foreseeable, the employee must notify the Roman Catholic Diocese of Syracuse as soon as practical. In providing notice of the intention to use PFL, the employee must provide information sufficient to make the Roman Catholic Diocese of Syracuse aware of the qualifying event and the anticipated timing and duration of the leave, including identifying the type of PFL as listed above. When filing a claim for PFL, the employee must submit supporting documentation, which may include medical documentation, depending on the nature of the requested PFL. The Roman Catholic Diocese of Syracuse's insurance carrier receives and processes the employee's claim for PFL and makes the determination as to whether the claim is granted or denied.

Continuation of Health Insurance

During PFL, the Roman Catholic Diocese of Syracuse maintains the employee's health coverage under its group health plan; provided, the employee continues to make his or her portion of the premium contribution. It is the employee's responsibility to tender payment to their employer his or her portion of the health insurance premium by the first of each month.

Payroll Deductions and Waiver

Deductions are made from the employee's pay for PFL premium payments in accordance with applicable law. In limited circumstances, employees whose regular work schedules are temporary or seasonal may opt out of PFL. Employees who complete a waiver will not contribute to PFL through payroll deductions and will not be eligible to take PFL. If the employee's schedule changes and will be expected to qualify for PFL, the waiver is automatically revoked and the employee is responsible for paying any required PFL contributions from the first day of employment.

Catholic Values

As a religious institution, the Roman Catholic Diocese of Syracuse adheres to strict Catholic values. As a result, the Roman Catholic Diocese of Syracuse's interpretation of spouse and domestic partner is limited to the following: For the purpose of this policy, spouse is defined as an individual of the opposite sex of the employee who is treated as the employee's spouse for federal tax purposes; provided, however, that if the individual is legally separated or divorced from the employee, he or she is excluded from this definition. Domestic partner is an individual of the opposite sex of the employee who is legally recognized as the employee's domestic partner in New York State.

Employees with questions concerning PFL should direct them to Human Resources.

403b

The Diocese provides eligible employees with a 403(b) plan that allows tax-deferred savings for retirement. All employees are eligible to join the 403(b) plan immediately upon hire and enrollment can occur at any time during the year. Plan participants may elect to contribute either a percentage of their compensation or a flat dollar amount on a pre-tax basis through payroll deduction, subject to the terms of the plan and certain established federal limitations.

Once enrolled in the plan, contributions remain the same until an employee elects to stop, increase or decrease savings. Election can be changed at any time. If an employee is hired prior to July 1, 2011, they may contribute to the 403(b) on a contributory basis only and will not be eligible for the company match.

Employees hired July 1, 2011 and later are eligible for the company match on their contributions. *The company will match 50% of the first 6% of salary contributed.* To be eligible for the match the employee must complete a year of eligibility service within

which they have worked at least 1,000 hours. Ongoing eligibility for the match requires that 1,000 hours be worked within the plan year.

Contact Human Resources to request an enrollment packet.

Pension Plan

For Catholic School teachers and administrators hired prior to July 1, 2011, on the July 1 following 12 months of continuous service to the Diocese of Syracuse, lay employees who qualify, are enrolled in the Diocesan Pension Plan. This plan is non-contributory on the part of the employee.

When you reach age 65, providing you are a participant, you are eligible for retirement with full pension rights. You may elect an early retirement if you have attained age 55 and have completed 20 or more years of continuous service. If you become totally disabled, the benefits which you have earned are frozen. If you remain totally disabled, these benefits will be payable to you starting at your normal retirement date.

If a participant's employment with the Catholic Schools terminates he/she may be entitled to vested benefits at the normal retirement age (65) from the plan.

For answers to specific questions regarding the pension plan or to commence pension payments contact BPAS, 866-221-8780.

SOCIAL SECURITY

During your employment, you and the Diocese both contribute funds to the Federal government to support the Social Security program. This program is intended to provide you with monthly benefits and medical coverage once you reach retirement age. Benefits may also be available in the event you become disabled or die. If you would like to receive an estimate of what you will receive, you can contact the Social Security Administration.

BENEFITS FOR PART-TIME TEACHERS AND ADMINISTRATORS

Employees regularly scheduled to work in the Catholic Schools at least four days per week or the equivalent (.80 FTE) are entitled to health insurance benefits at a prorated premium. These employees qualify for an equivalent portion of the employer's contribution for health insurance for single coverage and a *maximum* of 50% of the employer's portion toward family health coverage.

Example: A teacher with a .80 FTE would receive 80% of the employer's portion of health insurance cost toward single health coverage or 50% of the employer's portion of health insurance cost for family coverage.

If an employee's status changes from Full Time to less than 4 days per week or the equivalent (.80 FTE) they are no longer eligible for insurance benefits.

Employees *hired before July 1, 1997* and regularly scheduled to work at least two and one-half full days per week or the equivalent (.50 FTE) qualify for health insurance benefits according to the schedule at which they were hired.

Employees who were *hired after July 1, 1997 and before July 1, 2013* who were *enrolled in benefits through the Catholic Diocese on that date*, and regularly scheduled to work at least two and one half days per week or the equivalent (.50 FTE) qualify for an equivalent portion of the employer's contribution for health insurance for single coverage and a *maximum* of 50% of the employer's portion toward family health coverage.

TEACHER AND ADMINISTRATOR FILES

The Diocese and its Catholic Schools maintain personnel files concerning all Catholic School Teachers. Teachers can review their personnel files within a reasonable period of time after providing a written request for such access. These files are considered confidential by the Diocese and its Catholic Schools and, as such, are open only to the Teacher, the Administrator, and Diocesan or school officials. The Diocese and its Catholic Schools will not disseminate or discuss the content of any employee's personnel file without the employee's written authorization to do so and the employee's execution of a release of the Diocese and its Catholic Schools relative to any claim arising out of such dissemination or discussion. In the absence of such authorization and release, the Diocese and its Catholic Schools will only confirm a Teacher's dates of employment, position held, and last salary.

School Personnel File

The following credentials, documents, and materials should be maintained at the employing Catholic School or any consolidated system office:

- a copy of all employment contracts;
- a copy of a Teacher's Certification;
- a copy of a Teacher's college transcripts;
- current teaching and non-teaching schedules;
- a Teacher's attendance/absence records;
- a record of accumulated Medical Leave days;
- a record of continuing education and professional activities;
- evaluation and Observation reports and other communications of importance

- and/or related to contract obligations;
- application with college/university transcripts and references;
- Diocesan Personnel Record form for current and past years; and

UNLAWFUL AND DETRIMENTAL ACTIVITY

Any Teacher charged with a crime, other than a minor traffic offence, must notify his/her supervisor within twenty-four hours of being so charged. Any employee who fails to do so will be subject to disciplinary action, up to and including termination. Additionally, any employee engaged in conduct or behavior that brings discredit to a Catholic School, the Diocese, or the Catholic Church, and which is inconsistent with the Catholic Church's teachings and dogma, may be subjected to discipline, up to and including termination of employment.

MEDIA RELATIONS

Communication with news reporters and other journalists is, at times, sensitive in nature. Therefore, contact with the media may be handled only by the Diocesan Director of Communication or a designee.

Any telephone calls or visits from members of the media should be directed to the Diocesan Director of Communications/Chancellor, Danielle Cummings, 240 East Onondaga Street, Syracuse, New York 13202; (315) 422-7203; dcummings@syrdio.org. Employees must not represent themselves as an agent of the Catholic Schools in public communication venues such as letters to the editor, blogs or social media networks.

SOCIAL MEDIA POLICY

At the Catholic Schools, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all employees who work in the Catholic Schools.

Guidelines

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Catholic Schools, as well as any other form of electronic communication.

The same principles and guidelines found in the Catholic Schools policies and three basic beliefs apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of the Catholic Schools or the Catholic Schools' legitimate business interests may result in disciplinary action up to and including termination.

Know and follow the rules

Carefully read these guidelines and the Catholic School's Employee Handbook, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be Respectful

Always be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of the Catholic Schools. Also, keep in mind that you are more likely to resolved work-related complaints by speaking

directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other class, status or activity protected by law or company policy.

Be Honest and Accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Catholic Schools, fellow employees, members, customers, suppliers, people working on behalf of the Catholic Schools or competitors.

Post Only Appropriate and Respectful Content

- An employee may not at any time disclose confidential information about the school, administrators, another faculty member, students, or parents/guardians on social media sites
- At no time is a teacher or other faculty member permitted to create and maintain any social media account that appears to represent the school, diocese, or any other affiliated organization without first obtaining permission from an administrator
- Maintain the confidentiality of the Catholic Schools trade secrets and private or confidential information. Trades secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
- Respect financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.
- Do not create a link from your blog, website or other social networking site to the school or Diocese website without identifying yourself as a Catholic Schools employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Catholic Schools. If the Catholic Schools is a subject of the content you are creating, be clear and open about the fact

that you are an employee and make it clear that your views do not represent those of the Catholic Schools, fellow employees, members, customers, suppliers or people working on behalf of the Catholic Schools. If you do publish a blog or post online related to the work you do or subjects associated with the Catholic Schools, make it clear that you are not speaking on behalf of the Catholic Schools. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the Catholic Schools."

Using Social Media at Work

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your Principal or consistent with the Company Equipment Policy. Do not use the Diocese email addresses to register on social networks, blogs or other online tools utilized for personal use.

Teachers and Administrators may not:

- accept social media –friend requests from current students or the parent/guardian of a current student;
- provide students with their personal or mobile telephone number or communicate with students using the student's mobile phone, whether by exchanging text messages or voice calls:
 - communicate with students and or the parents/guardians of students using their personal, non-diocesan email account or address;
 - allow students to access their diocesan provided email account at any time for any reason.

Additionally, Teachers and Administrators shall:

- store their cell phone and other electronic devices in a secure location during school hours;
- protect their mobile phones, work and/or personal computers and other electronic devices with passwords or pass codes to protect the integrity of such devices;
- not post or comment on school sanctioned social media accounts in a manner that exposes their personal social media accounts to those who like/follow that particular school sanctioned account.

If the Catholic Schools believe that an employee's activity on social media (personal or school-sanctioned) including Facebook, Twitter, Instagram, blogs, etc. violates Diocesan policies, the school may request that the employer cease such activity (*i.e.*, remove questionable posts, etc.), and, depending on the nature of the incident, subject the employee to disciplinary action

Retaliation is Prohibited

The Catholic Schools prohibits their employees from taking any action against an employee for making a good faith report of a possible violation of this policy or for cooperating with an investigation into such a report. Any employee who retaliates

against another employee for such action shall be subject to employee disciplinary action, up to and including termination.

VOICE MAIL, EMAIL & COMPUTER FILES

The Diocesan telephone and computer systems permit employees to receive, send and transfer voice mail messages and email messages. The purpose of these systems is to facilitate business communications. The Catholic Schools reserve the right to access, retrieve, read, and/or delete any communication or other document that is created, received, or sent via the Catholic School's computers, computer network, telephones, voice mail machines or services, or any other communication or electronic systems owned, operated or maintained by the Catholic Schools. Use of said systems or communication tools by the employee constitutes consent to this accessing and monitoring.

Computer and phone systems are maintained for school business purposes. Employees should not use the Catholic School's systems to maintain personal files. Employee communication on Catholic School's computers, computer networks, telephones, voice mail machines or services, or email is not private or confidential. Security codes utilized on computers, electronic accounts and voicemail do not alter, limit or waive any of the Catholic School's rights under this policy.

As with all Diocesan communications, use of the computers, servers or systems of the Diocese or a Catholic School to create or transmit messages of a discriminatory or harassing nature is prohibited. Further, employees must use professional and respectful language when communicating over Diocesan/school computer or phone systems.

Employees are prohibited from downloading any software from the internet. Employees must also respect copyright and license agreements for software, digital artwork and other forms of data. Employees may not use another employee's password(s) to access Diocesan/Catholic School data.

Employees may not disclose their passwords or allow others to use their access to Diocesan/school systems. Employees must protect data from unauthorized use or disclosure and respect the integrity of computing systems. Employees must take care not to introduce viruses into Diocesan/school systems by not opening messages or documents sent by unknown users.

Employees who fail to observe these restrictions and requirements may be subjected to employee discipline, up to and including potential termination of employment.

DIOCESAN/SCHOOL EMAIL POLICY

Upon hire, the Catholic Schools will provide each employee with a Diocesan email account and address if relevant and useful to their jobs. Email is now a standard way to communicate in business. Like any technology, email can cause difficulties if it is used incorrectly or inappropriately. Therefore, this policy shall apply regardless of the location where or how email generated, sent or stored on a Diocesan account is created, transmitted, or received. .

Only authorized employees are permitted to access Diocesan/Catholic School email accounts, and any unauthorized use of a Diocesan e-mail account, or the e-mail or computer system of the Diocese or a Catholic School of is prohibited. Employees who allow someone to access their Diocesan email address without obtaining prior consent from a manager or representative of the Diocesan IT Department may be subject to disciplinary action.

All email transmissions from a Diocesan account are considered confidential and intended solely for the individual to whom the email is addressed.

Email Security

- Do not open attachments from unknown sources as they may contain viruses or malware
- Do not install security or email scanning software without consent from the IT Department
- Do not send confidential email messages pertaining to your work from a personal email account
- Do not access another user's diocesan email account. If someone requires access to a specific message (i.e. an employee is out of the office with an illness but needs to share an email message with a co-worker) approach the IT Department for assistance

Inappropriate Use

Users must not:

- Write or send emails that might be defamatory or incur liability for the Catholic Schools of Syracuse
- Create or distribute inappropriate content or material via diocesan email, including but not limited to: *pornography, racial or religious slurs, gender-specific comments, information encouraging criminal skills or terrorism, or materials relating to gambling or illegal drug use*. This includes text, images, video and any media that might be considered offensive on the basis of race,

- age, sex, religious or political beliefs, national origin, disability, or any other characteristic protected by Law.
- Use email for illegal or criminal activities

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- Use email for illegal or criminal activities

Email Etiquette

Because email is the preferred method of communication between employees and business contacts, it is important to understand how to follow the rules of good email etiquette.

Users must:

- Not forward chain emails from diocesan email accounts as they distract from work-related communications
- Use a meaningful and explicit subject line
- Be thoughtful and appropriate when copying and/or blind copying other people on email messages
- Avoid choosing the 'Reply All' option if you receive an email that was sent to all diocesan employees (i.e. do not 'Reply All' to the weekly Wednesday email; instead reply solely to the sender)

Internal Email

Email is an excellent way to communicate with colleagues; however, in some cases, a telephone call or face-to-face discussion may be the best way to conduct an internal business-related conversation.

Monitoring Email Use

The Catholic Schools reserves the right to examine or monitor employee email use at any time, whether email accounts are accessible on a company-provided device or a personal device.

Email Communication with Minors

- Employees of the Catholic Schools are discouraged from contacting minors via email unless required by your position. If you must communicate with a minor using email, remember to:
 - Use your Diocesan-provided email account
 - Copy (do not blind copy) another adult, such as a co-worker or teacher
 - Copy the minor's parent or guardian
 - Save the email message – do not delete it

The Catholic Schools systems utilize anti-virus software and The Information Technology Department should be notified immediately if there is reason to believe a virus has been introduced into our computer system or that any person may have accessed data which they were not authorized to view.

Employees are responsible for maintaining files and messages on these systems. Messages should be accessed, acted upon, filed or deleted on a regular basis.

TECHNOLOGY and ACCEPTABLE USE POLICY

Information technology is essential to the day to day operations of the Roman Catholic Schools of Syracuse. It is the policy of the Catholic Schools to provide its employees and volunteers with access to information technology including various communication systems and/or equipment for purposes of fulfilling job responsibilities and School related ministry or business. The Catholic School's information technology, communication systems and equipment include, but are not limited to, telephones, voice mail system, cell phones, fax machines, in coming/outgoing mail, e-mail and computer systems (e.g., computer networks, laptops, hardware, software, intranet, Internet, and computer files).

The Catholic Schools encourages its employees and volunteers to utilize Diocesan information technology, communication systems and equipment to conduct research, contact others in School related ministry, and explore educational topics relevant to their work. The Catholic Schools anticipates that access to these resources will both expedite and enhance the performance of these tasks.

This Policy applies to all users of Diocesan information technology, communication systems and/or equipment including employees, volunteers, as well as other authorized individuals in Catholic Schools (collectively referred to herein as —Usersll).

Information technology, communication systems and equipment are the property of the Catholic Schools and are to be used only for School purposes consistent with the mission and goals of the School. As such, Users should have no expectation of privacy with respect to their use of any form of Diocesan information technology, communication systems and/or equipment.

This Policy authorizes the Diocesan Office of Information Technology to issue additional guidelines, consistent with this Policy, regarding the use of information technology, communication systems and/or equipment. All Users must abide by the terms of this

Policy as well as any guidelines developed hereunder. All questions regarding this Policy or related guidelines should be addressed to the Diocesan Director of Information Technology.

The following provisions will direct the use of School information technology, computer systems and/or equipment.

School Property:

In addition to the above, all electronic files and storage areas shall also be deemed School property. This includes, but is not limited to, the messages, documents, and images created, transmitted, stored, and downloaded on such IT communication systems and equipment. Users must consider such electronic files and storage areas to be School property and expressly waive any right of privacy in anything created, stored, sent or received using the Catholic School's information technology, communication systems and/or equipment. Users further consent that all communications via e-mail and the internet/intranet are subject to access, review, and random audit by any officer of the Catholic Schools, or the designee of any officer, subject only to considerations of corporate confidentiality. This Policy also extends to privately-owned communications and computer equipment used in any office, parish, agency or other entity sponsored by the Catholic Schools which either engages with or otherwise utilizes the Catholic School's information technology, communication systems and/or equipment.

Standards of Conduct:

The same standards of acceptable conduct that apply to any aspect of job performance shall apply to the use of School information technology, communication systems and/or equipment. Employees, volunteers, and other authorized users will communicate in a professional manner consistent with School policy, (i.e., not contrary to or detrimental to the religious and/or professional character of the Catholic Schools).

Because e-mail and the internet/intranet are business tools, all communication should be businesslike and professional in tone and content. Obscene, offensive, illegal, or unprofessional communication through e-mail or the Internet/intranet is forbidden. This list is meant to be illustrative and not exhaustive and includes, but is not limited to, the following:

- Transmitting confidential or proprietary information or trade secrets;
- Any form of slander or defamation;
- Verbal or written obscenities, profanities, or vulgarities, including graphic representations;
- Verbal or written remarks that are discriminatory, offensive, demeaning, intimidating, insulting, threatening, or harassing;
- Statements or graphic representations that may be construed as discriminatory or offensive to race, national origin, gender, religion, age, disability, sexual orientation, or other legally protected criteria;
- Displaying, writing, transferring, e-mailing, or storing obscene or sexually suggestive messages or graphic images;
- Jokes of any nature;
- Communications that violate the personal privacy of, or are disrespectful of, any co-workers or students; and
- Communications in furtherance of any illegal activity, including, but not limited to, -football poolsll and other forms of illegal gambling.

Users may not send e-mail to non-authorized recipients that may contain sensitive or confidential information such as social security numbers, or financial data.

Copyright and Licensing:

School employees, volunteers and authorized users shall adhere to the laws, policies and rules governing computers, including but not limited to copyright law and license agreements, rights of software publishers, and rights of privacy created by federal and state law. Software for School-wide usage will be purchased and licensed through the Diocesan Information Technology Department. Software for departmental use, parishes, agencies and other entities sponsored by the Catholic Schools will be purchased and licensed by the respective department, parish, agency or entity, upon review for system compatibility by the Diocesan Information Technology Department. Copyright materials may not be placed on any individual computer or any computer connected to a School computer with the exception of IT staff specifically authorized by the Department Head/Vicar who may upload copyrighted material to Diocesan/School computer systems.

The Catholic Schools respects and operates within copyright laws. Users may not use company email to share copyrighted software, media or other materials owned by third parties unless permitted. Do not use Diocesan/school email to perform any tasks that may involve breach of copyright law.

Monitoring of Computer and Internet Use:

The Catholic Schools encourages the exploration and research on the Internet for business related or professional activities. Users should not —browse the webll during work time to access sites and communications unrelated to business or professional activities. The Catholic Schools reserves the right to define and/or limit specific categories of Internet access of Users in conjunction with the appropriate Department Head and/or designee. The Catholic Schools reserves the right to monitor, log, record, and/or conduct random audits of any and all aspects of its information technology, communication systems and/or equipment. This includes, but is not limited to, all Internet activity, chat rooms, newsgroups, file downloads, and all communications sent and received by users. Access to traffic logs may only be reviewed at the discretion of the Bishop, Vicar General and/or Pastor.

Social Media or Social Networking Internet Sites.

The Catholic Schools can use social media to encourage respect, dialogue, and honest relationships—in other words, "true friendship. To do so requires us to approach social

media as a powerful means of evangelization and to consider the School's role in providing a Christian perspective on digital literacy.

Websites or social networking profile pages (also called accounts, fan pages, or group pages) are the centerpiece of any social media activity. The following are recommended guidelines for the establishment of a site. Site administrators should be adults.

- There should be at least two site administrators (preferably more) for each site, to allow rapid response and continuous monitoring of the site.
- Do not use personal sites for diocesan or school programs. Create separate sites for these. This includes Facebook.
- Passwords and names of sites should be registered in a central location, and more than one adult should have access to this information.
- Abide by diocesan/school guidelines.
- Know that even personal communication by School personnel reflects the School. Practice what you preach.
- Write in first person. Do not claim to represent the official position of the organization or the teachings of the Church, unless authorized to do so.
- Identify yourself. Do not use pseudonyms or the name of the parish, program, etc., as your identity, unless authorized to do so.
- Abide by copyright, fair use and IRS financial disclosure regulations.
- Do not divulge confidential information about others. Nothing posted on the Internet is private.
- Don't cite others, post photos or videos of them, link to their material, etc., without their approval.
- Practice Christian charity.

Social Networking with Minors

- Be sure to have permission from a minor's parent or guardian before contacting the minor via social media or before posting pictures, video, and other information that may identify that minor.
- Parents must have access to everything provided to their children. For example, parents should be made aware of how social media are being used, be told how to access the sites, and be given the opportunity to be copied on all material sent to their children via social networking (including text messages). While parents should be provided with the same material as their children, it does not have to be via the same technology (that is, if children receive a reminder via Twitter, parents can receive it in a printed form or by an e-mail list).
- School personnel should be encouraged to save copies of conversations whenever possible, especially those that concern the personal sharing of a teen or young adult. (This may be especially important with text messaging.)

- Reference the Children’s Online Privacy Protection Act for further guidelines:
<https://www.ftc.gov/tips-advice/business-center/privacy-and-security/children%27s-privacy>

Inappropriate Web Sites and Computer Files I

If a User of the Catholic Schools’ information technology, communication systems and/or equipment unintentionally becomes connected to an inappropriate or sexually explicit web site, the employee, volunteer and/or authorized user should disconnect from the web site immediately and contact his/her Administrator and the Diocesan Office of Information Technology to report the incident.

Blocking Sites with Inappropriate Content.

The Catholic Schools has 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. Following Diocesan approval, the Diocesan service provider shall be responsible for installation and management related to any firewall programs.

Investigative Protocols Relating to Misuse

Information technology, communication systems, and/or equipment may be subject to search and/or seizure as well as internal and/or external IT reviews by the Catholic Schools or its designee under the following circumstances:

- Upon the receipt of technology related complaints involving child pornography, pornography, or copyright violations;
- Technology which contains evidence of other misconduct complaints, including but not limited to improper relationships and/or theft; or
- In circumstances where a professional assessment has suggested or directed such a search.

Right of Inspection/Process for Investigation

The Diocese and the Catholic Schools reserve the unqualified right to inspect and examine any Diocesan or Catholic School owned or operated communication system, computing resources and/or files or information, including computers, cell phones, listserves, networks, applications, and electronic communications, including e-mail, contained therein at any time. Users possess no privacy right to any data, information or documents received or disseminated on the network or through e-mail. By utilizing Diocesan information technology, communication systems and/or equipment, Users consent to the Catholic School’s right to inspect and examine all data, information,

documents and e-mail. When a User acts inappropriately through the information technology, communication system, or equipment, the Catholic Schools reserves the right to report such actions to any outside authorities and/or take appropriate internal Diocesan disciplinary action.

When sources outside the Catholic Schools request an inspection and/or examination of any Diocesan owned or operated information technology or communication systems or equipment, computing resource and/or files or information contained therein, the Catholic Schools will treat the information as confidential unless any one or more of the following conditions exist: When approved by the appropriate Diocesan official(s); when authorized by the owner(s) of information; when required by federal, state or local law; or when required by a valid subpoena or court order.

Note: When notice is required to be provided by law, court order or subpoena, Users will be notified accordingly.

Virus-Free Network:

Each file server and individual computer in the Catholic Schools will run virus-free software to ensure a virus-free system. Individuals who introduce software (via disk or download) to any Diocesan system, (in accordance with #3 stated above), are required to have all disks checked for viruses that may contaminate the system. Anyone who intentionally introduces such viruses into the system or distributes infected e-mail messages will be subject to disciplinary procedures in accordance with Diocesan policy or any applicable law.

Password Protection:

Some users of Diocesan information technology and computer networks will be assigned a password to allow access to the system. Allowing other individuals access to a user's password is a violation of Diocesan policy and may be subject to disciplinary measures as well as possible legal recourse.

Portable Computers:

Some employees, volunteers and/or authorized individuals may be issued a portable computer (laptop, notebook, PDA). All of the above policies apply to these devices as well. Users are required to exercise due diligence to protect such devices against damage and theft when off premises. This includes but is not limited to: not leaving said equipment in a car for extended periods, transporting in an appropriate protective case, and ensuring that the equipment is either locked away or safely checked when traveling. Any malfunction or software problem on such devices should be reported to Diocesan IT staff immediately. It is the responsibility of the user of such device to ensure that any information contained on it is secure and backed up.

Violations:

This Policy applies to all Users of Diocesan information technology, communication systems and/or equipment regardless of the nature of the personal or employment relationship to the Catholic Schools. Use of these resources constitutes acceptance of this Policy. Violations of this Policy may result in actions ranging from denial of access to Diocesan information technology resources to disciplinary action, up to and including termination of employment, as well as refusal or withdrawal of volunteer status. Violations may further include civil and/or criminal penalties under state and federal laws. Illegal use of computers and information technology shall be reported to pertinent law enforcement agencies.

CONFIDENTIALITY STATEMENT

All Catholic Schools and their employees shall treat student educational and health records as confidential records, and are prohibited from providing such records, or disclosing their contents to third parties and/or school or Diocesan employees, except to the extent that such employees require access to the information in order to discharge their job duties, and except as previously authorized in a written consent to such disclosure, signed by a parent, or (in the case of a student who is at least 18 years of age) the student, as mandated by sufficient legal process. An employee's violation of this policy may result in the imposition of discipline, up to and including termination.

FRAUD, WHISTLEBLOWER AND FRAUD RESPONSE PLAN

The revised Code of Canon Law, effective November 27, 1983, addresses extensively the responsibilities of bishops and their delegates as administrators of the Church's temporal goods. Ultimately, the Bishop has the duty to ensure that no abuses exist in the administration of Church goods within the Diocese. This policy is promulgated to support and assist the Bishop in that responsibility.

The Diocesan Finance Council provides review, oversight and counsel to the Bishop at the Diocesan level. At the local level, the parish finance council is to provide the pastor or administrator with similar advice and counsel. The Diocesan internal auditors also serve a vital role in the review and monitoring of various internal controls at the parish level. This document should be made available to all parish and school employees and volunteers and studied together for sound parish stewardship in this matter.

The Diocese is committed to the highest possible standards of accountability in all its affairs. It is determined to develop a culture of the Gospel, one of honest and accountable stewardship and opposition to fraud and embezzlement. An environment,

which allows any embezzlement or fraud, is not acceptable, and all criminal, civil and canon laws will be strictly enforced and obeyed.

In line with that commitment, this document outlines the principles we are committed to in relation to reporting and investigating fraud and embezzlement. The principles for preventing fraud and safeguarding assets are outlined in the Diocese Business Administration Best Practices Manual that can be found on <http://parishsop.syrdio.org>. This document in no way supersedes those requirements, but is intended to reinforce them. It will outline the steps that are to be taken in the event of suspicion of fraud or actual fraud and communicate how it will be dealt with. These actions apply to priests, religious, lay employees, volunteers, parishioners or any person suspected of fraud or embezzlement.

The Diocese encourages all clergy, religious, lay leaders, employees, parishioners and volunteers to come forward on a timely basis and report instances of fraud and embezzlement and provides assurance against recrimination or retaliation.

Fraudulent activities at the parish, school or any other level at the Diocese represent a unique problem which must be responded to in an appropriate manner. The problem is unique in so far as, an inappropriate or premature response may allow the suspected offender to cover-up or hide the suspected activity.

COURSE OF ACTION

1. All suspected or documented fraud or embezzlement should be immediately reported to the office of the Chief Financial Officer. An initial report of the incident must be documented in writing by the complainant and provided to the Director of Internal Audit. All complaints and reports of suspected embezzlement or fraud will be kept confidential, other than the timely reporting by the Diocese of the suspected activity to law enforcement, in order to protect both the complainant and the suspected embezzler. The complainant will be notified of the action taken by the Diocese within fourteen days.
2. The Director of Internal Audit will coordinate closely with the Pastor, as necessary, during the investigative process until final resolution.
3. The suspected embezzler should not be approached or apprehended. No personnel action shall be taken without prior consultation with legal counsel and the Director of Internal Audit.
4. The premature approach might jeopardize the gathering of necessary evidence, result in a needless lawsuit or cause physical harm to the persons involved. The clergy, religious, lay employee or volunteer, reporting the suspected activity to the Diocese, shall not communicate with any other priest, lay person, employee, parishioner, volunteer or finance council member concerning the suspected embezzlement until he/she is notified by the Director of Internal Audit. All information regarding the incident should remain confidential by the complainant, unless the complainant is contacted by law enforcement, in which case the complainant should cooperate fully.

5. Neither the pastor, associate pastor, parish finance council nor any person at the parish level has the authority to release the suspected person from liability or agree to terms of restitution. There should be no attempt to contact law enforcement agencies or a lawyer at the parish level, or to deal with the suspected embezzler at the parish level. The office of the Director of Internal Audit will coordinate contact with appropriate law enforcement agencies on behalf of the Diocese.
6. The Director of Internal Audit will consult with the proper Diocesan officials and consultants to discern appropriate actions to pursue in light of canonical, civil and criminal statutes, the nature of the allegation and other significant circumstances.
7. In order to protect the innocent and secure the evidence, no internal control procedures or other operating controls, or employees, should be changed until requested or instructed by the Director of Internal Audit. The parish must contact the Director of Internal Audit immediately upon suspicion of fraud or embezzlement. In all instances the parish shall work in conjunction with the Director of Internal Audit and the Diocese to resolve the fraudulent financial situations. The matter must not be handled at the parish level in any way. The parish should not attempt to conduct its own investigation. This could lead to erroneous information being obtained, improper allegations being leveled or the inability of the Diocese to properly pursue the matter in line with canon, civil and criminal law.
8. The Director of Risk Management shall notify the appropriate insurers.

FRAUD RESPONSE PLAN

The Bishop, Vicar General, Chief Operating/Chief Financial Officer and Director of Internal Audit, in consultation with the Diocesan Finance Council and any other consultants deemed necessary, will make the determination of how fraud and embezzlement is handled. This includes decisions regarding when criminal and civil authorities and insurers are to be notified. All civil, criminal and canon laws will be strictly adhered to.

General guidelines are as follows:

- Once sufficient facts have been uncovered to determine that a fraudulent activity has occurred, the Director of Internal Audit or his designee shall contact appropriate law enforcement authorities. The Director of Risk Management shall notify the insurers.
- In all instances the offender will be removed from the situation in which the fraud occurred. At the direction of the Director of Internal Audit, administrative leave may be invoked on a temporary basis during the investigative process.
- As a matter of justice and vigilance in preventing the creation of an environment which allows for fraud, restitution will be sought in all cases, regardless of the amount of the embezzlement, theft or fraud.

TYPES OF FRAUD

The following list includes fraud and embezzlement to be aware of and watch for. While several types are listed below, others may happen that are not included in the list.

Collusion

Two or more individuals overriding the control system can collectively perpetrate and conceal actions from detection. This could include collusion between an employee and a vendor or customer, or another employee.

Lapping

This is one of the most common types of fraud. It is the postponement of entries for the collection of receivables to conceal a cash shortage. The fraud is perpetrated by a person who records cash in the cash receipts journal and the accounts receivable journal. The employee defers the recording of the cash receipts from one source and covers the shortage with receipts from another source.

Theft

Theft is the diversion of cash, checks or other assets before they are recorded by the accounting system of the parish or school. It can take the form of removing cash from the collections basket or mail, taking cash or goods donated to the parish or school or diverting checks to another bank account.

Forgery

Occurs when a person passes a false or worthless instrument, such as a check, with the intent to defraud or injure the recipient.

Inappropriate use of Endowed Funds

Occurs when a parish or organization intentional uses endowed/restricted gifts for purposes other than designated by the donor

Accounts Payable

An employee may create payments to false vendors or create phony addresses to which payments are sent. Invoices could also be overpaid, with the refunds pocketed by the employee.

Payroll Ghosts

Another common form of fraud is to create false employees. Paychecks are then issued to the false employee and diverted into a bank account. Unauthorized pay charges and not recording vacations taken are other frequent forms of fraud.

Kickbacks

An employee may take bribes or kickbacks from suppliers or vendors. This is more difficult to document because they are usually in cash.

Supplies or Inventory Embezzlement

An employee may purchase, with the parish or school's funds, supplies or equipment for personal use. Inventory or supplies may also be stolen from the parish or school.

Other Types of Fraud or Embezzlement

Individuals may come up with other methods of fraud or embezzlement. These include inflating personal expense reimbursement amounts, using the parish sales tax exemption for personal purchases, stealing stamps or other office supplies, falsifying time cards, misappropriating petty cash, or other theft.

MISCELLANEOUS POLICIES

MILITARY SPOUSE LEAVE

Eligible employees who have a spouse serving in the military, who is on leave from deployment, may request an unpaid leave of absence for up to ten (10) days. The Catholic Schools reserves the right to request documentation verifying entitlement to military spouse leave, which would include at the minimum a request for the applicable leave orders.

BONE MARROW LEAVE

Employees who work an average of twenty (20) hours or more each week may request unpaid leave of up to 24 hours per year to seek or undergo a medical procedure to donate bone marrow. Employees must provide Human Resources with written verification by a physician confirming that the purpose of the requested leave is to donate bone marrow and stating the length of the requested leave. When possible, employees should provide reasonable notice of their desire to take leave for this purpose. Additional information regarding this policy is available from Human Resources.

BLOOD DONATION LEAVE

Employees who work an average of twenty (20) hours or more per week may request unpaid leave of up to 3 hours in a calendar year to donate blood. The Catholic Schools requests a minimum of three (3) working days' notice from the employee. Notice should be provided to the Administrator. In some instances the Catholic Schools may require a longer notice period not to exceed ten (10) working days. In the case where an employee experiences an emergency requiring that he/she donate blood for his or her own surgery or that of a family member, the Catholic Schools shall provide a reasonable accommodation for a shorter notice period. Additional information regarding this policy is available from Human Resources.

WITNESS OR VICTIM LEAVE

Eligible employees may request unpaid time to appear as a witness, consult with the District Attorney, or exercise other legal rights in connection with criminal procedure law or Family Court.

NURSING MOTHERS

Reasonable unpaid break time or meal time will be provided each day to allow an employee to express breast milk for her nursing child for up to three years following childbirth. The Catholic Schools will make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in

privacy. Questions regarding this policy and additional information regarding New York State requirements may be obtained from Human Resources. Employees who have a need to use this policy should notify their Administrator or Human Resources.

VOTING TIME

The Catholic Schools believes that each employee should have the opportunity to exercise the right to vote in elections. If an employee does not have sufficient time outside of regular working hours within which to vote at any election they may request time off which will enable them to vote. The time off, up to a maximum of two (2) hours, will be paid. Any additional time off needed to vote is without pay. Generally, the time off shall be granted either at the start or end of the employee's regularly scheduled work day. Employees anticipating a need for time off to vote must submit a time off request to their Administrator at least ten (10) working days in advance.

BUILDING SECURITY

The security of the Catholic Schools property, our employees and students is of the utmost importance. To control building security, all visitors who require access to our facilities must be clearly identified and allowed access to the school building according to the written school policy. Visitors should only have access to the areas/offices within the building needed to conduct business.

The following articles may not be brought onto Catholic Schools premises:

- Firearms, weapons, explosives; or
- Narcotics and/or alcoholic beverages.

USE OF CATHOLIC SCHOOLS PROPERTY/VEHICLES

Employees who regularly drive Catholic School owned vehicles must be provided with a copy of the Motor Vehicles Policy and must be aware of and adhere to the policy requirements.

Catholic School property may not be removed from the premises and may not be used for personal use without the approval of the employee's Administrator.

SMOKE-FREE WORKPLACE

In accordance with New York State law, smoking, including electronic cigarettes, is not permitted in any Catholic Schools building or in any Catholic Schools-owned vehicles. In addition, employees should refrain from smoking any closer than fifty (50) feet from School buildings or near any building entrance or parking lot where other employees and/or visitors would be exposed to second-hand smoke.

Employees and visitors are required to comply with this smoking policy while on Catholic School's premises. Violations of this policy are subject to disciplinary action, up to and including termination of employment.

BLOODBORNE PATHOGENS

Blood borne pathogens are microorganisms that in human blood can cause disease in humans. They include, but are not limited to: the hepatitis B virus and the human immunodeficiency virus (HIV). The OSHA standards mandate work practices, controls and personal protective equipment that, combined with training, will reduce the risks for all employees who may be exposed to blood.

The following precautions should be followed:

- Gloves should be worn whenever there is a possibility of contact with blood or body fluids.
- Hands should be washed immediately if they come in contact with blood or other body fluids.
- Spills of blood or body fluids should be cleaned with a solution of household bleach and water in a 1:100 solution for smooth surfaces and 1:10 for porous surfaces.

Appearance

All employees are expected to maintain a personal appearance that is neat, professional, and in concert with the Diocese's image and the employee's position and job duties. Casual clothing should be avoided. Specific requirements may vary with respect to different assignments and/or programs, and should be discussed with your supervisor. Any employee reporting to work in improper attire or unsatisfactorily groomed may be required to return home to fix the problem, and such time out of work shall be unpaid and shall not count toward seniority.

Personal Property

The Diocese is not responsible for the loss, damage, or theft of any employee's personal property. Employees should take reasonable steps to protect their personal property from damage or theft. For example, an employee should not leave money or valuables unattended in his/her work area for any period of time. Employees should immediately report any damage to or theft of personal property to their immediate supervisor.

Solicitations and Distributions

In order to avoid unnecessary annoyances and interruption from work, employees are prohibited from soliciting one another during either person's working hours. Employees

are prohibited from distributing literature of any source, including handbills, in work areas. Trespassing, soliciting, or distribution of literature by non-employees on agency premises is prohibited at all times.

Requests for Employment References

Requests for employment references should be forwarded to a Catholic School Principal, whose response will be limited to the verification of dates of employment and position held. An employee who receives a request for employment verification concerning a former or active employee should direct the request to the Catholic School Principal.

Revision

The Catholic Schools of the Diocese of Syracuse recognize that changes in the law, government regulations, benefits, etc., do occur from time to time. Therefore, the Catholic Schools of the Diocese of Syracuse will, with consultation of teachers and administrators, periodically review the *Personnel Policies Handbook for Teachers and Administrators* and necessarily reserve the right to change, modify, delete or add to its provisions as may be deemed necessary or advisable.

FMLA ADDENDUM

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current 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 (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days

combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures. Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

EMPLOYEE HANDBOOK RECEIPT

I acknowledge receipt of the Personnel Policies Handbook for Catholic School Teachers and Administrators in the Roman Catholic Diocese of Syracuse, New York which describes policies, current employee benefits and my obligations as an employee.

I understand that the policies contained in this handbook are not intended to create a contract of employment nor is any other communication by a Diocesan representative, either expressed or implied, intended to be a contract, unless explicitly stated otherwise in a written agreement signed by the Bishop of the Roman Catholic Diocese of Syracuse.

I understand that this handbook is not a guarantee of employment for any set period and that either the School or I may terminate my employment at any time, with or without cause. Furthermore, I understand that the policies and benefits described in this handbook may be added to, revised or deleted at any time by the Diocese.

I agree to read and study the contents of this handbook. It is understood that the Diocese retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Diocese.

Employee's Name (Please Print)

Employee's Signature

Date