

§1150 EMPLOYMENT ISSUES

§1151 PERFORMANCE REVIEW

1151.1. Policy The performance of each employee shall be formally reviewed at least once per year based upon job related criteria.

Procedure

- a) “Job related criteria” include the written job description as well as mutually agreed upon standards of performance or goals to be accomplished during the performance review period.
- b) The annual performance review is part of an on-going process of performance management which presumes on-going communication between the employee and the supervisor regarding job performance. The review should be a collaborative conversation which takes into account the employee’s self-assessment, the supervisor’s feedback, and where applicable, the feedback of those the employee serves.
- c) Example performance reviews are available through the Office for Human Resources.
- d) Criteria for performance reviews may differ for various positions.
- e) Performance reviews will be part of the personnel file.

§1152 TRANSFERS AND PROMOTIONS

1152.1. Policy The Diocese of Springfield in Illinois and its agencies¹ shall consider the transfer or promotion of qualified staff members to fill vacancies and newly created positions whenever possible.

1152.2. Policy Any employee who has been in his/her current position for a minimum of six months shall be eligible to apply for a transfer or promotion to an open position.

Procedures

Ordinarily, employees shall be notified of open positions through a local job posting.

¹ For the purposes of this policy, agency or organization means the Diocesan Curial Offices, Departments, and Agencies; Parishes and Parish Schools; and those entities that are subject to the civil authority of the Diocesan Bishop pursuant to their bylaws or organizing documents.

§1153 DISCIPLINE AND TERMINATION

1153.1. Policy The Diocese of Springfield in Illinois and its agencies shall be at will employers.

Procedures

“At will” means that while involuntary terminations will generally proceed as described in §1153.2, the Diocese or its agencies may exercise their legal right to terminate an employee with or without cause, and with or without prior notice, where such termination does not violate the employee’s rights under applicable state or federal employment laws. Regardless of whether or not the Diocese or its agencies will ever need to exercise this right, it is important that the Diocese and its agencies reserve it as a means of dealing with situations that must be resolved quickly, but do not seem to fit the usual process.

1153.2. Policy Generally, discipline problems shall be handled through any of the following procedures, including verbal warnings, written warnings, disciplinary memos, suspension and possibly termination. Each case shall be handled on its own merits based on the severity of the situation.

Procedures

- a) In most cases, a clearly worded written warning with steps for remediation should precede a suspension or discharge, and sometimes more than one written warning may be appropriate. However, other cases may require more immediate action and if necessary, may result in suspension or discharge without prior warning.
- b) Copies of forms, memos and other documentation of discipline are to be issued to the employee and placed in his/her personnel file.
- c) The employee will have the right to respond, in writing, to any written complaints.

1153.3. Policy Ordinarily, prior to suspension or discharge, the Pastor, Parochial Administrator, Agency Director or Principal shall consult with the Director of Human Resources.

§1154 TERMINATIONS (VOLUNTARY-INVOLUNTARY)

§1154.2. Termination of Employment for Medical Reasons

1154.2.1. Policy Active employees who are certified by their physician to be no longer able to perform the duties of their job with or without a manageable accommodation due to poor health shall be considered terminated employees as of the date directed by the physician.

1154.2.2. Policy Employees who terminate employment as described in Policy §1154.2.1. will not be eligible for Family or Medical Leave.

1154.2.3. Policy Employees who terminate employment as described in Policy §1154.2.1. will have included in their final pay payment for all unused vacation days they had accrued as of the date of their termination.

§1154.3. Exit Interview

1154.3.1. Policy Whenever an employee terminates voluntarily, Pastor, Parochial Administrator, Deacon, Agency Director, Principal, or his/her delegate, shall conduct an exit interview.

Procedures

An exit interview should cover, at a minimum, the following:

- a) The satisfactions or dissatisfactions the employee experienced in his/her position
- b) The employee's next employer for purposes of unemployment compensation
- c) Any compensation or benefit issues that may apply to the employee

§1154.4. Unemployment Compensation

1154.4. Policy The Diocese, though not required by law, participates in Illinois' Unemployment Compensation program on a reimbursing, rather than taxable basis.

Procedures

- a) Wages for lay employees must be included on the quarterly wage reports (UC-3) submitted to the State of Illinois Department of Employment Security, therefore making them eligible for unemployment benefits.

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- b) The State of Illinois determines eligibility, not the Diocese. Ordinarily, misconduct and voluntary resignations disqualify the employee for unemployment compensation.
- c) Under the reimbursing basis, the expense of unemployment compensation is shared by all participating locations annually.

§1154.5. Accrued and Remaining Vacation

1154.5. Policy Terminating employees shall be paid for any unused vacation days from the current fiscal year.

Procedures

- a) Earned vacation time must be paid in a lump sum to the employee at the end of his/her employment. This amount is subject to all applicable withholdings.
- b) Vacation time cannot be used in lieu of two weeks notice of resignation.
- c) Contractual employees for whom vacation benefits were granted without a waiting period will be eligible only for unused days at time of termination.

§1154.6. Extended Health Coverage

COBRA is the acronym for the Consolidate Omnibus Budget Reconciliation Act. It is the federal legislation that requires employers to provide extended health coverage for terminating employees and their covered dependents. It is one of the very few employment regulations to exclude church benefit plans from its provisions. The Diocese of Springfield in Illinois does not offer extended health coverage under Cobra. While not required to do so under federal regulations, the Diocese of Springfield in Illinois offers continuation of coverage for those eligible in accordance with state regulations.

1154.6.1. Policy

Those age 55 or older who become ineligible for health benefits due to a change in work hours, through a life event, or termination of employment may be eligible for continued coverage through the Diocese health plan. Such individuals should contact the Office for Insurance and Benefits for more information.

Those under age 55 who become ineligible for health benefits due to a change in work hours, through a life event, or termination of employment have the right to apply for health insurance under the terms of the Affordable Care Act at healthcare.gov.

§1154.7. Staff Reductions or Closings

1154.7. Policy Along with severance benefits, when applicable, employees who are terminated as a result of a staff reduction may be offered other benefits.

Procedures

a) When applicable, the Diocese or its agencies will follow the parameters under the Worker Adjustment and Retraining Notification (WARN) Act when a location closing or reduction in staff occurs.

§1154.8. Severance

§1154.8.1. Eligibility

1154.8.1.1. Policy Non-contractual regular employees of the Diocese and its agencies whose positions have been eliminated or whose positions have been reduced from full-time to part-time status may be eligible for severance benefits.

1154.8.1.2. Policy Employees who are terminated on the basis of misconduct or poor performance and those who voluntarily resign their positions or leave by mutual agreement shall be expressly ineligible for severance benefits.

§1154.8.2 Severance Benefits

1154.8.2. Policy Severance amounts are determined by the individual location in consultation with the Office for Human Resources and Office for Financial Administration. Severance benefits must follow all applicable federal and state laws.

§1154.9. References

1154.9.1. Policy When a supervisor is contacted for a recommendation, from a non-Diocesan entity, he/she shall only confirm dates of employment, job title and verify job responsibilities. Salary information may be given only with written permission of the former employee.

§1155 SHARED EMPLOYEE

1155.1. Policy No employee shall be permitted to hold more than one full-time position with any entity or group of entities with the Diocese.

Procedures

b) Where an individual is employed on a part-time basis at more than one location within the Diocese, one location is to assume responsibility for administration and reporting of payroll and any applicable benefits for that

individual (usually the location at which the individual works the most hours on a regular basis.) The other locations will be responsible for reporting attendance and salary data to the primary location, on a pro rata basis, for salary, benefits, FICA and other related expense.

- c) Both parishes must be notified and approve of the arrangement.

§1156 OUTSIDE EMPLOYMENT

1156.1. Policy Diocesan employees may have other employment outside the Diocese only to the extent that such outside employment does not create a conflict of interest.

Procedures

- a) Outside employment includes consulting work and other self-employment situations.
- b) A conflict of interest occurs when additional employment conflicts with employment at the Diocesan parish, school or agency, or the teachings of the Catholic Church.
- c) Before engaging in employment that may result in a conflict of interest, employees must obtain written consent from the pastor, parochial administrator, or agency director.

§1157 CONFLICT MANAGEMENT

1157.1. Policy The following procedures shall be used to resolve misunderstandings and differences of opinion between Diocesan personnel.

Procedures

- Step I)** The conflicting parties meet to seek resolution through one or more meetings, as is necessary or desired. If resolved, the process ends here.
- Step II)** If a resolution is not achieved in Step I, the conflicting parties should meet with their mutual supervisor, or in a case where there is no mutual supervisor, with their respective supervisors. The supervisor(s) should assist the disputing parties in their efforts to resolve the conflict.
- Step III)** The disputing parties may request assistance from other Diocesan departments and agencies, such as the Office of Human Resources, the Office of Catholic Schools or the Office for Catechsis.

§1158 PERSONNEL RECORDS

§1158.1. Contents

1158.1. Policy Parishes, parish schools, and Diocesan high schools shall keep personnel files on site in a confidential manner. Agencies and other Departments of the Diocese shall keep personnel files in the Office for Human Resources.

Procedures

Personnel records shall contain the following:

- a) Application and Resume
- b) Employment Verification
- c) Verification of Academic Credentials (where appropriate)
- d) Job Description
- e) Contract (where appropriate)
- f) Performance Appraisals
- g) Disciplinary Memos
- h) I-9 Forms (Employment Eligibility Verification Form)
- i) State and Federal W-4 Forms
- j) Cafeteria Plan Election Form (all F/T & benefit-eligible P/T)
- k) Verification of cleared background check or fingerprint check.
- l) Verification of completed Adult Safe Environment training
- m) Verification of annual Anti-Harassment training
- n) Letters of Commendation
- o) Documentation of continuing education and development
- p) Documentation of use of professional growth allowance
- q) Letters of resignation
- r) Notification of Discharge
- s) Exit Interview (Obtain name of new employer)
- t) Compensation and Schedule Documentation, including any changes
- u) Any document/correspondence which affects an individual's employment status
- v) Emergency information

§1158.2. Employee's Right of Review

1158.2. Policy Employees shall have the right to inspect their personnel files.

Procedure

- a) This policy shall not apply to information exempted by law, such as medical records and confidential employment references.
- b) The employee must submit a written request to the pastor, parochial administrator, agency director, or the Office for Human Resources.

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- c) After submitting the request, the employee will be able to review his/her personnel file within seven working days. Inspection must occur with an appropriate staff member present.
- d) Employees who wish to obtain a copy of his/her personnel file may do so; a fee may be charged for the cost.
- e) All requests by an outside party for information contained in an employee's personnel file and/or for copies will be directed to the Director of the Office for Human Resources or the Diocesan General Counsel.

§1158.3. Retention

1158.3. Policy The Diocese of Springfield in Illinois shall comply with federal and state record retention requirements.

Procedures

Retention schedules are available from the Office for Archives and Records Management. "Retention schedules" are periods of time in which certain records must be kept.

§1159 MEDICAL RECORDS

§1159.1. Contents

1159.1. Policy Parishes, parish schools, and Diocesan high schools shall keep medical files for each employee on site in a separate location from personnel files and in a confidential manner. Agencies and other Departments of the Diocese shall keep medical files in the Office of Human Resources in a separate location from personnel files.

Procedures

Medical records shall be stored in an inaccessible location. These files contain sensitive and confidential information related to an individual's health, health-related leave, and/or accommodations.

§1159.2. Employee's Right of Review

1159.2. Policy Employees shall have the right to inspect his/her medical files following the same procedure as Personnel Files 1158.2.

§1159.3. Retention

1158.3. Policy The Diocese of Springfield in Illinois shall comply with federal and state record retention requirements.

Procedures

Retention schedules are available from the Office for Archives and Records Management. “Retention schedules” are periods of time in which certain records must be kept.