

**ARCHDIOCESE OF NEWARK
ARCHDIOCESAN CENTER
EMPLOYEE HANDBOOK**

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IMPORTANT NOTICE TO ALL EMPLOYEES REGARDING THIS HANDBOOK

THE PURPOSE OF THIS HANDBOOK IS TO PROVIDE BACKGROUND INFORMATION AND GUIDELINES REGARDING EMPLOYMENT. EXCEPT AS MAY BE MANDATED BY APPLICABLE LAW AND EXCEPT AS TO THE ARBITRATION PROVISION (SECTION 5.7), THERE IS NO PROMISE OF ANY KIND BY THE ARCHDIOCESE CONTAINED IN THIS HANDBOOK. THERE IS NO OBLIGATION BY THE ARCHDIOCESE TO COMPLY WITH THE POLICIES AND PROCEDURES SET FORTH IN THIS HANDBOOK. REGARDLESS OF WHAT THE HANDBOOK SAYS OR PROMISES, THE ARCHDIOCESE REMAINS FREE TO CHANGE THE WAGES AND ALL WORKING CONDITIONS WITHOUT HAVING TO CONSULT WITH ANYONE AND WITHOUT ANYONE'S AGREEMENT.

THE ARCHDIOCESE HAS AND CONTINUES TO HAVE THE ABSOLUTE RIGHT TO TERMINATE EMPLOYEES WITH OR WITHOUT CAUSE. AN EMPLOYEE IS AT ALL TIMES AN EMPLOYEE AT WILL. THE EMPLOYEE, AS WELL AS THE ARCHDIOCESE, MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME AND FOR ANY REASON, OR FOR NO REASON AT ALL. NO ONE HAS THE RIGHT TO MAKE ANY PROMISE TO AN EMPLOYEE OR AGREEMENT WITH THE EMPLOYEE OTHERWISE. IF AN EMPLOYEE HAS ANY QUESTIONS REGARDING THIS HANDBOOK, THE EMPLOYEE SHOULD CONSULT THE EXECUTIVE DIRECTOR OF THE OFFICE OF HUMAN RESOURCES.

THE ARCHDIOCESE RETAINS THE RIGHT TO TERMINATE ANY EMPLOYEE FOR CONDUCTING HIM/HERSELF IN A MANNER INCONSISTENT WITH THE DISCIPLINE, NORMS AND TEACHINGS OF THE CATHOLIC CHURCH. A COPY OF THE ARCHDIOCESAN POLICY ON PROFESSIONAL AND MINISTERIAL CONDUCT ("CONDUCT CODE") IS IN APPENDIX A. ALL EMPLOYEES MUST COMPLY WITH THIS CONDUCT CODE.

THIS HANDBOOK SHALL SUPERCEDE ALL PRIOR POLICIES AND IT SUPERCEDES ANY POLICY IN THE CONDUCT CODE WHICH IS INCONSISTENT WITH SPECIFIC MATTERS NOTED IN THIS HANDBOOK.

SECTION 1 - INTRODUCTION

1.1 EMPLOYEES COVERED BY THE ARCHDIOCESE

This Handbook is for all employees of the Archdiocesan Center of the Archdiocese of Newark. It is applicable to Archdiocesan Center office employees located at 171 Clifton Avenue, Newark, and offsite offices and locations. The terms “Archdiocesan Center” or “Archdiocese” are used throughout this handbook to refer to the Archdiocese as employer.

1.2 MISSION OF THE ARCHDIOCESE

Allotting His gifts according as He wills (cf. 1 Cor. 12:11), (the Holy Spirit) distributes special graces among the faithful of every rank. By these gifts he makes them fit and ready to undertake various tasks and offices for the renewal and building up of the Church, as it is written, “To each individual the manifestation of the Spirit is given for some benefit” (1 Cor. 12:7). Whether these charisms be very remarkable or more simple and widely diffused, they are to be received with thanksgiving and consolation since they are fitting and useful for the needs of the Church (Dogmatic Constitution on the Church, Vatican II, *Lumen Gentium*, para. 12.).

A central mission of the Archdiocese is to bear witness to the teachings of Jesus Christ. To that end, it is expected that all employees of the Archdiocese will commit themselves to the highest Christian ethical standards and conduct themselves in a manner that is consistent with the discipline, norms and teachings of the Roman Catholic Church. All Archdiocesan employees are to one extent or another representatives and role models for the Church’s teachings.

The role of the Archdiocesan Curia is to assist the Archbishop in the governance of the Archdiocese, especially in guiding pastoral action, in caring for the administration of the Archdiocese, and in exercising judicial power (cf. Canon Law 469).

The work of each employee in the Chancery is a share in the Archbishop’s vocation. The Church has affirmed that Christ has entrusted to bishops “the office of teaching, sanctifying and governing in His name and by His power” (Apostolic *actuositatem*, 2).

We represent the Archbishop to the priests and people of the Archdiocese in this important mission, both through our work and by the example of our lives.

1.3 ROMAN CATHOLIC DENOMINATION/EQUAL EMPLOYMENT OPPORTUNITY

The Archdiocese is a division of the Roman Catholic Church. As such, the Archdiocese may restrict employment positions to members of the Roman Catholic faith. Such restrictions are permitted by applicable law. In other regards, the Archdiocese identifies itself as an Equal Employment Opportunity (EEO) employer. In accordance with applicable law and Archdiocesan rights as a religious organization, employees and applicants for employment will receive equal treatment without regard to race, color, ancestry, national origin or nationality, sex, age, marital status, military status or liability for service in the military, disability or handicap, or atypical hereditary cellular or blood trait ("EEO areas").

The Archdiocese does not discriminate based on any individual's handicap, disability, the perception that an individual suffers from a handicap or disability or based on an individual having a record of a disability. Upon notice of a need, the Archdiocese will make reasonable accommodations for the known limitations of disabled individuals who are otherwise qualified for employment, provided such accommodations do not impose undue hardship on the Archdiocese. If a qualified employee feels that he or she needs accommodations to perform the essential functions of his/her assigned job, then the employee should request such accommodations from the person's supervisor or manager with notice to the Executive Director of the Office of Human Resources.

SECTION 2 - BENEFITS

INTRODUCTION

This section provides a brief description of employee benefits and the regulations surrounding the plans. Requirements for participation, benefits payable and all other terms and conditions of the plans will be determined strictly in accordance with the plan documents and contracts. All benefits are subject to change at any time at the Archdiocese's discretion with or without notice, unless law requires notice.

The Archdiocese provides or makes available the following benefits to all full-time employees: health care, prescription plan, dental, vision, disability, life and accidental death & dismemberment, pension, and 403(b) tax deferred annuity. More detailed descriptions of the Archdiocesan benefits programs will be provided upon enrollment or may be requested at any time from Human Resources.

2.1 HEALTH & DENTAL INSURANCE

Health and dental insurance are available to all full-time employees and are effective as of the date of hire. Complete details on the extent of coverage will be made available to employees upon enrollment.

Employees may elect to enroll their legal spouse and eligible dependent children under the age of 23. Dependent children include unmarried natural, step and adopted children of the employee who rely on the employee for a majority of their support. It is the employee's responsibility to notify Human Resources when a dependent is no longer eligible to participate.

The Archdiocese currently pays the entire cost of premiums for the employee for the basic plan. Dependent coverage is available at the employee's expense at rates determined by the Archdiocese.

The continuation of health and dental insurance benefits during an approved leave of absence is dependent upon the employee making the required contributions.

Coverage terminates on the last day of the month in which the employee separates from full-time service. As a "Church Plan" the Archdiocese does not provide for continuation of benefits under COBRA. However, the Archdiocese currently allows full-time employees, whose employment has been terminated for any reason other than misconduct or cause, to continue their group medical coverage for themselves and their eligible dependents at their own cost for up to three (3) months from the date original coverage ended. The Archdiocese reserves the right to change this policy regarding the continuation of health insurance benefits.

2.2 LIFE INSURANCE

Life insurance (which includes accidental death and dismemberment insurance) is provided to all full-time employees and is effective as of the date of hire. Complete details of the life insurance coverage will be made available upon enrollment.

Eligible employees are insured for an amount equal to twice the employee's salary rounded to the next higher multiple of \$1,000 subject to the contractual maximums. The Archdiocese pays the entire cost of the premiums.

Life insurance terminates on the last day of employment.

2.3 DISABILITY INSURANCE

Both short and long-term disability insurance is provided to all full-time employees who have completed three (3) months of service. Complete details on the disability insurance will be made available upon enrollment. Coverage is for non-occupational illnesses and accidents wherever they may occur. The Archdiocesan Center pays the entire cost of the premiums.

Short-term disability benefits will be paid for the duration of the disability to the maximum of 26 weeks. The benefit-waiting period is the later of 1) seven (7) calendar days or 2) the exhaustion of any Sick Pay, Paid Time Off or salary continuation paid by the Archdiocese. The waiting period for long-term disability benefits is 180 calendar days. The amount of an employee's benefits for each disability will be offset, dollar for dollar, by any income benefits received from Social Security.

Employees eligible for disability benefits may utilize Paid Time Off during the waiting period for disability benefits. The Archdiocese will coordinate the use of disability leave with the employee's entitlement under FMLA (refer to section 3.7 of this HANDBOOK).

Disability insurance terminates on the last day of employment.

Disability insurance is offered through a private plan. Archdiocesan employees are not covered by the New Jersey Disability Insurance Plan.

Paid Time Off does not accrue while an employee is on a leave of absence.

2.4 UNEMPLOYMENT INSURANCE

The Archdiocese of Newark, as a Church employer, is exempt from participation in the NJ State Unemployment Insurance Program. For this reason, an employee whose employment with the Archdiocesan Center is terminated is not eligible for unemployment benefits under this law.

See Section 3.8, Severance Pay.

2.5 WORKERS COMPENSATION

An employee who sustains a work-related injury *must* report it immediately to the employee's supervisor, who in turn must submit an incident report to Human Resources. Human Resources is responsible for filing the appropriate workers compensation forms with the Archdiocesan third party insurance administrator.

An employee who is disabled as a result of a work related injury and is absent for at least seven (7) days (whether the days immediately follow the accident consecutively or not) will be compensated at the rate established under workers compensation statutes for the entire period of absence. The employee will receive payments directly from the third party insurance administrator.

If an employee disabled from a work related injury is not absent a sufficient time to meet the seven (7) day waiting period, the employee may utilize available Paid Time Off to cover the absence.

Paid Time Off does not accrue while an employee is on a leave of absence.

2.6 PENSION PLAN/SOCIAL SECURITY

All full-time employees are covered by a non-contributory defined benefit pension plan. Employees become participants after three (3) years service and earn a vested benefit after five (5) years service. Complete details of the plan will be made available to employees when they are enrolled in the other employee benefit programs or they may be requested at any time from Human Resources.

The plan is a "church plan" as defined in the Employee Retirement Income Security Act of 1974 ("ERISA"), and is therefore exempt from most of the requirements of that Act. Accordingly, it is not the intent of this plan to meet the requirements of that Act.

All Archdiocesan employees are covered by Social Security insurance. Employees and the Archdiocese share the cost of this program.

2.7 TAX DEFERRED ANNUITY

The Archdiocese sponsors a voluntary 403(b) tax deferred annuity program. Employees may enroll with one of the available providers. Participants defer a portion of their salary into their account at one of the available providers. The Archdiocese will match the employees' contributions subject to a maximum amount set by the Archdiocese.

All employees may make voluntary contributions from their date of hire. Matching contributions are limited to full-time employees with more than six (6) months service. Detailed information and enrollment forms are available from Human Resources.

Contributions to a tax deferred annuity reduce participants' Federal income tax liability. Contributions do not reduce N.J. State taxable income.

2.8 REIMBURSEMENT OF EXPENSES

Employees will be reimbursed for reasonable costs incurred in connection with attendance at luncheons, conferences and other such job-related occasions that they are required to attend as part of their responsibility.

To be reimbursed for expenses, employees must have prior approval from their supervisor or higher-level manager to incur the expenses.

When job duties require an employee to purchase meals or incur other expenses, employees will be reimbursed for all reasonable amounts expended. To be reimbursed, employees must present actual receipts for all expenses with an explanation for each item. For specific information on expense reimbursement guidelines, employees should speak with their immediate supervisor before any job-related costs are incurred.

2.9 CREDIT UNION

Archdiocesan Center employees are eligible to become members of the Atlantic Federal Credit Union. Complete details will be made available at the employee's orientation or you can call the credit union at 1-800-222-1329.

SECTION 3 – PAID TIME OFF, HOLIDAYS AND LEAVES OF ABSENCE

3.1 PAID TIME OFF

Paid Time Off (PTO) will be used for the following:

- Vacation
- Personal or family illness
- Doctor and dentist's appointments
- Bereavement Leave (other than immediate family as provided in section 3.4)
- Inclement weather
- Other personal business

With the exception of Jury Duty, Bereavement Leave for immediate family, Military Leave, Holidays and other approved closings of the Archdiocesan Center, no time off will be permitted unless charged to an employee's Paid Time Off. Despite the foregoing, you may be entitled to family leave under federal or state law. See 3.7 below.

All Paid Time Off must be used by December 31st of the period in which it is earned. Any earned but unutilized time will be paid to the employee in February, to a maximum of five (5) days, at their payroll rate as of December 31st of the period in which the days are earned. Carryover of any other excess time to the next year is not permitted.

All employees must use PTO in either half or full day increments.

For New Hires

Hired on or before the 15th of the Month

	<u>Days</u>
January	19
February	19
March	17
April	15
May	13
June	11
July	9
August	7
September	5
October	3
November	1
December	0

Hired after the 15th of the Month

<u>Days</u>
19
17
15
13
11
9
7
5
3
1
0
0

PAID TIME OFF - NON-EXEMPT EMPLOYEES

From date of hire to the end of the 3rd year of service.. 19 days
From the beginning of the 4th year until the end of the 10th 24 days
From the beginning of the 11th year until the end of the 20th 29 days
From the beginning of the 21st year and later 34 days

PAID TIME OFF - EXEMPT EMPLOYEES

From date of hire to the end of the 2nd year of service 19 days
From the beginning of the 3rd year until the end of the 5th 24 days
From the beginning of the 6th year until the end of the 20th 29 days
From the beginning of the 21st year and later 34 days

If the seniority date falls before July 1st, the higher level begins the January 1st prior to the seniority date.

If the seniority date falls on or after July 1st, the higher level begins the following January 1st.

1. When a full-time employee leaves employment at an Archdiocesan parish or other Archdiocesan entity directly to join the Archdiocesan Center staff as a full-time employee, PTO accrual will be based on the employee's original date of hire as a full-time employee at the parish/entity.
2. Generally, Paid Time Off for vacation should be requested of the employee's supervisor at least 30 days in advance, in writing. Typically, requests for Paid Time Off for vacation of more than two (2) consecutive weeks will not be allowed. Employees who would like to take additional time off must request approval from management at least 90 days in advance.
3. Individual preferences for the requested period utilizing employees' Paid Time Off will be honored whenever possible. If a conflict arises over the requested dates, preference will be given to the employee with the greater length of service. When approving requests for the requested period, office directors must assure that there will be sufficient staff available to maintain office operations.
4. Employees will be paid for any accrued Paid Time Off upon termination with proper notice.
 - (a) If the effective date of termination is on or before the 15th of the month, the employee will not receive Paid Time Off credit for that month.
 - (b) If the effective date of termination is on or after the 16th of the month, the employee will receive Paid Time Off credit earned for that month.
5. If an employee is absent for three (3) consecutive days or more due to illness, a doctor's note is required.

- (a) Employees hired prior to January 1, 1979 retain their accrued Sick Leave as of December 31, 1997 until used.
 - (b) Employees hired after January 1, 1979 and *through December 31, 1997* retain their accrued Sick Leave not to exceed twenty (20) days Sick Leave in total accumulation. These accruals may be utilized on the same basis as under the policy that existed prior to January 1, 1998.
 - (c) The Office of Human Resources will coordinate with the employee to integrate Paid Time Off with short-term disability benefits. Paid Time Off may be utilized before previously accumulated Sick Leave. Utilization of Sick Leave for three (3) consecutive days or more will continue to require a doctor's note.
6. If an Archdiocesan Center employee refers someone to Human Resources and that person is subsequently hired and successfully completes three (3) months of service, the referring employee will receive a one-time bonus of one (1) additional Paid Time Off day for the fiscal year in which the hired employee completed three (3) months of service.
 7. Paid Time Off does not accrue while an employee is on a leave of absence.

3.2 HOLIDAYS

1. A schedule of the Holidays to be observed the following year and the dates of their recognition will normally be posted prior to December of the current year. The Holiday schedule may be modified according to the working schedules of offsite locations such as CYO Retreat Center, Centro Guadalupe and the retirement homes.
2. The Archdiocesan Center typically recognizes the following Holidays:

New Year's Day	Columbus Day
Dr. Martin Luther King's Birthday	Presidential Election Day
President's Day	Thanksgiving Day
Holy Thursday	Friday after Thanksgiving
Good Friday	Feast of the Immaculate Conception
Memorial Day	Christmas Eve
Independence Day	Christmas Day
Labor Day	New Year's Eve

3. When a Holiday, except the Feast of the Immaculate Conception, falls on a Saturday or a Sunday it may be observed on the preceding Friday or the following Monday.
4. Employees must work the last scheduled day before and the first scheduled day after a Holiday to be eligible for Holiday pay. However, an excused absence on the last

scheduled day before and/or the first scheduled day after the Holiday shall not prevent the employee from receiving Holiday pay.

5. If a Holiday falls during an employee's scheduled vacation period, the holiday will not be counted as a PTO day.
6. Part-time employees who work on a regularly scheduled basis will be paid for the hours they would normally have worked but for the Holiday.

3.3 LEAVE OF ABSENCE

At the absolute and sole discretion of the Archdiocese, the Archdiocese may grant an employee a leave of absence up to six (6) months. This is inclusive of any Family Medical Leave to which the employee may be entitled. An employee does not accrue Paid Time Off during a leave of absence.

3.4 BEREAVEMENT LEAVE

Employees who need to take time off due to the death of an immediate family member must notify their supervisor as soon as possible.

The Archdiocese will allow a full-time employee to take up to five (5) days absence with pay, including the day of the funeral and any related travel, for the death of their parent, grandparent, spouse, sibling and child. Time off for the death of any other family member must be charged to an employee's Paid Time Off.

Employees may, with their supervisor's approval, use any available Paid Time Off to extend the leave.

3.5 MILITARY LEAVE

It is the intention of the Archdiocese to comply fully with the letter and spirit of all laws concerning military service.

Reservists who are called to serve for their two-week annual training period will receive the difference between basic military pay and regular pay while serving in the reserves or National Guard for up to ten working days per year.

If employees are called to active military status for an extended period, unpaid leave of absence may be granted. It is the employee's obligation to notify supervisors immediately upon receipt of duty orders.

In compliance with federal law, the Archdiocese will offer reservists, upon return from active duty, a position similar in pay, rank, and seniority to that previously held. Moreover, the time spent on active duty will be added to their service years with the Archdiocese. In order to achieve reinstatement of employment, employees must apply for re-employment within 90

days after discharge from active duty service and present satisfactory discharge papers. (If employees are hospitalized after discharge, they have one year in which to apply.)

3.6 JURY DUTY

Jury duty is a community obligation and every employee's responsibility as a citizen. If a full-time employee is called to serve on a jury, such employee must present the notice to the supervisor. Employees will be excused from work and receive their usual rate of pay for all hours they would be normally scheduled to work. Time records will be marked appropriately and such employees will earn their full pay while on jury duty. On any day jurors are dismissed early from jury duty, the Archdiocese expects employees to report to work.

Employees must submit to Human Resources the statement from the court documenting their attendance as a juror or potential juror.

3.7 FAMILY MEDICAL LEAVE

Pursuant to the Family Medical Leave Act (FMLA) and the New Jersey Family Leave Act (FLA), eligible employees may take leave of absence for the birth, adoption, or placement of a foster child; for the care of a spouse, son, daughter, or parent who has a serious health condition; because the employee is unable to perform the functions of the position due to a serious health condition; because of any "qualifying exigency" resulting from a family member's covered active duty or notice of impending call to active duty in the Armed Forces; or to provide care for a covered service member who is recovering from a serious illness or injury sustained in the line of active duty and to whom the employee is a family member or next-of-kin. The provisions of the Archdiocesan policy do not supercede any state or local law that provides greater employee leave benefits and rights than are offered in this policy.

Employees eligible for disability benefits may utilize Paid Time Off during the waiting period for disability benefits. The Archdiocese will coordinate the use of disability leave with the employee's entitlement under FMLA and/or the FLA. Employees do not accrue PTO while on leave under the FMLA or the FLA.

Eligibility

Archdiocesan employees are eligible for a family leave of absence if they have been employed at the Archdiocesan Center for at least 12 months, and have worked a minimum of 1,250 hours during the 12-month period immediately prior to the requested leave.

Employees who apply for and are granted a family leave of absence must meet notification and documentation requirements, as outlined further in this policy.

Failure to meet these requirements may result in denial or revocation of family leave.

Duration and Basis for Leave

Eligible employees are entitled to 12 workweeks of leave during any 12-month period for one or more of the following reasons:

- birth or adoption of a child, in order to care for that child;
- placement of a child with the employee for adoption or foster care;
- employee's spouse, son, daughter, or parent has a serious health condition, and the employee is needed to attend to basic needs, during periods of inpatient care or during periods of home care. The definition of "care" includes both physical and psychological care. An eligible employee may take leave under this provision, regardless of the availability of another family member to provide the same or similar care;
- an employee is unable to perform the functions of the position due to a serious health condition.

Eligible employees who are family members of military personnel make take up to 26 weeks of leave to care for a wounded member of the armed forces. Additionally, an eligible employee may take 12 weeks of unpaid leave for any qualifying exigency if the spouse, or a son, daughter, or parent of the eligible employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces.

Restrictions

The entitlement to leave under FMLA expires at the end of the 12-month period beginning on the date of a birth of a child or the placement of a child with the employee for adoption or foster care.

If both an employee and the spouse are Archdiocesan employees, their combined time off may be subject to certain restrictions. Parties interested in these restrictions should make an inquiry to Human Resources.

Intermittent or Reduced Leave

Employees may take leave for serious health conditions, as described, on an intermittent basis (not all at one time) when medically necessary. However, the Archdiocese may require an employee on intermittent leave to transfer temporarily to an available alternative position for which the employee is qualified, if the position has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular position.

Employees may not take intermittent leave for birth, adoption, or foster care purposes, unless the employee and the Archdiocese otherwise agree. If approved, the employee must take this leave during the year of the birth or placement.

By agreement between the Archdiocese and the employee, an employee may choose to take family leave on a reduced leave schedule. This leave may involve reducing the usual number of hours per workday or workweek during the leave. The duration of such a leave will remain at a 12-week maximum.

Paid or Unpaid Leave

Family leave is without salary but employees are entitled to continuation of health coverage and may, in appropriate circumstances, obtain salary continuation. An employee may elect to use any of the accrued/unused Paid Time Off in conjunction with the 12 weeks allowed.

For a maternity-related leave of absence, the female employee may be granted time off with pay under the terms and conditions of various benefit plans for the period of disability (if available).

Employee Notice and Scheduling Requirements

All Archdiocesan employees who request family leave under FMLA for expected birth, adoption or foster care placement are required to give the Archdiocese 30 days' notice before the date such leave is to begin, except for bona fide emergencies, which will be accommodated as soon as practicable.

An employee who desires to take leave in connection with the serious health condition of a family member must provide the Archdiocese with notice 15 days before the leave is to begin, except in case of a bona fide emergency. A written response to a request for leave will be provided. Additionally, when reduced or intermittent family leave is related to a serious health condition, the employee must make reasonable effort to schedule treatment so as not to unduly disrupt Archdiocesan Center operations.

Medical Certification and Reporting Requirements

The Archdiocese may require that an employee requesting family leave related to a serious health condition obtain a certification issued by the health care provider.

The certification shall include:

1. the date on which the serious health condition commenced;
2. the probable duration of the condition;
3. the appropriate medical facts within the knowledge of the health care provider regarding the condition;
4. a statement that the employee is needed to care for the son, daughter, spouse, or parent;
and
5. an estimate of the amount of time that the employee is needed to care for the son, daughter, spouse, or parent.

If the Archdiocese questions the validity of the certification, it may require, at its own expense, that the employee obtain a second opinion. The Archdiocese may require that the employee obtain subsequent recertifications on a reasonable basis.

An employee who refuses to provide a certification may be denied leave, and an employee who provides a false certification is subject to disciplinary action, up to and including termination.

Employees on a family leave must notify their supervisors every 30 days of their status and intention to return to work.

Restoration to Position

When an employee returns to work following a family leave, the Archdiocese will:

- restore the employee to the position the employee held when the leave began or, at the Archdiocese's discretion,
- restore the employee to an equivalent (not comparable or similar) position with comparable employment benefits, pay, and other terms and conditions of employment.

If an employee would have been laid off while on a family leave of absence, any right to reinstatement will be whatever it would have been had the employee not been on a leave of absence when the layoff occurred.

Effect on Accrued Benefits

Taking a family leave will not result in the loss of any employee benefit accrued prior to the date on which the leave began. However, PTO benefits may not accrue during the period of leave. An employee will not accrue any right, benefit, or position of employment other than one that they would have been entitled to had a leave not been taken.

Continuation of Employee Benefits

Employees must make all required contributions for continued coverage.

An employee on a family leave may remain a participant in the employee benefit plans throughout the duration of the leave, as if actively employed. The employee will be required to pay the same cost of coverage as if actively at work.

Applying for a Family Leave

Employees should complete and submit for approval by Human Resources a written request for a family leave of absence. This request should conform to the notice and certification requirements mentioned in the prior sections of this policy.

Human Resources will place a copy of all documentation concerning an employee's family leave in the employee's medical file, but will take reasonable precaution to keep such information confidential.

3.8 SEVERANCE PAY

Severance pay may be awarded to any full-time employee permanently separated from employment for reasons other than cause, if the employee completed at least six (6) months of service with the Archdiocesan Center. The amount and/or duration of severance pay are dependent upon the employee's salary and length of service. Details are contained in the Severance Plan documents.

3.9 UNEMPLOYMENT INSURANCE

See Section 2.4.

SECTION 4 - COMPENSATION

4.1 SALARY PAYMENT

The pay period begins Monday at 12:01 a.m. and ends Sunday at midnight. Payday occurs every two weeks on a Friday. Each paycheck contains an earnings statement showing withdrawal and deduction information as required by federal and state law.

Paychecks may be mailed home if the employee submits a written request to the Office of Finance. Employees wishing to participate in Direct Deposit should contact Human Resources for details. The Archdiocese will not release an employee's paycheck to another individual without the employee's written authorization.

4.2 TIMESHEETS

The Archdiocese requires all employees to keep accurate records of all hours worked, including starting time, quitting time and break time.

Non-exempt employees, meaning those employees who are subject to the overtime requirements of the federal Fair Labor Standards Act, must accurately and timely record their time on a daily basis on the timesheet provided by the Archdiocesan Center. This timesheet should reflect all hours worked, as well as absences or hours missed, and must be signed by the employee and a supervisor. The Payroll Department in the Office of Finance only requires submission of time sheets for employees who are paid hourly and non-exempt employees who have worked overtime. These timesheets must be submitted to the Office of Finance by noon on Monday following each payday.

Exempt employees, meaning those employees who are exempt from the overtime requirements of the federal Fair Labor Standards Act, are required to report time off from work each month. Such time off will be recorded using the appropriate symbols, except that time off related to an Emergency closing ("E") or a Holiday ("H") does not need to be recorded. Each Department Director is responsible for maintaining and insuring the accuracy of time sheets.

Business conducted away from the normal work place or outside normal working hours must be recorded on the timesheet. The Vicar General or his designee (such as the Senior Staff member for that department) must sign any timesheet for which overtime pay must be paid.

Acceptable symbols on the timesheet include the following:

E: Emergency closing should be used when the Archdiocesan Center is officially closed due to inclement weather or other unforeseen circumstance.

B: Bereavement Leave (*Section 3.4*)

H: Holiday (*Section 3.2*)

J: Jury Duty (*Section 3.6*)

PTO: Paid Time Off (*Section 3.1*)

A: Absence without pay. This code may be used **after consultation with Human Resources** when an employee has no remaining Paid Time Off. It may also be used when an employee is suspended without pay for disciplinary reasons.

4.3 GARNISHMENTS

Federal and state laws permit courts of law to garnish an employee's pay for the non-payment of a debt or to enforce a support order. The Archdiocese is legally obligated to honor such court orders and withhold the specified amount from an employee's earnings for submission to the ordering court or to the moving party, depending on the court order.

If such a situation occurs, Human Resources will notify the employee as soon as possible of its intention to comply with such a court order.

4.4 PERFORMANCE REVIEWS

The Archdiocesan supervisors and managers must conduct formal performance evaluations for all employees at least on an annual basis. The purpose of these evaluations is to provide both supervisors and employees the opportunity to discuss job performance, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. In addition, less formal reviews may be given whenever a supervisor deems it appropriate.

4.5 SALARY INCREASES

If budget considerations permit, and an employee's performance is favorable, the Archdiocese may, at its sole discretion, provide employees with a salary increase.

The timing and frequency of these increases will be determined at the discretion of the Archdiocese.

If budget increases are granted, they become effective July 1st.

SECTION 5 - EMPLOYEE RELATIONS

5.1 EMPLOYMENT AT-WILL AND LEGAL RIGHTS OF THE ARCHDIOCESE

All employees of the Archdiocese are employed at-will, which means that the Archdiocese, or any of its employees, may terminate employment with or without notice for any reason or no reason at any time. Nothing in this handbook shall be construed as establishing a contract of employment between the employee and the Archdiocese.

The Archdiocese reserves to itself, at its sole discretion, all management rights, including but not limited to the right to manage, assign, schedule and direct the workforce, as well as the right to discipline or discharge employees, including pursuant to the guidelines set forth in this handbook. The Archdiocese retains the right to change all policies and terms of an employee's job, as well as grant exceptions to policies in its sole discretion for any reason without prior notice.

The Archdiocese retains the right to alter, reduce, or eliminate, with or without notice, any pay practice, employment policy, or benefit described in any written or verbal policy or any other document except where an express written agreement with the Archdiocese provides otherwise and such express written agreement must be signed by the Vicar General.

Any statements contained in this or any other employee handbook, employment application, recruiting material, memoranda, or other materials provided to employees in connection with their employment, shall not modify this policy, nor create an enforceable contract, implied or otherwise, as against the Archdiocese concerning the terms and conditions of employment, (except as to arbitration in sec 5.7).

5.2 CLASSIFICATION OF EMPLOYEES

The purpose of the following descriptions is to standardize terminology and ensure common understanding in references to employees.

1. **Employees:** All persons who receive wages or salaries from the Archdiocese.
2. **Hourly and Salaried Non-Exempt Employees:** (Non-Exempt Employees) Employees who, because of the nature of their duties, are fully covered under the Fair Labor Standards Act (FLSA), pursuant to which they may receive overtime pay as required by law. Non-Exempt Employees are either salaried or hourly employees and generally are considered full-time if they are scheduled to work 35 or more hours per week. Full-time Employees are eligible for benefits.
3. **Salaried Exempt Employees:** (Exempt Employees) Employees who can be classified as executive, administrative, or professional because of experience, training, or type of work, and who, if certain qualifications are satisfied, are excluded from coverage under FLSA. Exempt Employees are considered full-time if they are scheduled to work 35

hours or more per week, but because of their classification as exempt, such employees are not eligible for overtime pay.

4. **Part-time Employees:** Employees are part-time if their scheduled workweek normally consists of less than 35 hours per week. Part-time employees do not receive benefits. They are paid for holidays only if they are normally scheduled to work on that day.
5. **Temporary Employees:** Employees who have been hired (full-time or part-time) for a specified limited period of time usually less than six (6) months. Temporary employees do not receive benefits.

5.3 WORKING HOURS AND OVERTIME

1. Statements regarding usual workdays and normal work hours are intended to describe frequently occurring conditions only. These descriptions do not guarantee hours to be worked. The hours and days of work are not guaranteed but are set, and may be changed at any time and from time to time, by the Archdiocese or the Office Director.

The normal workweek for all Archdiocesan Center offices is Monday through Friday. The pay period begins Monday at 12:01 a.m. and ends Sunday at midnight. Unless otherwise noted, the workday begins at 8:45 a.m. and employees are expected to be at their workstations at that time. The workday ends at 4:45 p.m., and employees are expected to remain at their workstations until that time. It is the supervisor's responsibility to ensure that staff members observe the stated business hours. Only the Archdiocese may make changes in the usual hours of business.

2. If an employee is unable to report to work due to illness or emergency, the employee must call the supervisor as soon as possible prior to the scheduled starting time. The notification will include a reason for the absence or tardiness and an indication of when the employee can be expected to report to work.

The absent employee is responsible for ensuring that proper advance notice of absence or late arrival is given to the employee's supervisor. Messages left with co-workers or other employees are not acceptable. Failure to provide prior notification of an absence or lateness, unexcused absences, late arrivals or early departures from work may result in disciplinary action, up to and including discharge.

3. All employees are allowed a total of one (1) hour during the workday to be used for lunch, smoking and other breaks. The scheduling of these breaks is at the supervisor's discretion.
4. Non-Exempt Employees whose regular work week is thirty-five (35) hours will be paid overtime at the rate of one (1) times their hourly rate for hours worked in excess of thirty-five (35) hours, but not exceeding forty (40) hours.

Non-Exempt Employees who work over forty (40) hours in one week will be paid overtime at the rate of one and one half (1½) times their hourly rate. Paid Time Off for

any reason will not be counted as hours worked for overtime purposes.

5. Non-Exempt Employees whose regular work week is forty (40) hours will be paid overtime at the rate of one and one half (1½) times the hourly rate after completing a normal work week.
6. Overtime must be approved in advance by the Vicar General or his designee.
7. Employees are required to work whatever days, hours, and overtime the Archdiocese may require. Refusal to work overtime, when requested, may be considered a disciplinary matter.
8. Non-Exempt Employees not normally scheduled to work on Holidays and/or Sunday will be paid at two (2) times the hourly rate for all hours they are required to work on such days. The Vicar General or his designee must give prior written approval for Holiday/Sunday work.

5.4 PUNCTUALITY

The Archdiocese expects all employees to be reliable and punctual in reporting for scheduled work. Absenteeism and/or tardiness place a burden on and are disruptive to other employees and to the Archdiocese. In rare instances when an employee cannot avoid tardiness or is unable to work as scheduled, such employee must notify the direct supervisor of the anticipated tardiness or absence prior to the beginning of the workday. Timekeeping records should be noted accordingly.

5.5 EMPLOYEE CONDUCT

To protect the interests and safety of all employees and the organization, the Archdiocese expects employees to follow certain rules of conduct. In many instances, the rules are based upon common sense. In some instances, law or insurance requirements may require such rules.

It is not possible to list all the forms of behavior that the Archdiocese considers unacceptable in the workplace. Each employee is responsible for learning the Archdiocesan rules and for keeping current of all changes. If a question regarding interpretation of an Archdiocesan rule arises, the Executive Director or an Associate Director of Human Resources may be consulted. The Archdiocesan Center will communicate rules and regulations through its bulletin board postings and through other internal methods.

As noted in the Notice To All Employees Regarding This Handbook on page 1, employees must comply with the Archdiocesan Policies on Professional and Ministerial Conduct (Appendix A). Failure to do so may result in disciplinary action, up to and including termination.

5.6 ARBITRATION OF CERTAIN TYPES OF EMPLOYMENT DISPUTES WHEN AN EMPLOYEE IS TERMINATED

- 1. IN CASES WHICH CAN ONLY BE ARBITRATED IN THE INTEREST OF FAIRLY AND QUICKLY RESOLVING DISPUTES STEMMING FROM AN EMPLOYEE'S TERMINATION, IT IS THE POLICY OF THE ARCHDIOCESE THAT, IN CERTAIN TYPES OF CASES AS HEREINAFTER NOTED, ARBITRATION BY A NEUTRAL THIRD PARTY (A FORMER FEDERAL OR FORMER NEW JERSEY SUPERIOR COURT JUDGE) SHALL BE THE FINAL MEANS FOR RESOLUTION OF THE DISPUTE.**

Commencing with notice by the Archdiocese of the employee's termination from employment, either the Archdiocese or the employee may demand arbitration, as noted hereinafter, but only where it is asserted that the termination was caused by: (a) unlawful discrimination in violation of federal or New Jersey CIVIL RIGHTS LAWS; (b) by violation of the WHISTLEBLOWER LAW; AND (C) ANY CONSTITUTIONAL, STATUTORY OR COMMON LAW CLAIM STEMMING FROM THE SAME OR RELATED FACTS OF A CLAIM BEING ASSERTED UNDER (a) OR (b).

CIVIL RIGHTS LAWS shall refer to both federal and state anti-discrimination laws and include as amended: the Civil Rights Act of 1866 (42 U.S.C. § 1981 et seq.); the Civil Rights Act of 1871 (42. U.S.C. § 1983 et seq.); Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq); the Age Discrimination In Employment Act (29 U.S.C. § 621 et seq); the Americans with Disabilities Act (42 U.S.C. § 12101 et seq); the Equal Pay Act (29 U.S.C. § 206(d)); the Pregnancy Discrimination Act of 1978 (42 U.S.C. § 2000e(k)); the New Jersey Law Against Discrimination (N.J.S.A. 10:5-12 et seq); and the New Jersey Equal Pay Act (N.J.S.A. 34:11-56.1 et seq). WHISTLEBLOWER LAW shall refer to the N.J. Conscientious Employee Protection Act (N.J.S.A. 34:19-1 et seq). Related CONSTITUTIONAL and STATUTORY claims shall include related claims under Federal or New Jersey State Constitutions and/or statutes; and related COMMON LAW claims include related claims asserted under the common-law in New Jersey, including breach of the covenant of good faith and fair dealing, defamation, violation of public policy and the like.

2. WAIVER OF JURY TRIAL

IN CASES SUBJECT TO ARBITRATION AND WHERE ARBITRATION HAS BEEN DEMANDED, THE PARTIES WILL BE BOUND BY THE DECISION MADE BY THE NEUTRAL ARBITRATOR – A RETIRED JUDGE FROM NEW JERSEY FEDERAL OR NEW JERSEY SUPERIOR COURT. IF THE EMPLOYEE OR THE ARCHDIOCESE DOES NOT ABIDE BY THE ARBITRATOR’S DECISION, EITHER PARTY MAY GO TO COURT TO ENFORCE THE ARBITRATOR’S DECISION, BUT ARBITRATION MUST BE USED BEFORE GOING TO COURT. THIS POLICY IS INTENDED TO PREVENT AN EMPLOYEE FROM GOING TO COURT OVER CERTAIN LIMITED TYPES OF EMPLOYMENT DISPUTES. IT IS NOT INTENDED TO TAKE AWAY ANY OTHER RIGHTS.

3. PRELIMINARY STEPS TO ARBITRATION

- A.** An employee who has a claim subject to arbitration as set forth in this section shall provide the Archdiocese with written notice of the claim and the factual basis supporting the claim as soon as is reasonably possible. The notice shall be sent to the Executive Director of the Office of Human Resources
- B.** If the Archdiocese adopts a mediation program, it must be utilized before a party can demand arbitration.

4. ARBITRATION PROCEDURE

Any arbitration invoked pursuant to this section shall be in accordance with this agreement and N.J.S.A. 2A:23B-1 et seq. Arbitration is commenced by making a written demand for arbitration and delivering it to the other party. Written demand for arbitration shall be deemed delivered to the Archdiocese when it is delivered to the Executive Director of Human Resources. Written demand for arbitration shall be deemed delivered to the employee when it is hand-delivered to the employee or sent by certified mail, return receipt requested, to the employee’s last known address.

- A.** The arbitration may be conducted by the American Arbitration Association (“AAA”) in accordance with its National Rules for the Resolution of Employment Disputes (amended and effective November 1, 2002). If so, the person demanding arbitration shall provide written notice of demand for arbitration to the other party and to the AAA at an address available from the Executive Director of the Office of Human Resources. Written notice to the Archdiocese shall be delivered to the Executive

Director of the Office of Human Resources. The provisions of this agreement and N.J.S.A. 2A:23B-1 et seq. shall apply and take precedence over inconsistent AAA provisions or procedure.

- B.** If for any reason the AAA is unable or unwilling to administer the arbitration in accordance with the provisions of this agreement and N.J.S.A. 2A:23B-1 et seq, or if either party objects in writing to the use of the AAA, then the parties shall select a former New Jersey Federal Court Judge or New Jersey Superior Court Judge to conduct the arbitration. The arbitration shall then be conducted in accordance with the provisions of this agreement and N.J.S.A. 2A:23B-1 et seq.
- C.** The arbitrator must be a former New Jersey Federal Court Judge or a former New Jersey Superior Court Judge. The former judge's license to practice law in the state of New Jersey must be in good standing at the time of the arbitration.
- D.** The arbitrator's authority to act shall be solely derived from this agreement and N.J.S.A. 2A:23B-1. Unless the parties agree otherwise in writing, an arbitrator shall have no authority to hear a matter nor render a decision/award except in accordance with this agreement and N.J.S.A. 2A:23b-1 (and, in case of AAA arbitration, the National Rules for the Resolution of Employment Disputes, to the extent not inconsistent with this agreement and N.J.S.A. 2A:23B-1 et seq).
- E.** All testimony of witnesses in the arbitration shall be under oath and subject to penalty for perjury.
- F.** The arbitrator shall decide a request for summary disposition of a claim upon request of either party to the arbitration proceeding, provided the moving party gives notice to all other parties to the proceeding and the other parties have a reasonable opportunity to respond.
- G.** Except for good cause or by consent of the parties, the arbitration hearing shall generally be scheduled on at least 20 days notice.
- H.** Except for good cause or by consent of the parties, the arbitration hearing shall be concluded no later than 120 days after selection of the arbitrator.
- I.** Except for good cause or by consent of the parties, the arbitrator shall submit his/her decision in writing no later than 45 days after the hearing is concluded or the record is closed, whichever is later.

5. MISCELLANEOUS PROVISIONS

- A.** Unless the parties agree otherwise, the Superior Court of New Jersey, Essex County, shall be the sole venue for summary actions and other

proceedings under N.J.S.A. 2A:23B-1 et seq.

- B.** Liability and damages shall be decided in accordance with applicable law.
- C.** As to the burden of proof in any arbitration proceeding, the parties shall bear the same burdens of proof and burdens of producing evidence as would apply if the claims had been brought in a court lawsuit.
- D.** All remedies available under applicable law shall be available in the arbitration proceeding.
- E.** At the conclusion of the arbitration proceeding, the arbitrator may award reasonable attorney's fees to the prevailing party in accordance with applicable law.
- F.** To the extent that any court of competent jurisdiction shall conclude that any provision herein is illegal, unenforceable or void, such provision (or part thereof) shall be severed and the remainder of these provisions shall be deemed in full force in effect.

6. ARBITRATION PROVISION DOES NOT CHANGE AT-WILL EMPLOYMENT STATUS

This manual in general and this arbitration provision in particular do not alter the “at-will” status of your employment. Just as you may terminate your employment at any time for any reason or no reason at all, your employment may be terminated by the Archdiocese at any time, for any reason or no reason at all. Except for the agreement to arbitrate as noted above, which is a term and condition of your continued employment, the policies and procedures set forth in this manual are for your information and guidance. Except for the agreement to arbitrate as noted above, there is no guarantee that the policies and procedures contained in this manual will not change in the future.

Except for the agreement to arbitrate as noted above, the Archdiocese reserves the right to alter, amend and make exceptions to the policies and procedures set forth in this manual at any time, in its sole discretion, with or without prior notice to you.

5.7 DRUG AND ALCOHOL POLICY

Except as expressly authorized by management for social or business functions, employees may not use alcohol or be under the influence of alcohol on Archdiocesan Center premises or business.

While on Archdiocesan Center premises or business, employees may not use, possess, distribute, sell, or be under the influence of drugs except legal drugs, as noted below. The

possession, use or distribution of controlled dangerous substances is illegal and grounds for immediate termination.

The Archdiocese will permit the use of legal drugs on the job provided the following conditions are satisfied:

- (i) the employee's ability to perform the essential functions of the job effectively and safely is unimpaired;
- (ii) other employees/individuals and the general safety of the workplace are not compromised; and
- (iii) As to prescription drugs, the employee is under a doctor's care, and provides evidence of the foregoing if requested.

The Archdiocese encourages employees with questions or concerns about substance dependency or abuse to discuss these matters, on a confidential basis, with the Executive Director of Human Resources in order to obtain assistance or referrals to appropriate resources in the community.

5.8 NO HARASSMENT

Workplace harassment, in any form, is expressly prohibited by the Archdiocese. It is the policy of the Archdiocese to provide a work environment that is free of harassment. Any form of workplace harassment will be treated as a disciplinary matter.

Harassment includes, but is not limited to, offensive jokes, slurs and other uninvited verbal, graphic (including any electronic displays or print-outs), visual or physical conduct by one individual towards another, obscene messages or images or communications containing libelous, defamatory, or fraudulent material, or anything that may be considered disparaging or harassing of others in any of the EEO areas, including racial, ethnic and gender-based slurs.

Employees must report all incidents of alleged harassment to their immediate supervisors and the Executive Director of Human Resources.

Employees should not, under any circumstances, take such matters into their own hands, but must immediately report such complaints to his/her immediate supervisor, with notice also to the Executive Director of Human Resources, unless the supervisor is the alleged harasser, in which case the report should be directly to the Executive Director of Human Resources. Any and all reported complaints of harassment will be treated as expeditiously and confidentially as possible. The Archdiocese will promptly and thoroughly investigate such complaints and take appropriate action. No employee shall suffer any job detriment or retaliation for reporting such actions.

The Archdiocese, its supervisors and management, intend to take all appropriate steps to enforce this policy. Harassment on the basis of EEO areas protected under federal and state

law is discrimination in violation of applicable federal and state laws.

ALL EMPLOYEES SHOULD BE AWARE THAT PARTICIPATION IN WORKPLACE HARASSMENT BY ANY EMPLOYEE WILL LIKELY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING DISMISSAL, AND MAY LEAD TO PERSONAL LEGAL AND FINANCIAL LIABILITY.

5.9 SEXUAL HARASSMENT PROHIBITED

Sexual harassment is a particularly insidious form of workplace harassment and is expressly prohibited by the Archdiocese. Sexual harassment includes, but is not limited to, offensive jokes, slurs, and other uninvited verbal, graphic, visual or physical conduct of a sexual nature by one individual towards another, unwelcome sexual advances, requests for sexual favors, jokes of a sexual nature, unwanted or inappropriate verbal conduct or physical touching, visual displays of a sexual nature, and the use of any electronic communication devices to display or transmit sexually explicit or obscene messages.

Sexual harassment also violates Archdiocesan policy when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or advancement; and/or
2. submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual; and/or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating or hostile working environment. It is critical for any employee who witnesses or experiences sexual harassment to report such conduct to his/her immediate supervisor, with Notice to the Executive Director of Human Resources as soon as possible.

If the immediate Supervisor is the alleged harasser, the report should be sent directly to the Executive Director of Human Resources. No retaliation will be taken against any employee who reports a claim of sexual harassment. The Archdiocese will conduct and promptly investigate each alleged incident and the matter will be handled as confidentially as possible. Appropriate disciplinary action, up to and including termination, will be taken against any person committing unlawful sexual harassment.

A copy of the Archdiocese's Sexual Harassment policy is posted in each Archdiocesan location.

ALL EMPLOYEES SHOULD BE AWARE THAT PARTICIPATION IN WORKPLACE SEXUAL HARASSMENT BY ANY EMPLOYEE WILL LIKELY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING DISMISSAL, AND MAY LEAD TO PERSONAL LEGAL AND FINANCIAL LIABILITY.

5.10 OPEN DOOR POLICY AND EMPLOYEE COMPLAINTS

The Archdiocese is committed to providing the best possible working conditions for its employees. The Archdiocese encourages an open and frank atmosphere and expects and directs its supervisors to quickly answer any problems, complaints, suggestions, or questions without retaliation.

An employee who has a general complaint or concern should address it to his/her immediate supervisor. If the matter cannot be resolved at the supervisor or director level, it should be referred to the Senior Staff member who has responsibility for that office. If necessary, the Senior Staff member will decide to bring the matter to the Vicar General's attention for final resolution.

In a situation involving another employee, the employee should try to resolve the complaint or problem with the other employee directly. If that is not possible, then follow the procedure in the above paragraph.

However, any employee who has a complaint regarding any form of workplace harassment or discrimination, or who witnesses any such action by anyone, including, but not limited to, supervisor(s), co-worker(s), visitor(s), may bypass local staff and supervisors and instead bring the complaint to the immediate attention of the Executive Director of Human Resources.

5.11 VIOLENCE IN THE WORKPLACE

The Archdiocese is committed to providing a safe, healthy and secure work environment. The Archdiocese expressly prohibits violence and/or the presence of weapons in the workplace except for authorized security personnel.

The Archdiocese expects all employees to report to work without weapons and to perform their jobs without violence towards any other individual. The Archdiocese also expects its employees to work in a safe and productive manner.

The Archdiocese reserves the right to search for weapons in any areas of the Archdiocesan Center premises, or any area that constitutes Archdiocesan property, including, but not limited to, lockers, furniture, containers, drawers, equipment or other facilities, parking lots, Archdiocesan Center vehicles and personal vehicles parked on Archdiocesan premises.

Activities which Constitute Violence in the Workplace

The Archdiocese considers any of the following activities to constitute impermissible violence in the workplace:

- use, possession, or sale of any weapon;

- storing any weapon in a locker, desk, vehicle, lunch box, tool kit, bag, purse or other repository in the workplace;
- illegal possession, use or sale of a weapon off Archdiocesan property that adversely affects one's own or another's safety at work, or indicates a propensity for same;
- refusing to submit to an inspection for the presence of a weapon;
- committing a violent act against the person or property of another;
- conviction under any criminal statute for illegal possession of a weapon or for committing a violent act against the person or property of another;
- refusing to participate in any investigation pertaining to allegations of violence in the workplace or suspicion that a breach of Archdiocesan policy has or is likely to occur, or an investigation pertaining to the carrying of a weapon by an employee.

5.12 USE OF ARCHDIOCESAN TELEPHONES AND PERSONAL CELLULAR TELEPHONES

1. Archdiocesan Center Telephones

Telephones are to be used for business purposes. However, in the event it is necessary for an employee to make or receive a personal call, the length of the call is to be kept to a minimum.

While at work, employees are expected to exercise the same restraint in using personal cellular phones as is expected for the use of Archdiocesan Center phones. Excessive personal calls during the workday, regardless of phone used, can interfere with the employee's productivity, be distracting to others and may result in disciplinary action.

The Archdiocese will not be liable for the loss of personal cellular phones brought into the workplace.

2. Business Use of Cellular Phones

1. Employees whose position responsibilities include regular or occasional driving and who use a cell phone for business purposes are expected to refrain from using their phone while driving.

2. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are required to pull off to the side of the road and safely stop the vehicle before placing, accepting, or returning a call.

3. Under no circumstances are employees allowed to place themselves or others at risk to fulfill business needs.

4. Employees who are charged with traffic violations resulting from the use of their phones while driving will be solely responsible for all liabilities that result from such actions.

5.13 ELECTRONIC EQUIPMENT (E-MAIL, INTERNET & FAX)

The Archdiocese expects all employees to adhere to the policies and procedures described in “The Electronic Communications Usage Guidelines” incorporated into this HANDBOOK as Appendix B.

1. The purpose of the guidelines is to establish standards of conduct for persons employed by the Archdiocese and as a result of their employment, the employees will use and access Archdiocesan electronic communication systems, including computers, equipment, software and data, which are collectively referred to sometimes as “information technology.” The Archdiocese and its employees acknowledge that it is impossible to address every instance of acceptable and unacceptable conduct regarding an employee’s grant to use and access Archdiocesan information technology. The Archdiocese provides generally reasonable guidance for employees’ permitted and impermissible use of and access to the Archdiocese information technology and communication systems, including telecommunications, electronic devices and computers, but also expects employees to exercise reasonable caution and use good judgment and commonsense. The Archdiocese reserves the right, in its sole discretion, to determine appropriate and inappropriate use and access of its information technology and associated systems whether generally or on a case-by-case basis and whether or not addressed in the guidelines found in Appendix B.
2. Violation of the guidelines will subject violators to corrective action and/or disciplinary measures up to and including termination, and, if applicable, reporting to any governmental agency or authority for misuses or inappropriate accesses involving the Archdiocesan information technology and communication systems in violation of the law.
3. Acceptance of employment with the Archdiocese is acknowledgement of its Electronic Communications Usage Guidelines Including Computer Network and Internet Access and consent to use and access information technology consistent with the Archdiocesan mission and all relevant laws and regulations.

5.14 No Right to Privacy

Employees of the Archdiocese shall have not right or expectation to privacy when using Archdiocesan technology or accessing Archdiocesan information and expressly acknowledge that their communications at work may be monitored.

5.15 NON-ELECTRONIC COMMUNICATIONS

The Archdiocese provides employees with non-electronic communication devices including, but not limited to, bulletin boards and internal and external mail service. With the exception

of the bulletin boards, the Archdiocese prohibits use of non-electronic communications to convey information that does not relate to Archdiocesan Center business.

As mentioned elsewhere in this handbook, the Archdiocese prohibits employees from displaying or communicating any sexually explicit, obscene messages or images, or communications containing libelous, defamatory or fraudulent material, ethnic or racial slurs, or anything that may be construed as disparaging or harassing others based on EEO areas (including race, sex, national origin, gender, age, handicap disability, religious beliefs or any other basis prohibited by law).

5.16 PERSONAL APPEARANCE

The Archdiocese has dress and grooming guidelines for all employees. It is the responsibility of each staff member to dress in accordance with the Archdiocesan Center's high standards and maintain a professional appearance.

Department directors/managers/supervisors are responsible for assuring compliance with this policy within their respective departments. Human Resources will assist directors/managers/supervisors with counseling staff who do not comply with the policy.

Violation of this policy or failure to comply with the dress code set forth below will result in disciplinary action. Questions regarding this policy may be directed to Human Resources.

Two types of dress will be acceptable while at work. ***Traditional Business Dress*** must be worn by employees Monday through Thursday and whenever employees represent the Archdiocesan Center to non-Archdiocesan Center employees (e.g., vendors) and at meetings outside or at the Archdiocesan Center offices attended by non-employees. ***Casual Business Dress*** may be worn on Friday.

Traditional Business Dress is defined as follows:

For men-- suits, slacks with sport coats/blazers, dress shirts with ties, socks, and shoes; all shirts must be tucked in;

For women -- dresses, suits, slacks or skirts with blazers, blouses or sweaters, shoes.

Casual Business Dress is defined as follows:

For men- slacks, sport shirts, socks and shoes; all shirts must be tucked in;

For women – blouses, tops or sweaters, slacks or skirts, dress sandals, shoes.

All clothing must be pressed and in good repair. Hair must be clean, neat and well groomed. Facial hair must be neatly trimmed. Staff is expected to be aware of good grooming, paying attention to personal hygiene and using common sense in the application of perfume, cologne and aftershave. Appropriate undergarments are required. Jewelry should not easily catch on office equipment.

The following are examples of clothing items which are not compatible with Traditional

Business Dress or Casual Business Dress and **therefore are not permitted to be worn at work** (this list is not meant to be inclusive):

- Denim clothing of any style or color
- Track suits of any material
- Sweat pants/shirts
- Spandex/ lycra tops or pants of any style or color
- Spaghetti straps/ strapless/ backless blouses, dresses or shirts
- Blouses, tops or dresses with a revealing neckline, back or midriff
- Sheer clothing of any kind or color
- Tight-fitting clothing
- Any form of torn clothing
- T-shirts, long or short-sleeved with any kind of sayings or slogans
- Tank/ tube/ halter tops
- Jeans of any style or color
- Shorts of any style
- Tights or leggings worn as pants
- Mini-skirts
- Sneakers or athletic shoes
- Flip-flop sandals
- Workman's boots of any kind or color (unless necessitated by job responsibility)

White athletic socks (unless medically necessary and substantiated by a physician's note)

Flannel shirts

Caps or hats (unless part of a uniform)

Sandals for men

Exception to these rules is at the discretion of the department director, if it is necessitated by the employee's work assignment.

5.17 SMOKING POLICY

In the interest of providing a safe and healthy environment, smoking is prohibited in all Archdiocesan Center buildings. The designated smoking area is the north end of the lower level of the parking lot. Employees are not permitted to smoke in front of any building doorway. Employees will extinguish and discard their smoking materials in appropriate containers.

Complaints concerning violations of this policy should be directed to Human Resources. Employees who choose to act on their rights under the law will be protected from retaliatory actions.

Smoking breaks are to be taken within the one-hour time allowed under Section 5.3.3.

5.18 PERSONAL PROPERTY

The Archdiocese does not assume responsibility for loss or theft of employees' personal belongings. Although the Archdiocese is committed to providing a safe and secure work environment, employees are responsible for securing their individual personal belongings (e.g., purses, wallets, tools). Employees should not leave items of value in their offices. Additionally, employees should lock up any personal possessions left overnight or unattended.

5.19 CARE OF EQUIPMENT

The Archdiocese expects employees to safeguard all Archdiocesan Center property. This property includes, but is not limited to, such things as a desk, computer hardware and software, files, copy machines, fax machines, standard office supplies, and tools. No employee shall borrow, take, or remove Archdiocese property for any purpose other than to accomplish the work of the Archdiocese except with a supervisor's approval.

5.20 SAFETY/SECURITY

All too often, members of Archdiocesan Center staff assume we are protected from crime because we are a religious organization. Such thinking is dangerous and disregards the Archdiocesan established security policy. Accordingly, all employees are expected to take reasonable steps to protect Archdiocesan Center employees and property. In the event of a theft, loss of equipment or injury to an employee, a supervisor, Security and Human Resources should be notified immediately.

It is the goal of the Archdiocese to provide a safe, clean, and healthy work environment. As such, the Archdiocese expects employees to work in a safe manner, observe all safety regulations, maintain an alert attitude, and help eliminate painful and costly accidents.

In order to comply with this policy, employees must:

- lock all files for which they have designated responsibilities at the end of each day and prior to leaving the office at any time;
- keep work areas and aisles clean and clear;
- report hazards or unsafe conditions to a supervisor;
- refrain from smoking;
- immediately report all injuries, however minor, to a supervisor;
- walk (not run) in all buildings;
- respect the property of others.

Supervisors should inform employees of any additional safety rules that apply to their particular job or work location.

5.21 CONFIDENTIALITY

Certain aspects of Archdiocese business involve sensitive and confidential information. All employees must keep confidential all such information during their employment and after separation from employment. Confidential information includes, but is not limited to, personnel information, salary information, church policies and procedures, financial information, and information not commonly known to the public but obtained by virtue of employment with the Archdiocese.

Confidential information which is personal and only about oneself (for instance, the employee's own salary or benefits) may be revealed at the discretion of the employee.

Current and former employees may not reveal confidential information. In addition, unless it has already become public in lawful manner, the Archdiocese prohibits employee use of confidential information, for one's own direct or indirect benefit, or for the direct or indirect benefit of any associate, family member, or any other recipient of the information.

The Archdiocese prohibits discussion of compensation unless employees have proper authorization to do so.

ANY DISCUSSION OF ANOTHER EMPLOYEE'S COMPENSATION, OBTAINED THROUGH NORMAL ARCHDIOCESAN BUSINESS, IS CONSIDERED A VERY SERIOUS BREACH OF CONFIDENTIALITY AND WILL BE HANDLED ACCORDINGLY.

This obligation continues even upon termination of employment with the Archdiocese. The Archdiocese will pursue any and all legal remedies available to prevent any former employee and/or a subsequent employer from benefiting from confidential information.

The Archdiocese reserves the right to determine what constitutes confidential information. Any questions or discrepancies regarding the confidential nature of Archdiocesan information should be directed to the Executive Director of Human Resources.

5.22 CONFLICT OF INTEREST

The Archdiocese prohibits employees from accepting or engaging in any activity, business or employment during or after working hours that would conflict with the interests of the Archdiocese. It is impossible to define all situations that might present a conflict of interest.

Activities strictly prohibited under this policy would include the following: (i) employees who, in addition to their employment with the Archdiocese, act as vendors, suppliers, or contractors to the Archdiocese, its parishes and schools; (ii) employees who use their position

or responsibilities with the Archdiocese to further or present an opportunity for personal gain apart from the normal rewards of employment; and (iii) employees who give preference to personal interests in situations where the Archdiocesan responsibilities should come first.

The Archdiocese maintains no interest in those personal, outside activities that do not interfere with work responsibilities or affect work-related obligations or job performance. The Archdiocese reserves the right to determine what constitutes a conflict of interest.

5.23 EMPLOYMENT OF RELATIVES

Effective January 1, 2004, relationship to another individual employed by the Archdiocesan Center or location will constitute a bar to Archdiocesan Center employment **except** for temporary, seasonal positions.

For the purposes of this policy, “relatives” includes mother, father, husband, wife, son, daughter, sister, brother, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, uncle, aunt, grandparent, grandchild, first cousin, nephew, niece, stepmother, stepfather, stepchild, half -brother and half -sister.

5.24 SOLICITATION/BULLETIN BOARDS

Solicitation

The Archdiocesan Center prohibits solicitation of employees for any purpose while on actual work time. Employees may not solicit visitors or co-workers for any purpose other than Archdiocese approved events.

The Archdiocesan Center prohibits distribution of advertising materials during working hours. Actual work time does not include meal or break periods or other specified times during the day when an employee is not performing work tasks.

Bulletin Boards

The Archdiocese posts a number of bulletin boards throughout the workplace and in break areas to display official notices. Employees are responsible for checking bulletin boards on a regular basis for announcements, changes in policies and other matters of interest. The Archdiocese will hold employees accountable for the observance of all rules and regulations posted.

Any office or employee wishing to post an announcement on a bulletin board must submit the posting to the Office of Human Resources.

5.25 EMERGENCY CLOSINGS

The Archdiocesan Center will close when necessary due to unusual situations. Most often,

such closings are due to severe weather conditions. Closing may also occur due to an interruption in utility services.

Before Normal Working Hours A decision to close the Archdiocesan Center for the normal day is made by 6:00 a.m. To determine if the office is closed, employees are to phone the Emergency Notification Message Center at 973-497-4122. This line has the capacity to handle simultaneous call-ins. Please do not call the main telephone number or the security telephone number because it interferes with routine operations. Supervisors are encouraged to call early and may also wish to establish an informal telephone chain for their own staff to facilitate closing information.

During Normal Working Hours If a decision to suspend operations is made, it will be communicated via e-mail and by telephone to offices that operate off premises. Employees are expected to remain at the workplace until the appointed time.

Generally, weather-related closing will not occur until after the scheduled lunch periods end. Early lunch will not be credited for early dismissal. Employees leaving earlier than the early dismissal time will credit such time against PTO through the end of the normal workday.

SOME EMPLOYEES MAY CHOOSE NOT TO COME TO WORK DURING INCLEMENT WEATHER OR TO LEAVE, EVEN THOUGH THE ARCHDIOCESAN CENTER REMAINS OPEN. POLICY PROVIDES FOR UTILIZING PAID TIME OFF IN SUCH SITUATIONS. PAID TIME OFF WILL BE CHARGED FOR THE FULL DAY IN SUCH CASES REGARDLESS OF WHETHER THE ARCHDIOCESAN CENTER SUBSEQUENTLY CLOSES EARLY.

5.26 PARKING

For their convenience, employees may utilize the on-site parking available at the Archdiocesan Center.

Employees may park automobiles in the designated employee parking lot. Blocking driveways, sidewalks, fire exits, and handicapped access points is expressly prohibited.

Handicapped spaces are restricted to vehicles displaying the appropriate DMV placards or license plates.

Employees may not park in spaces reserved for others.

Violators will be towed at their own expense.

Employees park their vehicles at their own risk. The Archdiocese will not accept any liability for theft of vehicles, damages to parked vehicles or damage or loss of any personal property left in vehicles.

5.27 PERSONAL DATA CHANGES

The Archdiocese requires each employee to notify the Office of Human Resources promptly of changes in personal data. It is extremely important, especially because of benefit requirements, and in case of emergencies, that employees inform a member of Human Resources of any of the following changes in personal status:

- change of name;
- change of address or telephone number;
- family status;
- the number and names of dependents;
- when a child reaches age 23 if still covered under Archdiocese health-care benefits;
- changes in benefit plan beneficiaries; and/or
- change of name or phone number of emergency contact.

5.28 PERSONNEL FILES

All personnel files are the sole property of the Archdiocese. Unless required by law, employees are not permitted to review the contents of their personnel files. The Archdiocese will not provide copies of employee personnel files to employees unless required by state law.

The Archdiocese will not voluntarily distribute to any employee, former employee or other third party the contents of an employee or former employee's personnel file unless required to do so by law.

5.29 REQUESTS FOR VERIFICATIONS OF EMPLOYMENT OR FINANCIAL INFORMATION

All employees must refer outside requests for employment verifications to Human Resources.

Human Resources will respond to written requests for employment verification and disclose only that information relating to an employee's dates of employment and position.

With the employee's written consent, the Archdiocese will respond to inquiries in connection with bank and/or home loans relating to pension, annual salary, and year-to-date salary.

5.30 CONSIDERATION OF CURRENT EMPLOYEES FOR PROMOTION AND NEW JOB POSITIONS

Current employees interested in posting for position vacancies should submit resumes to Human Resources after advising their current supervisor of this decision. Human Resources will evaluate the eligibility of employees who desire a promotion or transfer opportunity. Criteria considered will include, but are not limited to, work performance and work habits, attendance and punctuality, time in current position, education, training, communication skills and general qualifications for the posted vacancy. The needs of the Archdiocese will also be considered.

An employee applying for another position must notify his/her supervisor prior to contacting Human Resources. In addition to management approval, The Vicar General and the Executive Director of Human Resources must approve any salary increase or transfer granted. Employees should be in their current position for one year prior to seeking another position within the Archdiocesan Center.

5.31 RE-EMPLOYMENT

In the event job openings arise and the required job qualifications are met, the Archdiocese may consider for re-employment former employees who have left the Archdiocesan Center in good standing. Former employees applying for rehire must update all personal records and work records since their termination.

Employees who are rehired will be eligible for benefits in accordance with the enrollment rules of the benefit plans in effect at the time of rehire, and subject to eligibility and enrollment requirements.

See 3.1.1 as it relates to PTO accrual.

5.32 LEAVING THE ARCHDIOCESE

As outlined in the introduction, unless provided otherwise in a written employment agreement, employment with the Archdiocese is on an at-will basis. This means the employee or the Archdiocese may terminate the employment relationship at any time for any reason.

Neither this handbook nor any personnel policies of the Archdiocese are intended to imply an employment contract and nothing contained herein, whether implied or expressed, negates the at-will nature of employment.

Any employee who leaves the Archdiocese is expected to pay in full the debts owed to the Archdiocese.

On the final working day, an employee must return to a Human Resources representative his/her Proxcards, calling card, credit card, business cards, keys and any and all Archdiocesan Center records, materials and assets.

Voluntary Resignation

Non-Exempt employees resigning their employment with the Archdiocese are asked to submit a letter of resignation at least ten working (10) days in advance of the termination date to the employee's immediate supervisor, with a copy to the Executive Director of Human Resources. Exempt employees are asked to submit a letter of resignation twenty (20) working days in advance of the termination date to the employee's immediate supervisor, with a copy to the Executive Director of Human Resources.

Departing employees, if ordinarily qualified for holiday pay, must work on the day following a Holiday in order to be paid for that Holiday (e.g. if a Holiday falls on a Friday, the Archdiocese will not pay for that day if the employee's last day of work is the preceding Thursday).

A final paycheck will be mailed to the employee to the address designated by that employee.

Involuntary Separation

The Archdiocesan Center has the right to terminate the employment arrangement at any time, with or without specific cause or reason.

Employees discharged for cause will generally be ineligible for consideration for rehire or severance pay.

APPENDIX B

ELECTRONIC COMMUNICATIONS USAGE GUIDELINES INCLUDING COMPUTER NETWORK AND INTERNET ACCESS

OPERATING PRINCIPLE

The objective of this policy is to define standards of conduct when employing the use of information technologies available through the Archdiocese of Newark. These technologies include, but are not limited to, computers, computer files, software, as well as electronic mail, voice mail, Internet and Intranet, IM, blogging, and cell phones.

POLICY

The Archdiocese of Newark strives to provide a safe and secure communications environment as well as to protect Archdiocesan resources and technology. The Archdiocese's mail and electronic communications systems (such as voice mail, Internet, Intranet, and other email, computers, telephones, cellular phones, pagers, and fax machines) are provided for the purpose of supporting the ministries and operations of the Archdiocese. The Archdiocese expects all employees to use good judgment in the appropriate and professional use of our communications systems.

The communications systems and their contents are the property of the Archdiocese and the system is to be used primarily for business purposes. Employees do not have any ownership interest in any data or information stored temporarily or permanently on the communications systems. Any information stored on the communications systems may be deleted or destroyed at any time and at the discretion of the Archdiocese.

The Archdiocese or its designated representatives reserves the right to monitor and review all use of such systems and all communications using the Archdiocese's equipment and facilities in the ordinary course of its business. For that reason, employees should not use the systems for any personal communications that they do not want reviewed by the Archdiocese or which are otherwise inappropriate, offensive or in violation of the law and Archdiocesan policy. The Archdiocese reserves the right to remove any messages or communications that are inappropriate.

Electronic Communications Usage Guidelines

The Archdiocese encourages the use of electronic media and associated services for the ministries and operations of the Archdiocese because such services make communication more efficient and effective, and because they are valuable sources of information. However, electronic media and services provided by the Archdiocese are Archdiocesan

property, and their purpose is to facilitate the ministries and operations of the Archdiocese.

This policy cannot set rules to cover every possible situation. Instead, it expresses the Archdiocese's philosophy and sets forth general principles to be applied to the use of electronic media and services.

All Users have a responsibility to use the Archdiocesan communication resources and the Internet in a professional, lawful and ethical manner. Abuse of the communication resources may result in disciplinary action, including possible termination and civil and/or criminal liability.

The following usage guidelines apply to all Archdiocesan employees and apply to all electronic media and services which are: accessed on or from the Archdiocese's premises; accessed using Archdiocesan equipment, or via access methods paid for by the Archdiocese; and/or used in a manner which identifies the individual with the Archdiocese.

NO RIGHT TO PRIVACY:

Employees of the Archdiocese shall have no right or expectation to privacy when using Archdiocesan technology or accessing Archdiocesan information and expressly acknowledge that their communications at work may be monitored.

DEFINITIONS:

The terms regarding electronic communications shall have the same meanings as those consistent with general and specific industry standards and employees shall not have any defense against disciplinary measures in which the defense is lack of understanding of the meaning of such terms, including, but not limited to, "email," "information or computer systems," "data," "software," "hardware," "electronic devices," "telephones," "facsimiles," "pagers," "voice mail," "blackberry," "Internet," or "palm pilot." An employee is deemed to have a common and basic knowledge of these terms, which is sufficient for understanding what is meant by the use of terms governed by the Archdiocesan policy.

1. PROHIBITED ACTIVITIES. Electronic media may not be used to send, retrieve or store any messages or files that, in the judgment of the Archdiocese, are incompatible with the Archdiocese's policies or reflect activities that could bring discredit to the Church or violate any local, state or Federal law or regulation.

Specifically prohibited are:

Intranet/Internet

The posting, uploading, or downloading of pornographic or vulgar messages, photos,

images, sound files, text files, video files, newsletters, or related materials is strictly prohibited and grounds for immediate and automatic termination.

System and Network Activities

-Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the Archdiocese.

-Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the Archdiocese of Newark or the end user does not have an active license is strictly prohibited.

-Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).

-Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.

-Using an Archdiocese of Newark computing asset to engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.

-Making fraudulent offers of products, items, or services originating from any Archdiocese of Newark account.

-Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information.

-Port scanning or security scanning is expressly prohibited unless authorized by the Information Technology Group.

-Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.

-Circumventing user authentication or security of any host, network or account. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).

-Using any program/script/command or sending messages of any kind, with the intent to

interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.

-Using a system other than those provided by the Archdiocese of Newark to store files.

Email and Communications Activities

-Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).

-Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages.

-Sending or posting threatening or libelous messages.

-Unauthorized use, or forging, of email header information.

-Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.

-Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.

-Soliciting or advertising for outside products or services, candidates for public office, political donations or contributions.

-Posting non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

Record Retention of E-mails

Although emails are less formal than memoranda or letters, emails should still follow the standards of good business etiquette. The following guidelines must be followed for records retention of email.

- a. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender, such as meeting notices, reminders, telephone messages and informal notes, should be deleted once their administrative purpose is served.
- b. In general, email is discoverable in litigation and even deleted email is not necessarily removed from the system. As such, all messages used in connection with the transaction of Archdiocesan business may have legal ramifications. Please be aware of this fact when creating emails. If advised that a matter is in litigation, all documents and records regarding the matter must be maintained, even electronic documents, until advised otherwise by the attorney.

General uses and actions that are also prohibited.

- Any commercial use or any use for personal gain.
- Adding, removing, or modifying identifying network header information (aka "spoofing").
- Attempting to impersonate any person by using forged headers or other identifying information.
- Using any means to mask, hide or modify your identity or activities electronically.
- Facilitating use or access by non-authorized users, including sharing your password or other login information with anyone.
- Obtaining and/or using another user's passwords without their knowledge and consent.
- Attempting to gain access to files and resources to which you have not been granted permission.
- Trying to "crash", or unnecessarily retard, the network or computing systems.
- Making copies of another user's files without their knowledge and consent.
- Stealing, vandalizing or obstructing the use of computing equipment, facilities, or documentation.

Software and Hardware**Software Piracy**

The illegal use of software is prohibited. Most Pirating is a result of installing software on a computer without the legal right to do so. In order to use a computer program the organization must purchase the program from a reputable source and possess the license and software to use the program. The posting or uploading of copyrighted material without the permission of the owner of such material is also prohibited.

It is illegal to copy software or use software without meeting the above mentioned criteria and legal action may be taken against those not abiding by the law.

Games

All segments of the computer systems remain the Archdiocese of Newark's property and are furnished to employees for business use only. Entertainment through the use of computer games is not permitted.

Installing and/or downloading Software

You may not install software onto the computer or onto the network without the permission of the Information Technology Group. You may not download any software without the permission of the Information Technology Group. Permission must be

obtained prior to beginning the process of downloading software. If you require software not owned by the Archdiocese of Newark, you may arrange to purchase it provided the software is required to perform work related tasks and approved by the Information Technology Group. Software includes but is not limited to scripts and commands.

Installing computer related hardware

You may not install hardware without permission of the Information Technology Group. Devices such as wireless access points, storage devices and network hardware may present a security risk or impede operations.

Viruses

The threat of a virus infection can arise from downloading files from the Internet, loading data into your computer from a diskette, or running an e-mail attachment. If you question the authenticity of data, you may have the Information Technology Group scan it for viruses. Please note that your computer is not immune from a computer virus so we encourage you to take caution when downloading information.

2. PERSONAL USE/MONITORING. Electronic media and services are primarily for the use of the ministries and operations of the Archdiocese. The Archdiocese routinely monitors usage patterns for electronic communications. The Archdiocese reserves the right, at its discretion, to review any employee's electronic files, messages and usage to the extent necessary to ensure that electronic media and services are being used in compliance with the law and with this and other Archdiocesan policies.

Employees should therefore not assume electronic communications are private and confidential. By using the electronic information system(s), an employee shall be deemed to have given the consent to review of any communication, as reserved here.

Personal (internal or external) use of emails is prohibited and employees who violate this personal use of email restriction may be subject to discipline.

3. COPYRIGHT. Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner. For example, email messages should not contain graphic images for which the Archdiocese does not have a license to distribute.

4. PROTECTION OF INFORMATION. Archdiocesan information shall be treated as confidential in accordance with Section 5.21 of the Employee Handbook.

5. CONFIDENTIALITY OF OTHERS. Employees must respect the confidentiality of other people's electronic communications and may not attempt to read, "hack" into other systems or other people's log-ins, "crack" passwords, breach computer or network security measures, monitor electronic files or communications of other employees.

6. PASSWORDS. Each employee who uses any security measures on an Archdiocesan

supplied CPU must provide the supervisor with a sealed hard copy record (to be retained in a secure location) of all of the passwords and encryption keys (if any) for use if required. (For example, there may be a need for the Archdiocese to access an employee's system or files when the employee is away from the office.) This does not apply to a person's network password. Passwords should be kept confidential.

7. FALSE OR HIDDEN IDENTITY. No email or other electronic communications may be sent which attempt to hide the identity of the sender, or represent the sender as someone else. Use of aliases while using the internet or internal email is strictly prohibited. Anonymous messages and newsgroup postings are also prohibited.

8. THE ARCHDIOCESE'S IDENTITY. Any messages or information sent by an employee to one or more individuals via an electronic network (e.g., bulletin board, on-line service, or Internet) are statements identifiable and attributable to the Archdiocese. While some users include personal "disclaimers" in electronic messages, it should be noted that there would still be a connection with the Archdiocese, and the statement might still be legally imputed to the Archdiocese. Network services and World Wide Web sites can and do monitor access and usage and can identify at least which company - - and often which specific individual -- is accessing their services. Thus accessing a particular bulletin board or Web site leaves identifiable electronic "tracks" even if the employee merely reviews or downloads the material and does not post any message.

Unlawful or prohibited use of electronic communications may expose an individual and the Archdiocese to significant liability. If you maintain a personal website, it must not be associated with the Archdiocese or presented as an Archdiocesan site nor should you use your rcan.org email address on that site.

9. ARCHDIOCESAN WEB SITE. Offices that wish to maintain individual pages on the Archdiocesan web site must consult with the Director of Communications before doing so. The Director of the particular office must approve material posted.

10. EMPLOYEE RESPONSIBILITIES. All employees are responsible and accountable for the professional use of the Archdiocesan communication systems. The Archdiocese expects employees to use these services wisely and in accordance with these guidelines.

10. USE OF GOOD JUDGMENT. All employees should exercise good judgment when communicating with other employees on all matters and particularly regarding matters of a sensitive nature, for example, disciplinary measures or investigative findings. Because computer networks store incoming and outgoing messages and are informal in nature, employees shall err on the side of caution when deciding the appropriateness of continuing electronic communications on sensitive matters. The Archdiocese expressly prohibits employee communications that, whether actual or perceived, defame, sexually harass or discriminate against others and expects employees to use good judgment when communicating electronically.

11. **CONSCIENTIOUS CARE.** All employees shall be responsible to care for the personal computer system and components that they are assigned and/or using. Employees shall be responsible for promptly reporting any equipment, software, and/or data damage or destruction of which they become aware.

NOTES

All internal e-mail is backed up and stored on a daily basis. This correspondence is stored for a period of thirty (30) days. This is done so that in the case of a system failure all ID's and relevant data will be able to be stored.