



**EPISCOPAL DIOCESE OF NEWARK**  
**EMPLOYEE POLICIES & PROCEDURES**

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THE DIOCESE OF NEWARK

**MISSION STATEMENT**

***Equip* Congregations**

***Empower* People**

***Engage* the World**

**...with the hope and justice of Jesus**

## A Vision for the Diocese of Newark

**We are called to be passionate disciples of Jesus**, living in covenant with each other and God, fully equipped, empowered and engaged to undertake God's mission in the world.

As communities of the faithful, we serve as beacons of hope and justice in our cities, towns and villages, planted and rooted in Northern New Jersey, stretching from the Delaware Water Gap to the Hudson River; from High Point to Route 78.

**We are called to be a Covenant People who embrace the richness and beauty of worship** that knows no confines other than the Holy, joined together by our fierce love for one another and sharing a Common Prayer.

Drawing on the genius of our Anglican tradition and its incredible resources for movement and language, music and color, symbol and sacrament, we create worship experiences that take peoples' breath away and mystery that invites transformation.

Knowing that how we worship determines our future, we dare to bring the altar out into the world.

**We are called to step out in audacious faith, spiritually formed by a rule of life that resonates with God's promises**, empowering people to become alive and confident in their faith.

Following the example of Christ we joyfully and fearlessly bear witness to God's story and our own.

Forever seeking new venues in which to proclaim the Gospel, we dare to cross the invisible barriers in our communities and venture into places where we are not expected – indeed, where we are not even welcomed – to be seed throwers, fire starters, hope peddlers, risk takers and dreamers on behalf of the Good News of Jesus Christ.

**We are called to enter into the ever flowing stream of God's justice**, emboldened by the Holy Spirit to claim the Gospel, which calls us to stand up and speak up wherever we encounter injustice against both humankind and this earth.

We call upon our own communities and the world to challenge and repent of the false gods that enslave the soul in sin, create social structures of oppression, and tempt us away from fulfilling the spirit of "Ubuntu" – an interconnected world in which "I am because you are."

Cherishing God's gift of creation, we strive against the temptations of over-consumption and waste that oppress nature in the name of progress, devastate whole regions, and destroy species.

We dare to speak of God in an increasingly secular world, sharing the wisdom of scripture and telling our stories of God's grace, love and justice in our lives.

**We are called to practice radical hospitality** and live into God's abundant future, celebrating the many talents with which God has endowed each of us.

We seek out and dare to embrace the "Other," inviting them in, listening to their stories, seeking to be transformed by their presence among us, so that we are all brought deeper into relationship with God.

Embodying an ever-widening circle of concern for the Stranger, the Forgotten and the Outcast, we work to level the playing field, transcending differences, prejudices and misunderstandings.

**In faithful response to God's leading us beyond what we ever thought was possible, we recognize the need for institutional reformation that will incarnate Christ's holy mission for our times.**

### **NATURE OF EMPLOYMENT/EMPLOYMENT AT WILL**

*Employment with the Diocese is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the Diocese may terminate the employment relationship at will at any time, with or without cause.*

*Policies set forth in this manual are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Diocese and any of its employees. The provisions of the manual may be amended or canceled at any time, at the Diocesan Bishop's sole discretion.*

*This policy of employment at will is not to be modified by any statements contained in this or any other employee manuals, employee applications, company memorandums or other materials provided to employees in connection with their employment. None of these documents create an expressed or implied contract of employment for a definite period.*

*At the time of employment (and adoption of this manual), employees shall be required to sign a written statement acknowledging their understanding that they are employed at will by the Diocese and are subject to termination at any time, for any reason, with or without notice and with or without cause.*

*Completion of an Introductory Period or attainment of regular status will not restrict the Diocese's right to terminate an employee or change his/her terms or conditions of employment.*

*These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Diocesan Bishop.*

## **EMPLOYMENT**

The Diocese affirms its moral and legal commitment to support and implement a program of equal opportunity employment for all persons without regard to race, color, marital status, religion (religion consistent with Church Canons and Constitution), age, national origin, sex, HIV status, disability, or sexual orientation.

As an employer, the Diocese functions as a religious not-for-profit corporation within the laws of the State of New Jersey.

All Diocesan employees working at Episcopal House and other locations are covered under these policies.

## **IMMIGRATION LAW COMPLIANCE**

The Diocese is committed to employing only United States citizens and others who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Diocese within the past three years, or if their previous I-9 is no longer retained or valid.

Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## **OFFICE HOURS**

Full time employment is 35 hour week with a one hour unpaid lunch hour daily. Within reason times are flexible and must be worked out with the immediate supervisor. Normal office hours are 8:30 a.m. to 4:30 p.m. Monday to Friday.

## **INTRODUCTORY PERIOD**

The first ninety days of employment are considered to be an Introductory Period, during which the suitability of employment will be assessed by both employee and supervisor. Discontinuance of employment may be made by either the employee or the Diocese at will at any time during the Introductory Period, with or without cause or advance notice.

During the Introductory Period, the supervisor will keep in close communication with the new employee to ensure that their transition to the required duties is smooth.

Upon satisfactory completion of the Introductory Period, employees enter the "regular" employment classification.

## CLASSIFICATION OF EMPLOYEES

The two major classifications of jobs are (1) those where the incumbent is exempt from the wage and hour provision of the Federal Fair Labor Standards Act, and (2) those where the incumbent is non-exempt from the provisions of the Act.

(This federal law prescribes minimum wage, overtime pay, employment standards for minors and the conditions under which incumbents may be exempted from certain provisions.)

Each position is designated as either nonexempt or exempt from federal and state wage and hour laws. Incumbents of nonexempt positions are entitled to overtime pay under the specific provisions of federal and state laws. Incumbents in exempt positions may be excluded from specific provisions of federal and state wage and hour laws.

Classification as exempt or non-exempt is included in the job description.

Under specific conditions enumerated in the law, incumbents in certain positions who meet certain tests regarding job duties and responsibilities and are compensated on a salary basis are not subject to overtime provisions of the law. Because the positions are not covered, administrative, professional and executive employees are generally said to be "exempt" from these provisions. All other positions are covered by such provisions and are referred to as "non-exempt".

**Administrative, Professional & Executive Employees  
Clerical & Maintenance Employees**

**Exempt  
Nonexempt**

**Regular, full-time employees** are those who are not in a temporary or introductory status and who are regularly scheduled to work the full-time schedule of the Diocese. Generally, they are eligible for the Diocese's benefit package, subject to the terms, conditions, and limitations of each benefit program.

**Regular, part-time employees** are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than the full-time work schedule, but at least 20 hours per week. Regular, part-time employees may be eligible for some benefits sponsored by the Diocese subject to the terms, conditions, and limitations of each benefit program.

**Introductory employees** are those whose performance is being evaluated to determine whether the new member of staff has the ability to meet the requirements of the job and can fulfill the conditions of employment. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. The standard Introductory Period will be 90 days from the start of service.

**Temporary employees** are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for any of the Diocese's other benefit programs.

### **JOB DESCRIPTION**

A written job description is provided for each position.

### **PERFORMANCE EVALUATION AND REVIEW**

A performance review measured against the written job description will be conducted annually. Supervisors and employees are encouraged to discuss job performance and goals on an informal, day-to-day basis.

In the event performance is not satisfactory, reviews shall be conducted as appropriate. If performance is still unsatisfactory, the employee will be terminated.



## **EMPLOYEE BENEFITS**

Eligible employees are provided a range of benefits. A number of the programs (such as social security, workers' compensation and disability) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors. Management can identify the programs for which you are eligible. Details of many of these programs can be found in summary plan descriptions and descriptive material that are maintained on the Church Pension Group website at [www.cpg.org](http://www.cpg.org).

The following benefit programs are available to eligible employees.

- Benefit Conversion at Termination (COBRA)
- Bereavement Leave
- Dental Insurance\*
- Family Leave
- Holidays
- Jury Duty Leave
- Life Insurance
- Medical Insurance\*
- Military Leave
- Sick Leave Benefits (Short-term Disability)
- Long Term Disability
- Paid Time Off (PTO)
- Pension Plan\*\*

\* Not eligible until after introductory period

\*\* Refer to Summary Plan Descriptions available from your supervisor.

Some benefits require contributions from the employee; many are fully paid by the Diocese.

## **UNEMPLOYMENT INSURANCE**

Diocesan employees are eligible for unemployment insurance since the Diocese opted into the New Jersey State unemployment insurance plan.

## PAID TIME OFF

Paid time off (PTO) is available to eligible employees to provide opportunities for rest, relaxation and personal pursuits.

### **Eligibility:**

- Regular, full-time employees
- Regular, part-time employees scheduled to work twenty (20) hours or more per week
- Temporary, full-time employees who have been continuously employed for six (6) months or longer

PTO accruals shall commence upon successful completion of the ninety (90) day Introductory Period and will be credited retroactively to the employee's date of hire. PTOs shall accrue according to the following schedule:

### **Non-Exempt Positions:**

Years 1 through 4: 0.83 days per month (10 days per year)  
Years 5+: 1.25 days per month (15 days per year)

### **Exempt Positions:**

Years 1+: 2.083 days per month (25 days per year)

The PTO annual accrual rate for non-exempt employees will change in the month when an employee reaches a service milestone if the employee's anniversary date is before the sixteenth (16<sup>th</sup>) of the month, and change effective the following month if the employee's anniversary date is the sixteenth (16<sup>th</sup>) of the month or later.

PTOs shall be scheduled according to work requirements. When an official Diocesan holiday falls within an approved vacation period, the day shall be charged to holiday time, not as a PTO.

PTOs may not be carried over into the following year without the approval of the supervisor. The maximum that may be carried over is five (5) days of earned accruals. Any accruals above this maximum shall be forfeited.

PTOs are paid at the employee's current base pay rate. It does not include overtime or any other special forms of pay.

Upon separation of employment, employees shall be paid for any unused accrued PTOs prorated from January 1 to their last day of employment.

## HOLIDAYS

The Episcopal Diocese of Newark will grant holiday time to all employees on the holidays listed below.

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Presidents' Day	Third Monday in February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving	Fourth Thursday in November
Day after Thanksgiving	Friday
Christmas	December 25*

\*In recent years, the Diocese has closed Episcopal House between December 25 and January 1 for winter break. Such days are not counted as paid time off.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (PTO), holiday pay will be provided instead of the paid time-off that would otherwise have applied.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

## **SICK LEAVE BENEFITS**

The Diocese provides paid sick leave to all eligible employees (exempt and non-exempt) for periods of temporary absence due to illnesses or injuries. Eligible employees are regular, full-time employees, regular part-time (scheduled to work twenty (20) or more hours per week), or temporary full-time who have been continuously employed for six (6) months or longer.

Sick leave benefits are calculated from January 1 of each year for eligible employees and are accrued at a rate of 0.83 days per month and are prorated for part-time employees.

Sick leave is not accumulated and cannot be carried over from year to year. Sick leave pay will be reduced accordingly when benefits from Workers' Compensation and other insurance are available.

Employees can request use of paid sick leave after completing the Introductory Period of 90 calendar days from their start date. If an employee has not completed 90 days service as of December 31, they will not be eligible for any time-off or compensation. Paid sick leave can be used in minimum increments of one day. Eligible employees may only use sick leave benefits for an absence due to their own or immediate family illness or injury.

If an employee is absent for three (3) or more consecutive days for illness or injury, a physician's statement must be provided verifying the illness or injury and the beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

Employees who are unable to report to work due to illness or injury must personally notify their direct supervisor before the scheduled start of their workday, if possible. The direct supervisor must also be contacted on each additional day of absence.

## **MEDICAL AND FAMILY LEAVE**

To set policy defining Medical and Family leaves of absence for employees due to illness or injury (serious health condition) for self, family member; or, leave due to birth or adoption in compliance with the provisions of the New Jersey Family Leave Act and the Federal Family & Medical Leave Act (FMLA).

### **DEFINITIONS:**

***Family Member:*** A spouse, domestic partner, civil union partner, child, or parent.

***Parent:*** A person who is the biological parent, adoptive parent, foster parent, stepparent, parent-in-law or legal guardian, having a "parent-child relationship" with child defined by law, or having sole or joint legal or physical custody, care, guardianship, or visitation with a child.

***Child:*** A biological, adopted, or foster child, stepchild, legal ward, or child of a parent who is: (1) under 18 years of age; or (2) 18 years of age or older but incapable of self-care because of a mental or physical impairment.

***Intermittent Leave:*** Leave time taken on a periodic basis.

***Reduced Leave Schedule:*** Leave schedule that reduces the normal number of hours worked per workweek.

***Serious Health Condition:*** An illness, injury, impairment, or physical or mental condition which requires: (1) inpatient care in a hospital, hospice, or residential medical care facility; or (2) continuing medical treatment or continuing supervision by a health care provider.

## **MEDICAL/FMLA LEAVE POLICY**

A medical leave of absence for **self** or **family member** is defined as an absence from work for a specific period for an illness or injury (serious health condition) with the consent of the Supervisor.

Leaves are taken with the understanding that the employee will return to work at the conclusion of the leave.

### **Self:**

For employees taking Medical Leave for self, the maximum leave allowed will be twelve (12) weeks. Accrued sick and PTO time shall be taken.

### **Family Member:**

For employees taking Medical Leave to care for a family member for a serious illness, the maximum leave allowed is twelve (12) weeks. Paid leave time must include accrued PTO and up to a maximum of 50% accrued sick time.

Intermittent or reduced schedule leaves are allowed for Medical Leave/FMLA for self and family members only and are not allowed for birth or adoption. Intermittent or reduced schedule leaves may be taken over a 12-month period.

## **BIRTH OR ADOPTION LEAVE POLICY**

Family leave for birth or adoption is approved leave from employment to enable an employee to provide necessary care by reason of the birth or adoption of a child by the employee and/or spouse.

The maximum birth or adoption leave allowed twelve (12) weeks. Accrued PTOS and holidays must be used; any additional leave required may be unpaid. In either event, birth/adoption leave shall not exceed the allowed twelve (12) weeks.

If both spouses are employed by the Diocese, the combined leave period allowed shall not exceed twelve (12) weeks.

### **NOTE:**

If an employee is applying for Medical Leave due to pregnancy disability, or for any other reason, the medical leave will be in effect only for the time period where there is an inability to work. After a birth, once the employee is medically able to work but requires childcare leave, a family leave can be requested under the birth or adoption provisions of FMLA.

### **Eligibility:**

Regular full or part-time employees who work 20 hours or more a week, employed for a minimum of one (1) year.

### **Other Provisions:**

All Medical/FMLA leaves for self or family member, or for birth or adoption, whether paid or unpaid, shall run concurrent within the maximum amount of leave permitted by policy. An employee on an approved medical leave of absence may not work for any other employer.

An employee will be considered absent without authorization (AWOL) and subject to termination if he/she fails to:

- apply for a Leave of Absence within the guidelines of this policy;
- provide required documentation (medical certification) justifying the leave within the maximum fifteen (15) days of the leave effective date;
- return to work for three (3) or more days after the leave expiration date and has not applied for an extension;
- respond to a written communication from the Diocese advising of the leave expiration.

**Procedures:**

Application for a Medical/FMLA leave of absence for a foreseeable event, must be made thirty (30) days in advance.

Application for a Medical/FMLA leave of absence for an unforeseeable event, must be made on or before the fourth (4th) day of any period when an employee is absent due to serious illness or injury of self or family member, or due to birth or adoption.

Employees must complete the Request for Leave of Absence and provide medical certification for a health care provider to the supervisor.

Employees on leave, but requiring an extension, must apply for the extension before the expiration of the previously approved leave. The extension cannot extend the leave beyond the maximum time allowed under policy.

Please note that employees have a maximum of fifteen (15) days from the date of application, or the date of notice of extension, within which to provide required documentation justifying a leave.

Employees may be required to submit recertification of the reason for medical leaves every thirty (30) days to their supervisor and may be requested to seek a second opinion by the Diocese.

**Benefits during Medical/FMLA Leaves of Absence:**

The first twelve (12) weeks of a medical/FMLA (paid and unpaid) leave of absence (including birth or adoption) granted to an employee will be considered leave pursuant to the Federal Family and Medical Leave Act.

Employees on paid leave for self, family member or birth or adoption will continue to enjoy full benefits. During the first twelve (12) weeks of unpaid status, the employee will be required to pre-pay the employee portion of any applicable health plan premium cost during the leave. The Diocese shall maintain coverage under any group health insurance plans (medical, prescription drug and dental) that were in effect at the time the leave began. Once the twelve (12) week unpaid period is exhausted, the employee will be required to pre-pay the applicable employee and employer premium costs for the remainder of the leave.

If the required pre-payments are not made, the employee's benefit coverage will be terminated. Affected employees will be offered COBRA (up to eighteen (18) months). The employee may elect to continue any or all of the coverage (medical, prescription drug or dental) they had while in active status. They may not increase the level of coverage, but may switch plans upon enrollment in COBRA. The time employees spend on leave will not count as part of the COBRA eligibility period.

Sick and vacation time accruals will continue for the remainder of the month in which the unpaid medical leave commences, providing the employee is still in active pay status as of the sixteenth of that month.

When an employee returns from leave, sick and vacation time will begin to accrue for the month in which the employee returns to work provided he/she returns on or before the fifteenth of that month. If an employee returns from a leave after the fifteenth of the month, then sick time and vacation time will start to accrue at the beginning of the following month.

Seniority held prior to the commencement of the leave of absence will be retained.  
Holidays which fall during an unpaid medical leave of absence will not be granted.

#### **Return from Leave**

An employee who exercises the right to take a medical leave under the Federal Family and Medical Leave Act (first twelve weeks), upon expiration of the leave is entitled to be restored to the position he/she held when the leave commenced or an equivalent position with same seniority, status, employment benefits, pay and other terms and conditions of employment. If a layoff occurs while the employee is on leave, the employee will be treated as if he/she were not on a leave relative to any layoff provisions.

Upon returning from a medical leave, the employee must present a medical statement from his/her personal physician that states the employee is able to return to work without limitations. Immediately upon the employee's return to duty, the department must reactivate the employee.

#### **BENEFITS CONTINUATION (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage for up to eighteen (18) months under the Diocese's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Diocese's group rates. The employee may elect to continue any or all of the coverage they had while in active status.

The Diocese provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Diocese's health insurance plan. The notice contains important information about the employee's rights and obligations.

#### **WORKERS' COMPENSATION INSURANCE**

The Diocese provides a comprehensive workers' compensation insurance program at no cost to employees. This program provides medical, time loss, permanent disability and survivors benefits.

The Program's intent is to fulfill Diocese's legal obligations, serve to maintain good employer/employee relations and facilitate the effective utilization of resources. Subject to applicable legal requirements, workers' compensation insurance provides benefits, after a waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. Neither the Diocese nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social or athletic activity sponsored by the Diocese.

### **BEREAVEMENT LEAVE**

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately.

Up to three (3) consecutive days of paid bereavement leave will be provided to eligible full time employees.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with the supervisor's approval, use any available paid leave or vacation for additional time off as necessary.

The Diocese defines "immediate family" as the employee's spouse, civil union partner, domestic partner, children, step-children, siblings, step-siblings, parents, step-parents, grandparents, step-grandparents, grandchildren, step-grandchildren, daughter/son-in-law, brother/sister-in-law, mother/father-in-law, grandparents-in-law.

### **JURY DUTY**

The Diocese encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees who are required to serve on federal, state, county, municipal or grand jury, or who are subpoenaed to appear as witnesses, shall be excused from work in order to be in compliance.

Employees must show the jury duty summons to their supervisor within a minimum of three (3) business days of receipt of summons, so that the supervisor may make arrangements to accommodate their absence.

Employees serving in such capacity shall receive their regular straight time pay. The Diocese will continue to provide health insurance benefits for the full term of the jury duty absence.

Any pay received for jury service shall be kept by the employee.

### **MILITARY LEAVE**

A military leave of absence will be granted to employees, except those occupying temporary positions, to attend scheduled drills or training or if called to active duty with the U.S. armed services.

The leave will be unpaid. However, employees may use any unused vacation paid time off for the absence.

Subject to the terms, conditions and limitations of the applicable insurance plans for which the employee is otherwise eligible, health insurance benefits will be provided by the Diocese for the full term of the military leave of absence.

Vacation, sick leave and holiday benefits will continue to accrue during a military leave of absence.

Employees on two-week active duty training assignments or inactive duty training drills are required to return to work after the end of the training. Employees on longer military leave must apply for re-employment in accordance with all applicable state and federal laws.

Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of vacation accrual.



### **TIMEKEEPING**

Accurately recording time worked is the responsibility of incumbents of nonexempt positions. Federal and state law requires the Diocese to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Incumbents of nonexempt positions should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Timesheets are to be maintained by the employee and approved by the supervisor on a weekly basis. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

### **PAYDAYS**

All employees are paid twice monthly. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

Employees will have their pay directly deposited into their bank accounts after providing the necessary information to the Diocese. Employees will receive an itemized statement of wages, deductions and other pertinent data when the Diocese makes direct deposits.

### **ADMINISTRATIVE PAY CORRECTIONS**

The Diocese takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Controller so that corrections can be made as quickly as possible.

Once under-payments are identified, they will be corrected in the next regular paycheck.

Overpayments will also be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the Diocese will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.

### **OVERTIME**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Accurate recording and accounting of overtime is the responsibility of the employee's supervisor.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. As required by law, overtime pay is based on actual hours worked. Time off for sick leave, PTO, or any leave of absence will not be considered hours worked for purposes of overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

## **EMPLOYMENT SEPARATION**

Below are examples of some of the most common circumstances under which employment ends.

**RESIGNATION** – severance of employment is initiated by an employee who chooses to leave the organization voluntarily. Although advance notice is not required, the Diocese requests at least two weeks' written notice of resignation from incumbents of non-exempt positions and four weeks' notice from incumbents of exempt positions. The supervisor has the right to shorten the term of notice.

**DISCHARGE** – severance of employment is initiated by the organization.

Since employment with the Diocese is based on mutual consent, both the employee and the Diocese have the right to terminate employment at will, with or without cause, at any time. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

## **SEVERANCE PAY**

The Diocese does not make severance payments in the event an employee voluntarily leaves a position or is terminated for cause. Severance pay may be granted, at the discretion of the Bishop, when a unique circumstance occurs in the case of involuntary termination, layoff, reorganization, separation by the Diocese when termination is for other than misconduct. However, the Diocese reserves the right to make exceptions to this policy at its sole and absolute discretion.

## **EMPLOYEE CODE OF CONDUCT**

This Code of Conduct sets forth principles that you must follow in your activities as an employee of the Diocese. It is your responsibility to understand these rules applicable to your job responsibilities and to comply with both the letter *and* the spirit of these rules, as well as other Diocesan policies. This requires that you avoid not only actual misconduct but also the appearance of impropriety.

To provide the best possible work environment, the Diocese expects employees to follow the rules of conduct that will protect the interests and safety of all employees and the organization. Included in employee conduct is a requirement to be courteous to each other and our visitors.

### ***TREAT OTHERS WITH DIGNITY AND RESPECT***

The Diocese is committed to a work environment in which all individuals are treated with dignity and respect. It is the policy of the Diocese to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, age, gender, sexual orientation, national origin, citizenship, disability, marital and civil partnership status, pregnancy (including unlawful discrimination on the basis of a legally protected pregnancy/maternity leave), veteran status, or any other characteristic protected by law. The Diocese expects that all relationships among persons in the workplace will be business-like and free of bias, harassment, or violence.

Misconduct, including discrimination, harassment, retaliation or other forms of unprofessional behavior will not be tolerated. Such behavior, even if not unlawful, will subject you to disciplinary action by the Diocese, up to and including termination of your employment or service. In addition, conduct that is unlawful may subject you to civil and criminal penalties.

Officers and employees are required to comply with the anti-discrimination and prevention of sexual harassment and exploitation policies of the Diocese. These policies include mandatory procedures for reporting discrimination or harassment. Copies of these policies are available from your supervisor.

All Diocesan employees are required to attend anti-racism training as a condition of employment. Safe Church training is similarly required of all Diocesan employees.

There are three standard disciplinary actions that are taken in response to unsatisfactory work performance conduct. They are: verbal warnings, written warnings, and termination. The type of disciplinary action that is taken is determined by the degree of seriousness of the infraction and the frequency with which the infraction may occur. In certain instances, the Diocese may believe that an employees' conduct, performance, or absenteeism/tardiness is so detrimental to the interest of the Diocese or other employees of the Diocese that immediate discharge is taken without notice or without prior disciplinary action.

Employees must perform their job responsibilities satisfactorily, adhere to acceptable business principles in matters of personal and professional conduct and exhibit a high degree of personal and professional integrity at all times. Employees must refrain from any behavior that might be harmful to themselves, their coworkers or the Diocese, or that might be viewed unfavorably by or cause embarrassment to the Diocese, coworkers, current or potential visitors or the public at large.

Behaviors and conduct that the Diocese considers inappropriate or unacceptable may result in disciplinary action, up to and including termination of employment, without prior warning at the sole discretion of the Diocese. Such conduct includes, but is not limited to, the following:

- failure to satisfactorily meet the requirements of the position;
- theft, fraud, embezzlement, misuse of another employee's, member's or Diocese's property, or other acts of dishonesty;

- any harassment (verbal, physical, visual, electronically transmitted, or written) of co-workers, visitors, visitors, etc., including sexual harassment. This includes offensive gestures, unwelcome advances, jokes, touching or comments, and any other conduct prohibited by the Episcopal Diocese of Newark Anti-Harassment / Anti-Discrimination Policy. A copy of the policy is available from your supervisor.
- conduct which causes another employee, member or vendor of the Diocese embarrassment, loss of dignity, feelings of intimidation or loss of opportunity, including all forms of discrimination and harassment;
- obtaining employment on the basis of false or misleading information;
- reporting to or being at work under the influence of alcohol, illegal drugs or other controlled substances;
- possession, distribution, sale or use of illegal drugs or controlled substances while on Diocese premises, or while engaged in Diocese business off Diocese premises;
- assisting anyone whom an employee knows or suspects to be involved in money laundering or committing any other crimes or engaging in any conduct which rises to the level of a crime;
- possession of firearms (except if required by an employee's position and expressly authorized by the Diocese) or unauthorized weapons while on Diocese premises or while engaged in Diocese business off Diocese premises; threats or acts of violence toward fellow employees, visitors or vendors;
- engaging in any unauthorized conduct that creates an actual or potential conflict between the employee's and the Diocese's interests;
- engaging in employment elsewhere while on leave of absence/extended absence;
- falsification of any Diocese document or record;
- unauthorized alteration of time records for oneself or other employee(s);
- failure to maintain accurate time and attendance records;
- excessive or unexcused absenteeism or tardiness;
- failure to report to work for three consecutive scheduled work days without properly notifying the immediate supervisor (i.e., job abandonment);
- disruption of work environment;
- refusal to follow management's instructions concerning a job-related matter or any other act of insubordination;
- commission of any act, on or off the Diocese's premises, which threatens or impugns the reputation of the Diocese or any of its employees, visitors or vendors;
- misuse of the Diocese's systems (including, but not limited to, computer networks or electronic communication systems and internet) (See Diocesan Communications Policy);
- misuse or unauthorized release of, or access to, the Diocese's confidential and proprietary information;

If performance, work habits, attitude, conduct or demeanor becomes unsatisfactory in the judgment of the Diocese, or if there is a violation of any of the above or any other Diocese policy, rule or other standard of conduct, disciplinary action up to and including termination may result.

#### **PROMOTE A SAFE AND HEALTHY WORKING ENVIRONMENT**

*The Diocese is committed to conducting its business in compliance with all applicable environmental and workplace health and safety laws and regulations. The Diocese strives to provide a safe and healthy work environment for employees and to avoid adverse impact and injury to the environment and communities in which it conducts its business. Achieving this goal is the responsibility of all employees.*

## DRUG AND ALCOHOL USE

The Diocese is committed to a professional and safe work environment. Accordingly, possession, use, sale, purchase, distribution or being under the influence of controlled substances without proper medical authorization during the work day or at any work-related event (whether or not on Diocese premises) is expressly prohibited and will be grounds for disciplinary action up to and including termination.

The Diocese also prohibits the abuse of alcohol during the work day or at any work-related event. However, provision or consumption of alcohol in reasonable, moderate and responsible amounts at Diocese-sponsored social events or in connection with other work-related events is not prohibited provided the participants are of legal drinking age. In addition, the following guidelines shall apply when serving alcoholic beverages on church premises:

1. Alcoholic and non-alcoholic beverages should be clearly labeled.
2. Non-alcoholic beverages must always be available and served in equally attractive and visible ways as alcoholic beverages.
3. Food should always be served at event where alcoholic beverages will be served.
4. The availability of alcoholic beverages shall not be publicized as an attraction to the event.

Neither abuse of alcohol nor conduct that is inconsistent with Diocese standards of professionalism and behavior will be tolerated and may be grounds for disciplinary action up to and including termination of employment.

The Diocese reserves the right to take appropriate action to investigate or ensure compliance with this policy. In accordance with applicable laws, at the discretion of the Diocese, employees may be subject to alcohol and/or drug testing for reasonable suspicion and/or follow-up purposes. Furthermore, failure to submit to an alcohol and/or drug test at specified locations and times, or the finding of positive results, may subject such employees to disciplinary or other appropriate action, including termination of employment.

Employees with drug or alcohol dependency that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the Diocese's health insurance benefit coverage. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all diocesan policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause the Diocese any undue hardship. Refer to Medical and Family Leaves, included herein, for more information.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor to receive assistance or referrals to appropriate resources in the community.

## SMOKING

In keeping with the Diocese's intent to provide a safe and healthful work environment, smoking in the workplace is prohibited.

**SEXUAL AND OTHER UNLAWFUL HARASSMENT**

See Sexual Harassment & Sexual Exploitation policies 2012.



## **ATTENDANCE AND PUNCTUALITY**

To maintain a safe and productive work environment, the Diocese expects employees to be reliable and to be punctual in reporting for scheduled work. Regular attendance and punctual reporting to work are essential aspects of job performance. They are also necessary for the efficient operation of the Diocese's business. Employees are therefore expected to report to work at their regularly scheduled starting time on all scheduled workdays. If an employee anticipates being absent or delayed in reporting to work, the employee must contact his or her supervisor at least one hour prior to the starting time. Any absences without proper notification will subject the employee to disciplinary action up to and including termination. In the event of any absence due to illness, if supervisors suspect abuse of the attendance and punctuality policy, they may require written verification of an illness from a physician, even if the absence is for one day.

It is also expected that employees return from lunch or any scheduled breaks punctually, unless prior approval has been obtained from the supervisor.

Unreported absences of 3 consecutive workdays will be construed as a voluntary resignation and will result in termination. Attendance records, including the number of occurrences within rolling 4-, 6-, 8-, and 12-month periods, will be reviewed on an ongoing basis. In the rare circumstances when employees cannot avoid being late to work, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Patterns of chronic lateness or absenteeism may result in disciplinary action up to and including termination.

## **PERSONAL APPEARANCE**

All employees are expected to use their discretion and good judgment in adhering to the dress code guidelines

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the image the Diocese presents to visitors and visitors of our churches.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

Consult your supervisor if you have questions as to what constitutes appropriate attire.

If employees report to work improperly dressed or groomed, Supervisors may instruct them to return home and change clothes. In accordance with applicable law, employees sent home because of inappropriate attire may be required to use a vacation day, a personal day or take a day off without pay if no other paid time off is available. Failure to adhere to this policy could result in disciplinary action up to, and including, termination.

### **EXPRESSING CONCERNS: OPEN DOOR POLICY**

It is the Diocese's policy that there will be no retaliation against employees for raising concerns about the workplace, the work environment, or financial management of the Diocese. The Diocese maintains an open door policy, encouraging all employees to bring their concerns to light so that they may be addressed. No employee will be retaliated against as a result of expressing a reasonable concern, as long as appropriate channels are followed. Employees who have any concern relating to their employment or concerns relating to the conduct of other employees, volunteers, or concerns about financial matters involving the Diocese, contracts, contractors or any issues regarding financial policies, accounts or accounting, are encouraged to immediately express their concern directly to their supervisor.

### **OUTSIDE WORK**

Although it is discouraged, part-time employees of the Diocese may hold outside jobs so long as they also continue to meet all performance standards of their position with the Diocese. All employees will be expected to meet the Diocese's performance expectations and scheduling requirements, regardless of outside work obligations. All outside work should occur while the employee is not working for the Diocese – either before or after, but not during the primary work day. This includes business calls about the outside work, which should be conducted on the employee's own time.

If the Diocese determines that an employee's outside work interferes with performance or the ability to meet the job requirements of the Diocese, as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed by the Diocese.

Employees who are engaged in outside employment will notify their supervisors in writing of the name of the employer and the nature of the work. If this work is deemed by the Diocese to create a conflict with the Diocese's best interests, the employee will be notified of the conflict in writing. In this case, the employee will cease this outside employment or address the conflict of interest to the satisfaction of the Diocese, or the employee will be terminated from employment with the Diocese.

### **CONFLICTING ROLE AVOIDANCE**

Neither diocesan officers (Treasurer, Chancellor, or Secretary to Convention) nor any diocesan staff are eligible to serve (a) as members of elected bodies of the Diocese (except as diocesan officers) or (b) in their home or other congregations as clerks, treasurers, wardens or members of the vestry or executive committee.

### **CONSCIENTIOUS EMPLOYEE PROTECTION ACTION (PROTECTION FOR WHISTLEBLOWERS)**

The New Jersey Conscientious Employee Protection Act (CEPA) protects employees from retaliatory discharge arising out of "whistle blowing" activities. A protected employee is someone who reasonably refuses to engage in and/or reports in writing his or her reasonable belief those activities of the Diocese are illegal or wrongful. If any employee reasonably believes that some policy, practice, or activity of the Diocese or a co-worker is in violation of law, a written complaint must be filed by that employee with the employee's supervisor.

The Diocese will not retaliate against employees who in good faith have made a protest or raised a complaint against, disclosed, or threatened to disclose, to a supervisor or a public body, any activity, policy, or practice of the Diocese or of another individual or entity with whom the Diocese conducts business, on the basis of the employee's reasonable belief that the activity, policy or practice is in violation of a law, or a rule or regulation mandated by law, is fraudulent, or criminal, or is incompatible with a clear mandate of public policy concerning the public health, welfare, safety or protection of the environment.

Employees are protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of the employee's supervisor in writing, and provides the Diocese with a reasonable opportunity to investigate and correct the alleged unlawful activity.

### **INTERNET, EMAIL AND RESPONSIBLE USE OF TECHNOLOGY**

Each employee is expected to use the computer technology available at the Diocese responsibly and professionally and for the benefit of the Diocese at all times. The computers at the Diocese are for employees' use for Diocese business, and are the property of the Diocese. The Diocese reserves the right to inspect computers, files sent or downloaded, or the contents of email messages, at any time. Accordingly, employees should not have any expectation of privacy in the emails received or sent on the Diocese computers and are reminded that the excessive use of the Diocese computers during work time to read/write or respond to personal emails is considered unprofessional conduct that could result in discipline or termination.

The Diocese's computers should not be used for any activities that involve pornography, or graphically sexual material; to download copyrighted material without permission of the author; to display any offensive graphics or messages; or to play offensive or loud music.

The Diocese expects its employees to be aware of and take action to protect the Diocese's computers from computer viruses, to properly back-up the Diocese documents and to obtain authorization from the Diocese prior to downloading or uploading or connecting any software or hardware into the Diocese's computers or the Diocese's computer network.

The Diocese expects its employees to familiarize themselves with the Diocesan Internet Policy and the Policy for Terms of Use for the Newark List.

Using the internet from a computer owned by the Diocese irresponsibly, or for personal business or in violation of law will subject an employee to discipline, up to and including termination.

### **VIOLENCE AT THE WORKPLACE**

Physical violence or physically hostile conduct or threats has no place at the Diocese. The Diocese prohibits any threats of violence by any employee or former employee against another employee. The Diocese also prohibits any acts or threats of violence against its visitors, vendors or any third party. In furtherance of this policy, employees have an affirmative duty to report behavior that violates this policy or any related concerns immediately to their supervisor

Any employee engaged in such conduct will face discipline up to and including termination. Employee reports will be held in confidence while investigated to the maximum extent possible. The Diocese will not condone retaliation in any form against any employee for making a report in good faith under this policy.

### **SPEAKING TO THE MEDIA**

The Diocese has an official spokesperson designated by the Bishop. Employees who are not designated as the spokesperson for the Diocese on any specific matter are not to speak with the media without prior authorization from the Bishop. Should an employee receive an inquiry from the media, the employee should politely refer the media to the Director of Communication and Technology.

## CONFIDENTIALITY

The Diocese respects the confidentiality of the individuals served by the Diocese and of its employees. To this end, employees are reminded that all operations, activities and affairs of the Diocese that are recorded or documented in writing are the property of the Diocese; no documents should be copied and provided to third parties without express authorization of the Bishop. Employees are reminded that in the course of the Diocese's work in the community, employees often are privy to information that is sensitive and often confidential<sup>1</sup> and that disclosure of such information to anyone other than on a need-to-know basis is unprofessional and may subject the employee to discipline up to and including termination.

Donors to the Diocese sometimes request that their identity be kept confidential. The Diocese will maintain the confidentiality of donor identity in accordance with donors' desires.

Employee information is confidential and may not be disclosed to any third party except on a need-to-know basis. Employee records will be maintained in confidential files, with medical files separate from regular personnel file documents. The Bishop and his/her designee have access to employee information. Employees may request to review their own file, however, copies of documents in the personnel file may only be made with authorization from the Bishop or his/her designee.

**EMPLOYEE HANDBOOK  
ACKNOWLEDGEMENT FORM**

The employee handbook describes important information about Diocese policies and procedures, and I understand that I should consult my supervisor regarding any questions not answered in the handbook.

Since the information, policies and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

I have entered into my employment relationship with the Diocese voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the Diocese can terminate the relationship at will, with or without cause, at any time.

EMPLOYEE'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

EMPLOYEE'S NAME (TYPED OR PRINTED) \_\_\_\_\_

-----Tear/Cut here-----

**Employee Copy**

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