

EPISCOPAL DIOCESE OF PENNSYLVANIA
PERSONNEL MANUAL
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SAMPLE EMPLOYEE RECEIPT AND ACCEPTANCE FORM

I hereby acknowledge receipt of the Diocese Personnel Handbook. I understand that it is my continuing responsibility to read and know its contents. I also understand and agree that the Personnel Handbook is not an employment contract for any specific period of employment or for continuing or long-term employment. Therefore, I acknowledge and understand that unless I have a written employment agreement with The Diocese of Pennsylvania that provides otherwise, I have the right to resign from my employment with the Diocese at any time with or without notice and with or without cause, and that the Diocese has the right to terminate my employment at any time with or without notice and with or without cause.

I have read, understand and agree to all of the above. I have also read and understand the Diocese Personnel Handbook. I agree to return the Personnel Handbook upon termination of my employment.

Signature _____

Print Name _____

Date _____

EMPLOYMENT RELATIONSHIP

101 INTEGRITY, REPECT & DIGNITY

A. DIOPA'S COMMITMENT

The Episcopal Church is committed to fulfill its mission to the world to proclaim and teach Gospel values of personal dignity and justice in our common life. The Episcopal Diocese of Pennsylvania (DIOPA) endeavors to practice those same values in our everyday work, through the right ordering of relationships, by fostering the principles of personal dignity, justice, accountability, commitment, and participation. Toward that end, DIOPA recognizes that each employee, according to his/her assigned responsibilities and personal talents, serves DIOPA's mission. Further, all employees are expected to be honest to themselves and others and to treat each other with respect and dignity, regardless of their position in the organizational hierarchy or their job title and responsibilities.

B. GENERAL STANDARDS OF CONDUCT

To ensure a positive work environment and orderly operations consistent with the Episcopal Diocese of Pennsylvania's (DIOPA) mission, goals, and religious culture, DIOPA expects employees to abide by its established standards of conduct. DIOPA retains exclusive discretion to determine whether employees have abided by such standards.

In specific, DIOPA **requires** that all employees:

1. Respect the tenets of the Episcopal faith, including the doctrine, discipline, and worship of The Episcopal Church, and conduct themselves professionally in a way that does not undermine such tenets;
2. Refrain from behavior that embarrasses or discredits DIOPA and/or is disruptive to the workplace; and
3. Abide by all of DIOPA's policies and procedures, including but not limited to the policies specified in this Handbook.

Employees who are unsure whether conduct is appropriate shall refrain from such conduct. Employees who have questions about the applicable standards of conduct should contact their supervisor, the Bishop's Office, the Canon to the Ordinary or the Diocesan Chancellor.

Employees who violate this policy may be subject to disciplinary action, up to and including immediate termination from employment.

102 THE HIRING PROCESS

APPLICATION AND INTERVIEW PROCESS

July 2015

If you believe you have been called to apply for a particular position, you will be required to complete an employment application, and you may also be required to complete telephone and/or in person interviews. Employment applications and interviews are important phases of the hiring procedure. The employment application and any interview notes become a part of your permanent record. The Episcopal Diocese of Pennsylvania (DIOPA) relies upon the accuracy of the information contained in the employment application and provided during the interviews, as well as the accuracy of other information presented throughout the hiring process and employment. Information submitted on the application form, during an interview or the hiring process and/or throughout your employment may be independently verified.

If you misrepresent or falsify any information, or you omit any material fact, during the application, interview or hiring process or during your employment, this is cause to exclude you from further consideration or, if you have already been hired, to terminate your employment.

In its discretion, DIOPA may make a job offer contingent upon: successful completion of a reference, background and/or other check; a negative result on a post-offer drug test; verification of any required licenses, certifications, degrees and/or transcripts; successful completion of any required post-offer health, psychological screenings and/or other screenings, examinations, or immunization requirements; and/or any other lawful requirement imposed by DIOPA.

CLASSIFICATION OF EMPLOYEES UPON HIRE

Upon hire, each employee is classified as one of the following:

- **Full-time:** An employee who is regularly scheduled to work for 35 or more hours per week; or
- **Part-time:** An employee who is regularly scheduled to work less than full-time employees.

Further, some employees may be classified as “**Temporary.**” A temporary employee is one who is scheduled to work, either on a full-time or part-time basis, but who has been hired with the understanding that his/her employment shall terminate upon completion of a specific assignment or project.

You will be informed of your initial employment classification during the hiring process. If there is a change in your employment classification, the Bishop or his/her authorized designee will inform you of such change.

The applicability to you of specific provisions of this Handbook may depend upon your employment classification. Employees should be aware; however, that such status is not necessarily determinative of eligibility for benefits and leave time. Rather, eligibility for benefits and leave depends upon the requirements of the law, applicable plan terms, and DIOPA policy.

Questions regarding your employment classification and the applicability of any provision of this Handbook should be directed to the Bishop or his appointed designee.

103 NEPOTISM AND THE EMPLOYMENT OF RELATIVES

The Diocese wants to ensure that Diocesan practices do not create situations in which conflicts of interest or favoritism might arise, including practices involving hiring and promotion. Close relatives, partners, those in a dating relationship, or members of the same household may not be in positions which have a reporting responsibility one to the other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and relatives of partners in the same categories. Additionally, the Diocese will not hire an employee's relative, as defined above, unless the hiring is part of a standard search and interview process in which the relative is viewed by the interviewing supervisor (a non-relative) as the most qualified candidate for the job.

If current employees become relatives after starting employment with DIOPA, then such employees must promptly notify the Bishop, in writing, with respect to their change in status. DIOPA will review the circumstances to determine whether there is an actual or potential conflict of interest, the appearance of improper influence or favoritism, actual or potential problems with safety, security, or morale, or other actual or potential business problems, and if there are concerns, DIOPA shall take action as the DIOPA deems appropriate, in its sole discretion, to remedy the situation. Such action may include, without limitation, transfers, reassignments, schedule changes and termination from employment.

Any questions relating to the employment of relatives and this policy should be addressed to the Bishop's Office or the Canon to the Ordinary.

104 BACKGROUND CHECKS AND REQUIRED SCREENINGS

Consistent with applicable law, the Episcopal Diocese of Pennsylvania (DIOPA) may, from time to time, require you to submit to periodic criminal checks, background checks, reference checks, and/or other similar checks and/or screenings. It is a condition of your hire and/or continued employment that you agree to grant to DIOPA (or its designee) the authority to conduct such criminal checks, background checks, reference checks, health screenings, and/or other similar checks and/or screenings, and that you agree to sign any consent forms or other documents, as required in connection with such checks or screenings. Failure to provide any such consent and/or failure to comply with any request in connection with any such check or screening may subject you to disciplinary action, up to and including termination.

105 WORK DOCUMENTATION (I-9)

Within 3 business days of the date on which a new employee starts work, the new employee must supply documentation demonstrating identity and authorization to work in the United States, consistent with all applicable federal laws.

106 EMPLOYMENT AT WILL

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to ensuring fair treatment of all employees. This means providing a workplace environment in which all persons are respected, encouraged and supported in performing the tasks they have been assigned.

Lay and Clergy employment relationships in DIOPA are based on a mutual covenant between the individual worker and DIOPA. This is a voluntary relationship entered into and continued between the individual and the DIOPA. As a mutually voluntary relationship, **except where the employment at-will doctrine is modified for certain clergy by internal Episcopal church constitutions, canons, resolutions, policy or practice (whether issued by General Convention or Diocesan Convention)**, the employment relationship is of an indefinite duration, but it may be terminated by either the Episcopal Diocese of Pennsylvania or by at-will employees, at any time with or without cause for any reason (except an unlawful reason) or no reason, at any time with or without prior notice. Additionally, DIOPA reserves the right to modify employees' employment, including demotion (e.g., a change in title or a decrease in salary or number of hours worked), at any time with or without cause for any reason (except an unlawful reason) or no reason, at any time with or without prior notice. This relationship is defined as employment "at-will."

Employees' "at-will" employment status may only be altered or modified through a written agreement, which specifically states the intention to alter or modify the at-will employment status and is signed by the employee and the Bishop or his/her duly authorized designee.

107 DRESS CODE & APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image the Episcopal Diocese of Pennsylvania (DIOPA) presents to the community. Appropriate attire, hygiene, and grooming create a positive impression to others about DIOPA. DIOPA recognizes that while people may express themselves through their clothing, there are articles of clothing that are not considered acceptable attire in the workplace at any time. Employees are expected to maintain a professional appearance while at work.

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

108 JOB DESCRIPTIONS

The Episcopal Diocese of Pennsylvania (DIOPA) will endeavor to provide, in writing, a clearly defined general description of each position and its requirements. From time to time, DIOPA may review and, in its discretion, modify a position's job description.

109 COMMUNITY SERVICE EXPECTATIONS

As part of his/her service to the Diocese, every employee is required to participate in and complete twelve (12) hours of community service, each year, either in the ministry of a church in the Diocese, in the community of which we are a part, or in the world at large. With prior permission of his/her supervisor, he/she may complete such service during business hours. Proof of completion of these hours (written confirmation by ministry leader) must be provided to his/her supervisor within 72 hours of completion of the work

110 ENDING THE EMPLOYMENT RELATIONSHIP

As specified in Policy 106 ("Employment At-Will") if you are employed "at-will," you may resign at any time for any reason (or for no reason), with or without notice, and the Episcopal Diocese of Pennsylvania (DIOPA) may terminate you at any time for any legal reason (or for no reason) with or without notice.

In general, DIOPA will strive to give to the employee its reason for ending the employment relationship to help ensure that DIOPA has acted in a fair, dignified and just manner. DIOPA will not routinely end all employment relationships upon the change of the Bishop. Further, in accordance with resolutions of the General Convention, when an employment relationship ends:

- Whenever possible, if DIOPA or you seek to end the employment relationship, the party seeking to end the relationship is encouraged (but not required) to provide adequate notice to the other party of such termination;
- Whenever possible, if DIOPA seeks to terminate your employment for performance-related reasons, DIOPA shall provide you with a brief written statement stating the performance-related employment reasons for such termination;
- Whenever possible, both DIOPA and you shall give the other party appropriate assistance for continuing ministry;
- DIOPA and you shall respect the dignity of all parties and, whenever possible, should mutually agree upon the manner in which the affected community will mark the end of the employment relationship; and

- Upon the end of the employment relationship for any reason, DIOPA shall pay the employee his/her final compensation on the next regularly-scheduled pay period.

Nothing contained in this Handbook, including the above guidelines, is intended to, nor should be read to alter or modify, the at-will employment relationship (as explained in more detail in Policy No. 106 of this Handbook), which DIOPA maintains with all employees. While the above guidelines of General Convention are to be followed whenever possible, such guidelines are not intended to alter the employment at-will doctrine under the law.

111 POST-RETIREMENT EMPLOYMENT

If you are a lay employee previously retired from service with the Episcopal Church, or any entity affiliated with it, and you are presently receiving pension benefits from the Episcopal Church Lay Employees' Retirement Plan, your pension benefits may be affected by your employment with the Episcopal Diocese of Pennsylvania (DIOPA).

If you are receiving pension benefits from these plans, you should contact the Church Pension Fund to determine whether your retirement benefits will be suspended as a result of your employment with DIOPA.

FAIR EMPLOYMENT & SOCIAL JUSTICE

*For the purposes of section 200 please refer to the General Definitions found at the back of this manual.

201 EQUAL EMPLOYMENT OPPORTUNITY

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to and fully supports the principle of equal employment opportunity.

Additionally, in accordance with General Convention Resolution D032: 76th General Convention, 2009, The Episcopal Diocese of Pennsylvania (DIOPA) will not discriminate in lay employment on the basis of an individual's race, color, sex, national origin, age, familial status, disability, sexual orientation, gender identity, or gender expression.

All employees are responsible for supporting the concept of equal employment opportunity and diversity and assisting DIOPA in meeting its objectives.

202 ANTI-DISCRIMINATION/ANTI-HARRASSMENT

A. TYPES OF PROHIBITED DISCRIMINATION (INCLUDING HARASSMENT)

1. **Illegal Discrimination**

In accordance with the law, the Episcopal Diocese of Pennsylvania (DIOPA) prohibits discrimination, including harassment, of employees by anyone (including supervisors and decision-makers, co-workers, consultants) for any illegal discriminatory applicable to it, reason including race, color, national origin, age, sex, military or veteran status, mental or physical disability, genetic information status or any other classification protected made by to the Diocese by federal, state or local law. The caveat alluded to in this paragraph refers to the fact that the Diocese, like all religious organizations, may (and does) consider religious affiliation in employment decisions and nothing herein should be read to impact its right to do so. – For purposes of this policy, these classifications shall be referred to as “**Legally Protected Classifications**,” and discrimination of employees on the basis of the listed Legally Protected Classifications shall be known as “**Illegal Discrimination**.”

2. **Church-Prohibited Discrimination**

In accordance with General Convention Resolution D032: 76th General Convention, 2009, the Diocese prohibits discrimination, including harassment, of lay employees by anyone (including supervisors and decision-makers, co-workers, consultants, vendors and other non-employees) based on the individual’s race, color, sex, national origin, age, familial status, disability, sexual orientation, gender identity, or gender expression. For purposes of this policy, these classifications (and any other classifications protected by internal Episcopal Church canons, resolutions, policy or practice (whether issued by General Convention or Diocesan Convention)) shall be referred to as “**Church-Protected Classifications**” and discrimination of lay employees on the basis of Church Protected Classifications on shall be known as “**Church-Prohibited Discrimination**.”

3. **Prohibited Discrimination**

As used in this Policy, the term “**Prohibited Discrimination**” shall refer collectively to Illegal Discrimination and Church-Prohibited Discrimination.

*****Nothing contained in this Policy is intended to create a legal right where none would have existed in the absence of this Policy or General Convention Resolution D032: 76th General Convention, 2009 (or any other internal Church canons, resolutions, policy or practice (whether issued by General Convention or Diocesan Convention)), nor does the Diocese concede that it is covered by or subject to any federal, state or local laws.*

*****Nothing contained in this Policy is intended to alter DIOPA’s right to make employment decisions with respect to clergy and other individuals who fall within the ministerial exemption under applicable law(s).*

B. ILLEGAL DISCRIMINATION AND CHURCH-PROHIBITED DISCRIMINATION NOT TOLERATED

The behavior of individuals engaging in Prohibited Discrimination, or supervisors and decision-makers who knowingly allow Prohibited Discrimination to continue will not be tolerated.

ALL DIOCESAN PERSONNEL, WHETHER SUPERVISORY OR NON-SUPERVISORY, ARE PROSCRIBED FROM ENGAGING IN THE CONDUCT PROHIBITED BY THIS POLICY.

C. PROHIBITED HARASSMENT

DIOPA proscribes all forms of Prohibited Discrimination. Harassment is a form of discrimination.

This policy is intended to cover all forms of Prohibited Harassment (as defined below), other than sexual harassment. DIOPA's policy prohibiting sexual harassment can be found at Policy No. 202 ("Sexual Harassment")

As used in this Policy, the term "**Prohibited Harassment**" means harassment on the basis of Legally Protected Classifications and/or Church-Protected Classifications. In addition, for the purpose of our prohibition against harassment, the Diocese includes harassment of an employee based on his or her religious affiliation. Prohibited Harassment includes unwelcome or inappropriate verbal, physical or other communication or conduct that denigrates or shows hostility or aversion to a person and/or group and:

- a. has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
- b. has the purpose or effect of unreasonably interfering with the individual's work performance.

Depending upon circumstances, Prohibited Harassment may include (but is not limited to): jokes, epithets, slurs, negative stereotyping; threatening, intimidating or hostile acts; or written or graphic material including e-mail that denigrates or shows hostility or aversion toward an individual or group on the basis of Legally Protected Classifications, Church-Protected Classifications and/or harassment based on one's religious affiliation.

A. RETALIATION

DIOPA will not take any action in retaliation against any individual employed by the DIOPA who, in good faith and with a genuine belief that he/she has been the subject of Prohibited Discrimination, religious harassment, brings or voices a complaint pursuant to this Policy or otherwise opposes religious harassment and/or Prohibited Discrimination. In addition, DIOPA will not tolerate any retaliatory acts by other individuals.

Retaliation is a serious violation of DIOPA policy and may be a violation of the law. If you believe you have been subjected to retaliation in violation of this Policy, you should report your claim immediately in the manner specified in Section F below. Individuals will be subject to disciplinary action, up to and including immediate termination from employment, if they are found to have retaliated against an individual.

F. PROCEDURE FOR REPORTING SUSPECTED PROHIBITED DISCRIMINATION AND/OR RETALIATION

1. General Internal Reporting Procedures

If you believe that the actions or words of a supervisor/decision-maker, co-worker, customer, vendor, volunteer, or other individual in DIOPA constitute Prohibited Discrimination, or religious harassment, you have a responsibility to promptly report that behavior to DIOPA's management. Among other things prompt reporting enables DIOPA to stop the Prohibited Discrimination before it becomes severe or pervasive and your report should be made as soon as you believe you have been the victim of Prohibited Discrimination, including harassment or religious harassment.

If you believe that you have been the victim of any form of Prohibited Discrimination or retaliation, you must promptly give notice of your concern to one or more of the following:

- (1) Your supervisor
- (2) Anyone in your supervisory chain
- (3) The bishop and/or Chair of Standing Committee
- (4) The Canon to the Ordinary for Administration or the Safe Church Coordinator

You are not required to complain to your supervisor or within your chain of command. In addition to reporting the offending behavior to one of the people listed above, you may speak directly to the individual whose conduct you find objectionable. You are not required to do this and it is suggested you consider doing so only if you are comfortable doing so. If you decide to speak directly to the person involved, you may find that clear communication may resolve an issue immediately as well as build greater understanding between individuals in DIOPA.

You may formally or informally complain to any of the above personnel via any of the following:

- (1) A telephone call
- (2) A letter
- (3) An e-mail
- (4) A fax
- (5) An in-person meeting
- (6) A "Notice of Concern" and/or

All individuals employed by DIOPA, including but not limited to supervisors and decision-makers, are required to report all formal and informal complaints, as well as any suspected or known policy violations, immediately to the **Canon to the Ordinary for Administration, Safe Church Coordinator, or bishop**, even if the complainant asks to keep the complaint confidential or does not wish to file a formal complaint.

All supervisors and decision-makers are expected to act promptly and appropriately to prevent (1) Prohibited Discrimination in DIOPA and (2) retaliation against those who make a good faith complaint of Prohibited Discrimination, or those who participate in good faith in either an investigation of a complaint or opposition to Prohibited Discrimination in DIOPA.

All complaints of Prohibited Discrimination will be reviewed and investigated promptly and impartially by DIOPA and/or its designee. Complaints may be made orally or in writing. Once DIOPA receives notice of any complaint of alleged Prohibited Discrimination it will swiftly determine whether a fact-finding investigation is necessary. If it is determined that a fact-finding investigation is necessary, it will be promptly initiated. If necessary, intermediate measures may be taken before completing the investigation to ensure that further Prohibited Discrimination does not occur.

Moreover, DIOPA will seek to address complaints with respect for all, no individual can be promised or guaranteed confidentiality. For example, information may have to be disclosed to those officials and/or DIOPA employees with a need to know in order to carry out the purpose and intent of this Policy. Information may also have to be given to individuals who are the subject of your complaint so that it can be investigated.

Corrective or disciplinary action will be taken against any individual employed by DIOPA found to have engaged in Prohibited Discrimination. Such action may include counseling and/or appropriate disciplinary measures, up to and including termination.

The complaining party will be given notice, in a timely fashion, of the outcome of the investigation of any formal or informal complaint.

2. Knowingly Bringing False Charges

Individuals who knowingly bring false charges of Prohibited Discrimination against another individual shall be subject to disciplinary action, up to and including immediate termination from employment.

203 SEXUAL HARRASSMENT

The Episcopal Diocese of Pennsylvania (DIOPA) prohibits sexual harassment of Diocesan Personnel¹ by anyone (including supervisors or decision-makers, co-workers, consultants, vendors and other non-employees). The behavior of individuals engaging in such conduct, or supervisors or decision-makers, who knowingly allow such behavior to continue, will not be tolerated.

ALL DIOCESAN PERSONNEL, WHETHER SUPERVISORY OR NON-SUPERVISORY, AND WHETHER PAID OR VOLUNTEER, ARE PROSCRIBED FROM ENGAGING IN THE CONDUCT PROHIBITED BY THIS POLICY.

B. PROHIBITED BEHAVIOR

As noted above, DIOPA prohibits all forms of sexual harassment in the Diocese. Specific definitions and examples of sexual harassment are set forth below.

1. Sexual Harassment

Sexual harassment includes unwelcome sexual advances and requests for sexual favors. Other unwelcome conduct which may constitute sexual harassment includes, but is not limited to, the following:

a. Verbal:

- repeated sexual innuendos, sexual epithets, derogatory slurs, off-color jokes (for example, jokes that include sexual language, innuendo, references, scenarios, etc.);
- propositions, threats, or suggestive or insulting sounds (for example, comments about body, sexuality, etc., including insults and innuendo) even if the comment is about someone else;
- inappropriate e-mail (for example, e-mail that includes sexual jokes or other references of a sexual nature about any person, gossip or speculation about a person's sexuality, sexual practices, sexual health, pregnancy, virility, etc.). This includes e-mail that was sent accidentally, for example by hitting the "forward" button instead of "reply," or forgetting that a particular individual or worker is on one of your group lists.

b. Visual/Non-Verbal:

- derogatory posters, cartoons or drawings (for example, cartoons and calendars that include nudity, sex acts, provocative poses, innuendo, sexual language, etc.);
- suggestive objects or pictures (for example, photographs that include nudity, sex acts, provocative poses; wallpaper, screensavers, or other electronic displays of a sexual nature);

¹ The definitions of terms used in this Policy are set forth in Section C of this Policy.

- graphic commentaries; leering; or obscene gestures (for example, vulgar gestures, gestures simulating sexual acts, “shooting the finger,” kissing the air toward someone or licking the lips in a sexually suggestive or provocative manner).

c. *Physical:*

Unwanted physical contacts (including touching, interference with an individual’s normal work movement, unwelcome displays of romantic or sexual affection, aggressive physical contact or assault); and

d. *Other:*

Making or threatening reprisals to an individual who opposes, objects to or complains about sexual harassment; possession of inappropriate material of a sexual nature in the Diocese or its display, duplication, or transmission.

The verbal and physical conduct specified in sub-sections a-d above may constitute harassment when:

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or other Diocesan work;
- ii. Submission to or rejection of such conduct by an individual is used as a basis for employment or other Diocesan work decisions affecting such individual; or
- iii. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

2. Retaliation

The Diocese will not take any action in retaliation against any Diocesan Personnel who, in good faith and with a genuine belief that he/she has been sexually harassed, brings or voices a complaint pursuant to this policy or otherwise opposes sexual harassment. In addition, the Diocese will not tolerate any retaliatory acts by other individuals.

Retaliation is a serious violation of Diocesan policy and may be a violation of the law. If you believe you have been subjected to retaliation in violation of this Policy, you should report your complaint immediately in the manner specified in Section B below. Diocesan employees will be subject to disciplinary action, up to and including immediate termination from employment and other Diocesan Personnel may be removed from their volunteer work or face other corrective or disciplinary action or penalty if they are found to have retaliated against an individual.

C. PROCEDURE FOR REPORTING SUSPECTED SEXUAL HARASSMENT AND/OR RETALIATION

1. General Procedures Applicable to All Diocesan/Personnel

If you believe that the actions or words of a supervisor/manager, co-worker, customer, vendor, volunteer, or other individual in the Diocese constitute prohibited sexual harassment, you have a responsibility to report promptly that behavior to the Diocese's management. Among other things, prompt reporting enables the Diocese to stop the sexual harassment before it becomes severe or pervasive.

If you believe you have been the victim of any form of sexual harassment or retaliation, you must promptly give notice of your concern to one or more of the following:

- a. Your supervisor
- b. Anyone in your supervisory chain
- c. The bishop and/or the Chair of Standing Committee
- d. The Canon to the Ordinary for Administration or the Safe Church Coordinator

You are not required to complain to your supervisor or within your chain of command. In addition to reporting the offending behavior to one of the people listed above, you are encouraged to speak directly to the individual whose conduct you find objectionable. You are not required to do this and it is suggested for you to consider doing only if you are comfortable doing so. If you decide to speak directly to the person involved, you may find that clear communication can sometimes resolve an issue immediately, as well as build greater understanding between individuals in DIOPA.

You may formally or informally complain to any of the above personnel via any of the following:

- a. A telephone call
- b. A letter
- c. An e-mail
- d. A fax
- e. An in-person meeting
- f. A "Notice of Concern"

All employees, including but not limited to supervisors and decision-makers, are required to report all formal and informal complaints, as well as any suspected or known policy violations, immediately to the Bishop or the Safe Church Coordinator even if the complainant asks to keep the complaint confidential or does not wish to file a formal complaint.

All supervisors and decision-makers are expected to act promptly and appropriately to prevent (1) sexual harassment in DIOPA, and (2) retaliation against those who make a good faith complaint of sexual harassment, or those who participate in either an investigation of a complaint or opposition to illegal or prohibited sexual harassment in DIOPA.

All complaints of sexual harassment will be reviewed and investigated promptly and impartially by the Diocese and/or its designee. Complaints may be made orally or in writing. Once the Diocese

receives notice of any complaint of alleged sexual harassment it will swiftly determine whether a fact-finding investigation is necessary. If it is determined that a fact-finding investigation is necessary, it will be promptly initiated. If necessary, intermediate measures may be taken before completing the investigation to ensure that further sexual harassment does not occur.

Moreover, DIOPA will seek to address complaints with respect for all. However, no individual can be promised or guaranteed strict or absolute confidentiality. For example, information may have to be disclosed to those officials and/or DIOPA employees with a need to know in order to carry out the purpose of this Policy. Information may also have to be given to individuals who are the subject of your complaint so that it can be investigated.

Corrective or disciplinary action will be taken against any Diocesan Personnel found to have engaged in sexual harassment. Such action may include counseling and/or appropriate disciplinary measures, up to and including immediate termination from employment or removal from volunteer position, as applicable.

The complaining party will be given notice, in a timely fashion, of the outcome of the investigation of any formal or informal complaint.

In the event that a complaint is lodged against clergy, the requirements and proceedings of Title IV of the Constitution and Canons of The Episcopal Church may be applicable.

NOTHING IN THIS POLICY CREATES ANY LEGAL RIGHTS THAT DID NOT OTHERWISE EXIST NOR DOES THE [DIOCESE/CHURCH/EMPLOYER] ADMIT THAT IT IS COVERED BY OR SUBJECT TO ANY FEDERAL, STATE, OR LOCAL LAWS.

Individuals who knowingly bring false charges of sexual harassment against another individual shall be subject to disciplinary action up to and including immediate termination from employment or removal from volunteer position, as applicable.

D. GENERAL DEFINITIONS

1. Diocesan Personnel

For purposes of this Policy, the term “**Diocesan Personnel**” shall mean:

- a. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to DIOPA.
- b. All paid personnel (including Diocesan employees) whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies.

- c. Those who contract their services to the diocese, its congregations, schools, or other agencies;
- d. Volunteers, including any person who enters into or offers himself/herself for a Diocesan related service, or who actually assists with or performs a service, whether or not they have been selected or assigned to do so. Volunteers include members of advisory boards, vestries, and bishop's committees, boards of directors and advisory boards.
- e. All interns, persons in the ordination process, persons serving in field education assignments, as well as any other employees identified by the Bishop.

2. Diocesan Employees

For purposes of this Policy, the term "Diocesan employees" shall mean all individuals hired by DIOPA who are employees of DIOPA for purposes of federal, state and/or local discrimination and harassment laws.]

3. Supervisors and Decision-Makers

For purposes of the enforcement of this Policy, the term "supervisors and decision-makers" shall mean:

- a. All persons who have the express authority to recruit, duly appoint, select, license, discipline, supervise, terminate, or set terms and conditions of volunteer service;
- b. All members of decision-making bodies who have the authority to approve the creation of ministries, programs, diocesan activities, or personnel policies.
- c. Standing Committees, Diocesan Councils/Executive Boards, Vestries, and Bishop's Committees who appoint or approve Persons Who Have Pastoral Relationships as defined in this Policy including all Standing Committees, Commissions on Ministry, Vestries, Boards of Directors for Schools, Bishops Committees and the like.
- d. Regardless of the foregoing, and with respect to application of this policy, nothing herein shall be read to change the definition of supervisor under federal law (someone who DIOPA has empowered to take direct and tangible employment actions against an individual making a complaint).

204 SEXUAL EXPLOITATION

A. PROHIBITION AGAINST SEXUAL EXPLOITATION

The Episcopal Diocese of Pennsylvania (DIOPA) does not tolerate sexual exploitation in any form. Sexual exploitation is the development or attempted development of a sexual relationship between a person in any ministerial position, lay or ordained, and an individual with whom he/she has a Pastoral Relationship. A Pastoral Relationship is a relationship:

Between any clergy person and any person:

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- who attends a congregation or other ministry setting in which the clergy person serves;
- who seeks ministry from the clergy person

OR

Between any person and clergy person or any duly-appointed lay person, whether employee or volunteer, who is authorized to provide and does provide to such person:

- counseling;
- pastoral care;
- spiritual direction or spiritual guidance;
- ministration of any Sacrament (other than the distribution of the Bread and Wine by a lay person at a public service of Holy Communion);
- life/leadership/peer coaching;
- hearing of such person's confession, in the course of the duly-authorized ministry;

OR

Between any of the following ministers licensed under Canon III.4: Pastoral Leaders, Worship Leaders, Preachers, Eucharistic Visitors, and Catechists and those persons they serve in the course of these ministries.

Sexual exploitation includes but is not limited to the following actions:

1. Verbal: such as sexual innuendo, indecent proposals, sharing sexual stories, jokes or fantasies, or making inappropriate comments about someone's appearance.
2. Behaviors: such as inappropriate touching, sending or posting communications with sexual content (e.g., correspondence, e-mail, text messages, instant messages, photographs, attachments, phone conversations, voice mail, etc.)
3. Sexualizing or attempting to sexualize a Pastoral Relationship or relationship between a clergy or lay person and anyone to whom he/she provides ministry (e.g., requesting dates, giving unwanted attention, etc.).

B. REPORTING SUSPECTED SEXUAL EXPLOITATION

If you believe that you or someone else has been subjected to sexual exploitation, actions that violate this policy or inappropriate behavior, you may make your concerns known to the offending person if you are comfortable doing so, or you may report your concerns in accordance with the following:

Reports of suspected or known sexual exploitation may be reported to:

- The bishop
- The Chair of Standing Committee, the Safe Church Coordinator
- The Canon to the Ordinary for Administration

Via any of the following:

- Telephone call
- Letter
- E-mail
- Fax
- In-person meeting
- Filing a “Notice of Concern”

Church Personnel are required to report any suspected or known policy violations to the rector or clergy person in charge of the congregation. All reports of sexual exploitation, policy violations, or inappropriate behavior under this policy will be taken seriously.

The Diocese will not retaliate against an individual because such individual (1) in good faith and with a genuine belief that he/she, or someone else, has been subjected to sexual exploitation, made an honest complaint about such conduct, (2) participated honestly and in good faith in any investigation into a sexual exploitation complaint, and/or (3) in good faith opposed acts of sexual exploitation.

If you believe you have been subjected to retaliation in violation of this Policy, you should report your complaint immediately in the manner specified in this Section B.

C. GENERAL DEFINITIONS

1. Church Personnel

- a. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
- b. All paid personnel whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies including those who contract their services to the diocese, its congregations, schools, or other agencies.
- c. Volunteers, including any person who enters into or offers himself/herself for a church-related service, or who actually assists with or performs a service, whether or not they have been selected or assigned to do so. Volunteers include members of advisory boards, Vestries, Bishop’s Committees, boards of directors and advisory boards.

2. Persons Who Have Pastoral Relationships

For purposes of this policy, the following Church Personnel are included in the definition of Persons Who Have Pastoral Relationships:

- a. All clergy whether stipendiary, non-stipendiary, or otherwise.
- b. All persons who have Pastoral Relationships.
- c. The following ministers licensed under Canon III.4: Pastoral Leaders, Worship Leaders, Preachers, Eucharistic Visitors, and Catechists.

3. Supervisors and Decision-Makers

- a. All persons who supervise Persons Who Have Pastoral Relationships.
- b. All members of decision-making bodies who have the authority to approve the creation of ministries, programs, church activities, or policies involving Pastoral Relationships.
- c. Standing Committees, Diocesan Councils/Executive Boards, Vestries, and Bishop's Committees who appoint or approve Persons Who Have Pastoral Relationships as defined in this policy including all Standing Committees, Commissions on Ministry, Vestries, Boards of Directors for Schools, Bishops Committees and the like.

D. SAFEGUARDS FOR PREVENTING SEXUAL EXPLOITATION OF ADULTS

1. Screening and Selection

Any and all Persons Who Have Pastoral Relationships shall be screened and selected using the following tools and procedures:

Persons Who Have Pastoral Relationships shall be screened before engaging in Pastoral Relationships.

- a. Applicants shall be known to the leadership of the congregation for at least six (6) months.
- b. Background Screening
 - i. An **Application** form completed by the applicant that includes an authorization for the release of information to conduct background screening and reference checks and that also includes the **Code of Conduct**.
 - ii. **Criminal Records Check** for people who will be working with vulnerable adults in the home of the vulnerable adult in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the congregation or diocese.

- iii. **Sexual Offender Registry Check** in any state where the applicant has resided during the past seven (7) years.
 - iv. **Individual Interview** with the applicant.
 - v. **Reference Checks** of applicants should include at least one relative outside the congregation and at least one other person outside the congregation.
- c. All information gathered about an applicant will be carefully reviewed and evaluated to make a determination, in consultation with others as necessary, of whether or not the person is appropriate to engage in Pastoral Relationships.
 - d. Persons Who Have Pastoral Relationships must have a personnel file that is kept where other church records are kept.
 - e. Persons Who Have Pastoral Relationships who transfer within the Diocese of Pennsylvania and apply for or are asked to or who do undertake a position in which they have Pastoral Relationships are required to undergo the same screening and selection process specified above. This requirement may be met through a transfer of a copy of their personnel file to the new congregation, school, agency, or program together with completion of a new application, individual interview and reference checks with the congregations, schools, agencies or other programs for which the applicant has had Pastoral Relationships since the screening was last done as shown in the applicant's personnel file.

2. Education and Training Requirements

a. Persons Who Have Pastoral Relationships

Before any person engages in Pastoral Relationships he/she is required to complete training on the prevention of sexual exploitation of adults. If that is not possible, this policy must be reviewed and discussed with him/her before he/she engages in any Pastoral Relationship. The rest of the education and training must be completed within three (3) months of beginning to have Pastoral Relationships.

b. Supervisors and Decision-Makers of Persons Who Have Pastoral Relationships

Within three (3) months of becoming a Supervisor or Decision-Maker, individuals must complete training on the prevention of sexual exploitation of adults.

3. Activities for Monitoring and Supervising Pastoral Relationships

The monitoring and supervision of programs and activities involving Pastoral Relationships is important for safeguarding adults from sexual exploitation. Monitoring and supervision should include, but are not limited to:

- a. Maintaining an up-to-date list of approved Persons Who Have Pastoral Relationships in the church office or other place where church records are kept.

- b. Requiring that all new activities that include Pastoral Relationships have the approval of the rector or canonical equivalent before they start. Requests to develop new activities should be submitted in writing to the rector. The rector will consider whether the plan for a new activity includes adequate monitoring and supervision.
- c. Requiring that all Persons Who Have Pastoral Relationships be approved to do so by the rector or canonical equivalent in accordance with the Screening and Selection process above.
- d. Settings where Pastoral Relationships take place:
 - should, whenever possible, be places where casual monitoring by others is convenient (for example along well-traveled hallways or in areas where other Church Personnel work nearby)
 - in open, visible spaces or in closed spaces that have windows that remain unobstructed by closed blinds, furniture, plants, or other adornments
 - should convey safety and comfort without the use of couches, loveseats, beds, futons or other furniture that would encourage close seating between the persons in the Pastoral Relationship

4. Behavioral Guidelines for the Prevention of Sexual Exploitation of Adults

When creating safe boundaries for Persons Who Have Pastoral Relationships, it is important to establish what types of interactions are appropriate and inappropriate. Stating which behaviors are appropriate and inappropriate allows Church Personnel to comfortably show positive affection in ministry, and yet identify individuals who are not maintaining safe boundaries with other adults. These Guidelines are:

- based, in large part, on avoiding behaviors known to be used by those who have engaged in sexual exploitation of adults
- intended to assist Church Personnel and congregants in monitoring and supervising behaviors and interactions of Persons Who Have Pastoral Relationships to help maintain appropriate boundaries at all times
- intended to be used to make decisions about interactions of Persons Who Have Pastoral Relationships with those with whom they have a Pastoral Relationship
- to be carefully followed by all who are involved in Pastoral Relationships

Some appropriate interactions, as long as they are welcomed by the recipient, are listed below:

- brief hugs
- pats on the shoulder or back

- kisses on the cheek
- handshakes
- holding hands during prayer

Some inappropriate interactions in Pastoral Relationships and other ministries with adults include:

- inappropriate or lengthy embraces
- kisses on the mouth
- touching sexual areas of the body
- showing affection while in isolated areas such as bedrooms, closets, staff-only areas or other private rooms
- any form of unwanted affection
- comments or compliments (spoken, written, or electronic) that relate to a person's body or appearance that are at all suggestive. Examples would be, "You should wear that outfit more often," or "You look really hot in those jeans."
- giving gifts or money to favored individuals
- repeated and/or private meetings with individual adults, especially meetings that occur away from church property and during non-business hours
- repeated electronic communications, such as email or texts, especially those that contain personal disclosures or solicitations of an intimate relationship
- seeking excessive private time with a specific adult
- changing one's manner of dress when in the company of a specific adult
- providing a specific adult with personal access such as one's personal e-mail address or cell phone number if that is not the norm

E. VIOLATIONS

Disciplinary action, up to and including immediate termination from employment, will be taken against any Diocesan Personnel found to have engaged in sexual exploitation, or who in any other way violates this policy.

205 REASONABLE ACCOMODATION FOR DISABILITY

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to complying with all applicable laws that prohibit discrimination in employment of qualified individuals with disabilities. Reasonable accommodation for employees with disabilities may be required. **Further, in accordance with General Convention Resolution A081: 76th General Convention, 2009, DIOPA will make those reasonable accommodations necessary for the full participation of**

employees or volunteers with disabilities who attend conferences or meetings on behalf of the Diocese.

Employees are encouraged to inform the Bishop's Office or the Canon to the Ordinary of any physical or mental disability that may require a reasonable accommodation to allow the employee to perform the essential functions of their position, and to suggest reasonable accommodations. **Similarly, in accordance with General Convention Resolution A081: 76th General Convention, 2009, disabled employees or volunteers who attend conferences or meetings on behalf of the Church should contact the Bishop's Office or the Canon to the Ordinary if they need a reasonable accommodation in order to fully participate in such conferences or meetings.** Medical documentation will be required to assist in this process. Any information obtained by DIOPA that relates to employees' physical and mental disabilities will be treated as confidential medical information. **Any medical information obtained that relates to volunteers will similarly be treated as confidential.**

206 REASONABLE ACCOMMODATION FOR RELIGION

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to complying with all applicable laws that require employers to reasonably accommodate an employee or prospective employee whose sincerely held religious belief, practice and/or observance conflicts with a work requirement.

If you have a conflict with a work requirement due to a sincerely held religious belief, practice, and/or observance, you should promptly inform the Bishop's Office or the Canon to the Ordinary for Administration. Each employee requesting a religious accommodation must cooperate with DIOPA's efforts to determine whether a reasonable accommodation can be granted. DIOPA will review and individually assess each request for a religious accommodation, in accordance with applicable law.

207 PROTECTION OF CHILDREN & YOUTH

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to preventing abuse and neglect among children and youth involved in church activities and services. Toward that end, you are required to comply with the DIOPA's Policies for the Protection of Children and Youth from Abuse and the Guidelines for Appropriate Affection with Children and Youth.

Further, if you are a mandated child abuse reporter (i.e., your job position or credentials/license requires you to report child abuse and/or neglect), you must make all such reports as required by law.

Failure to comply with this policy may subject you to disciplinary action, up to and including immediate termination from employment.

208 TOBACCO-FREE ENVIRONMENT

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to providing a tobacco-free and smoke-free environment to protect the health and comfort of all its employees and all people who use DIOPA's facilities and/or services. Therefore, smoking and the use of tobacco products are not permitted at any time on any premises owned by, leased by, operated by, borrowed by, used by, or otherwise under DIOPA's jurisdiction (including but not limited to vehicles, parish halls, office space, DIOPA offices, camps and conference centers, seminaries, schools, or any other location at which DIOPA employees perform services.

DIOPA shall not retaliate against any employee [or applicant for employment] on the basis of that individual's good faith assertion of his/her right to a smoke-free or tobacco free workplace. DIOPA shall not tolerate any retaliatory act by other individuals. Retaliation is a serious matter and should be reported immediately to your supervisor or the Bishop's Office or Canon to the Ordinary for Administration who shall promptly and impartially investigate whether such retaliation has occurred. DIOPA shall take appropriate disciplinary action, up to and including termination from employment, against any employee found to have retaliated against an employee (or applicant for employment) in violation of this policy.

209 ANTI-FRAUD, DISHONEST ACTIVITY & WHISTLEBLOWING

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to doing business in an environment of honesty and integrity in accordance with applicable federal, state, and local laws. Therefore, DIOPA will not tolerate any illegal, dishonest and/or fraudulent activities by any of DIOPA's employees, consultants, agents, vendors, contractors, volunteers, and any other outside third parties. Employees are required to promptly report any allegations involving possible illegal activities, dishonest activities and/or fraud in matters relating to DIOPA to the Bishop's Office, the Canon to the Ordinary or the President of Standing Committee. If the allegation involves The Bishop, Canon to the Ordinary or the President of Standing Committee, the report should be made the Chancellor of DIOPA.

Diocese of Pennsylvania Employee Protection (Whistleblower) Policy

If any employee reasonably believes that some policy, practice, or activity of the Diocese of Pennsylvania is in violation of civil law or the Canons of the Diocese of Pennsylvania or the

Protestant Episcopal Church USA, or other policy of the Diocese of Pennsylvania or the National Episcopal Church, a written complaint must be filed by that employee with the President of Standing Committee of the Diocese of Pennsylvania.

It is the intent of the Diocese of Pennsylvania to adhere to all laws, Canons, regulations, and policies that apply to the organization. The support of all employees is necessary to achieve compliance, and the underlying purpose of this policy is to support the goal of both technical legal compliance and the intent of laws, Canons, regulations and policies. An employee is protected from retaliation only if the employee brings the alleged inappropriate activity to the attention of the Diocese of Pennsylvania and provides the Diocese with a reasonable opportunity to investigate and correct the alleged inappropriate activity. The protection described below is only available to employees who comply with this requirement.

The Diocese of Pennsylvania will not retaliate against an employee who in good faith has made a protest or raised a complaint against some practice of the Diocese of Pennsylvania, or of another individual or entity with which the Diocese of Pennsylvania has a business or other relationship, on the basis of a reasonable belief that the practices is in violation of civil law, Canons of the Diocese of Pennsylvania or the Protestant Episcopal Church USA, or policy of the Diocese of Pennsylvania, or a clear mandate of public policy.

The Diocese of Pennsylvania will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy, or practice of the Diocese of Pennsylvania that the employee reasonably believes is in violation of a civil or Canon law, rule, or regulation mandated pursuant to law or is in violation of a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment.

None of the foregoing should be read to give a cause of action in favor of any employee or vendor of the DIOPA where none exists without reference to this Policy.

WAGES & HOURS

301 DEFINITION OF WORKWEEK, PAY DAY & PAY PROCEDURES

A. DEFINITION OF WORKWEEK

The workweek officially begins at 9:00 a.m. on Monday through Friday and ends at 4:30 p.m on Monday through Friday, holidays and other recognized Church House closings excepted.

B. PAY DAY

Church House employees are paid twice a month on the 15th and last day of the month. Employees are encouraged to sign up for ACH/Automatic Deposit of their net pay into their checking or savings accounts.

Vicars are paid on the same schedule as Church House employees.

Part time and non-Church House employees are paid bi-monthly or monthly according to their employment arrangements with DIOPA.

Your paycheck will include earnings for all work performed by you through the end of the previous payroll period.

If a regularly scheduled payday falls on a national, state, or DIOPA-observed holiday, you will receive your pay on the day preceding such holiday.

C. PAY PROCEDURES

Direct Deposit *Is* an Option

You may choose to either receive a paper check or to have your pay directly deposited into your bank account. To receive a direct deposit, you must provide advance written authorization to the Finance Office of DIOPA. Employees who elect direct deposit of their pay will receive a paper and/or electronic receipt.

Please review your paycheck or direct deposit information for errors. If you find a mistake, please report it immediately to the Finance Office of DIOPA so that necessary steps may be taken to correct any error.

302 STANDARD WORK HOURS

The Episcopal Diocese of Pennsylvania (DIOPA) is officially open from 9AM to 4:30PM on Monday through Friday, except for Summer Hours.

Full-time Employees: those employees whose job responsibilities require them to work a full work-week, i.e. the regular working hours of the Church House (Monday-Friday, 9:00 AM to 4:30 PM, or the equivalent in approved flex-time). The Receptionist is expected to begin work at 8:45 AM.

Part-time Employees: those employees whose job responsibilities require them to work less than the full work-week, but at least 20 hours a week.

Convenient Employees: those employees who are working on a temporary basis less than 1000 hours per year, thus excluding them from eligibility for employee benefits.

Exempt Staff: those employees who hold salaried positions classified by exempt from the Fair Labor Standards Act and, therefore, do not receive overtime pay for

overtime work.

Non-exempt Staff: those employees who hold hourly positions classified as subject to the provisions of the Fair Labor Standards Act. As the law requires, they keep records of hours worked and are eligible for overtime pay or compensatory time. You will be informed of your initial employment classification during the hiring process. If there is a change in your employment classification, the Bishop or Canon to the Ordinary will inform you of such change.

DIOPA will advise each employee of their standard work hours upon hire. DIOPA may change an employee's standard work hours at any time upon notice to the affected employee. From time to time, employees may be required to work different or additional hours depending upon DIOPA's operational and staffing needs.

In its sole discretion, DIOPA may grant employees staggered hours, evening hours, or other flexible work schedules. Such schedules are not guaranteed, and are permitted at the discretion of the Bishop or the Canon to the Ordinary in light of the employee's needs and DIOPA's business needs.

Support Staff are required to obtain prior approval from their supervisor or the Canon to the Ordinary for work to be performed off-site and/or outside their normal work hours. Prior approval is required for all such work, including but not limited to, any time worked from home, time spent checking work e-mail, and work-related time spent on PDA/Treo/BlackBerry-like devices.

If the Bishop, at his discretion, decides to allow summer hours for Church House staff, he or his designee will advise the staff of the changes to the hours.

303 CLASSIFICATION OF EMPLOYEES FOR OVERTIME ELIGIBILITY

Each employee is classified as either exempt or non-exempt from the overtime requirements of the federal Fair Labor Standards Act (FLSA) and applicable state law. The definitions of employee classifications are summarized as follows:

- **Exempt:** Employees who meet the exemption requirements for the FLSA and applicable state law are ineligible for overtime pay; or
- **Non-exempt:** Employees who do not meet the exemption requirements for the FLSA and applicable state law are eligible for overtime pay.

Questions regarding your employment classification and the applicability of any provision of this Handbook should be directed to the Bishop's Office.

304 RECORDING TIME

In accordance with applicable laws, the Episcopal Diocese of Pennsylvania (DIOPA) keeps daily time records of the hours worked by employees. You are required to accurately record your time worked (including, but not limited to, any time worked from home, time spent checking work e-mail, and work-related time spent on PDA/Treo/BlackBerry-like devices), breaks and any leave time in the form required by DIOPA (e.g., on a time card, timesheet or similar timekeeping record). You and your supervisor will sign your timekeeping record at the end of each pay period.

305 COMPENSATION & PROBATIONARY PERIOD

Upon hire, the Episcopal Diocese of Pennsylvania (DIOPA) will inform you, in writing, of your starting hourly rate or salary, as applicable. The Diocese reserves the right to modify an employee's compensation at any time, upon written notice to the affected employee, in accordance with applicable law.

PROBATIONARY PERIOD

- A. Support Staff are considered to be on probation for the first three months of their employment, and are so informed in their offer letter. At the conclusion of this period, a conference is held between the employee and his/her immediate supervisor to review their performance to date. A written memorandum containing comments and recommendations is signed by both parties and forwarded to the Canon to the Ordinary for Administration.
- B. Should a new appointment be made to the Senior Staff, an adjustment period of six months for the existing Support Staff will go into effect in order to assure that a satisfactory supervisor/support staff relationship is established. Should the decision be to sever the supervisor/support staff relationship, after consultation with the Canon to the Ordinary for Administration, the employee will be reassigned to a comparable position at Church House, if possible.

Should it be necessary to terminate the employee, severance provisions delineated below will apply.

306 PAYMENT OF OVERTIME

Working schedules are designed to minimize the need for overtime. From time to time, however, it may be necessary for an employee to work overtime hours to meet business needs. In such

instances, your supervisor will provide as much advance notice as possible of the need for you to work overtime.

In the event an employee has worked overtime, he or she may obtain *comp time* with the prior written consent of his/ her supervisor. If the Bishop grants specific comp time for work performed on behalf of the Diocese (which is within the Bishop's sole discretion), that is the only comp time which will be granted. For example, if the Bishop, in his sole discretion, decides to close the office the Monday after Diocesan Convention, or on some other occasion after staff have worked long hours, no other comp time will be permitted to an individual employee desiring a different day.

307 ATTACHMENTS & GARNISHMENTS

The Episcopal Diocese of Pennsylvania (DIOPA) will comply with any valid attachment, garnishment, child support order, or other legally enforceable claim against an employee's wages.

If you have any questions about a deduction made to your wages in accordance with this Policy, please contact the Finance Department.

308 EMPLOYEE LOANS

In the event of an employee emergency, the Bishop may grant an employee loan not to exceed \$5,000, repayable in two years, at the prevailing rate of interest. There can be no forgiveness of employee loans.

BENEFITS

401 OFFICIAL PLAN DOCUMENTS & RESERVATION OF RIGHTS

Please note that the information provided to you in Section 4 ("Benefits") of this Handbook is provided to you for informational purposes only and should not be viewed as investment, tax, legal or other advice. In the event of a conflict between the information contained in this Handbook and the official plan documents, the official plan documents will govern. The Episcopal Diocese of Pennsylvania, and its subsidiaries, retains the right to amend, terminate or modify the terms of any benefit plans described in this Handbook at any time, without notice and for any reason.

402 GENERAL STATEMENT OF INSURANCE BENEFITS, STATUTORY BENEFITS, REIMBURSEMENT & OTHER OPTIONAL BENEFITS

The Episcopal Diocese of Pennsylvania (DIOPA) provides a variety of employee benefits. Some are required by law and others are offered at the DIOPA's option. Each benefit plan has its own set of eligibility criteria and contribution requirements. For more information or to enroll in a benefit plan, contact the Bishop's Office or the Canon to the Ordinary for Administration. As with other policies, programs and plans, DIOPA reserves the right to add, change, or discontinue any benefit plan at any time.

DIOPA will advise each employee of their benefits upon hire.

403 BUSINESS & TRAVEL EXPENSES

Employees who incur business and/or travel expenses for business purposes will be reimbursed by the Episcopal Diocese of Pennsylvania (DIOPA) in accordance with this policy and, to the extent consistent with the law and this policy, the standards set forth in the Manual of Business Methods in Church Affairs. Except, however, in its discretion, DIOPA may reduce or deny a request for reimbursement for any reason, including, for example, if travel or an expense is deemed extravagant, part of a vacation, or for travel outside of the United States.

Except as otherwise provided for in this policy or as authorized in writing by the Bishop or the Canon to the Ordinary for Administration you must obtain prior approval for any business and/or travel expenses. You must submit a written request for reimbursement of your business and/or travel expenses to the Finance Department within two weeks of incurring such expenses stating, at a minimum, the date(s) on which the expenses were incurred, and the nature and purpose of the expenses. For any amount of \$25 or higher, you must provide original receipts and/or invoices satisfactory to the DIOPA. DIOPA may request additional information to substantiate any reimbursement request.

The following are examples of business and/or travel expenses that are generally eligible for reimbursement:

Expenses associated with business travel, including transportation fares, meals, lodging, cleaning and laundry expenses, and telephone use while away from home. With limited exceptions, travel must be overnight to receive certain reimbursements. It is the expectation of the DIOPA that travel will be by the most efficient and cost effective mode of transportation available. When traveling by air or train, unless you receive prior written approval of the Bishop or Canon to the Ordinary for Administration, employees are expected to use "coach" or other lower-cost travel accommodations. DIOPA will reimburse employees for the reasonable cost of meals incurred while on business travel up to \$ 61 per day [at the applicable per diem rate, as revised from time to time by the Internal Revenue Service].

Business entertainment (also known as "hospitality") expenses directly related to the active conduct of DIOPA's business, or associated with the active conduct of the DIOPA's business and occurring directly before or after a substantial business discussion. DIOPA expects that employees may entertain on behalf of DIOPA. With respect to business entertainment expenses, Bishops and the Canons to the Ordinary and Deployment do not need prior approval of business entertainment

expenses. For all other employees, such employees must obtain the Bishop's or Canon to the Ordinary's prior written approval of any business entertainment expenses.

404 VEHICLE TRANSPORTATION EXPENSES

All employees who are required to operate a personal car on DIOPA business are to be reimbursed at the standard mileage rate established by the Internal Revenue Service **for** business mileage (excluding personal and commuting miles) for miles driven on such business, plus parking fees and toll charges for business trips.

You must submit a written request for reimbursement of your automobile usage expenses to the Bishop's office or the Canon to the Ordinary for Administration within two weeks of incurring such expenses stating, at a minimum, the date(s) on which the expenses were incurred, and the nature and purpose of the expenses.

405 EDUCATIONAL ASSISTANCE

The Episcopal Diocese of Pennsylvania (DIOPA) wishes to provide its employees with opportunities to improve job-related skills and to acquire additional specialized skills and knowledge. Satisfactory completion of external courses of study does not, however, guarantee promotion or advancement.

All exempt employees ("Eligible Employees") who work at least 35 hours per week and who have completed 12 months of continuous service (i.e., uninterrupted employment) are eligible for financial assistance for educational purposes ("educational assistance") on the terms and conditions specified in this policy.

To qualify, each Eligible Employee seeking educational assistance must submit a written request to the Bishop or Canon for Finance at least 2 months before the course, seminar and/or degree program (collectively, each an "educational program") commences stating, at a minimum, the name of the educational program, its start and end date, its cost and the name of the institution offering the educational program. Any educational program for which an employee seeks educational assistance must be directly related to the employee's work at DIOPA.

DIOPA will evaluate each request for educational assistance on a case-by-case basis. Only the Bishop or Canon for Finance may issue final approval or denial of such requests. DIOPA will inform the employee in writing whether it has approved the request.

If DIOPA approves a request for educational assistance, the employee shall provide the DIOPA with a bill or other statement from the educational institutional for the educational program as soon as possible. DIOPA will directly pay the approved amount to the educational institution.

Within two months of the completion of the educational program, the employee must submit proof of successful completion of the educational program (i.e., written grade report or certificate (if a grade is not issued)). If the employee fails to submit such proof, the employee will remain ineligible for future educational assistance until such proof is submitted. If an employee fails to satisfactorily complete an educational program for which he/she has received educational assistance, the employee will be required to reimburse DIOPA for any payments made.

406 BENEFITS UPON SEPARATION FROM EMPLOYMENT

In general, all benefits will terminate as of the date of an employee's separation from employment with the Episcopal Diocese of Pennsylvania (DIOPA) for any reason. This general rule may not apply, however, where otherwise set forth in this Handbook, an employee's employment contract, applicable official plan documents, applicable insurance arrangements or as otherwise required by law. If you have any questions about any specific benefit(s), you should contact the Bishop's Office or the Canon to the Ordinary.

407 UNEMPLOYMENT

The Diocese is exempt from the provisions of the Pennsylvania Unemployment Compensation Law. However, it is the policy of the Diocese to pay unemployment compensation to those who lose their job through no fault of their own. It will be paid during the statutory time before new employment is found. The Diocese reserves the right to change or amend this policy at any time.

408 WORKERS' COMPENSATION

In accordance with applicable law, all Episcopal Diocese of Pennsylvania (DIOPA) employees are covered by workers' compensation laws if they suffer a work-related injury or illness.

409 STATUTORY SHORT-TERM DISABILITY

In accordance with applicable law, all Episcopal Diocese of Pennsylvania (DIOPA) employees are covered by statutory short-term disability laws and, therefore, employees will receive short-term disability benefits when they satisfy applicable eligibility criteria.

410 SOCIAL SECURITY & MEDICARE

In accordance with applicable law, the Episcopal Diocese of Pennsylvania (DIOPA) will make mandatory deductions to lay employees' compensation for Social Security and Medicare, and will pay DIOPA's portion of such taxes. "Ministers" who are "performing ministry" are generally treated as self-employed for purposes of Social Security and Medicare. Episcopal clergy should consult their tax advisor and discuss their Social Security and Medicare tax status with DIOPA.

411 JOB POSTING

When a Non-exempt position is available, internal candidates who have been in their current positions at least six (6) months will have an opportunity to apply for the position.

The job description, its title, salary level, and salary range will be posted in the lunchroom for at least five (5) working days.

If an employee is interested in being interviewed for the position, they should:

- A. Inform their immediate supervisor of their intent to apply;
- B. Submit a resume of qualifications to the hiring supervisor.

Any internal candidate who applies for the position will be given an opportunity to interview. If turned down, they will be given reasons, in writing, by the hiring supervisor.

If an internal candidate is offered and accepts an internal position, the existing and new supervisor will negotiate the length of the notice period (typically two weeks).

413 GROUP INSURANCE

A. Group Health Insurance

Each full-time employee and their family members are eligible to be covered by a Diocesan group medical insurance plan. DIOPA and its employees share the cost of the premium. The employee contribution will be determined by DIOPA each year.

The Diocese of Pennsylvania, as an employer, voluntarily complies with Federal laws providing access to health care for a limited time after an employee is terminated. The laws, known as COBRA, permit the former employee to pay premiums for health care and stay as a part of the Diocesan plan for a time certain. See Federal guidelines for details.

B. Group Life Insurance

Effective January 1, 2008, term life insurance is provided to each full-time employee at the rate of one-times salary (with a limit of \$100,000). This coverage terminates on the 1st day of the month following an employee's resignation, retirement or termination. The Diocese pays 100% of the premium.

The coverage is offered through the Diocese and will at all times be consistent and compliant with the current contract that the Diocese has with the Church Life Insurance Company (CLIC). Policy face value and limits may be modified by that contract and may modify this benefit; however the Diocese will not discriminate, nor permit CLIC to make individual changes, that would be deemed to be discriminatory. In the event of a claim at any time in the future, the policy face value and limits currently in effect as specified in the Diocese contract with CLIC will govern.

CLIC generally allows for a conversion of a group term policy to a whole life policy following an employee's resignation, retirement or termination. Such conversion must be exercised within 30 days. An employee should review the provisions for this in their Group Term Life Insurance contract.

Employees are permitted to purchase additional supplemental group term life insurance for themselves and their families.

Medical underwriting is required for all coverage limits in excess of \$50,000 after the initial sixty days. You may contact our Insurance Administrator for further information.

TIME AWAY FROM WORK

501 VACATION LEAVE, SICK LEAVE & PERSONAL LEAVE

This policy describes the Episcopal Diocese of Pennsylvania's (DIOPA) policy on vacation, sick and personal leave.

For purposes of this policy, the Leave Year is defined as the calendar year.

A. VACATION LEAVE

There are thirteen (13) paid holidays celebrated by Church House each year:

New Years Day	Labor Day
Martin Luther King's Birthday	Thanksgiving Day
President's Day	Day after Thanksgiving
Good Friday	Christmas Eve

Memorial Day
Independence Day

Christmas Day
New Year's Eve

The 13th day is a floating holiday to be used at the discretion of the employee.

When one of the above holidays falls on a Saturday, the holiday will be observed on the preceding Friday. If one of the above holidays falls on a Sunday, it will be observed on the following Monday.

Vacation policy is as follows:

1. Vacation time is to be arranged through mutual agreement between the employee and their immediate supervisor. Every attempt will be made to schedule vacation time according to the employee's wishes, but department workloads and plans must be taken into account.
2. Up to five days of vacation time may be carried over into the next year. However, they cannot be "sold" for additional compensation. These days are to be taken before April 30th of the year into which they are carried.
3. Staff may receive their vacation pay in advance by submitting a written request to the Payroll Department at least five working days in advance of the employee's last day of work prior to his/her vacation.
4. If a holiday falls within an employee's scheduled vacation, the employee is entitled to a day off with pay.
5. Vacation Days for Support Staff: New Support Staff members are eligible to take vacation days after they have successfully completed their probationary period. At that point, they can take vacation days according to the following schedule in their first calendar year of employment. If an employee has been employed for less than one year and has used their vacation allowance early in the year, then leaves the Bishop's Staff, the employee's last pay will be adjusted accordingly.

The year of hiring will count as of the first of the calendar year. Within the year of hire, vacation days will be apportioned based on date of hire. Vacation days for staff after the first of the calendar year are determined as follows:

Less than 5 years	10 days
5-10 years	15 days
10 or more years	Max of 22 days

6. Vacation Days for Senior Staff: Exempt Staff are entitled to twenty-two (22) days of vacation per year.

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B. SICK LEAVE

1. Eligibility for Sick Leave

Upon six months of continuous employment, all lay/clergy/exempt/non-exempt employees who work at least 35 hours per week are eligible to accrue paid sick leave as set forth in this policy (such employees will be referred to as “Sick Leave Eligible Employees”).

2. Purposes for Which Sick Leave May Be Used

Sick leave may be used for absences necessitated by personal illness and visits to the doctor, dentist, or another health care provider. Up to one week of sick leave may also be used to care for a family member who is ill or must attend a doctor, dentist or another health care provider appointment. For purposes of this policy, “family member” is defined in the following section entitled “*Bereavement Leave*”.

3. Accrual & Amount of Sick Leave

Sick Leave Eligible Employees will accrue sick leave annually on January 1st on the first day of DIOPA's fiscal year as follows:

Years of Service	Sick Leave Per Leave Year
0-1	2
1 yr or more	10

Additional sick days may be allotted at the discretion of the individual employee's supervisor.

If a part-time employee changes to full-time status, then on the effective date of such employee's full-time status, the employee will begin accruing sick leave under this policy in accordance with the terms applicable to full-time employees.

4. Eligibility for Use of Sick Leave

Sick Leave Eligible Employees may use accrued sick leave upon completion of six months of continuous service (i.e., uninterrupted employment).

5. Notification of Need for Sick Leave

Employees who need to use their sick leave must notify the Bishop's Office and the Finance/Payroll Department as soon as practicable, in accordance with Policy No. 603 ("Attendance, Absenteeism & Tardiness")

For all absences occasioned by illness or injury, DIOPA may require employees to submit medical documentation to substantiate the illness or injury, and may also require documentation substantiating the employee's ability to return to work. DIOPA will require a physician's or other health care provider's note for absences of five days or more.

6. Sick Leave Remaining at Conclusion of Leave Year

Employees may not carry over sick leave from one Leave Year to another. Employees will not be entitled to any unused accrued sick leave remaining at the end of a Leave Year.

DIOPA will not pay an employee for any accrued but unused sick leave remaining at the conclusion of the Leave Year.

7. Sick Leave Upon Separation From Service

DIOPA will not pay an employee for any accrued but unused sick leave upon the employee's separation from service.

8. Sick Leave & Eligibility for Overtime

For non-exempt employees, paid sick leave hours are not counted toward hours worked for purposes of calculating overtime.

C. PERSONAL LEAVE

1. Eligibility for Personal Leave

Upon one year of continuous employment, all lay/clergy/exempt/non-exempt employees who work at least 35 hours per week are eligible to accrue one week of unpaid personal leave as set forth in this policy (such employees will be referred to as “Personal Leave Eligible Employees”).

2. Purposes for Which Personal Leave May Be Used

Personal leave may be used for any reason.

Employees needing to use personal leave on an emergency basis (i.e., the need for leave was not foreseeable) must notify the Bishop’s Office and the Finance/Payroll Department as soon as practicable of the need for personal leave, in accordance with Policy No. 603 (“Attendance, Absenteeism & Tardiness”)

6. Personal Leave Remaining at Conclusion of Leave Year

Employees may not carry over personal leave from one Leave Year to another.

7. Personal Leave Upon Separation From Service

DIOPA will not pay an employee for any accrued but unused personal leave upon the employee’s separation from service.

8. Personal Leave & Eligibility for Overtime

For non-exempt employees, paid personal leave hours are not counted toward hours worked for purposes of calculating overtime.

502 HOLIDAYS

All clergy and lay/full-time employees are eligible for paid holidays, as described elsewhere.

503 BEREAVEMENT LEAVE

The Episcopal Diocese of Pennsylvania provides up to three days paid bereavement leave to all full-time employees who have been employed at least six months upon the death of an immediate

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family member and up to two days unpaid bereavement leave upon the death of an extended family member or upon the death of any other family member.

For purposes of this policy, an “immediate family member” is defined as spouse, domestic partner/partner to a civil union, child, and parent; and “extended family member” is defined as sibling, grandparent, grandchild, child of domestic partner/partner to a civil union, parent-in-law, grandparent-in-law, sibling-in-law, step-sibling, aunt, uncle, individual living with the employee as a member of the employee’s immediate family or household, and godparent.

DIOPA also will grant an employee paid bereavement leave, on a case-by-case basis, for the death of persons whose association with the employee was similar to any of the above-referenced relationships.

All employees who have been employed at least six months may use accrued vacation or personal time if they need additional time off due to the death of an immediate family member, or if they need time off due to the death of an individual who is not an “immediate family member.

If you need bereavement leave, you must notify the Bishop’s Office, the Canon to the Ordinary for Administration and the Finance/Payroll Department as soon as possible. At the time of your request for bereavement leave, you must state your relationship to the deceased family member.

For non-exempt employees, paid bereavement leave hours are not counted toward hours worked for purposes of calculating overtime.

504 JURY DUTY

The Episcopal Diocese of Pennsylvania encourages employees to fulfill their civic responsibilities by serving on a jury when required. All employees are eligible for jury duty leave.

You must provide the Bishop’s Office and the Finance/Payroll Department with a copy of any jury summons within five days after receipt.

When you are excused from jury service or are placed on a call-in system, you are expected to report to work during work hours. Similarly, if you are not required to report for jury duty at the beginning of your work day, you must report to work. DIOPA will provide you with a reasonable amount of time to travel from work to the courthouse.

DIOPA will pay all employees their regular daily salary for each day while on jury duty [less any jury duty fee] for up to a maximum of five days per calendar year.

Upon return from jury duty, you must provide the Finance/Payroll Department with evidence of having served on a jury for the time claimed, as well as a statement of any jury duty fee.

While on jury duty leave, an eligible employee's benefits will continue as if the employee had continued to be at work during the jury duty leave period.

For non-exempt employees, paid jury duty leave hours are not counted toward hours worked for purposes of calculating overtime.

505 COURT APPEARANCE LEAVE

The Episcopal Diocese of Pennsylvania (DIOPA) encourages employees to fulfill their civic responsibilities by appearing in court when required to do so. All lay/exempt/non-exempt/full-time/part-time/temporary employees are eligible for court appearance leave.

You must provide the Bishop's Office, the Canon to the Ordinary for Administration or the Finance/Payroll Office with a copy of any subpoena (or other notice of required court appearance) within three days after receipt. In addition, you must provide the Bishop's Office with as much advance notice as possible if you believe that you may need to be present at a court proceeding.

506 FAMILY & MEDICAL LEAVE ACT

This policy provides an introduction to the rights and provisions of the federal Family and Medical Leave Act ("FMLA"). Questions you may have about this law should be directed to the Bishop or Canon to the Ordinary.

A. ELIGIBILITY REQUIREMENTS FOR LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT ("FMLA")

To qualify for leave under FMLA, you must:

- (1) Have worked for the DIOPA for at least 12 months;²
- (2) Have worked at least 1,250 hours³ during the 12-month period immediately prior to the date when leave would begin; and
- (3) Be employed at a worksite where 50 or more employees are employed by the Episcopal Diocese of Pennsylvania within 75 miles of the worksite. Employees at the following worksite locations are presently not covered by FMLA: Church House, DIOPA subsidiaries and DCMM parishes. Though not required to do so by law, DIOPA, in its discretion, has chosen to extend the benefits provided under this FMLA policy to all full time employees who meet the requirements of (1) and (2) above, regardless of whether such employees are employed at a worksite where 50 or more employees are employed by DIOPA within 75 miles of the worksite.

² The 12-month period need not be consecutive. In certain instances, time worked prior to a break in service may be counted.

³ There are special rules regarding the crediting of hours for employees returning to work after fulfilling National Guard or Reserve military obligations.

B. FMLA LEAVE ENTITLEMENT

1. Basic Leave Entitlement

FMLA requires covered employers to provide eligible employees with up to 12 weeks, during any 12-month period, of unpaid, job-protected leave for the following family and medical reasons (“Basic Leave”):

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee’s child after birth,⁴ or placement⁵ for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent who has a serious health condition; or
- For an employee’s own serious health condition that makes the employee unable to perform his/her job.

2. Military Family Leave Entitlements

a. Qualifying Exigency Leave

FMLA requires covered employers to provide up to 12 weeks, during any 12-month period, of unpaid, job-protected leave to allow an eligible employee with a spouse, son, daughter, or parent on covered active duty or called to covered active duty status in the Armed Force (including a member of the National Guard or Reserves) to address certain qualifying exigencies (“Qualifying Exigency Leave”). Qualifying exigencies may include: attending certain military events; arranging for alternative childcare; addressing certain financial and legal arrangements; attending certain counseling sessions; spending time with a covered military member who is on short-term, temporary rest and recuperation leave during the period of deployment; and attending post-deployment reintegration briefings.

Any Qualifying Exigency Leave counts towards an employee’s 12-week Basic Leave entitlement described in Section B(1) above.

b. Military Caregiver Leave

FMLA also includes a special leave entitlement that permits an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember to take up to 26 weeks of leave to care for a “covered servicemember” during a single 12-month period (“Military Caregiver

⁴ An employee’s right to such leave expires at the expiration of the 12-month period beginning with the date of birth.

⁵ An employee’s right to such leave expires at the expiration of the 12-month period beginning with the date of placement.

Leave”). A “covered servicemember” is (1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness, or (2) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

3. Calculation of Amount of FMLA Leave

a. For Basic Leave and/or Qualifying Exigency Leave

An eligible employee is entitled to take up to a total of 12 weeks of Basic Leave and/or Qualifying Exigency Leave in a 12-month period. For purposes of calculating such 12-month period, the period shall be measured based on the calendar year.

b. For Military Caregiver Leave

An eligible employee is entitled to take up to a total of 26 weeks of Military Caregiver Leave during a “single 12-month period.” The “single 12-month period” for Military Caregiver Leave is measured forward from the date on which an employee first begins Military Caregiver Leave and ends 12 months after that date, regardless of the method used by the DIOPA to determine leave entitlement for Basic Leave and Qualifying Exigency Leave.

c. Limitations for Basic Leave, Qualifying Exigency Leave and Military Caregiver Leave

During each single 12-month period, an eligible employee is limited to a combined total of 26 weeks of Basic Leave, Qualifying Exigency Leave and/or Military Family Leave, of which no more than 12 weeks may be attributable to Basic Leave or Qualifying Exigency Leave.

In certain instances permitted by law, spouses working for the [Diocese/Church/Employer] may be entitled to only an aggregate total of 12 or 26 weeks of leave, as applicable.

C. INTERMITTENT LEAVE OR REDUCED SCHEDULE LEAVE

In certain circumstances, an employee may take his/her FMLA leave entitlement on an intermittent or reduced schedule basis, rather than in one block. Intermittent leave is leave taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is a leave schedule that reduces an employee’s usual number of working hours per workweek, or hours per workday.

An eligible employee may use intermittent leave or reduced schedule leave:

- Because of one’s own serious health condition, to care for a parent, son, or daughter with a serious health condition, or for Military Caregiver Leave if there is a medical need for

leave and such medical need can be best accommodated through leave on an intermittent or reduced schedule basis.

- For Qualifying Exigency Leave.

An eligible employee may use intermittent or reduced schedule leave after the birth or placement of a healthy child only if the DIOPA agrees.

If an employee needs intermittent leave or reduced schedule leave for planned medical treatment, then the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the DIOPA's operations.

In certain circumstances, DIOPA may require an employee to transfer temporarily, during the period that the intermittent or reduced schedule leave is required, to an available alternative position (with equivalent pay and benefits) for which the employee is qualified and that better accommodates recurring periods of leave than the employee's regular position.

D. BENEFITS AND PAY DURING FMLA LEAVE

1. Health Insurance Benefits

While an employee is on any FMLA leave, the DIOPA will continue the employee's health insurance coverage under any group health plan at the same level and under the same conditions as if the employee had continued to be at work during the leave period. The employee will be required to contribute the same portion of the premium(s) that the employee would be required to contribute if he/she was not on FMLA leave.

2. Pay

Under the law, FMLA leave is unpaid.

3. Substitution of Paid Leave for Unpaid Leave & Use of Accrued

The FMLA permits employees to choose, or employers to require employees, to use accrued paid leave while taking FMLA leave. To use accrued paid leave for FMLA leave, employees must comply with the DIOPA's established paid leave policies.

DIOPA employees must use accrued paid leave.

<u>Type of FMLA Leave</u>	<u>Type of Accrued Time Which Must Be Substituted</u>
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Any kind of FMLA leave	Accrued vacation leave and personal leave
Basic Leave for an employee’s own serious health condition or the serious health condition of the employee’s spouse, child, or parent	Accrued vacation time, personal time, and sick time
Military Caregiver Leave	Accrued vacation time, personal time, and sick time

E. PROCEDURE FOR REQUESTING LEAVE

For all types of FMLA leave except Qualifying Exigency Leave, employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the DIOPA’s procedures for reporting absences, in accordance with Policy No. 603 (“Attendance, Absenteeism, & Tardiness”). Employees needing Qualifying Exigency Leave must provide notice as soon as practicable, regardless of how far in advance such leave is foreseeable.

To the extent practicable, employees must provide such notice in writing to the Bishop.

Employees must provide sufficient information for DIOPA to determine if the requested leave qualifies for FMLA and the anticipated timing and duration of the leave. Sufficient information may include, for example, that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for Military Family Leave. Employees also must inform DIOPA if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

F. EVALUATION OF REQUEST FOR FMLA LEAVE

1. Notification of Eligibility & Designation of FMLA Leave

As required by law, absent extenuating circumstances, DIOPA will notify an employee in writing of his/her eligibility for FMLA leave within 5 business days after the employee submits his/her request for leave, or after DIOPA is otherwise aware of the employee’s need for such leave. Such notice is required to specify any additional information required (e.g., any certifications) as well as the employee’s rights and responsibilities. For example, while on FMLA leave, DIOPA may require an employee to periodically report to the Bishop or Canon to the Ordinary for Administration the employee’s status and intent to return to work. If DIOPA determines that an employee is not eligible for FMLA leave, DIOPA will notify the employee and provide a reason for the ineligibility.

DIOPA also will inform an employee if his/her leave will be designated as FMLA leave and the amount of leave counted against the employee's FMLA leave entitlement. If DIOPA determines that the leave is not FMLA leave, the DIOPA will notify the employee and provide a reason.

1. Medical & Qualifying Exigency Certification

DIOPA will require medical certification to support a request for Military Caregiver Leave and for Basic Leave because of a serious health condition. In addition, with respect to requests for Basic Leave because of a serious health condition, DIOPA may require a second or third opinion from a health care provider, at DIOPA's expense.

DIOPA may require certification to support a request for Qualifying Exigency Leave.

G. RETURN FROM LEAVE

Except as otherwise permitted by FMLA, an employee who takes FMLA leave will be restored to the same job or a job with equivalent status, pay, benefits and other employment terms. The taking of leave under FMLA will not result in the loss of any benefit that accrued prior to the start of such leave.

DIOPA may require an employee to present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. If the employee fails to provide the requested fitness-for-duty certification to return to work, DIOPA may delay restoring the employee to his/her position until he/she submits such certification.

Failure to return from any leave may result in an employee's termination.

H. UNLAWFUL ACTS BY EMPLOYERS

In accordance with FMLA, it is unlawful for DIOPA to:

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

I. ENFORCEMENT

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against DIOPA under FMLA.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law which provides greater family or medical leave rights.

J. DEFINITIONS

For the purposes of this policy, the following terms have the following meanings:

“Next of kin of a covered servicemember” means the nearest blood relative, other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and make take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin.

“Outpatient status” means, with respect to a covered servicemember, the status of a member of the Armed Forces assigned to (a) a military medical treatment facility as an outpatient; or (b) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

“Serious health condition” means an illness, injury, impairment or physical or mental condition that involves either:

- Inpatient care (i.e., an overnight stay) in a hospital or other medical care facility, including any period during which the person is unable to work, attend school or perform other regular daily activities due to the serious health condition, its treatment or recovery there from, and any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by:
 - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, its treatment or recovery) of 3 or more consecutive, full calendar days combined with (1) treatment 2 or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or (2) treatment by a health care provider on at least 1 occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.
 - Any period of incapacity due to pregnancy, or prenatal care.
 - Any period of incapacity or treatment for such incapacity due to a “chronic serious health condition.” A “chronic serious health condition” is one which: (1) requires periodic visits

(at least twice a year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider; (2) continues over an extended period of time (including recurring episodes of a single underlying condition); and (3) may cause episodic rather than a continuing period of incapacity (e.g., diabetes, asthma, epilepsy, etc.).

- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, a severe stroke, or the terminal stages of a disease).
- Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referred by, a health care provider, for: (1) restorative surgery after an accident or other injury, or (2) for a condition that would likely result in a period of incapacity of more than 3 consecutive, calendar days in the absence of medical intervention or treatment (e.g., cancer (chemotherapy), severe arthritis (physical therapy), kidney disease (dialysis)).

“Serious injury or illness,” (1) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating and (2) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period of 5 years preceding the date on which the veteran undergoes medical treatment, recuperation or therapy, means a qualifying (as defined by the Secretary of Labor) injury or illness, that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

507 EDUCATIONAL LEAVE

All Clergy and Lay full-time employees who work at least 35 hours per week who have completed 12 /months [of continuous service (i.e., uninterrupted employment) are eligible to apply for educational leave as set forth in this policy (referred to in this policy as “Eligible Employees”).

Eligible Employees may use educational leave to pursue studies related to their position, and in furtherance of DIOPA's work. Such leave may be full-time or part-time, depending upon the needs of DIOPA and the employee's educational program.

To request educational leave, an Eligible Employee must submit a written request to the Bishop at least three months before the employee's anticipated leave commences, stating, at a minimum, the reason(s) for the request for educational leave, the anticipated date on which the leave will commence, the anticipated return-to-work date, the name of the educational institution in which the employees has enrolled, a description of the educational program the employee is pursuing, and an explanation of how such program relates to their position and to DIOPA's mission.. DIOPA

will inform the employee in writing whether the employee's request is approved. Only the Bishop and/or Standing Committee may approve or deny such requests.

The DIOPA will evaluate each request for educational leave on a case-by-case basis. DIOPA reserves the right to deny a request for educational leave for any reason. If DIOPA approves a request for an educational leave, DIOPA shall, on a case-by-case basis, set the length of such leave and applicable terms and conditions (including, without limitation, whether the leave will be paid and whether benefits will be provided). Except in unusual circumstances, educational leaves may not extend beyond one semester.

DIOPA reserves the right to terminate an employee's educational leave for any reason at any time, upon notice to the employee.

If an employee fails to return to work at the end of his/her educational leave, or sooner if directed to do so by DIOPA, he/she will be considered to have voluntarily terminated his/her employment. Similarly, if an employee accepts employment with another employer, without the prior written consent of the Bishop and/or Standing Committee during educational leave, DIOPA will consider the employee to have resigned his/her employment effective on the date his/her new employment commences.

Any exceptions to this policy or extensions of educational leave must be agreed to in writing, signed by the Bishop and/or Standing Committee.

508 LEGALLY REQUIRED MISCELLANEOUS LEAVE

The Episcopal Diocese of Pennsylvania (DIOPA) acknowledges that the provisions of this Handbook do not address all situations in which an employee might be entitled to leave. Therefore, DIOPA reaffirms its commitment to providing employees with all leaves to which they are entitled under applicable federal, state, and/or local law.

509 MATERNITY/PATERNITY & OTHER ADMINISTRATIVE LEAVE

A. ELIGIBILITY TO REQUEST MATERNITY/PATERNITY OR OTHER ADMINISTRATIVE LEAVE

All clergy and lay full-time employees who have completed 12 months of continuous service (i.e., uninterrupted employment) are eligible to apply for maternity/paternity and other administrative leave as set forth in this policy (referred to in this policy as "Eligible Employees").

The maternity/paternity leave provided for under this policy shall be used for the birth of a child or the placement of a child for adoption or foster care and must conclude within 12 months from the date of the child's birth or placement, as applicable. The other administrative leave provided for under this policy shall be used in compelling, urgent or unusual circumstances, when the employee needs time off from work and no other paid or unpaid leave time is available.

B. REQUESTING AND REVIEWING OF REQUEST FOR MATERNITY/PATERNITY OR OTHER ADMINISTRATIVE LEAVE

1. How to Request Maternity/Paternity or Other Administrative Leave

To request maternity/paternity or other administrative leave, an Eligible Employee must submit a written request to the Bishop's Office at least one month before the leave commences or, in an emergency or unforeseen circumstances, as soon as practicable after the need for leave is known, stating, at a minimum, the reason(s) for the request for leave, the anticipated date on which the leave will commence, and the employee's anticipated return date.

2. Review of Request for Maternity/Paternity Leave

Upon the request of an Eligible Employee, DIOPA will grant maternity/paternity leave up to a maximum of twelve paid weeks per leave. Unless otherwise required by law, employees who are on maternity/paternity leave will be entitled to health benefits.

DIOPA will inform the employee in writing whether it has approved the request for maternity/paternity leave.

3. Review of Request for Other Administrative Leave

DIOPA will evaluate each request for other administrative leave on a case-by-case basis. DIOPA reserves the right to deny a request for other administrative leave for any reason. If DIOPA approves a request for other administrative leave, DIOPA shall, on a case-by-case basis, set the length of such leave and applicable terms and conditions (including, without limitation, whether such leave is paid or unpaid and whether benefits will be provided).

DIOPA will inform the employee in writing whether it has approved the request for other administrative leave. Only the Bishop **in consultation with the president of the Standing Committee** may approve or deny such requests.

C. RIGHT TO TERMINATE MATERNITY/PATERNITY OR OTHER ADMINISTRATIVE LEAVE

Unless otherwise prohibited by law, DIOPA reserves the right to terminate an employee's maternity/paternity or other administrative leave for any reason at any time, upon notice to the employee.

D. FAILURE TO RETURN FROM MATERNITY/PATERNITY OR OTHER ADMINISTRATIVE LEAVE

If an employee does not return to work at the end of a maternity/paternity or other administrative leave, or sooner if directed to do so by DIOPA, the employee will be considered to have voluntarily terminated employment. Similarly, if an employee accepts employment with another employer during maternity/paternity or other administrative leave, DIOPA will consider the employee to have resigned employment effective on the date the employee's new employment commences.

Any exceptions to this policy or extensions of maternity/paternity or other administrative leave must be agreed to in writing, signed by Bishop.

510 LAY SABBATICALS

The Episcopal Diocese of Pennsylvania (DIOPA) recognizes that both employees and DIOPA can benefit when lay employees are provided with time for personal and spiritual refreshment and professional growth. Accordingly, it is DIOPA's policy to provide lay employees with periodic sabbaticals.

A. ELIGIBILITY TO REQUEST A LAY SABBATICAL

All full-time, exempt lay employees who have completed 10 years of service with DIOPA, who had at least a satisfactory rating on his/her last performance appraisal, who are presently performing at a satisfactory level, who have not in the past year been subject to disciplinary action and who have not taken a lay sabbatical in the past ten years are eligible to apply for lay sabbaticals as set forth in this policy (referred to in this policy as "Eligible Employees").

Unless otherwise required by law, time spent on unpaid leave will be excluded from the service calculation for purposes of determining eligibility to request a lay sabbatical.

B. PURPOSES FOR WHICH AN EMPLOYEE MAY TAKE A SABBATICAL

Employees should not think of sabbaticals as a "leave of absence." That is, Eligible Employees should not request a sabbatical for vacation, personal reasons, illness or injury, to care for a sick family member, or for other purposes addressed in leave policies (see the policies contained in §§ 501-511 of this Handbook

Instead, Eligible Employees may request a lay sabbatical for only the following purposes: gaining skills and/or education/experience in areas related to DIOPA's mission, as defined by the Bishop.

C. REQUESTING A LAY SABBATICAL

To request a lay sabbatical, an Eligible Employee must submit a written request to the Bishop three months before the sabbatical is scheduled to begin.

Requests for sabbaticals shall be submitted in writing to the Bishop and, at a minimum, must include:

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- the anticipated date on which the sabbatical will commence;
- the employee's anticipated return date;
- an initial plan for coverage of work responsibilities during the employee's sabbatical;
- the employee's plans for the sabbatical (e.g., locations to which the employee will travel; topics the employee will study; types of ministry-related activity planned; individuals with whom the employee plans to work/study; any books, articles or music the employee plans to write; whether the employee has applied for any grants connected with the sabbatical; etc.);
- the employee's goals for the sabbatical; why a sabbatical should assist an employee in achieving those goals

In general, sabbaticals should last between eight and twelve weeks. In its discretion, DIOPA will consider requests for longer or shorter sabbaticals, and/or "part-time" sabbaticals.

D. EVALUATING AN EMPLOYEE'S REQUEST FOR A SABBATICAL & DETERMINING THE TERMS OF THE SABBATICAL

DIOPA will review all requests received by the required submission date and approve requests for lay sabbaticals in its discretion. Employees' requests may be approved, denied, or deferred, as DIOPA deems appropriate.

DIOPA will inform the employee in writing whether it has approved the request. Only the Bishop **may** approve or deny such requests.

DIOPA will evaluate each request for a lay sabbatical on a case-by-case basis. DIOPA reserves the right to deny a request for a lay sabbatical for any reason. If DIOPA approves a request for a lay sabbatical, DIOPA shall, on a case-by-case basis, set the length of such sabbatical and applicable terms and conditions (including, without limitation, whether such sabbatical is paid or unpaid, the status of benefits while on sabbatical, and whether DIOPA or the employee will bear all or any portion of the costs associated with the sabbatical (such as travel or retreat expenses).

Within four weeks after returning from a sabbatical, an employee must present a **report** to the Bishop and Standing Committee, explaining at a minimum: what the employee did, what he/she learned, and how this experience will help DIOPA achieve its mission.

E. PREPARATION FOR SABBATICAL

Prior to an Eligible Employee's sabbatical, the employee will be responsible for working with the Bishop or Canon to the Ordinary for Administration to develop a plan for covering his/her duties during his/her sabbatical. To help ensure an orderly transition, in general, employees going on

sabbatical will not be permitted to use paid leave time **during** the 4 weeks prior to or following a return from a sabbatical.

F. TERMINATION OF SABBATICAL, FAILURE TO RETURN FROM APPROVED SABBATICAL, & OTHER EMPLOYMENT DURING SABBATICAL

DIOPA reserves the right to terminate an employee's lay sabbatical for any lawful reason at any time, upon notice to the employee.

If an employee does not return to work at the end of a lay sabbatical or sooner if directed to do so by DIOPA, the employee will be considered to have voluntarily terminated employment. Similarly, if an employee accepts employment with another employer during a lay sabbatical without the prior written approval of the Bishop, DIOPA will consider the employee to have resigned employment effective on the date the employee's new employment commences.

G. POLICY EXCEPTIONS

Any exceptions to this policy or extensions of a lay sabbatical may be granted only rarely and in extenuating circumstances, and must be agreed to in writing, signed by the Bishop and the President of Standing Committee.

601 CONFIDENTIALITY

All employees are responsible for safeguarding the confidentiality of information regarding the Episcopal Diocese of Pennsylvania (DIOPA), its operations, its employees, its parishioners, and any other individuals and organizations who use DIOPA's services, or are otherwise part of DIOPA's community.

For purposes of this policy, "confidential information" is any information designated by DIOPA, orally or in writing, as confidential and any information that DIOPA, in its sole and absolute discretion, determines a reasonable person would expect be kept confidential. For example, "confidential information" may include, but is not limited to:

- Records and non-public information concerning parishioners/individuals and organizations that use DIOPA's premises and/or services (e.g., health and counseling information);
- Information concerning DIOPA's operations (e.g., financial information and strategic plans);
- Information concerning DIOPA's employees;
- Information concerning any pending or contemplated internal or external investigation, audit or proceeding; and

- Any other information not generally known to the public which, if misused or disclosed, could reasonably be expected to adversely affect DIOPA or a member of the DIOPA community.

As a Diocesan employee, you hold confidential information in a fiduciary capacity for the benefit of DIOPA. Accordingly, during or after your employment with DIOPA, you shall not use confidential information except in connection with your job responsibilities and you are prohibited from disclosing confidential information to any person or entity outside DIOPA except for authorized business reasons or as may be required by law. Further, you should take care to safeguard confidential information within DIOPA and not disclose such information to another employee and other Diocesan **officials**, except on a “need to know” basis.

Employees who are unsure whether information must be kept confidential shall refrain from disclosing such information. Employees who have questions about confidentiality or privacy should contact the Bishop, the Canon to the Ordinary, or the Diocesan Chancellor.

Unless you receive prior authorization from the Bishop or the Canon to the Ordinary, you are not permitted to remove from Diocesan premises any confidential information.

Employees who violate this policy may be subject to legal action, as well as disciplinary action, up to and including immediate termination from employment.

Upon separation of employment for any reason, you will be required to return to DIOPA all originals and copies (in any format including but not limited to electronic format) of any confidential information.

Nothing contained in this policy is intended to prohibit any required reporting under applicable federal, state and/or local laws. See also Policy Nos. 202 (“Sexual Harassment”), 203 (“Sexual Exploitation”), 204 (“Anti-Discrimination/Anti-Harassment”), 207 (“Protection of Children & Youth”), 211 (“Anti-Fraud, Dishonest Activity & Whistleblowing”), 701 (“Accidents, Injuries & Illnesses”), 703 (“Drug-Free Workplace”).

CONFIDENTIALITY POLICY AND PLEDGE

Any information that an employee learns about the Diocese, or its lay or clergy staff, or its members or donors, as a result of working for the Diocese that is not otherwise publicly available constitutes confidential information. Employees may not disclose confidential information to anyone who is not employed by the Diocese or to other persons employed by the Diocese who do not need to know such information to assist in rendering services.

The disclosure, distribution, electronic transmission or copying of the Diocese's confidential information is prohibited. Any employee who discloses confidential Diocese information will be subject to disciplinary action (including possible separation), even if he or she does not actually benefit from the disclosure of such information.

I understand the above policy and pledge not to disclose confidential information.

Signature _____

Print Name _____

Date _____

This is a copy for your information. You will be required to sign, and return an original to the Canon to the Ordinary for Administration. You may retain a copy for your records.

602 ATTENDANCE, ABSENTEEISM & TARDINESS

A. EXPECTATIONS

Absenteeism and tardiness interfere with the Episcopal Diocese of Pennsylvania's (DIOPA) operations and place a burden on other employees. DIOPA expects that every employee will be at his or her assigned workplace, ready to work at his or her starting time each day.

B. REPORTING UNSCHEDULED ABSENCES OR TARDINESS

Except in cases of an emergency, if you will be absent or tardy for any reason, you must personally notify your supervisor, the Bishop's Office, the Canon to the Ordinary for Administration or the Church House Operator by 9AM by telephone, voice mail, text or email. Except in an emergency, you must report each absence **before** 9a.m... You must report each instance of tardiness directly to your supervisor and/or the Bishop and/or the Canon to the Ordinary immediately after you arrive at your assigned workplace.

If your absence will extend beyond one (1) day, you must report each day of absence as set forth above. Upon prior approval of your supervisor, the Bishop or the Canon to the Ordinary for Administration and after providing the reason for your absence, your expected return date and such other information as required by DIOPA, daily reporting of each absence will not be required. DIOPA reserves the right to require you to report periodically on your status and on your intent to return to work.

If you become ill at work or you must leave your assigned workplace unexpectedly before the end of the workday, you must inform your supervisor and the receptionist of your early departure prior to leaving.

If you do not report for work and fail to notify DIOPA of your status, then after five consecutive days of absence DIOPA will assume that you have resigned and DIOPA will remove you from the payroll.

C. EFFECT OF ABSENCES/TARDINESS ON LEAVE TIME & PAY

All absences or tardiness will be charged to the appropriate leave category as specified in Section 5 of this Handbook ("Time Away From Work").

D. DOCUMENTATION TO SUPPORT ABSENCES

DIOPA may require documentation to support absences occasioned by illness or injury in accordance with Policy No. 501 Vacation Leave, Personal Leave and Sick Leave. DIOPA reserves the right to require documentation to support absences in other instances.

E. CONSEQUENCES

If an employee fails to comply with this policy, is excessively absent or tardy, or develops a pattern of absences or tardiness (e.g., “calling in” every Friday before a holiday weekend), he or she may be subject to disciplinary action, up to and including immediate termination from employment.

603 INFORMATION & TELECOMMUNICATIONS

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to having its “Information and/or Telecommunications Systems” (including, but not limited to, computers, networks, Internet access, e-mail accounts, telephones, voice mail, DIOPA-issued or owned cellular phones, PDA/Treo/BlackBerry-like devices and/or any other means of communication known or hereafter developed, and DIOPA-provided cellular phone service, PDA/Treo/BlackBerry-like service and/or any other communication service known or hereafter developed) used in a responsible, efficient, ethical, and legal manner, and to safeguarding its information assets. At the same time, DIOPA is committed to making certain that, to the extent possible, confidential information shared in a pastoral or similar communication is kept confidential. In furtherance of these goals, DIOPA has adopted this Information & Telecommunications Policy, which governs all employees’ use of DIOPA’s Information and/or Telecommunication Systems.

Use of DIOPA’s Information and/or Telecommunications Systems constitutes consent by the user to the terms and conditions of this policy. Any questions about this policy should be directed to the IT director or the Canon to the Ordinary.

Violation of this policy may subject employees to civil and criminal liability and/or disciplinary action, including loss of the privilege to use DIOPA’s Information and/or Telecommunications Systems and/or immediate termination from employment.

A. CONFIDENTIAL AND/OR PROPRIETARY INFORMATION

All data on DIOPA’s Information and/or Telecommunication Systems is classified as confidential and/or proprietary information.

B. UNAUTHORIZED USE, DESTRUCTION & MODIFICATION PROHIBITED

Unauthorized use, destruction and/or modification of DIOPA’s Information and/or Telecommunications Systems are strictly prohibited.

C. DISCLAIMER OF LIABILITY FOR USE OF INTERNET

The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages contain offensive, sexually explicit, or otherwise inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail

containing offensive content. Users accessing the Internet do so at their own risk. DIOPA is not responsible for material viewed or downloaded from the Internet by employees.

D. PERSONAL USE OF INFORMATION AND/OR TELECOMMUNICATION SYSTEMS

DIOPA's Information and/or Telecommunications Systems are provided to employees for official Diocesan business. While these resources are to be used primarily for business, employees may use these resources for incidental personal use, provided such use does not interfere with employee productivity and/or the [Diocese/Church/Employer]'s operations and is consistent with DIOPA's policies and all applicable laws. The following activities are strictly prohibited by DIOPA:

1. Employees may not download, upload, stream, or view video, audio, or graphics files including but not limited to games or other entertainment software, unless such activities are directly related to a business purpose. This prohibition extends to music, movies, file-sharing software and/or software that permit users to search for other users' computers and download desired files, etc.

2. Personal e-mail messages (whether sent or received) may not contain file attachments. Employees shall delete personal e-mail messages containing file attachments immediately upon receipt and notify the sender to refrain from sending these messages in the future.

3. In general, employees may not use DIOPA's Information and/or Telecommunications Systems to conduct any business activities unrelated to the DIOPA's business.

4. DIOPA's Information and/or Telecommunications Systems may not be used for any solicitations, including but not limited to political causes, commercial enterprises and/or outside organizations.

5. Employees may not send non business-related, unsolicited e-mails (commonly referred to as SPAM). This includes the forwarding of e-mails received from outside, non-business-related sources, as well as e-mails initiated by DIOPA employees. If an employee receives SPAM or other unsolicited e-mails, the employee should contact the IT director or the Canon to the Ordinary.

E. DUTY NOT TO WASTE COMPUTER RESOURCES

Employees must not deliberately perform acts that waste DIOPA's Information and/or Telecommunications Systems or unfairly monopolize such systems to the exclusion of others. These acts include, but are not limited to, sending mass-mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, or otherwise creating unnecessary network traffic. Audio, video and graphics files (including games

or other entertainment software) may not be downloaded, uploaded, streamed, or viewed unless they are directly related to DIOPA business.

F. NO EXPECTATION OF PRIVACY & MONITORING USAGE

Employees do not have an expectation of privacy in anything they create, store, access, send, or receive on the Information and/or Telecommunications Systems (including, but not limited to, documents, voicemail messages, text or video messages, e-mail messages, instant messages, blogging, photo messaging, pod casts/videocasts/vlogs, social networking activities, and any other means of communication known or hereafter developed, whether of a business or personal nature) (collectively, referred to as “Electronic Communications”). DIOPA has the right, but not the duty, to monitor any and all of the aspects of its Information and/or Telecommunications Systems to the extent such monitoring is not inconsistent with applicable laws. *An employee’s use of the Diocese’s Information and/or Telecommunications Systems is deemed consent to such monitoring by DIOPA, without further notice. Failure to provide formal acknowledgement of this policy in the form required by DIOPA will result in the employee being denied access to DIOPA’s Information and/or Telecommunications Systems and may result in other disciplinary action, up to and including immediate termination from employment.* DIOPA’s Information and/or Telecommunications Systems may create back up Electronic Communications and these Electronic Communications may be retrieved and accessed by DIOPA. Employees shall be responsible for their activities on DIOPA Information and/or Telecommunications Systems.

G. BLOCKING OF INAPPROPRIATE CONTENT

DIOPA reserves the right to use software to identify any Internet site(s) that it, in its sole discretion, deems is (are) inappropriate, illegal, sexually explicit, or violates applicable equal employment opportunity principles and any DIOPA policies against harassment and other discrimination. Such sites may be blocked from access by DIOPA’s networks. If an employee encounters a blocked website that he/she needs to access for legitimate business-related purposes, he/she shall contact the IT director for access. In the event an employee encounters any inappropriate material while browsing the Internet that is not otherwise related to a legitimate business related purpose, then such employee must immediately disconnect from the site, regardless of whether the site was subject to blocking software. If an employee believes that a “cookie” or other “phishing” software has compromised his/her computer, the employee should contact the **IT director**.

H. PROHIBITED ACTIVITIES

Material that is fraudulent, harassing, embarrassing, profane, obscene, sexually explicit, intimidating, defamatory or otherwise unlawful, inappropriate, offensive (including offensive material concerning race, color, religion and protected activity, age, sex, sexual orientation, military status, national origin, disability, marital status, genetic predisposition or carrier status or any other classification protected by federal, state, or local law), or in violation of DIOPA’s equal employment opportunity policy and its policies against illegal harassment and other discrimination may not be downloaded from the Internet or displayed or stored on DIOPA’s Information and/or Telecommunications Systems.

I. ILLEGAL COPYING AND DOWNLOADING

DIOPA prohibits the downloading of software from the Internet, without the prior approval of the IT director, because of significant risk of infecting DIOPA's Information and/or Telecommunications Systems with a virus, the unreliability of such downloaded software, and the potential for copyright and/or licensing violations. All DIOPA's Information and/or Telecommunications Systems will be subject to periodic inventory and inspection for compliance.

J. USING PERSONAL COMPUTERS OR OTHER ELECTRONIC DEVICES FOR WORK & ACCESSING THE INTERNET OR DIOPA'S E-MAIL

To ensure security and to avoid the spread of viruses, employees need the approval of the Bishop and IT Director before using their personal computers or other electronic devices for work purposes. In all instances, employees accessing the Internet, or DIOPA's e-mail through a computer or other electronic device attached to DIOPA's network must do so through an approved Internet firewall designed for their operating system and any other firewall required by DIOPA. Employees using their personal computers or other electronic devices for work are not permitted to download, use or permit to be used on such computers or other electronic devices any program known to compromise security (e.g., file sharing software and/or software that permits users to search for other users' computers and download desired files) or spread viruses. Any questions should be directed to the IT director.

K. VIRUS DETECTION

Files obtained from sources outside DIOPA, including (1) personal, non-DIOPA storage media (e.g., flash drives, portable hard drives, iPods or other music devices, disks, or other storage media known or hereafter developed) ("Storage Media"); (2) files downloaded from the Internet, newsgroups, bulletin boards or other online services; (3) files attached to e-mail; and (4) files provided by vendors may contain dangerous computer viruses that may damage DIOPA's Information and/or Telecommunications Systems. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use Storage Media from non-DIOPA sources without first scanning the material with DIOPA-approved virus checking software. If an employee suspects that a virus has been introduced into the DIOPA's Information and/or Telecommunications Systems, he/she must notify the IT director immediately.

L. SECURITY & PASSWORDS

Any attempt to circumvent the DIOPA's security procedures is prohibited. Individual passwords and access codes must be kept strictly confidential. No employee should give a username, password, or access code to another person, unless instructed to do so by the IT director, in which case the employee must immediately provide the requested information.

M. COPYRIGHTED MATERIALS

Users of DIOPA's Information and/or Telecommunications Systems may use only legally obtained, licensed data or software and must comply with applicable licenses or other contracts, as well as copyright, trademark, and other intellectual property laws. Much of what appears on the Internet and/or is distributed via electronic communication is protected by copyright law, regardless of whether the copyright is expressly noted. Users of DIOPA's Information and/or Telecommunications Systems should generally assume that material is copyrighted unless they know otherwise, and not copy, download, or distribute copyrighted material without permission unless the use does not exceed fair use as defined by the federal Copyright Act of 1976. Protected material may include, among other things, text, published articles, photographs, audio, visual, graphic illustrations, and computer software. If an employee is uncertain about whether certain information is copyrighted, proprietary, or otherwise inappropriate for transfer, he/she should resolve all doubts in favor of not transferring the information and should consult the Bishop, Canon to the Ordinary, the IT Director and/or the Diocesan Chancellor.

N. PROTECTION OF DIOPA'S REPUTATION

DIOPA prohibits the use of any of DIOPA's Information and/or Telecommunications Systems or the dissemination of information in a manner bringing disrepute, damage, or ill will against DIOPA. Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. E-mails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Employees should write e-mail communications and publish/post to blogs with no less care, judgment and responsibility than they would use for letters or internal memoranda written on DIOPA's letterhead. Further, all personal communications or postings must be free of any indication, whether explicit (e.g., "professional signature") or contextual, suggesting the statement and/or opinion is that of DIOPA.

O. USE OF INFORMATION AND/OR TELECOMMUNICATIONS SYSTEMS WHILE DRIVING

Users of the DIOPA's Information and/or Telecommunications Systems must comply with all laws regarding the use of such devices while driving. DIOPA requires that a hands-free device be used whenever an individual: (1) is using a DIOPA-owned and/or DIOPA-issued electronic device while driving; (2) is using DIOPA-provided cellular phone or other electronic service; and/or (3) is conducting DIOPA business while driving. Electronic devices should be used only when it is safe to do so under the circumstances and users must be aware that, even with a hands-free device, electronic devices should not be used during adverse weather or difficult traffic conditions. ***Under no circumstances may an individual send, receive, and/or review text or similar messages while: (1) using a DIOPA owned and/or DIOPA-issued electronic device while driving; (2) using DIOPA-provided cellular service while driving; and/or (3) conducting DIOPA business while driving.***

P. ADDITIONAL PROVISIONS APPLICABLE TO DIOPA-ISSUED CELLULAR PHONES AND DIOPA-PROVIDED CELLULAR PHONE SERVICE

Cellular phones purchased by DIOPA and issued to employees are the property of DIOPA. As set forth in sub-section F of this Policy No. 604, employees should not have an expectation of privacy

in anything they create, store, access, send, or receive using a DIOPA-issued cellular phone or DIOPA-provided cellular phone or other electronic service (including but not limited to voice-mail messages, text messages e-mail messages, conversations, etc.).

Individual's assigned cellular phones are responsible for safeguarding them from damage and misuse. Employees must report any damage, loss, unauthorized use or malfunction of a DIOPA-issued cellular phone to the IT director.

DIOPA reserves absolute discretion and control over whether, and if so upon what terms (e.g. minute allotment, personal use, cost to employees, etc.), to issue cellular phones or other electronic devices and/or to provide cellular phone or other electronic service to employees.

Q. LIABILITY FOR OTHERS' USE OF INFORMATION AND/OR TELECOMMUNICATIONS SYSTEM

An employee shall be responsible for any DIOPA Information and/or Telecommunications Systems provided to the employee as well as the employee's activities on DIOPA's Information and/or Telecommunications Systems.

R. VIOLATIONS TO BE REPORTED

Any employee who discovers misuse of the e-mail system or Internet, or any violation of this policy, should immediately notify his/her immediate supervisor, the Bishop's Office and/or the Canon to the Ordinary for Administration.

604 USE OF PERSONAL CELLULAR PHONES AND OTHER PERSONAL ELECTRONIC TELECOMMUNICATION DEVICES DURING WORK HOURS

The Episcopal Diocese of Pennsylvania (DIOPA) recognizes that employees may occasionally need to use personal cellular phones or other personal electronic telecommunications devices during work hours for non-business-related matters. In all cases, such incidental communications must not interfere with employee productivity and/or DIOPA's operations.

These requirements are, as applicable, in addition to the requirements specified in Policy Nos. 604 ("Information & Telecommunications") and 803 ("Employer Vehicles") for use of cellular phones and other electronic telecommunications devices.

Violations of this policy may result in disciplinary action, up to and including immediate termination from employment.

605 CONFLICTS OF INTEREST

A. PURPOSE

Employees have an obligation to conduct business within guidelines that prevent actual, possible, and perceived conflicts of interest. The purpose of this policy is to protect The Episcopal Diocese of Pennsylvania's (DIOPA) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a DIOPA employee or result in a possible excess benefit transaction, and to provide general direction concerning conflicts of interest. This policy is intended to supplement but not replace any federal and state laws applicable to DIOPA governing conflicts of interest.

B. POLICY REGARDING CONFLICTS OF INTEREST AND DISCLOSURE OF RELATED ACTIVITIES

Members of the Diocese of Pennsylvania's Standing Committee, Diocesan Council, Committee on Finance and Property, and staff (who are the individuals covered by this policy) are expected to act at all times in the best interests of the Diocese of Pennsylvania. Members of Diocesan Committees and Task Groups who are not members of the bodies listed above are also covered by this policy.

A conflict of interest exists when an individual (or member of her/his immediate family or other close associate) stands to gain an outside advantage as a result of the individual's being in a position to influence decisions regarding the Diocese of Pennsylvania. A conflict of interest also exists if the individual's relationships are such that they may have an adverse impact on the Diocese of Pennsylvania.

This policy requires disclosure of involvement of individuals and others cited above in conflicts of interest or potential conflicts of interest. This policy is designed to avoid both actual impropriety and the appearance of impropriety.

Guiding principles

Individuals shall not solicit or accept any material benefit or gift of value that would suggest, create, or could reasonably be perceived to be an inducement to influence a decision or action relating to the Diocese of Pennsylvania, or create an obligation to do so.

Individuals shall not use their positions, or knowledge gained from their positions, in such a way that a conflict could arise between the interest of the Diocese of Pennsylvania and that of another entity or individual in/with which that individual has an interest or relationship (e.g. members of churches in the Diocese of Pennsylvania who provide goods or services to the Diocese of Pennsylvania).

This policy is not intended to exclude members of churches in the Diocese of Pennsylvania from providing goods or services to the Diocese; rather, it is intended to require equal treatment of bidders and offers of goods and services, assuring that the best interests of the Diocese are primary in decision-making.

Individuals having conflicts of interest or potential conflicts of interest shall disclose the conflicts, shall abstain from discussion of matters relating to the conflict at meetings, and shall

not use their personal influence in any decision regarding the matters relating to the conflict. The minutes of any such meeting shall reflect the disclosure that was made, and the abstention from discussion.

Disclosure requirements

Each member of the Diocese of Pennsylvania's Standing Committee, Diocesan Council, Committee on Finance and Property, staff, and members of Diocesan Committees and Task Groups shall disclose her/his real, potential, or perceived conflicts of interest at the organizational meeting of each group following elections at Diocesan Convention each year, and as they arise in the course of the year. (Adopted 2012)

C. CONDUCT & PROCEDURES

1. Conduct

An employee must not:

- a. Seek or accept Compensation that might reasonably be interpreted as an attempt to influence him/her in the performance of his/her Diocesan duties;
- b. Participate as a voting member of any vestry/council/committee/board or sub-committee on matters pertaining to the individual's Compensation and/or Compensation to be paid to his/her Family; and
- c. Accept or engage in any outside employment or volunteer activity in violation of Policy No. 607 ("Outside Employment & Volunteer Work").

2. Duty to Disclose

As soon as an employee has knowledge of a Personal Interest, he or she must disclose such Personal Interest. Such disclosure must be made in writing to the Bishop and/or chair of the committee, sub-committee, board or other governance group, and any other individuals or committees involved in applicable decision-making with respect to the conflict of interest issue. The disclosure must include all material facts.

3. Determining Whether a Conflict of Interest Exists

After an employee discloses a Personal Interest (and all material facts), and provides any requested information, he or she shall excuse himself or herself from any meeting while the conflict of interest issue is discussed and, where applicable, voted upon. The governance group, in consultation with the diocesan chancellor shall decide if the Personal Interest is a conflict of interest. In some instances, action may be held in abeyance, deferred or otherwise not determined. A vote of the majority of the entire vestry/council/committee/board members who have no Personal Interest in the transaction shall be decisive on the issue.

4. Procedures for Addressing the Conflicts of Interest

If it is determined that a conflict of interest exists with respect to an existing or proposed transaction or arrangement, then:

- The Chair of the Council, Board or Committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the existing or proposed transaction or arrangement;
- After exercising due diligence, the Council, Board or Committee shall determine whether the DIOPA can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest; and
- If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Council, Board or Committee shall determine by a vote of the majority of the entire Council, Board or Committee of the members who have no Personal Interest in the transaction whether the transaction or arrangement is in DIOPA's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make a decision as to whether to continue, or enter into, the transaction or arrangement.

If it is determined that a conflict of interest exists with respect to any other matter, then such matter shall be referred to the Bishop and Standing Committee, who shall decide upon the appropriate steps taken to minimize or eliminate the conflict of interest.

5. Violations of the Conflicts of Interest Policy

If the Council, Board or Committee has reasonable cause to believe that an employee has knowingly failed to disclose a Personal Interest or an actual, possible, or perceived conflict of interest, it shall inform the employee of the basis for such belief and afford the employee an opportunity to explain the alleged failure to disclose.

If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Council, Board or Committee determines that the employee has knowingly failed to disclose a Personal Interest or an actual, possible, or perceived conflict of interest, DIOPA shall take appropriate disciplinary action, up to and including immediate termination from employment.

Any other violations of this policy may subject an employee to disciplinary action, up to and including immediate termination from employment.

D. QUESTIONS

If you have any questions or concerns about conflicts of interest, please contact the Bishop or the Chancellor of the Episcopal Diocese of Pennsylvania.

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606 OUTSIDE EMPLOYMENT & VOLUNTEER ACTIVITIES

The Episcopal Diocese of Pennsylvania (DIOPA) **respects** the rights of employees to engage in activities outside of their employment. However, you may not engage in any employment or activity outside of the DIOPA which:

- Conflicts with your:
 - Required hours of work; and/or
 - Obligations to and responsibilities for DIOPA;
- Presents a conflict of interest with DIOPA;
- Adversely affects your work performance;
- Adversely affects DIOPA's ability to efficiently schedule employees;
- Embarrasses or discredits DIOPA; and/or
- Conflicts with DIOPA's policies.

Before accepting outside employment or engaging in outside activities (on a "volunteer" or "paid" basis), you must obtain approval from the Bishop's Office and/or the Canon to the Ordinary. If, at any time, DIOPA determines that an employee's outside work or activity interferes with his/her job performance or ability to meet DIOPA's requirements, or otherwise violates this policy, DIOPA may require the employee to terminate or modify the outside employment and/or activity in order to remain a DIOPA employee.

Except upon prior written approval of DIOPA or its designee and subject to any terms and restrictions specified by DIOPA in its discretion, employees shall not engage in any approved outside work or activities during work hours and shall not use any DIOPA resources for such purposes.

You are required to disclose, in the form specified by DIOPA, to the Bishop(s) and/or the Canon to the Ordinary any outside employment and/or volunteer activities. Such disclosure must be made on an annual basis and at any time prior to engaging in any new employment or activity

607 VIOLENCE IN THE WORKPLACE

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to providing a safe environment for employees, as well as the DIOPA community as a whole.

DIOPA does not tolerate any violence in the workplace or any violence engaged in by employees at any function or event attended by an employee as a representative of DIOPA or as a representative of any other Episcopal or professional organization.

As used in this policy “violence” means any physical assault, threatening or intimidating behavior (verbal and/or non-verbal) or verbal abuse occurring in the workplace. As used in this policy, “workplace” means:

1. Any location where work for DIOPA is performed;
2. Any time on DIOPA’s premises;
3. Any DIOPA function or sponsored event; and
4. Any time in DIOPA vehicles (whether owned, leased or rented).

In order to provide a safe work environment, DIOPA requires all employees to immediately report any incident of violence or threatened violence in the workplace, whether or not physical injury has occurred (e.g., verbal abuse, menacing, etc.) of which they are aware. This includes all violence and threatened violence directly witnessed or received, as well as any violence and threats an employee is aware another person has witnessed or received.

608 ILLEGAL CONDUCT; COPYRIGHT & PLAGIARISM; POSSESSION OF WEAPONS

The Episcopal Diocese of Pennsylvania (DIOPA) expects employees to act in compliance with all applicable laws. Regardless of when and where such conduct occurs, any employee who engages in illegal conduct may be subject to disciplinary action, up to and including immediate termination from employment. The Diocese will fully cooperate with law enforcement and/or governmental authorities in any investigation and/or prosecution of cases regarding such illegal conduct.

609 GIFTS

The Episcopal Diocese of Pennsylvania (DIOPA) recognizes and encourages productive working relationships between its employees, and between its employees and non-employees. All relationships are expected to be based on integrity, respect, and mutual confidence.

To maintain a professional atmosphere free of the appearance of bias and favoritism, DIOPA prohibits gift giving and acceptance among its employees, and between its employees and non-employees, if such gifts would likely create the appearance of impropriety.

In accordance with the policy of The Episcopal Church, DIOPA clergy and other employees are discouraged from using pastoral or other relationships of trust, developed in the context of the exercise of their responsibilities, for personal financial gain, or for the purpose of developing an inappropriate relationship. See also Policy Nos. 202 (“Sexual Harassment”) & 203 (“Sexual Exploitation”). Accordingly, it is the policy of DIOPA that any major bequest or gift arising out of the context of such a relationship be renounced or transferred and dedicated to an appropriate religious or charitable use.

Further, in accordance with the policy of The Episcopal Church, DIOPA employees may not accept gifts from or give gifts to non-employees or entities with whom or with which DIOPA does business or seeks to do business, unless of nominal monetary value.

In all other circumstances, employees shall use their best judgment in determining whether the giving or acceptance of a gift would likely create the appearance of impropriety. When in doubt, employees shall refrain from giving or accepting a gift.

If you have any question about whether the giving or acceptance of a gift is appropriate, you should direct your question to the Bishop’s Office or the Canon to the Ordinary as soon as possible, preferably before the gift is given or accepted.

610 HOUSEKEEPING

The Episcopal Diocese of Pennsylvania (DIOPA) requires your cooperation and participation in caring for the areas in which you work. You are expected to keep your work area clean, neat, and orderly at all times. You also are responsible for picking up after yourself in any other common work areas.

DIOPA encourages employees to eat only in designated eating areas. If you must eat at your work area, please be considerate of other employees. Utilize appropriate etiquette, take precautions to make certain that food and beverages do not spill, clean-up after eating, and dispose of any uneaten leftovers.

Trash receptacles and recycling containers are located throughout the building. Please put all litter [and recyclable materials in appropriate receptacles and containers.

Please report all housekeeping concerns to the receptionist.

SAFETY

701 ACCIDENTS, INJURIES & ILLNESSES

When an accident, injury or illness occurs at the workplace and/or in the scope of employment, it must be reported immediately to your supervisor or the Bishop's Office regardless of its nature or severity and even if the affected employee(s) request(s) that the accident, injury, or illness not be reported. The Episcopal Diocese of Pennsylvania (DIOPA) will provide the proper forms for reporting job-related accidents, injuries, and illnesses. All incidents must be documented as soon as possible in writing by the supervisor and the employee who suffers a work-related accident, injury or illness. Whenever possible, written witness statements should also be obtained.

Each employee is responsible for promptly reporting any workplace accidents, injuries, and illnesses of which he/she is aware and DIOPA will not retaliate against an employee for reporting such occurrences. Any employee failing to comply with the terms of this policy may be subject to disciplinary action, up to and including immediate termination from employment.

702 DRUG-FREE WORKPLACE

A. PURPOSE AND GOAL OF POLICY

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to protecting the safety, health and well-being of all employees and other individuals in DIOPA's workplace and, toward that end, DIOPA is committed to maintaining a drug-free workplace. DIOPA encourages employees to voluntarily seek help with drug and alcohol problems.

For purposes of this policy, the following terms shall have the following meanings.

1. The term "Diocesan Work or Activities" means:
 - a. Work for DIOPA at any location;
 - b. At any time on DIOPA premises;
 - c. At any DIOPA function or sponsored event;
 - d. At any function or event attended by employees as representatives of DIOPA or any other Episcopal or professional organization;
 - e. At any time traveling to and from any DIOPA location, event or work specified in subparagraphs (c) & (d) above; and
 - f. At any time in DIOPA vehicles (whether owned, leased or rented).
2. The term "illegal drug" means drugs and controlled substances, the possession or use of which is unlawful, pursuant to any federal, state and local laws and regulations in the United States. Drugs and controlled substances that are not legally obtainable, or that are legally obtainable but have not been legally obtained, are considered to be illegal drugs. Examples include street drugs such as cocaine, heroin, marijuana, and other controlled substances such as stimulants, depressants and hallucinogenic products.

All employees must comply with the DIOPA's drug-free workplace policy. As a condition of continued employment with DIOPA, each employee must abide by this policy.

B. PROHIBITED BEHAVIOR

1. Illegal Drugs

DIOPA strictly prohibits at any time (whether during or before or after working hours) the manufacture, distribution, dispensation, use, sale, possession, purchase, trade, transfer, and/or offer for sale of illegal drugs by employees.

2. Prescription & Over-the-Counter Drugs

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting with the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of DIOPA's drug-free workplace policy to intentionally misuse and/or abuse prescription medications.

3. Alcohol

During DIOPA Work or Activities, all employees shall refrain from using alcohol except for sacramental wine used as part of a religious service. DIOPA may, however, permit the responsible use of alcohol at social events regardless of the location. For purposes of this policy, "responsible use of alcohol" shall mean that, at all times, the employee:

- Remains sober;
- Does not operate a vehicle or other machinery while under the influence of any alcohol;
- Conducts him/herself professionally, in accordance with general standards of decency and, as applicable, DIOPA policies; and
- Makes certain his/her behavior does not compromise his/her ability to perform his/her job.

If an employee has any doubts about whether he/she can comply with these requirements if he/she drinks socially, the employee must refrain from using alcohol.

C. NOTIFICATION OF CONVICTIONS

Any employee who is convicted of a criminal drug or alcohol violation occurring in connection with DIOPA Work or Activities must notify the Bishop(s) or the Canon to the Ordinary for Administration in writing within 5 calendar days of the conviction.

D. CONSEQUENCES

One of the goals of DIOPA's drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If however, an employee violates the policy, he or she may be subject to disciplinary action in a manner consistent with applicable law, up to and including immediate termination from employment.

This provision in no way limits DIOPA's right to discipline an employee under the other provisions of this Handbook.

E. ASSISTANCE

DIOPA recognizes that early intervention and support improve the success of rehabilitation for alcohol and drug abuse and addiction. Whenever feasible, and subject to the limitations described in this policy, DIOPA will assist employees in overcoming alcohol and drug abuse and addiction. To support its employees, DIOPA's drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Offers all employees assistance with alcohol and drug problems through the Employee Assistance Program (EAP). To the extent possible, assistance is provided on a confidential basis. In certain circumstances, certain information may need to be shared with DIOPA, such as, for example, as required to process benefits or leaves. DIOPA is not provided with, nor does it request, any notification of a voluntary request for assistance or treatment by any employee. If, however, DIOPA refers an employee for EAP services, DIOPA may receive notification from EAP about the employee's use and cooperation with such EAP referral.

Treatment for alcoholism and/or other drug use disorders may be covered by DIOPA-provided health insurance. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

F. CONFIDENTIALITY

DIOPA will treat and maintain as confidential all information received by the organization through the drug-free workplace program. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and DIOPA policies.

G. EMPLOYEES' RESPONSIBILITY

All employees are prohibited from reporting to work or duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol, illegal drugs, or other prescription or over-the-counter drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment;
- Support fellow employees in seeking help;
- Use the Employee Assistance Program, if available and
- Report dangerous or unsafe behavior to the Bishop or the Canon to the Ordinary for Administration

H. COMMUNICATION

Communicating DIOPA's drug-free workplace policy to employees is critical to DIOPA's success. To ensure all employees are aware of their role in supporting our drug-free workplace program, all employees will receive a written copy of the policy.

703 OSHA COMPLIANCE

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to providing a safe working environment for all its employees. Toward that end, DIOPA will comply with the Occupational Safety and Health Act of 1970 ("OSHA").

DIOPA will not retaliate against any employee who, in good faith, raises a complaint regarding compliance with the requirements of the Occupational Safety and Health Act of 1970 ("OSHA").

704 SAFE WORKPLACE PRACTICES & RULES

The importance of safety cannot be overemphasized. Using safe workplace practices is the responsibility of every employee. Therefore, for the protection and well-being of all employees, every employee must abide by the Episcopal Diocese of Pennsylvania's (DIOPA) workplace safety rules. The following are general safe workplace practices and rules:

1. In accordance with Policy No. 208 ("Tobacco-Free Environment") smoking and the use of tobacco products are not permitted at any time on any premises owned by, leased by, operated by, borrowed by, used by, or otherwise under the DIOPA's jurisdiction (including but not limited to vehicles, parish halls, office space, DIOPA offices, camps and conference centers, seminaries, schools, or any other location at which DIOPA employees perform services.

2. Materials or equipment must not block passageways, fire-fighting equipment, first aid equipment or exits. Employees must not cover or hang anything on fire fighting or first aid equipment.

3. Employees must drive carefully on DIOPA property, and all vehicles must observe driving rules established by DIOPA as well as traffic laws. No horseplay or practical jokes are permitted on DIOPA property.

4. Employees shall not run indoors on the premises in areas not specifically designed for such physical activity.

5. Employees shall keep their work area in a clean and orderly condition.

6. Employees shall obey safety instructions, rules, policies and procedures. Whenever required, employees shall use safety and personal protective equipment provided. Employees shall make proper use of caution signs during housekeeping.

7. Before using any equipment or materials, employees shall read carefully any instructions or warnings labels. You should direct any questions to your supervisor, the Canon to the Ordinary or other knowledgeable person on DIOPA staff.

8. Employees shall immediately report any unsafe conditions or safety hazards to your supervisor, the Bishop's Office or the Canon to the Ordinary...

9. Employees must notify the Bishop's Office or the Canon to the Ordinary immediately of any accident, injury or illness, whether or not medical treatment is required...

10. Employees must use care when lifting and be sure to lift properly. Employees should get their power from their legs, not their back. If special trucks or hoists are provided, employees shall use them.

11. Computer users should adjust their workspace, including keyboard, display, seating, and lighting, in order to minimize the possibility of body and eye strains. Frequent users should schedule other types of work during the day as a break from computer use.

12. Employees must properly dispose of all hazardous materials in an acceptable and lawful manner.

Other safety practices and/or rules may apply to a particular job assignment or work area. You are responsible for familiarizing yourself with any special safety requirements and you should consult with your supervisor if you have any questions.

Violations of safe workplace practices and/or rules may result in disciplinary action, up to and including immediate termination from employment.

705 PERSONAL PROPERTY

Since many people are in DIOPA's offices on a daily basis, you are discouraged from bringing personal property to work if it has financial or sentimental value. DIOPA does not assume

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responsibility for the loss or theft of personal belongings. You are expected to exercise caution and common sense when carrying cash or other personal valuables. You should never leave purses, cash or valuables unattended and visible on desktops or in other public areas.

706 SECURITY

Security is the responsibility of every employee. All visitors and guests must sign in and out with the receptionist. If you observe an unfamiliar person in working areas or any other suspicious activity anywhere on DIOPA's premises or at DIOPA functions, please notify your supervisor immediately. [Employees are required to comply with all DIOPA security procedures, including setting and disarming the security systems at DIOPA facilities.

707 WEATHER-RELATED & OTHER EMERGENCY CLOSINGS AND DELAYS

At times, severe weather, fires, floods, power failures, earthquakes, or other emergencies may disrupt the Episcopal Diocese of Pennsylvania's (DIOPA) operations. In extreme cases, the DIOPA offices may temporarily close or have an early closing or delayed opening, and employees will be notified of these instances by following the announcement of the closure or delay of The Philadelphia Public School System on the radio and television stations, or by contacting employees via a phone tree.

Keep in mind that safety is DIOPA's main concern. Even if DIOPA's offices are open, please use your judgment about safe commuting conditions. If you believe it is unsafe for you to commute to work or necessary for you to leave early, please report your lateness or absence in accordance with Policy No. 603.

708 INQUIRIES REGARDING USE OF BUILDINGS & OTHER FACILITIES

Individuals or other organizations may contact The Episcopal Diocese of Pennsylvania (DIOPA) staff asking for information concerning use of DIOPA buildings and/or other facilities. No employee may respond to an inquiry regarding use of DIOPA buildings and/or other facilities without the prior written approval of the Bishop's Office or the Canon to the Ordinary or his/her designee. Any employee contacted about use of DIOPA buildings and/or other facilities must refer the individual or organization to the Bishop's Office or the Canon to the Ordinary or his/her designee. Any violations of this policy may result in disciplinary action, up to and including immediate termination from employment.

EMPLOYER PROPERTY

801 OWNERSHIP OF CREATED PROPERTIES

It is The Episcopal Diocese of Pennsylvania's (DIOPA) policy that DIOPA shall be deemed the author and the exclusive owner of the copyright in all works of authorship made by a DIOPA employee (a) within the scope of his or her employment, (b) at the DIOPA's direction, (c) on DIOPA time, (d) about or relating to DIOPA or its work, or (e) using any DIOPA equipment, supplies, facility, information or other resources (including financial resources).

802 USE OF EMPLOYER PROPERTY & LETTERHEAD

A. EMPLOYER EQUIPMENT

The Episcopal Diocese of Pennsylvania (DIOPA) provides employees with certain equipment to assist them to carry out their ministry and/or accomplish their job duties. Such equipment may include, for example: telephones, cellular phones, PDA/Treo/BlackBerry-like devices, fax machines, computers, copiers, and tools.

DIOPA equipment is provided to employees for official DIOPA business. While this equipment is to be used primarily for business purposes, employees may use such equipment for incidental personal use, provided such use does not interfere with employee productivity and/or DIOPA's operations, and is consistent with the DIOPA's policies and all applicable laws

When using or operating DIOPA equipment, you are expected to exercise care, follow all operating instructions and safety standards, and perform required maintenance where appropriate. Please promptly notify the IT supervisor if any DIOPA equipment appears to be damaged, defective or in need of repair. The prompt reporting of damage, defects, and the need for repair may prevent possible injury to employees and others, and further deterioration of the equipment. Your IT Supervisor can answer any questions about your responsibility for care and maintenance of equipment.

B. EPISCOPAL DIOCESE OF PENNSYLVANIA LETTERHEAD

DIOPA letterhead is used only for official DIOPA business. No employee may use DIOPA letterhead for any personal purpose.

803 EMPLOYER FUNDS & OTHER ASSETS

The Episcopal Diocese of Pennsylvania (DIOPA) recognizes the importance of safeguarding its funds and other assets.

DIOPA shall adopt internal controls to prevent the theft and misuse of DIOPA funds and other assets, and to ensure that all financial transactions are accurately documented and approved by

authorized DIOPA personnel in accordance with the law and, to the extent consistent with applicable law, the standards set forth in the *Manual of Business Methods in Church Affairs...*

Every employee who has access to or control over DIOPA funds and other assets is personally accountable for the safekeeping of such funds and assets. Employees shall comply with any policies and/or procedures adopted by DIOPA concerning its funds and other assets. Further, it is your obligation to promptly report any suspected violation of this policy to the Bishop or the Canon to the Ordinary or to the Diocesan Chancellor.

Any violation of this policy or any other policies and/or procedures adopted by DIOPA with respect to the safeguarding of its funds and assets may subject an employee to disciplinary action, up to and including termination from employment.

804 RETURN OF EMPLOYER PROPERTY

Upon separation from employment with the Episcopal Diocese of Pennsylvania (DIOPA), you must return all DIOPA property, including identification cards, keys, security cards, credit cards, cellular phones, PDA/Treo/BlackBerry-like devices, computers, equipment, vehicles, DIOPA records and other documentation (in paper and electronic format), and any other DIOPA property.

PERFORMANCE MANAGEMENT

901 PERFORMANCE APPRAISALS

The Episcopal Diocese of Pennsylvania (DIOPA) is committed to providing its employees with feedback about their job performance, both formally and informally. Your supervisor shall provide his/her employees with informal performance feedback on an ongoing basis. DIOPA also will conduct formal written performance appraisals annually.

You are encouraged to seek feedback about your job performance at any time. If you have questions about your job performance or your job duties and responsibilities, you should promptly bring them to the attention of supervisor.

SAMPLE PERFORMANCE APPRAISAL FORM

Employee: _____ Supervisor: _____

Period covered in appraisal: _____

This form is to supplement, not replace, a narrative written evaluation of the employee by the supervisor. Staff members should be given the opportunity to do a self appraisal on their work performance, but this is optional. These written items form the basis for a conversation between the employee and his/her supervisor which is to be held at the end of the probationary period for new staff members and at least annually for all staff members. The staff member should receive the written materials at least two working days in advance of the scheduled annual performance review.

Ratings:

Outstanding – consistently exceeds goals/responsibilities for the year; demonstrates overall excellence in skills and knowledge required for the job.

Effective – Accomplished goals/responsibilities for the year and productively used skills and knowledge required for the job.

Improvement needed – accomplished some, but not all goals/responsibilities for the year. Skills and knowledge could be used more effectively to perform the job.

Unacceptable – failed to demonstrate adequate progress towards completion of goals/responsibilities and did not consistently demonstrate necessary skills and knowledge required for the job.

Qualitative & quantitative factors: please rate the staff member in each area, being consistent with what was documented in the written evaluation.

Factor	Outstanding	Effective	Improvement Needed	Unacceptable
Knowledge of Work	()	()	()	()
Quality of work	()	()	()	()
Quantity of work	()	()	()	()
Communication				
Skills	()	()	()	()
Team work	()	()	()	()
Initiative	()	()	()	()
Flexibility	()	()	()	()
Supervision of Others	()	()	()	()

902 DISCIPLINARY PROCESS

The Episcopal Diocese of Pennsylvania (DIOPA) reserves the right to discipline employees as it deems appropriate under the circumstances. Disciplinary action, up to and including immediate termination from employment, may result for poor performance (i.e., deficiencies in the quality or quantity of work performed or the inability to perform certain job functions), misconduct (i.e., deficiencies in the manner in which an employee conducts himself/herself while at work or dealing with others), and failure to adhere to DIOPA policies and procedures and standards of conduct.

DIOPA will strive to treat each employee with dignity and respect during the disciplinary process and requests the same from all employees. The Bishop and/or the Canon to the Ordinary for Administration, in his/her discretion, shall make the final decision concerning discipline, consistent with TEC and DIOPA canons. DIOPA shall keep a record of all discipline in the employees' personnel files.

903 REFERENCES

It is the Episcopal Diocese of Pennsylvania (DIOPA) policy to provide a neutral employment or other reference for all individuals concerning their employment with DIOPA. A neutral employment reference provides only the dates of an employee's service and the employee's job title(s) held during employment.

Only the Bishop's Office or the Canon to the Ordinary is authorized to provide employment or other references.

If anyone advises you that they intend to make an inquiry of DIOPA concerning you, or if anyone contacts you for an employment or other reference concerning a current or former employee, you must direct such inquiries to the Bishop's Office or the Canon to the Ordinary.

RECORDKEEPING

1001 EMERGENCY CONTACT, PERSONAL INFORMATION AND PERSONNEL FILES

For your well-being, you should provide the Episcopal Diocese of Pennsylvania with the name, relationship, phone number and address of an emergency contact. It is your responsibility to make certain that your emergency contact and personal information are current.

For example, you should notify the Bishop's Office and/or the Canon to the Ordinary and Payroll Department when:

- You wish to change your emergency contact, or there is a change in contact information for such individual;
- You change your name, address, telephone number and/or personal e-mail address;
- You wish to change the number of income tax exemptions and/or marital status;
- You wish to change your beneficiary(ies) under an employee benefit plan (note: this may require the signature of certain beneficiaries);
- You acquire a degree, license or certificate; take post-secondary classes; attend continuing education classes; and/or attend specialized training; and/or
- There is a change in a dependent's status (i.e., a child is no longer a full-time student, a child gets married, a child is over age eligibility, etc.).]

DIOPA needs to maintain certain additional information about you for compensation, benefits and business purposes. To the extent required by law, such information will be confidential.

Personnel records are highly confidential. DIOPA maintains a personnel file for each employee. DIOPA maintains employees' medical records in a separate, confidential medical file pursuant to Policy No. 1003. Employee personnel (and medical record) files are DIOPA's property.

Unless otherwise required by law, you may only review your personnel file while you are an employee. Unless required by law, DIOPA will not permit employees access to information confidentially submitted during the hiring process (e.g., references, interview notes, etc.). To review your personnel file, contact the Bishop's Office. DIOPA will determine the terms and conditions upon which you may review your personnel file (including, without limitation, any required notice, the location where you may review your file, and whether you may copy portions of your file).

DIOPA will not disclose information from your personnel file to anyone outside of the Diocese unless you or the Bishop or Canon to the Ordinary has authorized the release, or the release is to an authorized governmental agency, or the release is required by law.

1002 RECORD RETENTION

The Episcopal Diocese of Pennsylvania (DIOPA) shall develop and adopt a comprehensive recordkeeping and record retention policy governing the maintenance or destruction of all DIOPA records. All employees are required to comply with such policy. If you have any questions about recordkeeping or record retention requirements, you should contact the Finance Department.

REFERENCE STATEMENT

Any policies, procedures or otherwise pertinent statements listed in the Policies and Procedures manual of the National Church, and/or stated in the Constitution and Canons are included in this

manual by reference and are therefore fully applicable to employees of the Diocese of Pennsylvania.

GENERAL DEFINITIONS

1. **Employee**

For purposes of Illegal Discrimination, as such term is used in this Policy, the term “employee” shall mean an individual hired by DIOPA who meets the definition of an employee for purposes of federal, state and/or local discrimination (including harassment) laws.

2. **Lay Employee**

For purposes of Church-Prohibited Discrimination, as such term is used in this Policy, the term “lay employee” shall mean any non-ordained individual employed by DIOPA.

3. **Supervisors and decision-makers**

For purposes of this Policy, the term “supervisors and decision-makers” shall mean:

- a. All persons who have the express authority to hire, select, supervise, discipline, promote, demote, terminate, and set compensation or other terms and conditions of employment for one or more individual employed by DIOPA.
- b. All persons who have the express authority to recruit, duly appoint, select, license, discipline, supervise, terminate, or set terms and conditions of volunteer service;
- c. All members of decision-making bodies who have the authority to approve the creation of ministries, programs, Church activities, or policies.
- d. Standing Committees, Diocesan Councils/Executive Boards, Vestries, and Boards of Directors for Schools, Bishop’s Committees and the like.

4. **Diocesan Personnel**

For purposes of this Policy, the term “**Diocesan Personnel**” shall mean:

- f. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to DIOPA.
- g. All paid personnel (including Diocesan employees) whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies.
- h. Those who contract their services to the diocese, its congregations, schools, or other agencies;
- i. Volunteers, including any person who enters into or offers himself/herself for a Diocesan related service, or who actually assists with or performs a service, whether or not they have been selected or assigned to do so. Volunteers include members of advisory boards, vestries, and bishop’s committees, boards of directors and advisory boards.

- j. All interns, persons in the ordination process, persons serving in field education assignments, as well as any other employees identified by the Bishop.

5. Diocesan Employees

For purposes of this Policy, the term “Diocesan employees” shall mean all individuals hired by DIOPA who are employees of DIOPA for purposes of federal, state and/or local discrimination and harassment laws.]