

4000

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HUMAN RESOURCE POLICIES

In formulating policies governing personnel matters in the educational programs in the Burlington Diocese, the following factors are involved: the well-being of those affected by the policy determination; the goal of supporting and facilitating a community of faith in accordance with the teachings of the Roman Catholic Church among employees, students, and families; and the educational and other needs of students and their families for which we are responsible.

GOALS OF THE HUMAN RESOURCE POLICIES

- *to employ and support persons who are personally and professionally able to contribute to the accomplishment of our Catholic educational mission by their understanding of and appreciation for the teachings of the Roman Catholic Church*
- *to facilitate communications regarding professional responsibilities*
- *to clarify mutual expectations between teachers, staff, and administrators and diocesan - staff*
- *to develop a climate in which respect for the human dignity of every person governs our relationships with each other.*

Refer to Form 4000.

NON-DISCRIMINATION - PERSONNEL

All personnel are employed without regard to age, race, sex, national origin, place of birth, physical or mental condition, veteran or handicap status or any other factor which may be considered discriminatory as long as they are qualified and capable of fulfilling their role, responsibilities and adherence to Church doctrine. Qualifications being equal, Catholic teachers who give evidence of an understanding of the Catholic faith and have a commitment to living that faith will receive first consideration in appointment. Teachers of other faiths may be employed if they believe in and actively support the philosophy of the school, the religious education of youth and understand and accept the place and importance of the teachings of the Roman Catholic Church in the school's mission.

The Catholic school herewith states and affirms its continuing policy of Equal Employment Opportunity to all persons without regard to race, color, religion, national origin, sex, age, ancestry, place of birth, physical or mental condition, veteran or handicap status or any other factor which may be considered discriminatory. The Catholic school is committed to the principles of equal employment opportunity.

With the exception of a commitment to support, understand and not act contrary to the teachings of the Roman Catholic Church, equal treatment and equal employment opportunity takes place in all employment practices: recruitment, hiring, training, benefits and compensation, promotion, demotion, transfer, and termination.

All personnel are employed without regard to race, color, national origin, sex, age, ancestry, place of birth, physical or mental condition, veteran or handicap status or any other factor which may be considered discriminatory. Qualifications being equal, individuals who give evidence of an understanding of the Catholic faith and have a commitment to living that faith will receive first consideration in appointment. People of other faiths may be employed if they believe in and actively support the philosophy of the Catholic School.

The school administrator and all religion teachers must be a practicing Catholic in accordance with Canon 874 §1, 3°, 4° of the Code of Canon Law.

See also Regulation 1260.

POSITIVE EMPLOYEE RELATIONS

Catholic schools are committed to providing a workplace where employees develop skills that will promote continued faith, promote sound business decisions and judgment and provide a productive work environment with minimal distraction for our employees.

Catholic schools take pride in employee communication and positive interaction with supervision. Employees will periodically have concerns regarding their work situation that will need to be voiced. The work environment encourages an “open door” policy, where every employee is treated fairly, equitably and with respect. Our administration is committed to being accessible. Employees are encouraged to offer suggestions regarding their concerns related to their classroom or work situation to the appropriate levels of supervisor, or to the principal.

Approved: February 9, 2011
Bishop of Burlington

DRUG FREE, ALCOHOL FREE & TOBACCO FREE WORKPLACE

The Diocese of Burlington is committed to protecting the safety, health and well being of all students, employees and other individuals in our schools. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug and alcohol workplace program that balances our respect for individuals with the need to maintain a drug-free and alcohol environment. The Catholic schools in the Diocese of Burlington are drug free, alcohol free and tobacco free schools and will comply with federal and state laws in regards to the Drug Free, Alcohol Free and Tobacco Free regulations in the workplace. . .

Who is Covered

All individuals employed or may be applying for a position or are conducting business on the Catholic school's property are covered by our drug/alcohol free workplace policy. Our policy includes, but is not limited to teachers, full time employees, part time employees, contractors, cleaning services, volunteers, interns and administration.

Applicability

Our drug/alcohol free workplace is intended to apply whenever anyone is representing or conducting school business for the school. Therefore, this policy applies during all working hours; representing the school outside normal school hours; while at school functions both off the grounds of the school and on the grounds of the school; any sponsored events at the school or at another location; and while on call.

Prohibited Behavior

It is a violation of our drug/alcohol free workplace policy to use, possess, sell, trade, and /or offer for sale alcohol, illegal drugs or intoxicants. The proper use of medication prescribed by a physician is not prohibited; however we do strictly prohibit the misuse of prescribed medication, and require all employees using drugs at the direction of a physician, to notify their supervisor when/if these drugs may affect their job performance, such as causing drowsiness. We may also require a note from the employee's physician.

All employees who possess or use an unlawful controlled substance or use alcohol in the school or while at a function of the school (on the premises or off the premises) will be placed on leave without pay immediately.

Notification of Conviction

Any employee who is convicted of a criminal drug violation in the school or off school premises must notify the Administration in writing within five (5) calendar days of the conviction. The school will notify the Diocesan Superintendent's Office within 24 hours and the Diocesan Superintendent's Office will notify the Department of Education through whom federal funds programs are provided. Within 30 days of notification to the school by the employee in conjunction with the Diocesan Superintendent's Office and Office of Human Resources, the school will take the appropriate action in regards to the employee. Federal contracting agencies will be notified when appropriate.

Consequences

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may not reapply.

If an employee violates the policy, he or she will be subject to progressive disciplinary action up to including termination and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Return-to-Work Agreements

Following a violation of the drug/alcohol-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

Assistance

The Catholic schools in the Diocese of Burlington recognize that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our 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.*
- *Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.*

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

The Catholic schools in the Diocese of Burlington will reasonably accommodate any faculty or staff member who voluntarily enters an alcohol or drug rehabilitation program, provided the reasonable accommodation does not impose undue hardship on the school. Reasonable accommodation could include time off without pay and adjustment of working hours. The faculty or staff member may use whatever sick time he/she is entitled. Reasonable measures will be taken to safeguard the privacy of the faculty or staff member concerning enrollment in an alcohol or drug rehabilitation program. If a faculty or staff member enters into an approved rehabilitation program, the employee shall sign an agreement with the individual school, which will include the following:

- *Enroll in and complete an organizational approved rehabilitation program at the employee's cost.*
- *Execute the appropriate release of medical information forms to the school principal in order to monitor the compliance with the rehabilitation program.*
- *Ensure the treatment facility provides the organization with the necessary documentation to establish compliance.*

- *Abstain from any substance abuse.*
- *Acknowledge that any future violation of the Diocesan or school drug prohibitions shall result in immediate discharge.*
- *Failure to comply with any provision of the agreement shall result in immediate discharge.*

Confidentiality

All information received by the Diocese of Burlington and the school through the drug and alcohol free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Shared Responsibility

A safe and productive drug/alcohol-free workplace is achieved through cooperation and shared responsibility. Both employees and supervision have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- *Be concerned about working in a safe environment.*
- *Support fellow workers in seeking help.*
- *Report dangerous behavior to their supervisor.*

It is the supervisor's responsibility to:

- *Inform employees of the drug-free workplace policy.*
- *Observe employee performance.*
- *Investigate reports of dangerous practices.*
- *Document negative changes and problems in performance.*
- *Counsel employees as to expected performance improvement.*
- *Clearly state consequences of policy violations.*

Communication

Communicating our drug and alcohol free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug and alcohol free workplace program:

- *All employees will receive a written copy of this policy.*
- *The policy will be reviewed in orientation sessions with new employees.*

Tobacco

All schools are smoke-free buildings. Smoking is prohibited in the building and on school grounds.

MEDICAL RECORDS/INFORMATION

Medical records shall be filed in a separate and distinct employee confidential medical file. Medical records shall not be filed in an employee's personnel record. For purposes of this policy, the term "medical records" shall include any record or document that contains any information about an employee's physical or mental condition. The term medical records includes, but is not limited to, any record or document relating to medical certifications or medical histories of an employee created for purposes of Family and Medical Leave, the Vermont Parental and Medical Leave Act, the American Disabilities Act and Health Insurance Portability and Accountability Act of 1996.

The principal shall be responsible for creating and maintaining confidential medical records files. Access to confidential medical records, files or information shall be restricted to the principal, to other supervisory individuals if there is a need to know as a result of necessary accommodations and/or work restrictions. First aid and safety personnel may be informed of medical information where appropriate. The principal shall be responsible for authorizing proper disclosures of medical records or information.

Unauthorized disclosure of medical records and/or medical information by an employee may subject the employee to discipline, up to, and including, termination of employment.

EMPLOYMENT

Candidates for positions in the educational mission of the Diocese of Burlington demonstrate a commitment to the furtherance of a Christian community, agreement with and support for the beliefs of the Roman Catholic Church and mission statement, policies and regulations established by the Diocesan Office of the Superintendent, the Diocesan Office of Finance and the Diocesan Office of Human Resources with the approval of the Diocesan Bishop.

The Catholic schools in the Diocese of Burlington are committed to a selection process that results in each position being filled by the most qualified candidate recognized. The school will base its selection process on the essential functions and abilities required for the position. We recognize that our current employees create our standard for high caliber performance, and not only offer a proven record of performance, but also a commitment to with the school's goals and philosophy. For these reasons, internal candidates will be given priority consideration for vacant positions.

Decisions relating to all matters of employment including: transfers, promotions, layoffs, termination, rates of pay, training, recruitment and advertising, will be based on the employee's work record and qualifications within the school. All applications for a position must be kept on file for thirteen (13) months.

The Employment Policy will encompass the following:

- *Employment Equity (Policy 4101)*
- *Employment at Will (probating employees)*
 - *Any employee not under contract can be dismissed without cause at any time.*
- *Employment Provisions of the Americans with Disability Act (ADA)*
- *Immigration Law Compliance*
- *Conflict of Interest Situations*
 - *No member of the administration's immediate or distant family who would be supervised by the administration may be employed in a school.*
- *Interview Process/Application Retention/Background Verifications*
- *Employee Personnel Files (Policy 4122)*
- *Internal Job Openings*
- *Employee Appointment Announcement*
- *Involuntary/Voluntary Termination*
- *Exit Interviews*
- *Rehire/Reinstatement*
- *Background Verification (Policy 4112)*
- *Shield the Vulnerable/Virtus (Regulation 4112)*

The Catholic schools in the Diocese of Burlington will ensure that promotion decisions are in accordance with principles of equal opportunity by imposing only valid requirements for promotional opportunity.

The Office of the Superintendent has been designated as Equal Employment Opportunity Officer. As such, the Officer is charged with direct responsibility to monitor all equal opportunity activities throughout the Diocesan and parish schools and for assuring attainment of our stated objective for full compliance.

The Principal will attempt to reasonably accommodate individuals with disabilities if a reasonable accommodation is available that will permit the individual to perform the essential functions of his/her job.

Forms for New Employees Checklist, Separation/Exit Checklist (Form 4111).

1. Employment Equity See Policy 4101

2. Employment at Will

It is the policy of the Catholic schools not to enter any employment contracts or implied employment contracts except as directed by the Principal and the Superintendent.

The working relationship between the school and its employees is and will be one of voluntary employment “at will” for all those without a contract. Neither the employee nor the school has entered into a contract of employment, expressed or implied with all staff other than teachers.

Employment without regard to position is voluntarily entered into for no stated term or period of time. The school maintains the right to terminate an employee at any time, at its sole discretion, with or without cause being shown. This means that the school or any employee is free to end the employment relationship at any time.

3. Employment Provisions of the Americans with Disabilities Act (ADA)

Title I of the Americans with Disabilities Act prohibits discrimination in any terms or conditions of employment against qualified individuals with a disability.

The Americans with Disabilities Act requires that employment decisions be based on the ability of a person to perform the essential functions of a job and not preconceived notions about a person’s disability or limitations.

Further, it requires administration to reasonably accommodate individuals with disabilities if a reasonable accommodation is available that will permit the individual to perform the essential functions of his/her job.

To comply with the employment provisions of the Americans with Disabilities Act, the school will:

- 1. Identify the essential functions of a job;*
- 2. Determine whether a person with a disability, with or without accommodations, is able to perform the essential functions of the job; and,*
- 3. Unless it would pose an undue burden, provide a reasonable accommodation to a qualified individual, if one exists, that will permit the individual to perform the essential functions of his/her job.*

4. Immigration Law Compliance:

The Catholic schools are committed to employing U.S. citizens and aliens who are authorized to work in the United States and will not unlawfully discriminate on the basis of citizenship or national origin.

As a condition of employment and in compliance with the federal Immigration and Reform Control Act (IRCA) of 1986, each new employee must complete an Employment Eligibility Verification Form (Form I-9) and present documents that establish identity and employment eligibility. A list of acceptable documents can be found on the I-9 Form.

If proper identity and employment eligibility documents are not provided, an employee will not be hired or allowed to continue employment. Employees authorized for employment on a temporary basis must submit updated documents prior to their eligibility expiration date in order to continue employment.

5. Employment of Relatives (Conflict of Interest)

It is the policy of the Catholic schools to avoid the hiring, transfer, or promotion of relatives of employees into situations where the possibility of favoritism, discrimination or conflicts of interest might exist. Therefore, applicants will not be hired or employees promoted or transferred into the same working area/department where a relative is already employed or areas where relatives may have direct supervision or significant influence.

- 1. For the purposes of this policy, relatives are defined as an employee's parent, child, grandparent, spouse, brother and sister, in-laws, nieces, nephews, step relationships, uncles, and aunts.*
- 2. When a situation that conflicts arises through promotion, transfer, or marriage, a change of assignment will be necessary for one of the two individuals affected. The individuals will have a period of three (3) months in which to resolve the situation.*
- 3. Relatives of employees are eligible for short-term interim jobs or positions that are intended to be of limited duration such as summer employment, Christmas breaks, spring breaks, etc. However, temporary employees remain ineligible for full-time regular positions available in a department in which a relative is employed.*

6. Interview Process/Application Retention/Background Verification

It is the responsibility of the Principal and/or Pastor to give authority to hire for all positions under the level of Principal and Associate Principal.

It is the responsibility of the department supervisor in conjunction with Pastor or Principal or Associate Principal or faculty assigned representative for recruiting, interviewing, screening, selecting and overall adherence to the Employment Policies.

In all cases it is required that candidates being interviewed and approved be interviewed by the supervisor and by one (1) reporting level above the position to be filled. Reference checks must

be conducted, noting at minimum of 2 former employment references. If 2 former references cannot be completed, then 1 former employment reference and 2 personal references must be submitted as record of the file.

All candidates for employment must fully complete, date, and sign an employment application form. A resume will not be accepted in lieu of a completed employment application. The application form should be completed in detail and signed by the applicant to verify the accuracy and completeness of previous employment and personal information.

The School Administration may investigate any portion of the requested information and may deny or later terminate the employment of anyone giving false, misleading, or incomplete information.

The completed employment application form will be made part of the personnel file of those applicants accepted for employment.

All other employment applications received will be filed for a period of no less than 13 months.

It is the policy of the schools to request information regarding an applicant's previous employment from their employer(s) in order to obtain the prospective employee's work record as it pertains to their application for employment.

The background verification forms are state and federal forms and will have applicant authorization prior to any verification. Applicants will comply with all background checks and verification requirements prior to their first day of work.

7. Personnel Files (See Policy 4112)

8. Internal Job Posting

The Catholic schools are committed to promoting from within whenever possible.

Positions will be posted internally on bulletin boards at a central location. A Principal does have the right to fill a position without posting. All eligible employees that apply for a position will complete the career opportunity application

All internal and external candidates will be scheduled for interview times as long as they are qualified candidates. Internal candidates selected for interviews must meet with their supervisor to inform them of their intention to interview. If the employee has a concern regarding the impact of internal interviews on their current position, the Principal will be available to assist in this communication.

Once the Hiring Team/Individual managing the process has interviewed selected applicants, a decision will be made and final interviews will be conducted with the Principal and/or Pastor. All applicants will be informed of their candidate or non-candidate status by the Principal and/or Pastor. If an internal candidate is selected and accepts the position, the Principal will inform their current supervisor and discuss the date for release to the new position.

In the event of an inter-entity/department transfer, all of the above would apply. Employees interested in opportunities with another The Roman Catholic Diocese or other Religious groups

that are affiliated with the Diocese, must contact the Diocesan Office of Human Resources for information regarding those open positions. The interested Principal would also obtain agreement with current supervisor of the legal entity prior to any discussion/action occurring. If the move is to be lateral, it will be due to a sound judgment or employee developmental reason and benefit both entities and the employee.

The employee is responsible to meet with their supervisor and develop a transition plan prior to the established transfer date.

The supervisor of the new employee will also complete and submit the “Wage and Status Adjustment” form to complete the hiring process.

All positions will be posted for a minimum of three (3) days to a maximum of five (5) days.

The organization has the right to move an employee into a new position without the position being posted.

9. Employee Appointment Announcement

Employee Announcements will be completed for all newly hired employees and those who are promoted.

The Administration should provide the following information in the organizational announcement:

*Name
Position Title
Location
Reporting Relationship
Position Function
Personal Background
Effective Date*

The memo should be of a professional manner and it can be shared via the internal email system. A copy will be placed in the employee personnel file.

10. Involuntary Termination

Involuntary Termination is defined as the organization’s decision to terminate its working relationship with an employee.

- a. The Principal, Pastor and Superintendent in conjunction with the Diocesan Human Resource Director will make the final decision whenever possible for the involuntary termination.*
- b. Prior knowledge, consultation and approval of the Principal and Pastor are required prior to an employee termination.*
 - i. Every employee has a right to be heard and the Principal, Pastor, Superintendent and/or Diocesan Director of Human Resources has the responsibility to ensure that this right is respected.*

a. Involuntary Termination

- i. The Principal and/or Pastor is responsible for conducting the termination meeting. A second person representing the school must be present in the meeting. The individual managing health care benefits should review the process of COBRA and any owed time off per the contract or policy of the school.*
- ii. Involuntarily terminated employees will be paid through the date of termination and will receive their final pay in accordance with Vermont Law, which is payment within 72 hours.*

Payment for any time off will be paid in accordance with the school policy.

Employees are not paid for unused holiday time upon termination.

11. Voluntary Termination

Voluntary separations are those initiated by the employee. When an employee voluntarily terminates his/her working relationship with the school, that employee terminates under the Voluntary Termination policy and thus the following procedures apply.

For any salaried employee voluntarily leaving the organization, the supervisor must immediately complete the Wage & Status form and provide it to the individual managing Payroll to ensure the individual is removed immediately or after last day of work..

All data on the Wage and Status must be accurate with appropriate reasons for termination and date of termination..

Resigning employees will receive their final pay at the next regular pay period.

Payment will be made for any earned, yet unused vacation time, based on the policy of the school.

Benefits terminate the last day of month unless otherwise provided by law or through the applicable school contract with the health insurer.

A letter of resignation (when possible) must be forwarded for the personnel file.

Employees are not paid for holiday time upon termination.

12. Exit Interview

It is the Catholic schools policy to conduct an exit interview with all employees who separate from the school.

- a. The purpose of the interview is to inform the school as to the reasons for the resignation, to discover any employment practices that may have caused concern(s), and suggestions for improvement(s).*

- b. All employees will be scheduled for an exit interview prior to termination by the supervisor. The results of the interviews will be provided to the leadership for review and action if warranted.*
- c. The Principal or Superintendent will periodically conduct interviews, unless circumstances are clearly inappropriate. If necessary, the interview may be conducted by telephone by the Diocesan Office Human Resources if requested by the Principal or Pastor.*

13. Rehire/Reinstatement

The Catholic schools will consider employment of former employees who are eligible for re-hire and meet the qualification of the open position.

Former employees may be considered for rehire, with review and approval of the Principal and/or Pastor along with other candidates, provided:

- a. Performance was rated at a satisfactory level (either through formal evaluation, or observation, dependent upon tenure), and*
- b. The employee is qualified for the vacant position. However,*
- c. If an employee should leave without appropriate notice, rehire or reinstatement would be prohibited unless extenuating circumstances exist. In such instances, the Diocesan Director of Human Resources may be consulted.*

Any re-hire who has over 3 months of lapsed service will be required to complete all new hire paperwork and background check information.

Refer to Form 4111.

EMPLOYMENT

In employing persons for the educational ministry in a Catholic school, the following qualities should be examined as part of the interviewing process.

Faith Qualities

The effective Catholic school educator witnesses to students a commitment to values of the Gospel and the Christian tradition as lived out in the Roman Catholic Church through the Church's educational apostolate and calls students to a similar faith commitment. That is, she/he...

- acknowledges that faith is a free gift of God that is both a personal relationship and an intellectual assent; provides an atmosphere which fosters the faith development of students;
- integrates faith, consciously and actively, with one's experience; uses a reflective and experienced-based set of beliefs and values which gives witness to Christ through one's life as well as one's teachings;
- participates in and supports the creation of an environment in which liturgical and prayer life are fostered;
- identifies elements of injustice from personal experience and takes initiative in promoting constructive changes that assure quality of life for all;
- shares responsibility for establishing a community of faith within the context of the local Church and the universal Church.
- is certified by the Diocese in the appropriate level of Catechist formation.
- participates in an annual day of retreat.

Relational Qualities

The effective Catholic school educator relates well with students, parents and colleagues and works collaboratively with others in a variety of situations. More specifically, she/he...

- demonstrates a commitment to life-long development and achievement of moral, healthy and appropriate relationships; witnesses to a vital personhood that is alive and growing within the context of faith and in accordance with the teachings of the Roman Catholic Church;
- recognizes and believes in the potential of others and communicates this belief; views others in a positive way--sees possibilities as well as problems;
- relates in a respectful manner; assists students to develop a sense of self-worth and responsibility as Christians, helping them to make decisions and to solve problems from a Christian perspective;

- listens perceptively to students' concerns and communicates genuine love, warmth and respect while challenging them to become their best selves in the image and likeness of God;
- recognizes, respects and encourages parents in carrying out their role as the primary educators of their children; views parents as partners in the teaching-learning process;
- maintains a mutual and reasonable respect for alternative points of view; is sensitive and respectful to value differences, especially regarding individuals from different cultural and religious backgrounds;
- acknowledges and appreciates the abilities and contributions of others; cooperates rather than competes and willingly shares ideas, talents and resources.
- Resolves interpersonal conflicts in a timely fashion.

Professional Qualities

The effective Catholic school educator integrates religious beliefs with secular knowledge and uses educational approaches based on current research. In more specific terms, these qualities can be grouped in the following three categories:

Personal Characteristics

- is committed to personal, professional and spiritual growth for self and others; views self as an ongoing learner;
- demonstrates understanding and acceptance of the philosophical assumptions and values that underlie the school's approach to education according to the teachings of the Roman Catholic Church;
- is committed to the stability and long-range continuity of Catholic education in general and own Catholic school in particular;
- is accountable and accepts professional evaluation of own performance; reflects on own performance for purposes of self-improvement;
- abides by the legal responsibilities and professional standards of the teaching profession.

Cognitive Abilities

- demonstrates understanding of the broad vision needed to advance the ministry of the Catholic Church through the unique processes of Catholic education;
- demonstrates understanding of and appreciation for the purpose and ministry of the Church in education and recognizes and accepts the distinctive mission and role played by Catholic schools, both in the Catholic community and American society in general;
- demonstrates religious literacy and is especially knowledgeable about religion in general and the Catholic religion in particular (including the major statements of the Church regarding one's own professional area of expertise);
- demonstrates understanding of the contemporary social teaching of the Church and the importance of developing Christians with the perspective and desire for service (including a personal commitment to action for justice, mercy and peace);

- is knowledgeable of subject matter to be taught, understands learning styles of students;
- is knowledgeable of and uses available tools to continue the growth of educational practices for students;
- demonstrates understanding of how young people develop religiously and the role that teachers play in this development.

Facilitation Skills

- motivates others through own enthusiasm and commitment for growth in the Christian life; models the abilities and attitudes that students are expected to learn;
- guides student learning of concepts, abilities and attitudes needed to recognize and confront problems of injustice in our pluralistic society;
- provides learning experiences enabling students to relate Christian principles and values to life situations;
- fosters the service consciousness of students by encouraging experiential learning activities that permit students to give witness to Christian justice and love;
- stimulates analysis and critical thinking through effective questioning skills; interacts dynamically with students, challenging them to higher levels of cognitive awareness;
- views each learner as an individual and demonstrates awareness of the individual progress of each learner toward the development of a Christian perspective;
- demonstrates understanding of own professional limitations and makes appropriate referrals for the benefit of the student;
- is creative and resourceful in using appropriate school and community resources to facilitate optimal learning for all students.

BACKGROUND VERIFICATION AND SAFE ENVIRONMENT EDUCATION

Screening of School Personnel

All applicants for school personnel will be required to complete the following without exception before they may begin employment:

- A. A standard application that includes a release of information to conduct background checks.*
- B. Criminal records check for the State of Vermont and other states where the applicant has resided during the past five (5) years.*
- C. Consent to Release of Registry Information from the Vermont Agency of Human Services.*

All employees and volunteers in the school must complete the safe environment educational program, VIRTUS, and sign the Diocese of Burlington Code of Pastoral Conduct dated July 1, 2006 as part of their employment.

BACKGROUND VERIFICATION AND SAFE ENVIRONMENT EDUCATION

Performing background checks on individuals is a component of preventing abuse, neglect and exploitation. Background checks supplement but do not replace reference checks. Background checks should never be relied upon as a substitute for personal contact with former employers or others who are in a position to have personal knowledge about the worker's qualifications to work with vulnerable people.

Persons subject to criminal records checks include all those recommended for full-time, part-time or temporary employment in the school, including student teachers, volunteers, and those contractors and employees of contractors (unless supervised while working in the school) who may have unsupervised contact with students. An offer of employment or contract may be made contingent upon a satisfactory background check. This background check must be received within 60 days of employment.

At the time of employment, a copy of the individual's request for a criminal records check by the Vermont Criminal Information Center will be placed in each employee's personnel file. A copy of the center's response will be kept on file in the Catholic Schools Office. Criminal history logs, processed release forms and criminal record information will be maintained for the retention period specified in the school's user agreement with the Vermont Criminal Information Center. The Criminal Background Check must be updated every five (5) years.

Anyone who volunteers in your school or participates in a school field trip must complete the "Vulnerable Populations Program Vermont Release Form". This request may only be made once by any one person.

VIRTUS AND SHIELD THE VULNERABLE TRAINING

VIRTUS is the brand name that identifies best practices programs designed to help prevent wrongdoing and promote "right doing" within religious organizations. The VIRTUS program empowers organizations and individuals to better control risk and improve the lives of all those who interact with the Church.

VERMONT AGENCY OF HUMAN SERVICES REQUIREMENT

Persons subject to the release of registry information from the Vermont Agency of Human Services include all those recommended for full-time, part-time or temporary employment in the School, including student teachers, volunteers, and those contractors and employees of contractors (unless supervised while working in the school) who may have unsupervised contact with students.

See Forms 4112, 4112a through form 4112e.
See Appendix 4112.

RELIGIOUS COMMUNITIES/PRIESTS

Religious communities and priests serving the educational programs of the school may not be employed nor dismissed without consultation with the Diocesan Office of Catholic Schools and the permission of the Diocesan Bishop.

Approved: February 24, 2006
Bishop of Burlington

RELIGIOUS COMMUNITIES/PRIESTS

The criteria for individual religious or a religious community entering an educational work in the Diocese of Burlington are:

- A religious community of Priests, Brothers or Sisters who wishes to be employed in the Diocese of Burlington must be accepted by the Ordinary of the Diocese before they are accepted in any ministry.
- Religious, whether as individuals or as a community, when applying for a position in a school, will follow the regular hiring procedures for educational personnel. (See Policies 4120 and 4121).
- A job description is to be made available for all positions opened.
- Before a religious community assigns a member to a position other than the regular one the community fills in a particular parish, credentials will be reviewed by the school principal. The applicant will then be interviewed and offered a memorandum of understanding. (See Policies 4120 and 4121), (Form 4123.3)
- The final commitment should be made in writing by memorandum of understanding form provided by the Diocese.
- A priest entering the Diocese for an educational assignment must be approved by the local Ordinary through the Priests' Personnel Committee.

APPOINTMENT OF PRINCIPAL

The Pastor and Search Committee, working in consultation with the Superintendent of Schools, are responsible for the recruitment, interviewing, selection and employment of the principal of the school program. Candidates for the position must be practicing Catholics who lead lives in harmony with the faith and the role to be undertaken. All principal candidates must have the prior approval of the Superintendent of Schools before being appointed to a school by a religious community or before being employed by a Pastor and/or School Board (where applicable).

APPOINTMENT OF PRINCIPAL

The following process is to be used in the appointment of the principal:

- A vacancy for school principal becomes available.
- The Superintendent (or representative from The Catholic Schools Office) and Pastor or Board Chairperson (where applicable) meet to discuss the vacancy and review the needs of the school.
- An advertisement for the position will be placed. Advertisements should be placed on School Spring (www.schoolspring.com), in the *Vermont Catholic* magazine, other regional Catholic newspapers and at least one national Catholic publication. The opening will also be posted on the NCEA website.
- The Catholic Schools Office will work with the Pastor or Board Chairperson (where applicable) in the development of the advertisement. The cost of the advertisements is the responsibility of the hiring school.
- Responses to the advertisements will be sent to The Catholic Schools Office, where they will be reviewed against the basic credentials for principal, as established in Policy 4120. Credentials will be gathered and screening interviews will be scheduled with appropriate candidates. The names of those deemed acceptable will be forwarded on to the parish/school for consideration.
- The Superintendent of Schools and the Pastor or Board Chairperson (where applicable) will discuss persons who will be named to the search committee to conduct interviews and do reference checks of acceptable candidates.
- Generally, the Search Committee will be comprised of one or two members from the diocesan level and four to five members from the local level, one of whom should be a representative of the teachers. All members should be knowledgeable regarding contemporary, basic educational principles and be active practicing Catholics in their respective parishes.
- A member of The Catholic Schools Office will provide an orientation for the local Search Committee. This will include conversation about the current needs and issues of the school and parish community meetings with teachers and parents to see what they see as needs. The local Search Committee will identify, schedule and carry out interviews. The Search Committee will make a recommendation for hiring to the Pastor or Board Chairperson (where applicable). Candidate references should be checked prior to making a hiring recommendation to the Pastor or Board Chairperson (where applicable).
- Once the Pastor or Board Chairperson (where applicable) has agreed on a final candidate, The Catholic Schools Office will provide assistance and support in the development of an appropriate salary offer and any necessary negotiations.

- The Pastor or Superintendent (where applicable) signs a contract with the selected candidate and the principal is hired at the local level.

Refer to appendix 4120.

APPOINTMENT OF TEACHER

The principal of the school has primary responsibility for the recruitment, interviewing, and selection of professional and para-professional personnel. The principal confers with the pastor in a parish school, discussing with him/them the qualifications of the persons involved and recommendations for hiring. The pastor signs the contract along with the principal.

APPOINTMENT OF TEACHERS

Applications for teaching positions in the Catholic Schools of the Diocese of Burlington are managed at individual schools.

Each school or Dean, where applicable, has a process in place for interviewing and selecting a teacher. The pastor, where appropriate, is an integral part of the process.

The process should include:

- determining who is involved at each step,
- decision making process,
- a review of the application and credentials in light of job description of position open,
- interview,
- verification of experience,
- check on references: phone calls as well as letters, letters from pastor, past employers, educator with whom person worked closely,
- criminal record check and fingerprinting,
- safe environment education,
- license (if not licensed, part of the contract agreement is that licensing will be completed within 3 years of employment),
- communicating and instruction on Diocesan policies and regulations specific to Personnel and Catholic Identity, (Policy 4101),
- all personnel records listed in Regulation 4122 must be in hand before the contract is finalized and the application for criminal record check and fingerprinting is complete,
- has read the School Handbook for Parents and Faculty (Appendix 4121),
- offer of contract.

PERSONNEL RECORDS

The Catholic schools in the Diocese of Burlington will follow all state and federal regulations in regard to personnel files. Complete personnel records for all employees, full-time and part-time, will be maintained by the local school. These records are confidential; however, employees may have access to their records upon giving 24-hour written notice to their employer. The administrator will be present during the examination of records.

All school personnel must have a criminal record and fingerprint check. No contracts may be issued for the following year without compliance. Volunteers need a criminal record check. All employees must participate in safe environment education.

PERSONNEL RECORDS & EMPLOYEE PRIVACY

The Catholic schools are committed to respecting the privacy of each employee as well as abiding by all laws set forth. The school retains the rights and privileges to seek, lawfully use, and safeguard employment related information regarding its employees, therefore:

- Any request for information about a current or past employee will be forwarded to the principal, since individuals and the school may be held liable for any inaccurate or false information released. The only information shared per written request will be date of hire, date of termination and position held, except as required by law or by order of a court of competent jurisdiction.
- It is our policy to maintain confidentiality in regards to employee records, even after termination; therefore should an employee leave the organization there will be no disclosure of their file except as required by law or by order of a court of competent jurisdiction.
- All employees will have a personnel file and separate benefit file.
- All personnel and benefit records will be locked at all times
- The principal is responsible for all personnel records.

Criminal records and fingerprint checks are required for all paid personnel including all school staff, teachers, administrators, coaches. Volunteers are required to have a criminal record check.

The Diocesan Catholic Schools Office will maintain license records for all principals and teachers and criminal record checks for all school personnel and volunteers in the school.

The school personnel records for all employees will include:

- New employee Checklist (Form 4111).
- Application.
- A transcript of all college credits showing both major and minors included in the person's qualification for baccalaureate degree and a transcript of post graduate studies.
- Three letters of recommendation secured prior to hiring, one of which is from immediate past employer. In addition, there is to be a letter of recommendation from one's pastor.
- Copy of all contracts with the school (Forms 4123).
- Performance appraisals signed by principal and teacher.
- Corrective Action Forms.
- Letters of Warning.
- A record of absence in accord with the terms of the contract.
- Original or copy of active license.
- W-4 Form (Form 4122).
- Signed copy of Charter for the Protection of Children and Young People.
- Signed copy of Diocese of Burlington Code of Pastoral Conduct dated July 1, 2006 found in Ethics in Ministry Policy (Forms 4112).
- Original copy of Criminal Background Check and fingerprinting are received in the Catholic Schools Office. (Forms 4112).

- Emergency Information (Forms 4122).
- Health information should be filed separately (See Policy 4126.2).
- Sign-off required by employee on all policy/regulations for both the school's and the Diocesan Policies for Schools (Form 4122).
- Sign-off by employee on the schools' policy and regulation on substance abuse in the workplace (Form 4122).
- Signed copy of Drug Free sign-off sheet (Form 4122).
- IRS Ruling, 409A (Form 4122).
- HIPPA – sign-off sheet (Forms 4122).
- I-9 Form – **to be filed separately** (Forms 4122).
- Religious Education Certification – Level I & II (Copy of certification).
- Separation/Exit Checklist (Forms 4111).
- Sign-off Sheet on Harassment Policy (Form 4122).

REVIEW OF RECORDS

An employee, except the principal, who wishes to review or obtain a copy of his/her personnel record, shall submit a written request to the principal, or his/her designee.

An employee shall be provided with a copy of his/her personnel record or the opportunity to review his/her personnel record within five business days of the receipt of the written request.

If an employee wishes to review records maintained at the Diocesan Catholic Schools Office, the principal shall notify the Superintendent of Schools. An employee, except the principal, shall review his/her personnel record maintained at the school only in the presence of the principal or his/her designee.

In a Diocesan school, the principal shall review his/her personnel record maintained at the school only in the presence of the Board Chair.

In a Parish school, the principal shall review his/her personnel record maintained at the school only in the presence of the pastor.

An employee shall review his/her personnel record maintained at the Diocesan Schools Office only in the presence of the Superintendent of Schools or his/her designee.

All of this material should be retained for the period of employment. The name of the employee, dates of employment and last salary should be kept in the school for future reference. A notice of employee separation should be sent to the Diocesan Catholic Schools Office when a teacher or administrator leaves (Appendix 4111).

I-9 form must be maintained separately.

Files cannot have any medical information; therefore, any benefit information should be maintained separately.

All terminated employee files must be maintained for a minimum of 7 years in a secure location that is locked. If a law requests longer records due to legal reference and verification the 7 years stated above will be changed.

Any violation of this policy will result in disciplinary action up to and including termination.

CONTRACT AND JOB OFFER LETTER: SCHOOL PERSONNEL

Each parish and/or school will enter into an annual contract with teachers and administrators using the contract or memorandum of understanding approved by the Diocesan Catholic Schools Office. School contracts will be renewed annually no later than April 30. There is no tenure in the Catholic schools.

A contract becomes valid when all parties sign the contract: i.e., Parish Schools: teacher or, principal and pastor, Secondary Schools: teacher member, principal and superintendent.

For all other staff members a “job offer” letter will be provided to the interested applicant to hire. The job offer letter remains in force until the employment ends by either party, therefore no yearly renewal is necessary. The job offer is an “at will” letter whereby any party can end the employment at any time.

Refer to Forms 4123.1, 4123.2, 4123.3, 4123.4 & 4123.5.

LICENSURE

All administrative and teaching personnel employed by a school must be competent and qualified for their particular position. Licensure by the State and by the Diocesan Catholic Schools Office for Religious Education is required of the professional personnel.

LICENSURE

Principal

All principals in the Diocese of Burlington are expected to hold at least a master's degree and State license in administration, supervision or curriculum. Unlicensed principals will develop a plan with the Superintendent of Schools to obtain a license within three (3) years.

Principals are to be committed, practicing Catholics whose integrated lives strive to find expression in living the message of Christ and His Church within the context of a strong faith community and registered parish affiliation.

Principals are encouraged to continue their education through study at a college or university, workshops, seminars, conferences and other educational experiences.

LICENSURE

Teachers

All teachers hired for the Catholic schools should hold a bachelor's degree or its equivalent. New teachers should be licensed in Vermont within three years of employment. A plan to obtain this license must be approved by the Superintendent of Schools. All teachers in all subject areas and all staff members must achieve Basic (Level I & II) catechist licensure.

Teachers of religious formation in secondary schools must have a Master's degree in theology or scripture and must update by taking a three credit graduate course at least every 5 years.

Endorsement license for Religious Formation teachers is issued by the Superintendent of Schools for five (5) years.

Teachers of Religious Formation, as well as all teachers inscribed in the Roman Catholic Church will be a *practicing Catholic in accordance with Canon 874 §1, 3°, 4° of the Code of Canon Law*. All teachers of other faiths shall have an understanding of and appreciation for the teachings of the Roman Catholic Church.

SCHOOL PERSONNEL: JOB DESCRIPTIONS

Each school must have a written role description for each of the following:

- *Administrative: Principal, Assistant Principal, Associate Principal*
- *Professional Personnel: Teachers, Librarians-Media Specialists*
- *Guidance Counselors, Reading/Math Specialist*
- *Development Director*
- *Finance Personnel*
- *Clerical: Secretary, Bookkeeper*
- *Support: Teachers' Aides, Assistants, State/ Federal Personnel, Custodians, Food Handlers, Cooks, Maintenance/Facilities, Nurses*
- *Any positions created that are not on this list must have a job description*

All job descriptions must have the essential functions of the job and the employee must sign a copy of the job description. A signed copy of the job description should be provided to the employee and one copy should be placed in the personnel file.

Job descriptions are available through the Diocesan Human Resources Office. If created at the school level they should be reviewed to ensure accuracy with the Diocesan Director of Human Resources.

**See form 4125 for job descriptions.*

COMMUNICABLE DISEASES AND OSHA COMPLIANCE

In all matters pertaining to communicable disease, the Catholic schools in the Diocese of Burlington will follow diocesan approved regulations. These regulations are based upon:

- *medical evidence and practice*
- *professional medical advice*
- *statements and policies issued by appropriate federal, state, and local authorities*

OSHA

As an employee, using safe guards against blood borne pathogens is critical

- ***Blood borne Pathogens*** *means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).*

EMPLOYEES ARE TRAINED TO

- *Understand the explanation of the modes of transmission of blood borne pathogens;*
- *Follow the school's exposure control plan and the means by which you, the employee can obtain a copy of the written plan for your own reference;*
- *Focus on the explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials;*
- *Understand the explanation of the use and limitations of methods that will prevent or reduce exposure including appropriate engineering controls, work practices, and personal protective equipment are to your benefit and safety;*
- *Be comfortable with the types, proper use, location, removal, handling, decontamination and disposal of personal protective equipment.*

REPORTING AN ACCIDENT/FALL/INJURY

- *If you see an injury or injure yourself, please report this immediately (no matter the severity level).*
- *If a student falls or injures themselves, please report this immediately. The school requires all employees to immediately report any potential health or safety issues. Where possible, employees are to rectify any potential Hazardous/dangerous situation immediately in order to maintain a safe environment for all employees, students, visitors and vendors.*

All employees will adhere to the Health and Safety, OSHA Compliance, and Reporting Injuries Policy. Any violation of this policy will result in disciplinary action up to and including termination.

COMMUNICABLE DISEASES AND OSHA COMPLIANCE

In the event that an employee is advised by a doctor s/he has a serious communicable disease, the employee shall promptly inform the principal in confidence of the diagnosis and keep the principal informed about the progress of current treatment.

The school will keep in strict confidence all information it receives regarding employees who have a serious communicable disease, subject to the requirements of law.

If an employee contracts a serious communicable disease, the school reserves the right to evaluate (with professional advice) the employee's ability to perform and the existence of a demonstrable threat of harm to the health and safety of others on a case by case basis.

Each school will undertake an educational effort to inform the employees, teachers, and parents/guardians about serious communicable diseases.

Any employee who has been absent for four (4) successive school days because of a communicable disease may be required, before returning to work, to file with the principal a physician's certificate stating that the individual is no longer contagious.

Any foreign student will have required vaccinations and/or test documentation prior to entering the school. The School Administrator must insure that this is complied with.

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

AIDS is characterized by a defect in the body's natural immunity against disease. Those who have AIDS are vulnerable to serious illnesses which would not be a threat to anyone whose immune system was functioning normally.

Subject to compliance with the mandate of all controlling laws and health regulations with regard to communicable diseases, an employee having AIDS or ARC or infected with the HTLV III antibody shall be permitted to remain employed in a capacity that involves contact with students or other school personnel unless the individual: (1) lacks control of his/her body secretions or (2) has exposed oozing lesions.

All measures to protect the confidentiality of all concerned should be taken.

See Appendix for the National Association of Independent Schools Statement on AIDS, which contains the Guidelines of the Center for Disease Control.

PERFORMANCE EVALUATION

School Administration School administrators are supervised according to the Diocesan Process which includes relationship and accountability to the Diocesan Schools Office and school visitations. School administrators are evaluated annually by the Superintendent of Schools. The completed evaluation form is to be shown to and discussed with the employee within ten (10) days of the principal's evaluation. The principal has the right to comment in writing concerning the evaluation within ten (10) days; such comments will become part of this evaluation. The principal is required to co-sign the evaluation form, indicating that the form has been seen by the principal and discussed.

Teachers

Supervision is a regular part of a school day for all teachers. Informal and formal visits are made to classrooms. A written summary of formal visits and a following conference should take place.

Teachers are evaluated by the principal through the use of the Diocesan Growth Assessment Process for Teachers and Staff. The evaluation forms are to be shown to and discussed with the employee within ten (10) days of the principal's evaluation. The employee has the right to comment in writing concerning the evaluation within ten (10) days of the evaluation conference; such comments will become part of this evaluation. The employee is required to co-sign the evaluation form, indicating that the form has been seen by the employee and discussed with the principal.

Staff Members

The staff members of a school are evaluated annually by the principal according to the Diocesan Process for Evaluation of Staff. The evaluation form is to be shown to and discussed with the employee within ten (10) days of the principal's evaluation. The employee has the right to comment in writing concerning the evaluation within ten (10) days; such comments will become part of this evaluation. The employee is required to co-sign the evaluation form, indicating that the form has been seen by the employee and discussed with the principal.

SUPERVISION AND EVALUATION

Performance Evaluations

An effective performance management process sets the foundation for rewarding excellence.

- By linking individual employee work efforts with the Catholic school’s mission and objectives, the employee and the Catholic school understand how that job contributes to the school and/or the student.
- By focusing attention on setting clear performance expectations (results = actions + behaviors), it helps the employee know what needs to be done to be successful on the job.
- Through the use of objectives, standards, performance dimensions, and other measures, to include the ecclesial life of the Church and her proclamation of the Gospel, this focuses our effort to produce results. In addition this helps the Catholic school to accomplish effectively and efficiently what needs to be done and also to allocate the correct resources to meet the objectives.
- By defining job-mastery and career development goals as part of the process, it makes it very clear how the current position supports employee growth and indicates the additional opportunities the employee needs to explore.
- Through regular check-in discussions, which include status updates, coaching, and feedback, it promotes flexibility, allowing you and the employee to identify problems early.
- By emphasizing that an annual appraisal should simply be a summary of the meetings held between you and the employee during the entire cycle, it shifts the focus away from performance as an “annual event” to performance as an on-going process.

An effective performance management process, while requiring time to plan and implement, can save you and the employee time and energy. Most importantly, it can be a very effective motivator since it can help you and the employee achieve the best possible performance.

Performance Management is one of the key processes that, when effectively carried out, helps employees know that their contributions are recognized and acknowledged. Performance management is an ongoing process of communication between a supervisor and an employee that occurs throughout the year, in support of accomplishing the strategic objectives of the Catholic schools. The communication process includes clarifying expectations, setting objectives, identifying goals, providing feedback, and evaluating results.

The cycle includes Planning, Follow-up, and Assessment.

- To begin the planning process, you and your employee review overall expectations, which include collaborating on the development of performance objectives. Individual development goals are also updated. You then develop a performance plan that directs the employee's efforts toward achieving specific results to support excellence and employee success in fulfilling the Catholic school’s mission.

- Goals and objectives are discussed throughout the year, during follow-up meetings. This provides a framework to ensure employees achieve results through supportive dialogue instruction and mutual feedback.
- At the end of the performance period, you assess the employee's performance against expected objectives, as well as the means used and behaviors demonstrated in achieving those objectives. Together, you establish new objectives for the next performance period.

The following questions may help generate ideas for performance objectives. Based on departmental/unit objectives:

- What can the employee do to improve the overall effectiveness of the work or classroom?
- Has the employee suggested program or process changes that help us meet our objectives and can be completed during the appraisal period and, if teaching, add value to student results?
- Has the employee demonstrated a growing understanding of the mission and nature of the Church as they are lived out in Catholic schools?
- Has the employee manifested enthusiasm for his/her work with the realization that it is faith based?
- What needs to be done to improve the quality of our results? What refinements can we make to our operations and/or curriculum or teaching ability? What needs to be introduced or eliminated?
- What are we ready to do now that we could not do last year (due to increased resources, system modifications, changed priorities, updated skills, etc.)?
- What skills, processes, products must be updated to meet the needs of the Catholic schools?

A copy of the annual formal evaluation is kept on file in the Personnel file.

For a copy of the evaluation process refer to Forms 4127.1, 4127.2, 4127.3 & 4127.4.

SUBSTITUTE TEACHERS

The principal of the school is responsible for providing substitute teachers when a teacher must be absent from the classroom. Substitutes should be meeting qualification criteria established for teachers, when possible. All substitutes will undergo background checks and participate in the Safe Environment education program.

SUBSTITUTE TEACHERS

At the beginning of the year, the principal should make arrangements to secure a roster of qualified substitutes who believe in and support the mission of a Catholic school.

Substitute teachers in the Catholic schools should have a college degree with specific courses in education. In a particular situation, the principal may decide on other qualifications.

The minimum scale for payment of substitutes is established each year along with the salary scale by the Diocesan Office of the Superintendent of Schools, the Diocesan Office of Human Resources, in conjunction with the principals.

Each classroom teacher is responsible to organize a folder for any substitute teacher who will replace her/him during the year. The folder is to be completed by the end of the first full week of school and must be kept up-to-date during the year.

Refer to Appendix 4131.

DRESS CODE

The attire of administrators, teachers and staff members in a Catholic school should be a sign of their professionalism. The conduct and appearance of Catholic school personnel demonstrate respect for their profession as well as respect for the students.

Male teachers and staff members should wear a shirt, tie and dress trousers. Female teachers and staff members should wear a knee length dress, jumper, suit or skirt or dress trousers and top. Blouses and sweaters should not be low-cut or immodest. Dress footwear is to be worn. Maintenance staff should wear standard work clothes as defined by the principal.

The following attire (but not limited to) is not to be worn in school: jeans, shorts, athletic attire except for the Physical Education Teachers and days assigned by the principal.

Professional dress should be worn when an administrator, teacher or staff member is appearing in his/her professional role.

Reasonable accommodation will be made by the principal for health reasons.

CHILD ABUSE INVOLVING SCHOOL PERSONNEL

All employees within the Catholic schools of the Diocese of Burlington are obligated to comply with the applicable laws of the State of Vermont and within the Diocesan regulations regarding the filing of reports of alleged incidents of child abuse and neglect.

Approved: February 24, 2006
Bishop of Burlington

CHILD ABUSE INVOLVING SCHOOL PERSONNEL

The laws of Vermont require the oral filing of a report of any suspected child abuse or neglect. The law does not require the person to have proof that abuse or neglect has occurred before reporting. Any doubt about reporting suspected child abuse is to be resolved in favor of the child. The person reporting the incident is to inform the principal immediately. Then the principal will inform the pastor/school board, where applicable, and the Superintendent of Schools. Vermont's Child Protection Line is 1-800-649-5285.

A school employee who is named in a child abuse case will be placed immediately on leave of absence with pay while the investigation is underway.

All efforts to protect the confidentiality of all parties concerned will be undertaken.

An allegation resulting in an arrest will result in a change in the status of the employee from paid leave of absence to unpaid leave of absence.

The contract of an employee who is convicted of a violation of criminal law will be terminated. The employee will be discharged for CAUSE as specified in the Contract or Memorandum of Understanding for Administrators, Teachers and Staff.

No school employee who is convicted of a violation of criminal law will be hired in a Catholic school within the Diocese.

All employees will be trained annually in recognizing the signs of child abuse and how to file a report.

HARASSMENT

The Catholic schools in the Diocese of Burlington commit to demonstrating utmost respect for the individual, to supporting an environment free from harassment and to having a no tolerance regarding harassment of any kind. The Catholic schools will take prompt action to investigate and remedy any action between employees or by outside vendors, customers and visitors that intimidate, demean, threaten or encourage a hostile or negative work environment.

Approved: February 24, 2006
Bishop of Burlington

Revised: February 9, 2011

HARASSMENT DEFINED

Harassment Defined:

Harassment is unwelcome verbal or physical conduct directed at an individual based upon age, race, color, national origin, sex, religion, place of birth, ancestry, physical or mental condition, veteran or disability or any other protected status which is discriminatory or disrupts or interferes with another's work performance, or which creates an intimidating, offensive or hostile working environment.

Examples of harassment include the following but are not limited to:

- the use of insulting epithets or nicknames;
- the display of insulting or offensive cartoons, pictures, slogans or symbols;
- intimidation through physical violence or threats of such violence.

Sexual Harassment:

Sexual harassment is a type of harassment which refers to any unwelcome sexual attention, sexual advances, requests for sexual favors, and other unwelcome verbal, visual, or physical conduct of a sexual nature directed to an individual because of gender. Sexual harassment includes conditioning employment or employment decisions upon granting of sexual favors. It also refers to unwanted and unnecessary physical contact; offensive remarks, including unwelcome comments about appearance, obscene jokes or other inappropriate use of sexually explicit or offensive language; and the display in the work place of sexually suggestive objects or pictures.

Examples of sexual harassment include, but are not limited to:

- explicit demands for sexual favors;
- sexually-oriented verbal or written kidding, teasing, or jokes;
- repeated sexual flirtations, advances or propositions;
- continued or repeated verbal abuse of asexual nature;
- repeated innuendo that an individual was hired, promoted, or transferred for sexually motivated reasons;
- repeated inquiries or comments regarding an individual's sexual orientation or preferences;
- graphic or degrading comments about an individual or his or her appearance;
- the display of sexually suggestive objects or pictures;
- pressure for sexual activity;
- physical contact, such as patting, hugging, pinching;
- disclosure of sexually oriented personal information in the work environment;
- suggestive behavior or talk with other employees, or by outside vendors, customers, or visitors.

Any employee who engages in, or fails to report such conduct will be made to bear the full responsibility of such conduct or knowledge and may be subject to appropriate discipline up to and including termination of employment. This includes employees who witness this behavior or are formally or informally informed of such behavior.

It is also unlawful to retaliate against anyone who raises a concern about harassment, sexual harassment or discrimination, or those involved in assisting or cooperating in an investigation of harassment. Employees must at all times treat other employees, students, volunteers and visitors of the school with respect and dignity.

Refer to Form 4137.

HARASSMENT COMPLAINT PROCEDURE

Complaint:

Any employee, volunteer, or student who believes that he or she has been subjected to harassment has a responsibility to report the harassment as soon as possible to the principal. If someone in the building is aware formally or informally of a situation of harassment, the person should report the situation to the principal immediately. If the principal is the offending party or if reporting the matter to the principal would be uncomfortable, the complaining employee should report the matter to the Superintendent of Schools and/or the Diocesan Director of Human Resources. All employees, volunteers, and students are responsible for ensuring that all schools are free from all forms of harassment.

Per Vermont Law the state provides additional means of legal compliance for harassment noted below.

Investigation:

An administrator will contact the Diocesan Director of Human Resources and will promptly and thoroughly investigate the complaint of harassment and document the complaint. All information will be kept as confidential as possible and will be disseminated on a "need to know" basis only. As soon as possible after the completion of the investigation, the administration will advise the complaining employee, volunteer, or student of the findings and conclusion of the investigation.

All parties requested to assist or cooperate in an investigation are expected to do so fully.

Action:

Any employee or volunteer who is determined, as a result of a proper investigation, to have engaged in harassment in violation of Policy 4137 will be subject to prompt and appropriate disciplinary action, up to and including termination of employment in the case of an employee, or suspension or dismissal in the case of a volunteer or student. In cases requiring disciplinary action, the administrator will consult with the pastor and the Superintendent of Schools before any disciplinary action is taken in the matter.

Retaliation Prohibited:

Retaliation in any form against an employee, volunteer, or student who exercises his or her right to make a complaint of harassment under Policy 4137 is strictly prohibited. Any employee, volunteer, or student who participates in the investigation will be protected against any form of retaliation. Any employee, volunteer, or student who retaliates against another employee, volunteer, or student for making a complaint of harassment will be subject to disciplinary action, up to and including termination of employment in the case of an employee or suspension or dismissal from school in the case of a volunteer or student.

All school handbooks should include this policy and regulation on Harassment. . An annual review of Policy and Regulation 4137 and the behaviors that constitute sexual harassment will be provided by the principal to the students, teachers, staff members, parents, and volunteers.

Employees per State and Federal law sign a form stating they are aware of this policy and will abide by this policy.

Vermont Law regulations and procedure:

Any employee who has suffered harassment or retaliation or who has observed such conduct must report it verbally or in writing first to their immediate supervisor or the Principal who in turn will then contact the Diocesan Director of Human Resources.

Although employees are encouraged to file their complaint of sexual harassment through the Catholic school, the following agencies also process complaints of sexual harassment:

A) Vermont Attorney General's Office, Civil Rights Unit
109 State Street
Montpellier, VT 05602
Telephone: 802-828-3171 (voice/TDD)

B) Equal Employment Opportunity Commission
1 Congress Street
Boston, MA 02114
Telephone: 617-565-3200 (voice)
671-565-3204 (TDD)

Any supervisor who receives such information, whether it is informal information or an official complaint must report this information to the principal immediately.

1. Any employee who is the recipient of or witness to such harassment has an obligation and duty to inform the offending party that the behavior is offensive and that it must cease.
2. To the extent possible, the identity of the person making the complaint will be kept in confidence. The Catholic schools will enforce strict penalties for retaliation of any kind toward the complainant or others reporting, assisting, or investigating such information.
3. All parties requested to assist or cooperate in an investigation are expected to do so fully and without fear of retaliation or negative impact on their position, job status, or future job opportunity.
4. All complaints will be investigated expeditiously. Upon completion of the investigation, the Catholic schools will take appropriate action, which may include disciplining any employee who has engaged in improper conduct. Such discipline may include termination of employment for the reported offenses or any retaliatory action taken as a result of the complaint.

Any employee, who violates the Harassment policy process, is subject to disciplinary action, up to, and including termination.

PROFESSIONAL GROWTH

Professional employees will further professional growth by continued study through attendance at Diocesan conferences and workshops, institutes, in-service courses, and/or college courses and attendance at other recognized educational meetings and conferences relevant to their role as teacher of youth.

MEETINGS RELATED TO EDUCATIONAL POSITION

Faculty meetings are effective ways to encourage professional growth, assist in implementing policies, and stimulate good rapport between faculty and administration. These meetings are to be held weekly as determined by the principal. Special meetings to plan for the next school year should be held in the spring.

MEETINGS RELATED TO EDUCATIONAL POSITION

An orientation program for the total faculty is to be held at the beginning of each year. At this time, diocesan policies, school policies, new programs, staff assignments, and coordination of instruction should be discussed as well as one day to be spent in reflection on what it means to be part of a Catholic school and its mission. Minutes of these meetings are to be kept on file.

Teachers (full and part-time), media coordinators, secretaries, and other staff members are expected to participate in diocesan programs of professional development. Meetings of administrators, teachers or staff may be called by the Superintendent of Schools as needed. Attendance at such meetings is expected.

In-service courses offered by the Department of Education, State of Vermont, and local public school districts which provide in-service credit are encouraged for professional development.

SALARY ADMINISTRATION

The Diocesan Office of the Superintendent of Schools, the Diocesan Offices of Finance and Human Resources, in conjunction with the principal and finance office of the school, will annually approve the minimum salary requirements for all educational personnel and make a recommendation to the Diocesan Bishop. Local schools must meet the minimum scale but may offer a higher salary as long as all are on a scale. The scales can change with or without notice but not after the contract has been signed by all parties.

Exempt and Nonexempt Classifications

The Catholic schools classify each position as either exempt or nonexempt from the Vermont state Wage and Hour Law requirements and the federal Fair Labor Standards Act (FLSA) as it relates to eligibility for premium pay for hours worked in excess of forty (40) in a work week.

An employee is exempt if it is determined that the position is either: executive; administrative; or professional; as defined by the Fair Labor Standards Act (FLSA). All other employees are classified as nonexempt.

The exempt or nonexempt status of positions is determined in the course of job analysis conducted as part of the job requisition and salary administration processes. Therefore all employees will have a job description to determine the Exempt or Non-Exempt status.

Overtime Pay

When required by demands or needs, the school can require any employee to work overtime. However, supervisors should attempt to give at least one day's notice when overtime must be worked. Generally, supervisors try to limit required overtime work to urgent situations or unexpected circumstances that cannot be handled satisfactorily during normal school hours.

*Paid time that is not worked—for example, hours such as vacation time, sick or personal time are **not** considered hours worked for purposes of determining or computing an employee's entitlement to overtime pay. Overtime is paid for hours worked in excess of 40 hours in the workweek.*

Hourly Employees Pay Policy

All employees are to be paid for all hours worked and all hours are to be recorded by the employee to ensure accuracy and integrity of their time.

In accordance with the Fair Labor and Standards Act the schools have established a seven (7) minute grace period for rounding clock-ins and clock outs. This grace period begins seven minutes before the shift start time. An employee is not allowed to clock in earlier than seven minutes before the start of their shift. Likewise, there is a seven minute grace period to clock out after a shift ends. An employee should clock out no later than seven (7) minutes after the end of their shift. An employee must be paid for extra time worked in seven minute increments.

If an employee clocks in earlier than seven (7) minutes before the start of their shift, then the

employee must be compensated for this time. Likewise, if an employee clocks out later than seven (7) minutes, then the employee must be compensated for this time.

Employees are expected to possess their time clock (ID) badge and properly clock in and out each day at their designated time. If an employee fails to clock in and/or out which results in a shortage on the employee's pay check, the monetary adjustment will be included on the employee's check on the next applicable payroll cycle. The supervisor must send a written explanation to the individual managing payroll indicating the date(s) and hours missing along with a copy of the employee's weekly time and attendance in writing. The School will not issue a separate check to an employee whose check is short due to their failure to clock in or out.

It is the expectation of the School that all employees arrive at the work site on time. Those who arrive late will be considered tardy, and should be counseled by their supervisor.

A thirty minute (30) meal break is automatically deducted from employees by the timekeeping system. During the 30 minute meal break, employees must be relieved of ALL work related duties.

When an employee leaves the premises, they must clock out and then back in once they return. Lunch will be credited for actual time off of the job or for the 30 minute standard lunch (whichever is greater), if the employee leaves the premises.

If an employee works through their meal break, the employee must be compensated for this time. The timekeeper must adjust (add) the 30 minutes (.5) back to the employee's time on the system.

Failure to follow procedures will lead to disciplinary action up to and including termination.

PLEASE NOTE IF OUR SCHOOL DOES NOT HAVE TIME CLOCKS THEN HAND TIME CARDS OR ON THE COMPUTER WILL BE USED TO CAPTURE THE EMPLOYEE TIME. THE ABOVE STILL APPLIES REALIZING THE TIME WILL NOT BE SCANNED IN BUT TIME WILL BE CAPTURED BY OTHER MEANS.

TEACHERS' AND SUBSTITUTES MINIMUM SALARY SCHEDULE,

Scale I: Burlington - Christ the King, Mater Christi; Rutland - Christ the King; Winooski – St. Francis

Scale II: Brattleboro – St. Michael; Bennington – Sacred Heart St. Francis; Middlebury – St. Mary; Barre/Montpelier - Central VT Catholic School, St. Johnsbury – Good Shepherd; Barton – St. Paul; Morrisville – Bishop Marshall

Rationale:

A salary schedule provides a fair and equitable manner of recognizing education and experience of teachers. It is a basis for acknowledging skills and knowledge earned through course work and in-service activities that are part of an individual teacher's approved professional development program. It is important that our teachers continue to acquire the best professional practices known. Principals should develop an on-going professional development program for teachers for the academic year. This program should occur once per month at a minimum. This program must be approved by the Diocesan Standards Board. Each teacher should have an approved individual professional development plan with his/her building principal. This plan should be reviewed annually. The plan may consist of a variety of professional activities: workshops, conventions, college course work, audio-visual programs, etc. One credit may be awarded for each 15 clock hours. Satisfactory completion and the implementation of the objective of the professional opportunity must be assessed by the building principal prior to awarding of the credit hours. These credit hours may successfully meet the requirements of re-licensure and/or salary schedule lateral movement.

No License:

In any profession, a license is recognition that an individual has acquired specific skills and knowledge as prescribed by a professional organization or a governmental body. Newly hired teachers will have three years from the initial date of employment to obtain a license from the State of Vermont, Department of Education. Teachers currently hired and not in compliance with this requirement will have their salary frozen at the 4th step, No License, or at their current salary level, whichever is greater. No further increment will be awarded until proper licensure has been received except that an increase may occur with a change in the base salary.

BA+15, MA+15, Double MA, Doctorate:

Transfers to these columns will be granted after acquiring the necessary credit hours as described above in the teacher's area of employment. Teachers reaching the maximum salary step in any column will be frozen at that highest step. Further increments will be received whenever an increase in the base salary occurs.

Waiver:

If any school cannot meet this minimum scale, written contact should be made with the Superintendent of Schools before budget presentations.

DIOCESAN MINIMUM SCALE FOR TEACHER SUBSTITUTES - 2010-2011

- 1) Burlington – Christ the King, Mater Christi; Winooski – St. Francis Xavier; South Burlington – Rice Memorial High School; Rutland – Rutland Catholic Schools

Daily minimum rate for a substitute with a degree: **\$72**

Minimum rate for a long term substitute with the degree
and skills needed: **1/200 of the base salary at the school**

- 2) Brattleboro – St. Michael; Bennington – Sacred Heart St. Francis; Middlebury – St. Mary; Barre/Montpelier – Central VT Catholic School; St. Johnsbury – Good Shepherd; Barton – St. Paul; Morrisville – Bishop Marshall

Daily minimum rate for a substitute with a degree: **\$65**

Minimum rate for a long term substitute with the degree
and skills needed: **1/200 of the base salary at the school**

SALARY FOR ALL EMPLOYEES OTHER THEN TEACHERS AND PRINCIPALS

Employees employed by the school (other than teachers/principals/substitute teachers) should be paid at least the minimum hourly rate set by the State of Vermont with an appropriate cost of living increase for each year of service, dependent upon the school's financial stability.

Refer to Appendix 4410.

BENEFITS

The Catholic schools in the Diocese of Burlington offer a variety of benefits to their employees. Decisions on benefits offered are made at the local school level except those dealing with Tuition Remission, Sick Leave Days, and Health Care.

The Catholic schools ensure that eligible employees are offered insurance due to the unforeseen. The Catholic school will elect to become a Participating Employer in the Diocesan plan.

Employees are eligible for specific benefits based on their employment status. All full time, regular employees are eligible for insurance benefits, after successful completion of the 90 days orientation period or the school may waive the waiting period as long as handled the same way for all employees. A summary plan description should be provided to all eligible employees and should be referred to for more detailed information on coverage provided.

Medical Insurance

If the school provides medical insurance options separately for all full-time regular employees, their spouses and legal dependents all eligible employees are treated equally. The employee will select the coverage that “fits” his/her individual needs. The employee will pay a percentage from his/her paycheck toward the coverage. A description of the plan will be provided to the eligible employee.

Disability Plan

If the school provides assistance for employees who become disabled due to non-work related reasons, full time employees working 40 hours qualify for long-term disability. The plan design will dictate the coverage and waiting period.

Employee’s health insurance coverage will be under review and the law will be followed on coverage if offered.

Section 125 Plan

Eligible employees may contribute a portion of the premium costs for medical insurance each pay period. These contributions are payroll deducted on a pre-tax basis.

During new employee orientation, the supervisor and/or designee will provide the enrollment paperwork for the benefits described above.

Benefit program policy and procedures are also provided during new employee orientation to provide detailed program information for all employees.

In the event of lifestyle changes, such as marriage, divorce, birth, adoption, change of spouse’s employment, etc., the employee will need to contact the principal to complete forms and provide proof of the event to make the necessary changes to the insurance benefits within thirty (30) days of the qualifying event.

Medical insurance cards will be distributed to employees and their dependents after enrollment by the insurer.

Eligible full-time regular active employees (working at least 35 hours weekly) may elect from three coverage options; employee only, employee plus 1, or employee plus 2 or more. The school has the right to limit this option coverage to single coverage option only. This is paid by the employee and employer.

- *There is a 90 days waiting period for regular full-time active service --otherwise known as the “eligibility period”. If you decide to elect health insurance, you must do this within 10 days after the 90 days eligibility period.*
- *Part time employees are not eligible.*

HEALTH INSURANCE COVERAGE AFTER TERMINATION OF EMPLOYMENT

The Catholic schools, who offer healthcare, provide the opportunity for employees and covered family members to continue with health insurance coverage after terminating employment. Although the Catholic school is not subject to the requirements of COBRA (for schools with less than 20 employees), covered employees in the school are offered this opportunity for continuation of health coverage.

Cobra notification will be sent by the school and the law will be followed on the forms required for notification, as well as a return receipt from the employer.

BENEFITS

School Tuition Remission

Employees in The Catholic schools in the Diocese of Burlington are eligible for tuition remission for their children attending Catholic school. All employees presently employed by the schools (2006-07) will be grandfathered to receive the tuition remission now in place for all of their children. This is a non-taxable benefit.

Employees new to the staff July 2007 are eligible for:

- a. 0 remission – year 1
- b. 20% remission – years 2 – 3
- c. 40% remission – years 4, 5, 6
- d. 60% remission – years 7, 8, 9
- e. 80% remission – years 10 plus
- f. Part-time employees will be prorated

Employees in a school with a student in another school will receive 10% tuition remission where the student is attending.

Part-time employees will be prorated after the first year of employment.

Each school must define what full-time equivalency is for teachers and staff members and put this in writing.

Remission is the percent of the total discount deducted from the total cost of tuition, not including additional fees.

LEAVES

The Catholic schools recognize that there are times when employees may need extended time off from the workplace for various reasons. This policy will provide the guidelines for consideration, approval and administration of this time off.

This policy includes the following types of leaves:

- A. Educational Leave*
- B. Jury Duty*
- C. Military Leave*
- D. Family and Medical Leave Act (FMLA) and Vermont Parental and Medical Leave Act*
- E. Vermont Short-Term Leave*

The Education Leave noted below will be up to the Catholic schools to decide if an Educational Leave would be beneficial for the Catholic school, therefore; it does not have to be applied at each school, but if applied does have to be applied fairly to all. An employee would need to ask their principal if the school follows the below Educational Leave.

A Catholic school will abide by all state and federal laws in regards to Jury Duty, Military Leave, Family and Medical Leave Act and the Vermont Parental and Medical Leave Act. The Catholic schools will be mandated to follow the FMLA and VPMLA (Letter D above) if and only if the Acts apply to their school which is based on employment numbers, years of service and average hours. They are as follows:

- FMLA minimum 50 employees*
- Vermont Medical Leave Act – 15 or more employees and employee must average at least 30 hours per week and have 1 year of service.*
- Parental Leave Act – 10 or more employees and employee must average at least 30 hours per week and have 1 year of service.*

EDUCATIONAL LEAVE

An Educational Leave is a leave that is necessitated by a full time regular employee and/or the Catholic school to obtain specific training for the benefit of the employee and the Catholic school.

This leave is unpaid for the period of time granted for the educational pursuit. The employee must document in writing the request for the leave and benefit to the Catholic school.

The employee must receive written approval for their educational leave from the principal, three months prior to the leave.

Approval for the leave will be based on the following:

- Type of course material and its relationship to the employee's position and the Catholic school's current or future goals*
- Effect on the mission of the school*
- Length of service*
- Previous performance and attendance record*
- Length of time required to complete the course*

The principal will decide if the employee may choose to use Paid Time Off to subsidize this unpaid leave.

The employee will be eligible to retain the Catholic school's provided benefits (i.e. health), if the absence is less than thirty (30) days and the employee continues the employee contribution to those applicable benefits. If the leave should exceed thirty (30) days, the employee will be offered COBRA.

JURY DUTY

The Catholic schools comply with all federal and state regulations regarding jury or witness duty. Jury duty is an important civic obligation, which may require a leave.

Employees summoned by the Court should inform their supervisor and principal upon notification. (The employee must provide a copy of the court order directive.)

The employee should report to work as scheduled any time they are not actually engaged in jury duty.

PAYMENT

- A. To eliminate hardship for the employee, the Catholic schools will continue a full-time employee's regular base pay during this absence. If the employee should receive compensation for participation on the jury, the employee should bring receipt of the payment to the principal, who will send it to the individual managing payroll. The salary for that period would be the difference between the regular base pay for the period of the absence and the compensation received from the external source.*
- B. In the event the jury leave exceeds thirty-one (31) days, the principal will determine the status of wages for that period.*
- C. Part-time employees can receive up to one paid shift, but if the employee is paid by the court, the employee will then receive the difference between the paid shift and the court pay.*

MILITARY LEAVE

The Catholic schools,, recognize the employee's right to have a leave for active employment to fulfill military service obligations. Any full-time or part-time regular employee that is called for training or active duty in the uniformed services of the United States will be eligible for military leave, with appropriate notification prior to the leave. The Uniformed Services Employment and Reemployment Rights Act (USERRA) prohibits discrimination against persons because of their service in the Armed Forces Reserve, the National Guard, or other uniformed services.

ELIGIBILITY

Employees with a minimum of ninety (90) days service with the Catholic schools are eligible to use their time off, while absent due to a service obligation with the Military Reserve or National Guard unit.

Eligible employees will be offered an opportunity to continue specific benefits with the payment of the normal employee contribution.

PAYMENT

The employee is eligible for supplemental pay equivalent of the amount that the employee's straight time pay exceeds the military pay. In the event the military pay would exceed the

amount of the employee's straight time pay, the employee would not be eligible for supplemental pay from the Catholic school. All deductions (benefits related) will be taken from the paycheck unless instructed otherwise (or unless employee does not receive a check. If there is no check, the employee must provide the benefit contribution.)

ACTIVE DUTY

Employees who enlist for up to five years of active duty in the United States military or who are absent from work because of Reserve or National Guard training, or are "called" to active duty in the United States military, will be granted a military leave of absence. The Catholic schools, will attempt to provide a position of equal salary grade and compensation upon their return to the civilian workforce.

EMPLOYEE RESPONSIBILITIES

- 1. Employees are expected to provide a written request for the military leave with a copy of their orders to be eligible for military leave consideration.*
- 2. During an unpaid military leave of absence, the employee will be covered with the regular health plan for up to thirty (30) days. They also can arrange to purchase healthcare benefits under COBRA. Employees choosing COBRA are responsible for paying the full premium and additional administrative costs.*
- 3. Employees on military leave are not eligible to accrue time off time. However, the employee will continue to accrue years of service for eligibility purposes.*
- 4. Employees are not required to use their time off while on unpaid military leave.*

Military Leave Act (UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT)

How should the 12-month FMLA requirement be calculated for returning service members? USERRA requires that a person reemployed under its provisions be given credit for any months he or she would have been employed but for the military service in determining eligibility for FMLA leave. A person reemployed following military service should be given credit for the period of military service towards the months-of-employment eligibility requirement. Each month served performing military service counts as a month actively employed by the employer.

How should the 1250 hours-of-service requirement be calculated for returning service members? An employee returning after military service should be credited with the hour's of-service that would have been performed but for the period of military service in determining FMLA eligibility. Accordingly, a person reemployed following military service has the hours that would have been worked added to any hours actually worked during the previous 12-month period to meet the 1250 hour requirement. In order to determine the hours that would have been worked during the period of military service, the employee's pre-service work schedule can generally be used for calculations.

FAMILY AND MEDICAL LEAVE (FMLA)

An employee may request time off without regular pay for a defined period with job protection and no loss of accumulated service if the employee returns to work. This policy applies to all family and medical leaves of absence. Based on the conditions set forth below.

PROCEDURE

A family and medical leave of absence is defined as an approved absence available to eligible employees for up to 12 weeks of unpaid leave per calendar year with continued benefits under particular circumstances (noted below) that are critical to the health of the employee or their

family members. The 12 month period is measured forward from the date the FMLA begins.

Leave may be taken:

- *On the birth of an employee's child;*
- *On the placement of a child for adoption or foster care with an employee;*
- *When an employee is needed to care for a child, spouse, or parent who has a serious health condition; or*
- *When an employee is unable to perform at least one of the essential functions of his or her position because of the employee's own serious health condition;*
- *Because you are the spouse, child, parent, or next of kin of a covered service member with a serious injury or illness.*

LENGTH AND CONDITIONS OF LEAVE

To be eligible for leave under this policy, an employee must have been employed for at least 12 months, must have worked at least 1,250 hours during that 12 month period immediately preceding the leave, and be employed at a worksite at which the Catholic school employs at least 50 or more employees within a 75 mile radius.

In the case of a qualifying exigency you may take up to 26 weeks of military caregiver leave during a 12 month period on a per-covered service member, per-injury basis.

It is important that you give reasonable written notice to the Catholic school that you want to take a leave, including when you want the leave to start, and when you plan to return to work (Mandatory forms must be completed).

When you return to work, you are entitled to the same or comparable job that you left, unless the Catholic school can show that you as the employee were terminated or denied reinstatement for reasons unrelated to the leave.

The Catholic school will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse, or parent. For the employee's own medical leave, the certification must include a statement that the employee is unable to perform at least one of the functions of his or her position. For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the time that the employee is needed to provide care. The Catholic school may require a second medical opinion and periodic recertification at its own expense. If the first and second opinions differ, the Catholic school may require the binding opinion of a third health care provider, approved jointly by the Catholic school and the employee and paid for by the organization.

Leave may be taken on an intermittent or reduced-leave schedule if it is medically necessary for a serious health condition of the employee or his or her spouse, child, or parent. If leave is requested on this basis, however, the Catholic school may require the employee to transfer temporarily to a part-time schedule or an alternative position that better accommodates recurring absences. The alternative position will have equivalent pay and benefits.

Spouses who are both employed by the Catholic school are entitled to a total of 12 weeks leave (rather than 12 weeks for each spouse) for the birth or placement in adoption or foster care of a child or for the care of a sick family member.

STATUS OF EMPLOYEE BENEFITS DURING LEAVE OF ABSENCE

Health insurance. Group health care coverage will continue for employees on leave as if they were still working. Employees who are granted an approved leave of absence under this policy are advised to arrange to pay employee portion of premiums during the absence. If the leave is paid, premiums will continue to be paid through payroll deductions. If the leave is unpaid, employees are responsible for making sure the Catholic school receives premium payments by the normal payroll dates. The individual managing payroll will provide a schedule of payment amounts and due dates at the beginning of any unpaid leave of absence.

Recovery of premiums. If an employee chooses not to return to work (meaning: stay for 30 calendar days) after an approved unpaid leave of absence, the Catholic school may recover from the employee the cost of any payments made to maintain the employee's health insurance, unless the failure to return is due to a serious health condition or reasons beyond the employee's control. Benefit entitlements based on length of service will be calculated as of the last paid work day before the start of the unpaid absence.

PROCEDURES

Request form. A Request for Family and Medical Leave of Absence Form must be completed in duplicate by the employee. This form must be completed in detail, signed by the employee, submitted to the supervisor and/or the principal for proper approval. The form should be submitted 30 days before the effective date of the leave along with a physician's certification request letter.

Paid Time-Off. Under Vermont law, the employee has the choice whether to submit vacation or other time off hours for pay while on leave. Any submission by the employee must be done on a payroll cycle through the supervisor or individual managing payroll.

Appendix 4412 – Reference of a Defined Illness under FMLA.

Addendum: The Vermont Statutes Online

Vermont Parent and Family Leave Act 21 V.S.A. §470-474.

- (a) During any 12-month period, an employee shall be entitled to take unpaid leave for a period not to exceed 12 weeks:
 - (1) For parental leave, during the employee's pregnancy and following the birth of an employee's child or within a year following the initial placement of a child 16 years of age or younger with the employee for the purpose of adoption.
 - (2) For family leave, for the serious illness of the employee or the employee's child, stepchild or ward of the employee who lives with the employee, foster child, parent, spouse or parent of the employee's spouse.
- (b) During the leave, at the employee's option, the employee may use accrued sick leave or vacation leave or any other accrued paid leave, not to exceed six weeks. Utilization of accrued paid leave shall not extend the leave provided herein.
- (c) The Catholic school shall continue employment benefits for the duration of the leave at the level and under the conditions coverage would be provided if the employee continued in employment continuously for the duration of the leave. The employee must contribute to the

cost of the benefits during the leave at the existing rate of employee contribution.

- (d) The Catholic school has posted and maintains in a conspicuous place printed notices of the provisions provided by the commissioner of labor.*
- (e) An employee shall give reasonable written notice of intent to take leave. Notice shall include the date the leave is expected to commence and the estimated duration of the leave. In the case of the adoption or birth of a child, The Catholic school does not require that notice be given more than six weeks prior to the anticipated commencement of the leave. In the case of serious illness of the employee or a member of the employee's family, the Catholic school will require certification from a physician to verify the condition, amount, and necessity for the leave requested. An employee may return from leave earlier than estimated upon approval. An employee shall provide reasonable notice to the Catholic school of his or her need to extend leave to the extent provided by this chapter.*
- (f) Upon return from leave taken, an employee shall be offered the same or comparable job at the same level of compensation, employment benefits, or any other term or condition of the employment existing on the day leave began. This shall not apply if prior to requesting leave, the employee had been given notice or had given notice that the employment would terminate. This shall not apply if the employer can demonstrate by clear and convincing evidence that:
 - (1) During the period of leave the employee's job would have been terminated or the employee laid off for reasons unrelated to the leave or the condition for which the leave was granted; or*
 - (2) The employee performed unique services and hiring a permanent replacement during the leave, after giving reasonable notice to the employee of intent to do so, was the only alternative available to the employer to prevent substantial and grievous economic injury to the employer's operation.**
- (h) Except for serious illness of the employee, an employee who does not return to employment with the Catholic school after leave was provided, shall return to the Catholic school the value of any compensation paid to or on behalf of the employee during the leave, except payments for time off or vacation leave.*

Vermont State Short-term family leave

For short-term family leave, a worker must give notice as early as possible, at least seven days before the leave is to be taken unless waiting seven days could have a significant adverse impact on the employee's family member.

Short-term family leave of up to 4 hours in any 30 day period (but not more than 24 hours in any 12 month period) of unpaid leave:

Short-Term Family Leave: to ***participate in preschool or school activities*** directly related to the academic advancement of the worker's child, stepchild, foster child or ward who lives with the worker; to attend or to accompany the worker's child, stepchild, foster child or ward who lives with the worker or the worker's parent, spouse or parent-in-law to ***routine medical or dental appointments***; to accompany the worker's parent, spouse, or parent-in-law to ***other appointments for professional services*** related to their care and well-being; to respond to a ***medical emergency*** involving the employee's child, stepchild, foster child or ward who lives with the worker or the employee's parent, spouse or parent-in-law.

LEAVES

Bereavement Leave

Educational employees are allowed three (3) days of paid leave which shall be in addition to sick/personal leave for the death or funeral of a member of his/her immediate family (spouse, child, parent, brother, sister) or any other relative living in the same house. Up to one day off with pay may be granted to attend the funeral of a close relative outside the immediate family. Close relatives include grandparents, spouse's parents, aunts, uncles, nieces, nephews, brothers-in-law, and sisters-in-law. When distance is involved, the principal will confer with the pastor or superintendent for a local decision.

Unpaid Leave

Any full-time teacher who has taught for five years within the Diocese shall be entitled to request an unpaid leave for serious reasons as agreed to by the Superintendent of Schools, the pastor/school board chair (where applicable), and the principal. Each request will be handled on an individual basis.

Such employee voluntary leave, if granted, shall be without pay or benefits. The school will offer COBRA to the employee. If a request for unpaid leave is approved, it shall be confirmed in writing and signed by the staff person/teacher, pastor, principal, and Superintendent of Schools.

Workers' Compensation

Employees of the Catholic schools in the Diocese of Burlington are covered under the provisions of the Workers' Compensation Act. The employee must report all injuries immediately to the principal even if medical attention is not necessary. The principal must report all accidents of employees to the Director of Insurance and Facilities or his administrative assistant, 802-658-6110. The principal must complete the Employee's Claim and Employer First Report of Injury form (Form 4412) and return it to the Director of Insurance and Facilities. The Workers' Compensation Act requires that the employee report all injuries within thirty (30) days after the date of injury.

All employees will be informed of the importance of reporting all accidents regardless of the seeming insignificance at the time.

Upon receipt of legal inquiries of any type, it may be necessary, on occasion, to have available various documents and records for the formal court hearings. The following are a few examples, (not all inclusive) of occasions to cause legal inquiry:

The injured employee will not:

- Do anything after an injury occurs that would interfere with the workers' compensation carrier's right to recover from others;
- Voluntarily make payments, assume obligations or incur expenses, outside of the proper procedure, except at the employee's own cost;
- Delay accident reports while awaiting the doctor's report, the return to work, or while waiting to learn more about the accident or injury.

The employee is responsible for providing timely updates to the principal on medical status and possible date of return to work.

Refer to Forms 4412.1 through 4412.7.

WORKPLACE BEHAVIOR AND CORRECTIVE ACTION

The Catholic schools have “Standards of Behaviors” that are consistent with the philosophy and environment of the schools. Behaviors outside of those that do not support or promote the Catholic school’s environment and work ethic are prohibited on the School’s premises or while on school assignments.

The Catholic schools have established general guidelines to govern the conduct of its employees. No list of rules can include all instances of conduct that can result in discipline and/or termination. Therefore, the examples below do not replace sound judgment or common-sense behavior.

The following violations of our workplace behavior are extremely serious and can be subject to progressive disciplinary action, up to and including termination or immediate termination. This list of violations is not intended to be all-inclusive. The seriousness and extent of the behavior will dictate the level of disciplinary action or immediate termination for violations other than those listed below:

- 1. Illegal drugs, marijuana, marijuana products, alcohol or weapons of any type, will not be allowed in the school or on the school property. In addition, employees found to be under the influence of alcohol, illegal drugs or non-prescription drugs may be subject to immediate dismissal.*
- 2. False statements on employment applications and resumes.*
- 3. Fighting or attempting to injure others.*
- 4. Indecent behavior on school property or while conducting school business.*
- 5. Personal, sexual or other forms of harassment. Harassment includes using profane or abusive language, threatening or intimidating fellow employees, supervisors, volunteers, or students,*
- 6. Stealing, this may also include removal of school or student property or products from the premises without permission.*
- 7. Destruction or defacing of school or employee property.*
- 8. Sleeping on the job.*
- 9. Insubordination or refusal to accept job assignments from supervisor.*
- 10. Removal of or falsification of administration records and/or student records.*
- 11. Failure to comply with Federal and/or state regulations in regard to schools.*
- 12. Leaving children or a classroom unattended.*
- 13. Unexcused absence and/or not showing up for scheduled shift(s).*
- 14. Violation of Diocesan and Catholic School’s policies.*
- 15. Use of profanity in the presence of students.*

The following types of violations will normally result in the employee receiving disciplinary action. This list of conduct violations is not intended to be all-inclusive. Depending on the seriousness of the conduct, employees may be subject to dismissal for other types of violations, which may not be listed below:

- 1. Raffles or selling of merchandise without prior approval from the principal.*
- 2. Petitions or solicitations on school property and during working hours.*

3. *Personal appearance and dress code outside of school policy.*
4. *Smoking and tobacco chewing in areas other than those designated for that purpose.*
5. *Engaging in an outside business which constitutes a conflict of interest with the school.*
6. *Gambling of any kind on school property.*

1. *If any employee is found to have violated the school's workplace policy, the employee's supervisor, in consultation with the principal and the Diocesan Human Resources Director, if necessary, will investigate the situation and decide the appropriate course of discipline (if necessary).*
2. *The employee will receive notification of the violation during a discussion with the principal and their supervisor. The description of the disciplinary action and its impacts will also be explained during this discussion.*
3. *Further violations would cause further disciplinary actions up to and including termination.*
4. *All discussions will be documented, dated, signed by the employee and other parties involved in the meeting, and placed in the employee personnel file. A copy of the signed and dated documentation must also be given to the employee.*

EMPLOYEE RESPONSIBILITY

It is the duty and the responsibility of every employee to be aware of and abide by existing rules, standards and regulations.

It is also the responsibility of the employee to perform his/her duties to the best of his/her ability, and to the standards set forth in his/her job description, or as otherwise established.

Employees are encouraged to take advantage of all learning opportunities available and request additional instruction when needed.

EMPLOYEE CONDUCT

Catholic schools support the use of progressive discipline to address conduct issues such as poor work performance or misconduct, and to encourage employees to become more productive workers and conform their behavior to the school's standards and expectations.

Generally, a supervisor gives a warning to an employee to explain the behavior that the supervisor has found unacceptable. There are two types of warnings, verbal and written.

A verbal warning is when a supervisor verbally counsels an employee about an issue of concern. A written record of the discussion, noting the date, event and recommended action, is usually placed in the employee's file for future reference. A copy of this signed and dated written record must also be given to the employee.

Written warnings are used for behavior or violations which a supervisor considers serious or where a verbal warning has not helped to change unacceptable behavior. An employee should recognize the grave nature of the written warning.

Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the Supervisor/Principal, in consultation with the Diocesan Director of Human Resources, or designate, may place the employee on a performance improvement plan.

Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the school. At the end of the performance improvement period, the employee will either be returned to regular employee status or, if established goals are not met, dismissal may occur.

The Catholic schools reserve the right to administer appropriate disciplinary action for all forms of disruptive and/or inappropriate behavior. Each situation will be dealt with on an individual basis.

Approved: February 9, 2011
Bishop of Burlington

ELECTRONIC COMMUNICATION

To remain competitive, provide better service to the faithful, and give our workforce the best tools to do their jobs, the Catholic schools will use various means of communication and technology. Our employees have access to one or more forms of electronic media and services, including computers, e-mail, telephones, voice mail, facsimile machines, external electronic bulletin boards, wire services, on-line services, the Internet and the World Wide Web. Social media can take many different forms, including internet forums, blogs & microblogs, online profiles, wikis, podcasts, pictures and video, email, instant messaging, music-sharing, and voice over IP, to name just a few. Examples of social media applications are LinkedIn, Facebook, MySpace, Wikipedia, YouTube, Twitter, Yelp, Flickr, Second Life, Yahoo groups, Wordpress, ZoomInfo – and others. The Catholic schools encourage the use of this media to make communication more efficient and effective and to serve as a valuable source of information for our priests, religious, deacons and lay persons, and operations.

Electronic media and services provided by the Catholic schools are considered the Catholic school's property and their purpose is to facilitate and support the school. The following procedures apply to all electronic media and services that are:

- *Accessed on or from Catholic schools property;*
- *Accessed using Catholic schools computer equipment or via Catholic schools' paid access methods;*
- *Used in a manner that identifies the individual with the Catholic Schools;*
- *Used to build or maintain positive professional relations with priests, parishes, parishioners, schools, volunteers, employees and visitors*

Social Networking

The Catholic schools believe social networking is a very valuable tool and continue to advocate the responsible involvement of all school's employees and volunteers in this space. While we encourage this online collaboration, we would like to provide you with a policy and set of guidelines for appropriate online conduct and to avoid the misuse of this communication medium.

- *Do not post any financial, confidential, sensitive or proprietary information about Catholic schools or any of our, students, volunteers, employees, clients and candidates.*
- *Speak respectfully about our current, former and potential customers, partners, students, volunteers, employees, clients. Do not engage in name-calling or behavior that will reflect negatively on you or the Catholic school's reputation. The same guidelines hold true for school vendors and business partners.*
- *Beware of comments that could reflect poorly on you and the Catholic schools. Social media sites are not the forum for venting personal complaints about supervisors, students, co-workers, or the Catholic schools.*
- *As a Catholic school's employee, be aware that you are responsible for the content you post and that information remains in cyberspace forever.*

- *Use privacy settings when appropriate. Remember, the internet is immediate and nothing posted is ever truly private nor does it expire.*
- *If you see unfavorable opinions, negative comments or criticism about yourself or Catholic schools, do not try to have the post removed or send a written reply that will escalate the situation. Forward this information to the principal or the designee.*
- *If you are posting to personal networking sites and are speaking about job related content or about Catholic schools, identify yourself as a Catholic school's employee and use a disclaimer and make it clear that these views are not reflective of the views of Catholic schools. "The opinions expressed on this site are my own and do not necessarily represent the views of Catholic schools."*
- *Many sites like Facebook and Twitter blur the lines between work related and personal. Keep this in mind and make sure to have a balance of information that shows both your professional and personal sides. And always balance negative with positive comments. We do not allow you to use your personal Facebook to communicate with any students, customers, vendors, etc.*
- *Be respectful of others. Think of what you say online in the same way as statements you might make to the media, or emails you might send to people you don't know. Stick to the facts, try to give accurate information and correct mistakes right away.*
- *Do not post obscenities, slurs or personal attacks that can damage both your reputation as well as the reputation of the Catholic schools.*
- *When posting to social media sites, be knowledgeable, interesting, honest and add value. The Catholic schools outstanding reputation is a direct result of our employees and their commitment to uphold our core values of Integrity, Faith, Dedication, and Excellence.*
- *Do not infringe on copyrights or trademarks. Do not use images without permission and remember to cite where you saw information if it's not your own thoughts.*
- *Be aware that you are not anonymous when you make online comments. Information on your networking profiles is published in a very public place. Even if you post anonymously or under a pseudonym, your identity can still be revealed.*
- *If contacted by the media refer them to the principal.*
- *If an employee violates the social networking procedures/policies this can lead to disciplinary action up to and including termination.*

POLICY VIOLATION

Abuse of the Catholic schools' facilitated access to electronic media or services or social networking could result in the risk of having the privilege removed for themselves and other employees and corrective action, up to and including termination. This also includes employees who witness this abuse of electronic media and services or are formally or informally informed of such use.

Anyone who knowingly violates this policy is subject to disciplinary action up to and including discharge.

Approved: February 2, 2010
Bishop of Burlington

ELECTRONIC COMMUNICATION

1. School Use

Electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication for personal or professional use that is:

- Discriminatory or Harassing
- Derogatory to any individual or group
- Obscene or pornographic
- Defamatory or Threatening
- Engaged in for any purpose that is illegal or contrary to Catholic schools' mission or the faith and moral teachings of the Roman Catholic Church.

2. Personal Use

Electronic media and services are provided by the Catholic Schools primarily for employee's business use. Limited, occasional, and incidental use of electronic media (sending or receiving), is permitted on the employees own time, unless it interferes with the expected productivity of the workday and or creates disruption to fellow employees.

The sending, receiving or forwarding of inappropriate or non-business related materials, emails or voice messages is to be avoided. Such conduct may result in the suspension of access to the medium and, or, disciplinary action up to an including termination.

3. Access to Employee Communications

The Catholic schools do not routinely access or monitor employee communications directly. However, individual use patterns for example, telephone numbers dialed, sites accessed, call length and time are monitored for the following purposes:

- Cost analysis
- Resource allocation
- Optimum technical management of information resources, and
- Detecting patterns of use that indicate employees are violating policies or engaging in illegal activities.

The Catholic schools reserve the right, at its discretion to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, the policy, and other policies.

Electronic communications should not be assumed to be completely private. ***If sensitive data needs to be transmitted, alternative means should be selected. All data should follow federal and state rules on encryption, especially when sharing information that could be used for purposes other than what was originally intended.***

The Catholic schools will follow all federal and state guidelines when monitoring electronic communications.

4. Security/Appropriate Use

Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by Catholic schools' management, employees are prohibited from engaging in, or attempting to engage in:

- Monitoring or intercepting the files or electronic communications of other employees or third parties;
- Hacking or obtaining access to systems or accounts without appropriate authorization;
- Unauthorized use of log-in codes or passwords, other than their own; and
- Breaching, testing or monitoring computer or network security measures.

No e-mail or other electronic communications can be sent that attempts to hide the identity of the sender or represent the sender as someone else.

Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of others to access and use the system. Any employee that obtains electronic access to other companies' or individuals' materials, must respect all copyrights and cannot copy, retrieve, modify, or forward copyrighted materials, except as permitted by the copyright owner.

Network-connected systems must employ hardware and software controls approved by the Catholic schools principal and/or pastor that prevent unauthorized access including a screen blanker triggered by a certain period of no keyboard activity. A password should be established for protection of all data and usage.

5. Participation in On-line Forums

Messages or information sent on the Catholic schools' provided facilities to one or more individuals via an electronic network, (i.e. Internet mailing lists, bulletin boards, and on-line services) are statements identifiable and attributable to the Catholic Schools.

Although it is recognized that participation in such forums might be important to job function, discretion should be used to determine the appropriateness of the communication within the guidelines of the position.

Employees should be aware that even the use of a disclaimer, does not insulate the Catholic schools from the comments and opinions that may be contributed to forums. Instead, communications should be limited to matters of fact and avoid expressing opinions while using the Catholic schools' systems or Catholic schools' paid account. These communications should not reveal information about the Catholic schools' processes, techniques, or confidential information.