

## §700 EMPLOYMENT ISSUES

### §701 PERFORMANCE REVIEW

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

**(Cf. OCS Personnel Policies, Title II, Chapter I and OFC Personnel Policies, Title II, Chapter II)**

#### **Procedure**

- a) “Job related criteria” include the written job description as well as mutually agreed upon standards of performance or goals to be accomplished during the performance review period.
- b) The annual performance review is part of an on-going process of performance management which presumes on-going communication between the employee and the supervisor regarding job performance.
- c) The annual performance review process includes self-assessment, supervisory assessment, and, where applicable, takes into consideration feedback from those served by the work of the employee in order to determine a plan for continued excellence or growth in performance.
- d) General instructions and model instruments for use in the annual performance review are located in the Compensation Guidelines. Additional resources are available through the Office of Ministerial Evaluation.
- e) Certain ministries have specific procedures for reviewing personnel.
- f) Formal performance reviews will be part of the personnel file.

### §702 TRANSFERS AND PROMOTIONS

**702.1. Policy** The Archdiocese of Chicago shall consider the transfer or promotion of qualified staff members to fill vacancies and newly created positions whenever possible.

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

[Cf. OCS Personnel Policies, Title II, Chapter I]

**Procedures**

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

## §703 DISCIPLINE AND TERMINATION

**703.1. Policy** The Archdiocese of Chicago shall be an at will employer.

**Procedures**

“At will” means that while involuntary terminations will generally proceed as described in 703.2, the Archdiocese may exercise its legal right to terminate an employee with or without cause, and with or without prior notice, where such termination does not violate the employee’s rights under applicable state or federal employment laws. Regardless of whether or not the Archdiocese will ever need to exercise this right, it is important that the Archdiocese reserve it as a means of dealing with situations that must be resolved quickly, but do not seem to fit the usual process.

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

**Procedures**

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

**703.3. Policy** Ordinarily, prior to suspension or discharge, the Pastor, Parochial Administrator, Agency Director or Principal shall consult with the Office of Employee Services, the Office of Legal Services, or the Director of Personnel Services.

**(Cf. OCS Personnel Policies, Title II, Chapter I and OFC Personnel Policies, Title II, Chapter II)**

## **§704 TERMINATIONS (VOLUNTARY-INVOLUNTARY)**

### **§704.1. Notice for Involuntary Terminations**

**704.1. Policy** Involuntary terminations for reasons other than misconduct or layoffs, shall require the pastor, principal or agency director to either give the employee two weeks prior notice or two-weeks pay in lieu of notice. The local administrator shall decide whether to give notice or pay.

**(Cf. OCS Personnel Policies, Title II, Chapter I)**

### **§704.2. Termination of Employment for Medical Reasons**

**704.2.1. Policy** Active employees who are certified by their physician to be no longer able to work due to poor health shall be considered terminated employees as of the date directed by the physician.

**704.2.2. Policy** Employees who terminate employment as described in Policy 704.2.1. will not be eligible for Family or Medical Leave.

**704.2.3. Policy** Employees who terminate employment as described in Policy 704.2.1. will have included in their final pay, payment for all unused sick days they had accrued as of the date of their termination.

### **§704.3. Exit Interview**

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

***Procedures***

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

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

**§704.4. Unemployment Compensation**

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

**(Cf. OCS Personnel Policies, Title II, Chapter I)**

***Procedures***

- a) Local administrators must complete a separation report for each terminated lay and religious employee and send it to the unemployment compensation consultants.
- b) Wages for all religious and lay employees must be included on the quarterly wage reports (UC-3) submitted to the State of Illinois Department of Employment Security, therefore making them eligible for unemployment benefits.
- c) The State of Illinois determines eligibility, not the Archdiocese. Ordinarily, misconduct and voluntary resignations disqualify the employee for unemployment compensation.
- d) Under the reimbursing basis, the expense of unemployment compensation is borne by the parish, school or agency.

**§704.5. Accrued and Remaining Vacation**

**704.5. *Policy*** Terminating employees shall be paid for any unused vacation days from the current fiscal year, and for vacation days accrued for the next fiscal year.

***Procedures***

Employees who are granted vacation during their first year of employment, without a waiting period, do not accrue vacation, and therefore do not receive vacation days upon termination. Contractual employees for whom

vacation benefits were granted without a waiting period will be eligible only for unused days at time of termination.

### §704.6. Extended Health Coverage

*COBRA is the acronym for the Consolidate Omnibus Budget Reconciliation Act. It is the federal legislation that requires employers to provide extended health coverage for terminating employees and their covered dependents. It is one of the very few employment regulations to exclude church benefit plans from its provisions. While not required to do so under federal regulations, the Archdiocese of Chicago offers an extended health care program in accordance with state regulations.*

**704.6.1. Policy** The following shall be eligible to participate in the extended health coverage program provided by the Archdiocese of Chicago:

- (1) an employee terminating for any reason (except retirement at age 65 or older);
- (2) an employee who is transferred from benefits eligible to non-benefits eligible status, whether voluntarily or involuntarily;
- (3) surviving spouse and/or children who were covered as dependents at the time of the employee's death;
- (4) a divorced spouse who was a covered dependent at the time of his/her divorce from the employee;
- (5) a dependent child who reaches age 23, and had been carried as a covered dependent under an employee's coverage up to the date of his/her 23rd birthday;
- (6) any employee or covered dependent who otherwise ceases to be eligible for coverage, for any reason.

The aforementioned individuals shall have the opportunity to choose from one of the following options:

- A) extend medical coverage under the group plan, at one's own expense, for up to nine months or when one becomes eligible for other group health coverage (including Medicare), whichever comes first, OR
- B) drop the insurance at the end of the month in which the termination, death, or divorce takes place, OR
- C) convert to a private policy with the appropriate HMO provider if enrolled in an HMO at the time of termination.

If an employee has individual coverage at the time of termination, he/she shall not add family coverage during the extended coverage period.

#### **Procedures**

Terminating employees, surviving spouses or children, or divorced spouses who choose option (A) will also have the opportunity to exercise option (C) when their extended coverage period expires, if coverage had been provided through an HMO.

### **§704.7. Staff Reductions or Closings**

**704.7. Policy** Along with severance benefits, when applicable, employees who are terminated as a result of a staff reduction shall be offered benefits as outlined in the *Outline of Compensation and Benefits for Lay and Religious Employees Affected by Closings, Consolidations or Staff Reductions*. (Available at the Office of Employee Services)

### **§704.8. Severance**

#### **§704.8.1. Eligibility**

**704.8.1.1. Policy** All non-contractual full-time and benefits eligible Part-Time employees of the Archdiocese who have at least 1 full year of service, and whose positions have been eliminated, or whose positions have been reduced from full-time to part-time status, shall be eligible for severance benefits.

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

**704.8.1.3. Policy** Employees covered under a collective bargaining agreement shall be eligible for severance compensation only as provided for in their union contract.

#### **§704.8.2 Severance Benefits**

**704.8.2. Policy** Eligible employees shall receive the greater of 2 weeks compensation or 1 week for every full year of service, up to a maximum of 12 weeks compensation, to be paid out in a lump sum.

**§704.9. References**

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

**§705 SHARED EMPLOYEE**

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

***Procedures***

- a) Where an individual is employed on a part-time basis at more than one location within the Archdiocese, one location is to assume responsibility for administration and reporting of payroll and any applicable benefits for that individual (usually the location at which the individual works the most hours on a regular basis.) The other locations will be responsible for reporting attendance and salary data to the primary location, on a pro rata basis, for salary, benefits, FICA and other related expense.
- b) Both parishes must be notified and approve of the arrangement.

**§706 OUTSIDE EMPLOYMENT**

**706.1. Policy** Archdiocesan employees may have other employment outside the Archdiocese only to the extent that such outside employment does not create a conflict of interest.

***Procedures***

- a) Outside employment includes consulting work and other self-employment situations.
- b) A conflict of interest occurs when additional employment unduly influences decisions made as an employee or conflicts with performance of his/her duties.

## §707 CONFLICT MANAGEMENT

**707.1. Policy** The following procedures shall be used to resolve misunderstandings and differences of opinion between Archdiocesan personnel.

[Cf. OCS Personnel Policies, Title II, Chapter I]

### *Procedures*

**Step I)** The conflicting parties meet to seek resolution through one or more meetings, as is necessary or desired. If resolved, the process ends here.

**Step II)** If a resolution is not achieved in Step I, the conflicting parties should meet with their mutual supervisor, or in a case where there is no mutual supervisor, with their respective supervisors. The supervisor(s) should assist the disputing parties in their efforts to resolve the conflict.

**Step III)** The disputing parties may request assistance from other Archdiocesan departments and agencies, such as the Office of Conciliation, the Department of Personnel Services, the Office of Employee Services, the Office of Catholic Schools or the Office for Religious Education.

## §708 PERSONNEL RECORDS

### §708.1. Contents

**708.1. Policy** Parishes, parish schools, and Archdiocesan high schools shall keep personnel files on site in a confidential manner. Agencies and other Departments of the Archdiocese shall keep personnel files in the Office of Employee Services.

### *Procedures*

Personnel records shall contain the following:

- a) Application and Resume
- b) Employment Verification
- c) Verification of Academic Credentials (where appropriate)
- d) Job Description
- e) Contract (where appropriate)
- f) Performance Appraisals

- g) Disciplinary Memos
- h) I-9 Forms (Employment Eligibility Verification Form)
- i) State and Federal W-4 Forms
- j) Cafeteria Plan Election Form (all F/T & benefit-eligible P/T)
- k) Letters of Commendation
- l) Notice of changes of name, address, telephone, etc.
- m) Documentation of continuing education and development
- n) Documentation of use of professional growth allowance
- o) Letters of resignation
- p) Notification of Discharge
- q) Exit Interview (Obtain name of new employer)
- r) Compensation Documentation
- s) Any document/correspondence which affects an individual's employment status
- t) Emergency information

### §708.2. Employee's Right of Review

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

#### *Procedure*

This policy shall not apply to information exempted by law, such as medical records and confidential employment references.

### §708.3. Retention

**708.3. Policy** The Archdiocese of Chicago shall comply with federal and state record retention requirements.

#### *Procedures*

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

**[Cf. OCS Personnel Policies, Title II, Chapter I]**