

## §200 RECRUITMENT

### §201 POSITION DESCRIPTIONS

*"A job description is a concise outline of the responsibilities of a given position. It also indicates to whom the person hired will be accountable and the basic expectations being made of him or her. . . . It serves as a frame of reference for future performance appraisal. . . . The job description, together with an evaluation of education and professional experience, is a factor in determining a just compensation package of salary and benefits." (Coordinating Parish Ministry, 37)*

**§201.1. Policy** Every position in the Archdiocese of Chicago shall have a position description.

#### ***Procedures***

A position description shall specify or indicate:

- a) The title of the role or position that is both accurate and in accord with current terminology in the larger Church, particularly in the Archdiocese of Chicago.
- b) The title of the position(s) to whom the person will be accountable.
- c) The titles of positions, if any, who are accountable to this position.
- d) General or overall responsibility in the context of how this position clearly fits into the structure and mission of the parish, school or agency.
- e) A list of specific responsibilities or tasks.
- f) The essential functions of the position for purposes of complying with the Americans with Disability Act, for employment.
- g) Very often, one position description will be applicable to several people who hold the same title, however there are circumstances in which that position description may be customized.

**§202 SELECTION AND SCREENING****§202.1. Equal Employment Opportunity**

**202.1.1. Policy** The Archdiocese of Chicago shall assure equal employment opportunity in all its employment policies and practices. These policies and practices shall be administered without regard to race, color, national origin, age, gender, marital status, political affiliation, veteran status, sexual orientation, or mental or physical disabilities not affecting one's ability to perform the essential functions of one's job.

***Procedures***

- a) Primary responsibility for ensuring compliance with this policy rests with the pastor, principal or administrator at each location.
- b) The Director of Employee Services is responsible for monitoring and implementing the overall effort of the Archdiocese of Chicago with regard to equal opportunity issues, and for reporting to the Director of Personnel Services and the Cabinet on its progress.
- c) There are certain positions in the Archdiocese for which it is necessary to be Catholic, and some positions for which preference in hiring shall be given to people who are Catholic and who evidence an understanding of the Catholic faith and a commitment to living that faith.
- d) The Archdiocese of Chicago shall comply with the employment section of the Americans with Disabilities Act and shall hire without regard to disabilities, where with reasonable accommodations the person can perform the essential functions of the job.

**202.1.2. Policy** In furtherance of the equal employment opportunity policy, the Archdiocese of Chicago shall strive to employ minorities at all levels. Likewise, the Archdiocese shall strive to employ women at all levels except those positions precluded by Canon Law.

**§202.2. Appropriate Employment Relationships**

*The relationship between certain types of jobs sometimes makes it necessary to place restrictions on the employment relationship of immediate family members.*

**202.2.1. Policy** Generally, immediate family members shall be prohibited from working in a supervisor/subordinate relationship, and under certain circumstances, may be prohibited from working as co-workers in the same department, agency, school or parish.

**Procedures**

Immediate family members shall be defined as children, parents, siblings, spouse, in-laws, grandparents, and individuals residing in the same household, whether related or not, other than members of Religious Congregations

**§202.3. Re-employment of Retirees**

**202.3.1. Policy** Retirees who wish to be re-employed by the Archdiocese of Chicago may be re-hired after a 90-day termination period, and shall receive their full retirement benefit in addition to their salary -- provided they are re-employed on a part-time basis and are regularly scheduled to work no more than 25 hours per week.

**Procedures**

Retirees who are re-employed with a regular schedule of 26 or more hours per week will have their retirement benefits suspended until such time as their new period of employment with the Archdiocese is terminated.

**§202.4. Applications**

**202.4. Policy** The hiring process shall not be complete without an official Archdiocese of Chicago Employment Application, whether or not they have submitted a detailed resume.

**§202.5. Interviewing**

*The interview is a critical step in a just and professional employment process. The interview is the time in which both the employer and candidate can gain vital information that will assist both in deciding whether the position will properly serve the interests of both parties. Professional demeanor on the part of the employer is essential.*

**202.5.1. Policy** No candidate for employment shall be hired for any position without having been properly interviewed at all appropriate levels.

**§202.6. Verifications**

**202.6. Policy** A candidate's employment history, academic preparation and references shall be carefully checked prior to being offered a position.

**§202.7. Criminal Background Checks**

*The Archdiocese shall establish and implement uniform policies and procedures regarding criminal background information checks to review the fitness of individuals involved in the care, ministry, and education of our children. The purposes of these policies and procedures are the safety of children, the well being of the community, the protection of the employee, and the integrity of the Church. The policies and procedures shall be fair and responsive to the pastoral needs of the community, including the applicant.*

**§202.7.1. Criminal Background Information Checks**

**202.7.1. Policy** Any individual who accepts a paid or volunteer position with an Archdiocesan parish, school or agency which entails or may entail unsupervised access to a child, the elderly or persons with disabilities on or after January 1, 1998, shall submit to a criminal background check.

***Procedures***

There are many positions in the Archdiocese that involve or may involve unsupervised access to children, the elderly or persons with disabilities. The persons filling these positions, whether they are volunteers or employees, will be asked to submit to criminal background checks as a condition to their continued work on behalf of the agencies, parishes and schools of the Archdiocese. The following positions are among the positions that will require background checks:

*principals, teachers, substitute teachers, teacher aids, school secretaries, school maintenance workers, catechetical leaders, catechists, catechist aides, youth ministers, coaches and scout leaders.*

**§202.7.2. Discovery of Criminal Background Information**

**202.7.2. Policy** If any criminal background information is revealed for any new or current employee or volunteer, that information shall be referred to the Office of Legal Services for review and consultation with the Director of Personnel Services. The Director of Personnel Services shall make a final determination as to whether a position shall continue to be made available to the individual.

***Procedures***

Although the Director of Personnel Services is responsible for making the final decision as to whether a person shall continue to be employed in that position, the Director will consult with the pastor and/or principal or agency director and other appropriate Archdiocesan personnel.

**§202.7.3. Confidentiality and Disclosure of Information**

**202.7.3.1. Policy** Information generated in connection with the process set forth in §202.7 shall be maintained in a confidential manner and shall only be disclosed in accordance with §202.7 and applicable state and federal law.

**202.7.3.2. Policy** The Office of Employee Services shall be the custodian of all information described in §202.7 and shall develop an appropriate record-keeping system to ensure accountability for and security of the information.

**§202.8. Employment Contracts and Agreements**

*Ordinarily, contracts and agreements are reserved for teachers and principals unless there are specific circumstances which require such an agreement.*

**§202.8.1. Scope**

**202.8.1. Policy** Contracts or agreements shall only be offered to qualified teachers and principals, unless specific circumstances, such as a temporary position, warrant such an agreement.

**§202.8.2. Authorization**

**202.8.2. Policy** Only the pastor, parochial administrator, principal, or agency director shall be authorized to offer or approve an employment contract or agreement. If a contract or agreement is not a standard document in current use in the Archdiocese, the Office of Legal Services must be consulted.

**Note**

At the Pastoral Center, any employment contract or agreement must be authorized by the Chancellor.

## §203 HIRING

### §203.1. Job Offers

**203.1.1. Policy** Ordinarily a formal job offer shall be confirmed in writing.

#### *Procedures*

- a) A written job offer includes: schedule; salary; job description; job title; benefits; and any special requirements.
- b) As a professional courtesy, the local administrator should contact all unsuccessful candidates interviewed.

**203.1.2. Policy** Any offer of employment is contingent upon the truthfulness and accuracy of information provided by the candidate during the application or interview process. An offer of employment shall be revoked if any falsification or omission of material facts is discovered. Furthermore, if such falsification or omission is discovered after a candidate has been hired, he/she shall be subject to immediate discharge as provided in §703.

### §203.2. Required Documentation

**203.2. Policy** All employees must, at a minimum, complete the following upon being hired:

- (1) Immigration Reform Act Form (I-9)
- (2) W4 for Illinois and Federal income tax withholding (if applicable)
- (3) Standard Archdiocesan Application (Form 7703) if not completed already.

**(Cf. OCE Personnel Policies, Title II, Chapter I and ORE Personnel Policies, Title II, Chapter II)**

**§203.3. Immigration Legal Services**

**§203.3.1. Policy** All agencies, offices, parishes, and schools of the Archdiocese of Chicago that seek to hire someone not legally authorized to work for the Archdiocese of Chicago must consult with the Office for Legal Services. The Office of Legal Services shall provide legal immigration services for prospective employees only if he/she meets eligibility criteria that would enable his or her change to lawful immigration status.

**§203.3.2. Policy** The Office of Legal Services shall provide immigration services to individuals employed by the Archdiocese of Chicago or to seminarians or seminary applicants for the Archdiocese of Chicago or make a referral to outside counsel.

**§203.3.3. Policy** No seminary applicant for the Archdiocese of Chicago shall be accepted to one of the Archdiocese of Chicago's seminary programs or formation programs unless he has the ability to gain lawful status in the United States.

**§203.3.4. Policy** The Archdiocese of Chicago shall be the only acceptable sponsor for anyone working for an agency, office, parish or school of the Archdiocese of Chicago. Individual parishes, schools and agencies of the Archdiocese of Chicago shall not serve as a sponsor for an individual for employment based immigration purposes. However, an agency, office, parish or school may employ an individual attending a seminary or university if the student has authorization to work pursuant to his/her lawful student immigration status.

**§203.3.5. Policy** The Archdiocese of Chicago shall not employ a person or continue to employ a person until that person's immigration status has been approved by the appropriate immigration authority.

**a) Procedures applicable to all immigration services**

1. Referrals for immigration legal services shall only be accepted by appropriate authority, which include the Chancellor, the Vicar General, the Archbishop's Delegate for International and Extern Priests, the Vicar for Religious, the Director of the Department of Personnel Services, and the Rectors/Presidents of the Archdiocesan Seminaries.
2. The Office of Legal Services shall maintain files on all seminarians and personnel who are not Lawful Permanent Residents or United States Citizens.
3. The Office of Legal Services shall decide whether to handle matters in house or refer to outside counsel.

4. The immigrant for whom the legal services have been provided shall provide the Office of Legal Services with notice of travel plans and copies of updated documentation upon his/her return. The Seminaries will assist the Office of Legal Services in monitoring compliance.
5. Application and petition fees charged by the United States government are at the expense of the immigrant applicant or the sponsoring institution. The Office of Legal Services shall provide legal services to the applicant, at no charge. The Archdiocese of Chicago shall not cover travel, lodging, food or other travel related expenses incurred in the process of obtaining a visa in a foreign country.

***b) Additional procedures specific to Candidates for Admission to Seminary and Seminarians for the Archdiocese of Chicago***

1. To the extent possible, all Archdiocesan candidates for seminary and seminarians shall seek and remain in F-1 (Student) status during their period of study at the seminary. The Archdiocese of Chicago shall prepare the filing for the R-1 (Religious Worker) visa and status on his behalf only after ordination to the priesthood. Prior to his ordination, he must provide the Office of Legal Services with all the requested documentation needed for his immigration case in a timely fashion.

***c) Additional procedures specific to Priests ordained for the Archdiocese of Chicago***

1. The Office of Legal Services shall prepare an application and compile the appropriate documentation for the priest to change to R-1 status upon his ordination.
2. After the priest has worked for the Archdiocese of Chicago for two years, the Office of Legal Services shall prepare a petition for the priest's lawful permanent residency, in conformity with immigration regulations that require proof of two years experience.
3. After five years of status as a lawful permanent resident, the priest may request that the Office of Legal Services prepare his application for U.S. citizenship, in conformity with immigration regulations.

***d) Additional procedures specific to Candidates for Incardination***

1. Any priest in the incardination process in need of immigration legal services shall seek authorization from the Archbishop's Delegate for International and Extern Priests for a referral.

***e) Additional procedures specific to Externs***

1. An extern priest shall seek authorization from the Archbishop's Delegate for International and Extern Priests for a referral to the Office of Legal Services. Extern Priests may be authorized for a total maximum period of five continuous years, unless he becomes a candidate for incardination to the Archdiocese of Chicago.

***f) Additional procedures specific to Religious Order Priests***

1. A religious priest working for the Archdiocese of Chicago shall seek authorization from the Office for Religious for a referral to the Office of Legal Services.

***g) Additional procedures specific to Priest Chaplains***

1. If a priest plans to work on a part-time basis as a Chaplain, the Archdiocese of Chicago's Office of Legal Services shall cooperate with the facility where the priest chaplain will be employed in filing a change of status with the appropriate immigration authority, so that the chaplain position is reflected as part of the approved employment.
2. In some cases, a priest may no longer be eligible for the R-1 (Religious Worker) visa, but may need to file for a different type of immigration status, such as an H-1B (Specialty Occupation). The chaplain's non-archdiocesan employer shall be responsible for its share of the legal costs for the filing of the required immigration petition.
3. If a priest plans to work on a full-time basis as a chaplain, immigration laws require the employer (e.g. a health care facility) to be the sole sponsor of that priest. Nonetheless, the priest must still receive the appropriate authorization and grant of faculties from the Archdiocese of Chicago prior to working there. Faculties will be issued only after verifying that the new employer will file the appropriate immigration petition and will not use the Archdiocese of Chicago as a named sponsor and that the priest is otherwise fit to perform public ministry. It will also be suggested to the new employer that it would be beneficial to use the services of outside counsel referred by the Office of Legal Services.
4. The priest may not begin working as a Chaplain until he receives the proper approval notice from the appropriate immigration authority regarding his Chaplain employment.

***h) Additional procedures specific to Religious Sisters and Brothers***

1. A religious sister or brother working for the Archdiocese of Chicago shall seek authorization from Office for Religious and the Director of Personnel for a referral to the Office of Legal Services.

***i) Additional procedures specific to Lay Employees***

1. A lay employee or prospective employee for the Archdiocese of Chicago shall seek authorization for immigration legal services from the Director of Personnel for a referral by having their proposed supervisor (in many cases, the Pastor or Principal) write a letter directed to the Director of Personnel with details concerning the individual's qualifications, proposed job duties, position, number of hours and proposed salary.

**§203.4. Orientation**

**203.4. Policy** All new employees shall be oriented at the local level as to their benefits, their duties and responsibilities, and policies and procedures pertaining to their position as well as the policies and procedures of the Archdiocese.