

DIOCESE OF LA CROSSE  
NORMS AND POLICIES FOR PARISHES

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DIOCESE OF LA CROSSE  
NORMS AND POLICIES FOR PARISHES

1. SCOPE OF THE NORMS AND POLICIES

These Norms and Policies are intended to cover all parish employees. Excluded from these Norms and Policies are teachers, school administrators, directors of religious education, church ministers and volunteers.

The types of positions by example which these Norms and/or Policies are intended to cover include parish secretaries, parish maintenance personnel, parish cooks and hot-lunch workers, parish financial administrators, parish daycare workers, and other non-contract employees.

2. DEFINITIONS

Employee – any person who performs services for the parish and who receives any compensation for those services.

Volunteer – any person who performs services for the parish, but who does not receive any compensation for those services.

Independent Contractor – a person who performs services for the parish, who is contracted to perform those services, and who otherwise satisfies all of the other conditions of independent contractor status as contained in Section 102.07, Wisconsin Statutes.

[https://dwd.wisconsin.gov/dwd/publications/wc/WKC\\_13486\\_P.pdf](https://dwd.wisconsin.gov/dwd/publications/wc/WKC_13486_P.pdf)

3. EMPLOYMENT AT-WILL

All employees covered by these Norms and Policies are employees at-will. This means that their employment may be terminated at any time, without notice and without having either to state or prove a reason. No promises, oral or in writing, shall be made to employees assuring employment for a given term, nor shall the parishes attempt to use contract forms drafted for other types of positions.

4. JOB DESCRIPTIONS

For each employee of a parish, there shall be a Job Description. All Job Descriptions shall contain all of the following information:

1. Title.
2. Reporting relationship (who is the employee's supervisor).
3. Whether or not the position is an exempt position under the State or Federal Wage Hour Laws. (Qualified executive, professional and/or administrative.) All questions concerning whether a position is exempt should be referred to the Office for Temporalities.
4. A specific listing of the essential job functions.
5. All essential qualifications for the position.
6. Whether or not the position is "ministerial".

7. A sample format for a Job Description is attached as **Exhibit A**.
8. Job Descriptions shall accurately reflect the services that are required by the parish. It is the needs of the parish and not the wishes of the employee which determine job content.
9. Job Descriptions shall be reviewed annually to insure that they remain an accurate reflection of the position and its expectations.

## 5. HIRING PROCEDURES

1. Each employee shall be required to complete an employment application on forms approved by the Office for Temporalities. (**Exhibit B**)
2. Applications shall be received only at the time when there are vacancies in employment positions and/or newly created positions. No applications are received when there are no employment positions available.
3. As part of the hiring process, applicants may be interviewed. The following guidelines shall govern any employment interviews that occur:
  - a. A set of questions for each applicant shall be determined in advance.
  - b. Each applicant who is interviewed shall be asked the same questions.
  - c. All persons interviewing applicants shall not ask illegal and/or improper questions. Such include, but are not limited to, questions regarding age, handicap or disability, race, national origin, marital status, pregnancy or childbearing, family leave needs, etc. (**Exhibit C**)
  - d. Notes shall be kept of the interview process and retained for at least one year. Applications after the hiring decision is made shall be retained for at least one year.
  - e. Applicants shall be informed at the time of their interview of the job title, job description, and general information concerning diocesan and parish fringe benefits.
  - f. For certain positions, the parish may require the person to be a Roman Catholic in good standing. However, for most positions, insisting upon a Roman Catholic applicant may violate both Federal and State law. Therefore, if in fact the parish intends to restrict its applicants on the basis of religion, it must seek advance approval from the Office for Temporalities and the diocesan attorney.
4. Prior to the decision to hire, the references of final applicants shall be checked by the hiring authority.
5. A criminal background check shall be made of all final applicants, as part of the Safe Environment Program. ([http://www.dioc.org/files/safe-environment/Criminal\\_Background\\_Check.pdf](http://www.dioc.org/files/safe-environment/Criminal_Background_Check.pdf))
6. Immediately after hire, but before starting employment, all new employees shall complete the confidential safe environment employee and volunteer questionnaire of the Diocese, as part of the Safe Environment Program. (<http://www.dioc.org/files/safe-environment/Confidential%20Questionnaire2014.pdf>)

## 6. POST-HIRE/PRE-START DATE PROCEDURES

1. Once hired, all employees must complete a payroll form W-4 (<https://www.irs.gov/pub/irs-pdf/fw4.pdf>), along with Form I-9, Employment Eligibility Verification (<https://www.jobs.irs.gov/sites/default/files/wysiwyg-uploads/files/IRSDownloads/I-9EmploymentEligibilityVerification.pdf>).
2. Employees shall provide a copy of the employee's Social Security card to assure accuracy for the filing of W-2s.
3. Employees shall be required to complete fringe benefit application forms for fringe benefit programs in which the employee is eligible to participate.

4. Please see also **Exhibit D**, Forms that Need to Be Completed and Submitted for a New Employee, for further details, including (<https://wi-newhire.com/default>).

## 7. PERSONNEL RECORDS

A confidential personnel file shall be maintained for each employee of the parish, which contains all data relevant to the history of his or her employment with the parish. The file is maintained for the mutual protection and information of the employer and employee.

1. The personnel file shall contain the following documents:
  - a. Employment application.
  - b. Employment references.
  - c. Summary of employee interviews.
  - d. Record of dates of employment, job titles and salaries.
  - e. Evaluations and related employee correspondence.
  - f. Records of leaves of absence.
  - g. Records of all disciplinary action or discharge.
  - h. Notice of resignation.
2. Any medical, psychological, psychiatric or treatment records of any parish employee shall be maintained in a separate confidential employee file.
3. Retention, review and disclosure of all employee personnel records shall conform to the demands of Canon law, all laws of privilege and confidentiality, and the provisions of S.103.13 of the Wisconsin Statutes.
4. The custodian of the personnel records is the pastor of the parish.

## 8. EMPLOYEE EVALUATION

The parish offers each employee the opportunity for an annual written evaluation of his or her job performance. While evaluations are offered at least annually, they may be conducted with greater frequency at the discretion of the employee's supervisor.

The evaluation process is intended to be a positive experience for both the employee and supervisor, and to establish a framework for improved communication and performance.

1. The employee's job description shall be used as the basis for evaluation of his or her performance.
2. Each employee shall receive an annual written evaluation from his or her supervisor by June 30.
3. All evaluations shall be completed on a form approved by the Office for Temporalities. (**Exhibit E**)
4. The evaluation shall be signed and reviewed by the employee and his or her supervisor, and copy shall be provided to the employee.
5. An evaluation may not be placed in the employee's personnel file without the employee's knowledge.
6. If an employee disagrees with his or her evaluation, he or she may attach a written statement detailing in what respect he or she disagrees with the evaluation.
7. Both the evaluation and any written statement from the employee shall be placed in the employee's personnel file.
8. In conjunction with the written evaluation, the employee's supervisor shall hold an annual interview with the employee, reviewing performance and other factors relating to employment.

## 9. EMPLOYEE COMPENSATION

1. Any person who performs services, and who receives compensation for such services, is either an employee or an independent contractor.
2. Anyone who is paid for services is normally considered an employee unless a comprehensive independent contract agreement is entered into.
3. All employment contracts and all independent contractor contracts must be reviewed by the Office for Temporalities, the diocesan attorney, and approved by the diocesan Bishop before they are effective.
4. Each parish must withhold income tax and social security tax for all employees and issue a W-2 form.
5. If an employee works at more than one parish, each parish should pay the employee separately for the actual wages paid from each parish.
6. A Form 1099 must be issued to recipients paid \$600.00 or more for services rendered.
7. Separate calendar year tax information is provided in this handbook.

## 10. COMPENSATION: SALARY

1. All parishes shall pay a just salary to their employees.
2. Each parish shall adopt salary schedules. Prior to implementation, the schedules shall be reviewed for compliance with the law, and approved by the Office for Temporalities. The factors to be used in determining the salary schedule shall be local economic conditions, experience, educational background, ability to pay, and employment market conditions.
3. Salaries, salary scales and salary ranges should be based upon objective criteria and not subjective likes and dislikes.
4. The parish shall not determine compensation based upon gender, family need, nor any other illegal basis.

## 11. WORK HOURS/TIME REPORTING

1. Unless the specific employee position is exempt from the State and Federal Wage Hour Laws, parishes may not employ employees more than 40 hours per week without paying overtime compensation of 1½ times the employee's regular rate for time worked after 40 hours.
2. For employees who are not exempt from the Wage Hour Law, compensatory or "comp time" is illegal. Therefore, "comp time" and "special arrangements" are not to be granted.
3. Parishes shall establish a predetermined work week schedule for each employee.
4. Parishes shall keep and maintain proper payroll records of hours worked for all employees.
5. Parishes shall require employees to submit time sheets, in writing, for each payroll period.

## 12. PAID HOLIDAY SCHEDULE

1. Parishes shall provide employees with at least the following paid holidays:
  - a. New Year's Day
  - b. Memorial Day

- c. Independence Day
  - d. Labor Day
  - e. Thanksgiving Day
  - f. Christmas Day
2. Whenever a legal holiday, listed above, falls on Saturday, the holiday will be observed on Friday. If it falls on Sunday, it will be observed on Monday.
  3. Full-time employees who do not work on a recognized holiday falling in their regularly scheduled work week, shall be paid for that day the number of hours worked normally on such a day, not to exceed eight (8) hours at the regular rate.
  4. Part-time employees who do not work on a recognized holiday which falls on a regularly scheduled working day shall be paid for the number of hours he or she would have worked on such a day according to the regularly defined work schedule.
  5. Hourly-wage employees who work on a holiday will receive holiday pay plus their normal rate of compensation for all hours worked on the holiday.
  6. Holiday pay will not be considered time worked for purposes of computing overtime.
  7. An employee who is on unpaid status before and/or after the holiday will not receive holiday pay.

### 13. FEDERAL AND STATE EMPLOYMENT POSTERS

Parishes shall post all required Federal and State employment posters. These posters include, but are not limited to: Federal wage/hours poster; Federal and State job discrimination posters; Federal and State Family and Medical Leave Act poster; and State Worker's Compensation poster. See attached **Exhibit F**, Requirement on Posting Federal and State Employee Information, for additional information.

### 14. PAID LEAVE TIME

In lieu of paid sick leave and vacation, parishes shall provide leave time on the following basis:

1. Paid time off shall be made available to all full-time (40 hours per week) and twelve-month employees on the following basis:
  - a. Up to 1 year of service: 88 hours per year
  - b. From 1 year to 5 years of service: 128 hours per year
  - c. From 5 years to 15 years of service: 168 hours per year
  - d. After 15 years of service: 208 hours per year

\* Years of service do not accumulate from one parish to another.
2. Less than full-time and twelve-month employees shall be entitled to paid time off proportionately adjusted according to the above schedule and the employee's regular work schedules. (For example,  $\frac{3}{4}$  employee =  $\frac{3}{4}$  paid time off.)
3. All paid time off accrues from date of hire proportionate to the number of days worked.
4. The parish reserves the exclusive right to determine when and how paid leave time is paid or used. The parish can decide if any paid leave time may be "carried over" from year to year, although it is not recommended to do so more than three months. Employees may not be paid-out their accrued but unused paid leave time, but must actually use the paid leave time off of work.
5. Employees who abuse paid leave time by the lack of proper notice without just cause, by use which causes a disruption to other employees' work schedules, and/or by use which impairs the effectiveness of the program, may be disciplined up to and including discharge.
6. Employees who resign with proper notice or are laid off shall be entitled to receive payment for 50% of accrued-but-unused paid leave time at the time of resignation or layoff.

15. PAID LEAVE TIME ADDITION

No paid leave time or other paid time off benefits may be used for work-related injuries or illnesses. Work-related injuries or illnesses are handled by worker's compensation insurance.

16. LEAVE OF ABSENCE WITHOUT PAY

An employee may request and be granted a leave of absence without pay at the discretion of his or her supervisor, in accord with the following provisions:

1. An employee who has worked more than 1,250 hours in the preceding fifty-two (52) week period, and who had been employed by the parish no less than twelve (12) months, may be entitled to an unpaid leave of absence not to exceed twelve (12) weeks in a twelve (12) month period because of the employee's serious health condition or family leave.
2. Each employee requesting a leave of absence for whatever reason shall submit such request to the employee's supervisor with copy to the pastor and document fully the reasons for the requested unpaid leave of absence.
3. An employee must use all accrued but unused time off before requesting unpaid leave.
4. For an employee returning from an unpaid leave of absence, the parish shall make reasonable efforts to return the employee to the position from which he or she left. Nothing contained herein shall require the parish to return the employee to his or her former position.
5. During an approved unpaid leave of absence, the employee retains employment status.
6. During an approved unpaid leave of absence, the employee shall be permitted to continue to participate in the diocesan group health, dental or life insurance plans as long as the employee timely pays the employee's share of the premium.
7. In no event shall paid leave time and/or unpaid leave, or any combination of the two, permit the absence of the employee from work for more than twelve (12) work weeks during any twelve (12) month period.
8. All leaves of absence must be approved in advance by the pastor.
9. For employees who have worked less than 1,250 hours in preceding 52-week period, and who have been employed by the parish less than twelve (12) months, the following applies:
  - a. The employee may be entitled to an unpaid leave of absence because of the employee's own serious health condition or own maternity leave.
  - b. The duration of such leave shall be prorated, based upon length of the employee's employment, using the following prorated standard:

<b>Length of Employment</b>	<b>Prorated Leave</b>
One month but less than two months:	One week
Two months but less than four months:	Two weeks
Four months but less than six months:	Three weeks
Six months but less than ten months:	Four weeks
Eight months but less than twelve months:	Five weeks
Ten months but less than twelve months:	Six weeks
  - c. The employee shall be required to pay all health insurance premiums during such absences.
  - d. No seniority for fringe benefits shall accrue during any such absence.
  - e. The parish, at the expiration of the leave, shall not be required to return the employee to the position the employee left.
  - f. No intermittent leave is permitted.

- g. The employee is required to use all accrued but unused paid time off for this leave of absence.

#### 17. JURY DUTY AND TESTIFYING IN CIVIL COURT

1. Employees are allowed time off for jury duty.
2. Employees who volunteer or are subpoenaed to testify as witnesses in any case may use their accrued PLT (paid leave time) or take the time off as unpaid time when PLT is exhausted.
3. An employee who is subpoenaed for jury duty shall present to his or her supervisor the jury summons.
4. For jury duty, employees are paid their normal wage after the employee presents the jury summons and pays to the parish the jury and mileage fee.
5. An employee may be paid his or her base pay only after the employee surrenders his or her jury and mileage fees to the parish.

#### 18. FUNERAL LEAVE

It is the policy of the parish to continue paying employees during absences due to attendance at funerals, in accordance with the following provisions:

1. An employee may be paid up to three (3) working days to attend the funeral of a spouse, child, father, mother, brother, sister, stepchild, stepfather, stepmother, stepbrother, stepsister, employee's guardian, father-in-law, or mother-in-law.
2. An employee may be paid up to one (1) working day to attend the funeral of grandparents, spouse's grandparents, brother-in-law, son-in-law, or daughter-in-law.
3. Unless otherwise directed by the pastor, attendance at all other funerals shall be unpaid.

#### 19. FRINGE BENEFITS

1. Defined Benefit Retirement Plan (Frozen):
  - a. Some parish employees may participate in the diocesan frozen defined benefit lay retirement plan if they are otherwise eligible and as that plan may be altered, amended or changed.
  - b. Any employee who intends to retire should submit written advanced notice to the parish. Written notice should be submitted to the Office for Temporalities no less than sixty (60) days before the proposed day of retirement.
2. 403(b) Thrift Plan:
  - a. Parish employees participate in the 403(b) Thrift Plan if they are otherwise eligible, and as that plan may be altered, amended or changed.
3. Health, Dental and Life Insurance:
  - a. Parish employees are entitled to participate in the diocesan health, dental and life insurance plans if they are eligible by the terms of those policies and plans as those plans may be altered, amended or changed.
  - b. Parishes must offer all eligible employees an opportunity to participate in these fringe benefit plans.
  - c. Parishes may locally agree to pay on behalf of the employee any premium cost of the insurance policies. However, each parish must establish and follow a gender-neutral policy in which all employees are treated equally with regard to the parish's contribution toward fringe benefits. NOTE: Employers are not required to pay any portion of any premium for any fringe benefit program on behalf of the employee. However, each parish may determine itself, based upon its



own ability to pay, what, if any, contribution it is willing to make on behalf of parish employees.

- d. The parish shall not sponsor or participate in other insurance plans.
4. Disability Insurance:
  - a. Parish employees are entitled, if otherwise eligible, to participate in the diocesan disability insurance plan, as that plan may be altered, amended or changed.
  - b. All disability insurance premiums must be self-paid by the employees.
5. Unemployment Compensation:
  - a. Churches and parishes are exempt from State laws governing unemployment compensation.
  - b. Parish employees who are otherwise eligible, are covered by the Church Unemployment Pay Program as that plan may be altered, amended or changed.

#### 20. HEALTH INSURANCE: NO IN LIEU OF PAYMENTS

The parish and any participating entity in the Diocesan Health Insurance Plan shall not offer, pay or otherwise compensate any employee for the employee's declining participation in the Diocese of La Crosse Health Insurance Plan. At this time, neither the Diocese nor any participating entity shall contribute to an employee's HSA Plan.

#### 21. LAYOFFS

1. Parishes may layoff employees for lack of work, lack of funding, reduction of staff, reorganization, termination of programs, and/or as needs of the parish may require.
2. Advance notice of layoffs to employees is recommended. At least two (2) weeks is suggested.
3. Employees who are laid off may be covered by the Church Unemployment Pay Program if they otherwise are eligible, as that program may be altered, amended or changed.
4. If terminated immediately, practice would be to not keep on site and pay two weeks' severance pay, in addition to accrued-but-unused PLT. (See #14.)

#### 22. RESIGNATIONS

All parish employees shall be required to give no less than two weeks advance written notice of his or her resignation. Please refer to **Exhibit H** for employment exit information.

#### 23. DISCIPLINE AND DISMISSAL

1. Unless employed under the terms of a diocesan approved written employment contract for a definite term, all employees are at-will employees. This means that the employee may be terminated without notice and without having to give a reason, or prove a reason, at any time.
2. Any and all discharges or serious discipline of an employee must be reviewed in advance by the Office for Temporalities, the diocesan attorney, and approved by the diocesan Bishop.

#### 24. REPORTS OF ACCIDENTS, INJURIES OR PROPERTY DAMAGE

Employees who are involved in a work-related injury, or an accident involving a parish motor vehicle or a personal vehicle used for employment purposes, or who witness damage to the property, owned or leased, of the parish, are to inform their supervisor of the same.

1. Employees involved in the above-mentioned circumstances are to file an immediate verbal report and submit a subsequent written report to the Office for Temporalities with a copy to their supervisor and to the pastor within twenty-four (24) hours of the circumstance.
2. Employees involved in accidents involving a personal vehicle used for employment purposes are to report to the appropriate law enforcement agencies.
3. All necessary reporting forms required by law enforcement agencies, insurance carriers, or central office administration shall be completed by the employee under the supervision of the Office for Temporalities with copies sent to the employee's supervisor.
4. In order to offer protection for work-related injuries, all employees of the parish are covered by worker's compensation insurance.

#### 25. SAFE ENVIRONMENT – CHILDREN

All parishes of the Diocese of La Crosse shall be in full compliance with the *Charter for the Protection of Children and Young People*, *The Policy and Procedures on the Diocese of La Crosse Regarding the Sexual Abuse of Minors by Clergy*, and the Diocese of La Crosse Safe Environment Program, as these mandates, policies and procedures are amended. Please consult the Diocese of La Crosse Safe Environment website for details. (<http://diolc.org/safe-environment/>)

#### 26. SEXUAL HARASSMENT POLICY

All employees of the parish are entitled to work in an atmosphere free from sexual harassment.

1. Sexual harassment is defined as any unwelcome sexual advances, unwelcome physical contact of a sexual nature, or unwelcome verbal or physical conduct of a sexual nature. Unwelcome verbal or physical contact of a sexual nature includes, but is not limited to, the deliberate, repeated making of unsolicited gestures or comments, or the deliberate, repeated display of offensive, sexually graphic materials which is unnecessary for work purposes.
2. No employee shall be subject to sexual harassment as a parish employee.
3. Any employee who engages in sexual harassment shall be subject to severe disciplinary measures.
4. Any employee who believes that he or she is being sexually harassed shall report and comply with the *Revised Policy and Procedures on Sexual Misconduct for the Diocese of La Crosse*. (<http://diolc.org/safe-environment/>)
5. No employee shall receive any adverse employment action or be retaliated against for reports of sexual harassment made in good faith.

#### 27. NEPOTISM

The employment of relative can create circumstances of conflict of interest, as well as circumstances adverse to a good working relationship and atmosphere. Therefore, while the hiring of relatives is not proscribed, it is limited by the following provisions:

1. No employee of the parish shall hire, supervise or evaluate a relative as an employee, except in temporary and unusual circumstances with prior approval of the pastor.
2. All compensation payment authorizations for relatives shall be approved and signed by the pastor.
3. Relative as defined in this policy shall include spouse, children, stepchildren, parents and/or in-laws.

#### 28. ADMINISTRATIVE RECOURSE

It is the policy of the parish to provide appropriate means for the resolution of work-related difficulties, according to the diocesan norms for administrative recourse as they are from time to time altered, amended or changed.

1. An employee who experiences an unresolved work-related difficulty should, within twenty (20) working days of the difficulty, discuss the matter with his or her immediate supervisor to effect a satisfactory resolution of the difficulty.
2. If a satisfactory resolution is not reached at the level of the immediate supervisor, the employee or supervisor may submit a written request for review of the matter to the pastor within ten (10) working days of his or her discussion with the immediate supervisor. The written request shall describe the facts of the difficulty and the reason why it remains unresolved. The pastor, after having reviewed the request and the facts of the matter, should assist the employee and the supervisor to reach a mutually acceptable resolution of the difficulty. The pastor is to respond to the written request within ten (10) working days.
3. If the matter still is not resolved, any of the parties may submit a written request for review of the matter to the dean within ten (10) working days from the response of the pastor. The dean is to respond to the written request within ten (10) working days.
4. If the matter still is not resolved at the level of the dean, any of the parties may submit a written request for review of the matter to the diocesan Bishop within ten (10) working days from the response of the dean. The diocesan Bishop is to respond to the written request within ten (10) working days. The resolution of the difficulty, proposed by the diocesan Bishop, is final.
5. Warning notices and evaluation are excluded from appeal through administrative recourse.
6. No employee shall be subject to any type of retaliation or discipline for seeking the resolution of a difficulty by means of administrative recourse.