



# **THE EPISCOPAL CHURCH IN DELAWARE**

## **Active Lay Employee Handbook**

**EPISCOPAL CHURCH IN DELAWARE EMPLOYEE HANDBOOK FOR  
ACTIVE LAY EMPLOYEES**

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**EMPLOYEE ACKNOWLEDGEMENT**

I \_\_\_\_\_, hereby acknowledge that I have received a copy of the Episcopal Church in Delaware Employee Handbook for Active Lay Employees (“Handbook”). I acknowledge that I have read the contents of the Manual. I understand that I will be held accountable for being familiar with the policies and procedures, standards of performance, and rules of conduct contained in this Handbook. I acknowledge and understand that this Handbook does not form the basis for any employment contract, that my employment is at-will, and of no definite duration. Nothing contained in this Handbook, or any oral representations alter the at-will status of this employment relationship.

I also acknowledge that in accordance with Delaware law, I have been advised that any electronic mail or transmission, Internet access or usage on any computer, equipment or other electronic devise or which occurs in the workplace, or on any computer, equipment, or other electronic device provided by the Episcopal Church in Delaware, is or will be monitored or intercepted. I further understand that the Episcopal Church in Delaware reserves the right to change, modify, or delete any of its work rules or policies at any time, without notice.

\_\_\_\_\_  
Employee Name (Please print)

\_\_\_\_\_  
Employee Signature

Date: \_\_\_\_\_

## **THE EPISCOPAL CHURCH IN DELAWARE EMPLOYEE HANDBOOK FOR ACTIVE LAY EMPLOYEES**

### **Ministry of the Laity**

*The Ministry of laypersons is to represent Christ and his Church; to bear witness to him wherever they may be; and, according to the gifts given them, to carry on Christ's work of reconciliation in the world; and to take their place in the life, worship, and governance of the Church. (Catechism – Book of Common Prayer – Page 855)*

### **Scope and Purpose of Handbook**

This Employee Handbook states current policies and procedures for all active lay employees of the Episcopal Church in Delaware. From time to time, the personnel policies and procedures described in this handbook may be changed, amended, or withdrawn. Employees will be notified of any material changes, amendments, or withdrawals. It is important to note that this handbook does not constitute an employment contract. Employees are required to review this handbook in detail and to acknowledge receipt.

### **Employment Locations**

The Episcopal Church in Delaware has three working locations of lay employees: the Mission Support Office at 913 Wilson Road in Wilmington, Memorial House in Rehoboth Beach, and Camp Arrowhead in Lewes. Where policies are unique to a location, the exception will be noted in the policy description.

***It is strongly advised that prior to beginning a ministry within the Episcopal Church in Delaware, that all Letters of Agreement are signed by all parties.***

### **At-Will; Employee Classifications**

All lay employees of the diocese are at-will, which means either the diocese or the employee can terminate the relationship at any time with or without notice.

The Episcopal Church in Delaware generally has four categories of lay employment: full-time exempt, full-time non-exempt, part-time, and temporary employees. An overview chart may be found in Appendix A of this document describing which benefits are available to each category of employee.

Full-time exempt employees have supervisory positions in the Church and major responsibilities in the governance of the Diocese. The Canon for Finance and Administration, the Mission Support Executive Assistant and the Executive Director of Camp Arrowhead are exempt positions. They work a minimum of 37.5 hours per week and are entitled to the full range of benefits outlined in this handbook.

Full-time non-exempt employees are those salaried individuals hired to work 37.5 hours per week and are entitled to the full range of benefits outlined in this handbook. They are entitled to overtime for any time worked over 40 hours in a work week.

Part-time employees are classified into one of two categories according to the number of hours worked per week: 20-37 hours: These employees are entitled to some benefits. Fewer than 20 hours: These employees are not entitled to benefits. Should there be an occasion when an employee is needed to work over 40 hours, the employee will be paid overtime.

Temporary Employees are hired to work for a specific period of time fewer than six months in duration. Temporary employees obtained through an employment agency are paid by the agency as agreed to by the Church. Temporary employees can be hired directly by the Church.

In this situation they shall sign an employment agreement stipulating the complete terms of employment including duration, compensation, hours, place of work, job or project description and supervisor identity. Temporary employees hired by the Episcopal Church in Delaware are not entitled to benefits.

### COMPENSATION/BENEFIT/EXPENSE TABLE

I. Compensation	II. Core Benefits	III. Optional Benefits	IV. Expenses
Does not Include: Reimbursements for expenses; Overtime	A. Pension Fund B. Health/Dental Ins C. Life Insurance D. Worker’s Comp. E. Times of Leave F. Sick Leave and Disab. G. Family Leave H. Bereavement Leave I. Unemployment Comp.	A. 403(b) Annuity B. Flexible – Section 125 C. Add’l Suppl. Life D. Continuing Educ E. Sabbaticals F. Add’l L/T Disab	A. Travel

### I. COMPENSATION

The Episcopal Church in Delaware values its employees and believes that salaries paid should be in line with wages paid by not-for-profit agencies for similar job responsibilities. Salaries for new employees are set based on the job description for the position being filled and the skills and experience of the prospective employee.

Salaries are reviewed annually prior to the setting of the budget for the coming year. The Diocesan Personnel and Compensation Committee typically recommends for the Council’s approval each year a cost-of-living adjustment that takes into account changes in the Bureau of Labor Statistics’ Consumer Price Index. Any increase in annual compensation greater than the cost of living adjustment will be at the discretion of the employer in concert with the established budgetary process. **A cost of living adjustment is not guaranteed and is not considered a raise or merit-based adjustment.**

The salaries of the lay members of the Executive Staff (currently the Canon to the Ordinary, the Mission Support Executive Assistant, Director of Communications and the Canon for Finance and Administration) are reviewed annually and set by the Bishop.

The salaries of other personnel at the Mission Support Office, Camp Arrowhead and Memorial House are set by

the Bishop in consultation with the appropriate member of the Executive Staff following annual performance reviews with each employee.

### Pay Periods

Salaries are paid at the middle and end of each month. All employees are strongly encouraged to have their pay deposited by means of electronic transfer to a checking or savings account in any bank that accepts such transfers. Electronic deposits are made on the date before payday so that the funds will be available to you when the bank opens on payday.

## **II. REQUIRED BENEFITS**

The Episcopal Church in Delaware provides a generous and full benefit package to its full-time employees. Lay employees are afforded those benefits normally in comparable work situations in the community workplace. See **Appendix A** for a breakdown of how benefits are prorated for part-time employees

The Diocese provides access to an interactive Benefits Website for all employees within the Episcopal Church in Delaware. Go to [www.dioceseofdelaware.net](http://www.dioceseofdelaware.net). “Click” on the *Resource* tab at the top, then *Benefits for Clergy and Lay Employees*. Please note, however, that these summaries are general in nature and the specific plan terms control, as applicable. The website also typically offers the most current terms and providers, which can change from time to time.

### **A. Pension**

All eligible employees who are scheduled to work a minimum of 1,000 hours annually are required to enroll in a pension plan that is either administered or authorized by the Church Pension Fund. The Episcopal Church in Delaware utilizes the Episcopal Church Lay Employees Defined Benefit Plan in accordance with General Convention Resolution A138: 76<sup>th</sup> General Convention, 2009. The Diocese contributes 9% of the employee’s annual cash compensation. There is no waiting period or age restriction for participation in the plan. An employee is vested in the defined benefit pension plan when the employee completes five years of service or reaches age 55, whichever comes first. For those in the defined benefit plan, the amount of the annual basic pension benefit is determined at the time of retirement, based on years of credited service and highest average compensation.

**Credited Service (CS)** is the number of years for which you have 1,000 or more hours of service. Years served before your employer enrolls in the plan are not counted.

**Highest Average Compensation (HAC)** is the average of your total compensation for the highest-paid seven out of eight consecutive years you participate in the plan. If you participate for fewer than eight years, your HAC is the average of your total compensation for the years you participate.

The annual retirement benefit is calculated according to this formula:

$$\text{CS} \times \text{HAC} \times 1.5\% = \text{Annual Benefit}$$

Normal Retirement benefits can begin at age 65 or after, or the employee may also retire as early as age 55 with a reduced benefit. If the employee keeps working after age 65, the employer's contributions will continue and the employee will earn credited service until the employee retires.

## **B. Health and Dental Insurance**

Canon 23 of the Constitution and Canons of the Episcopal Church in Delaware states that “it shall be the duty of diocesan organizations (viz.: Congregations and other ecclesiastical organizations subject to the jurisdiction of the Convention) to participate in and contribute financially for their respective employees to such life, hospitalization and health insurance programs as may be adopted and approved by the Diocesan Council for diocesan organizations.” The programs may benefit:

- a) All active clergy who receive their principal compensation from such diocesan organizations, and the dependents of such clergy;
- b) All retired clergy who at the time of their retirement received their principal compensation from a diocesan organization or who were canonically resident within the Diocese, and their dependents;
- c) Surviving spouses (who have not remarried) of all such active or retired clergy, and their dependents;
- d) Full-time lay employees who receive their principal compensation from a diocesan organization, and their dependents; and
- e) Canonically resident clergy of diocesan related agencies, and their dependents.

Beginning January 1, 2013, the Episcopal Church in Delaware participates in the Denominational Health Plan as adopted by the 76<sup>th</sup> General Convention of The Episcopal Church. The Denominational Health Plan (DHP) is a church-wide program of healthcare benefit plans authorized by General Convention and administered by the Church Pension Group (CPG) with benefits provided through The Episcopal Church Medical Trust. All clergy and lay employees who are scheduled to work at least 1,500 compensated hours per year (30 hours per week) are required to participate in The Medical Trust’s health plans. Any employee working between 1,000 (20 hours/week) and 1,499 hours can voluntarily participate in the chosen health plans.

The DHP requires that each diocese establish, on a diocesan-wide basis, the minimum required premium policy for healthcare benefits. The diocese can require employers to cover all or a portion of the contribution (premium) for employees and their families. The diocesan policy regarding employer premium must be the same for all eligible clergy and lay employees scheduled to work 1,500 compensated hours per year – “parity”. For healthcare benefits all clergy and lay employees must receive the same minimum level of funding – such as a percentage of the premium cost, a flat dollar amount, or a coverage level (i.e. single, family, etc.).

All eligible active clergy employees enroll in one of three medical insurance plans. The plans are a standard PPO75/50 (Preferred Provider Organization) with the premiums paid at 100% by the employing organization, an optional EPO - 80 (Exclusive Provider Organization) with the employer contributing the cost of the PPO 75/50 plan and the employee providing the balance of the premium cost and an additional optional buy-up EPO – 90 with the employer contributing the cost of the PPO 75/50 plan and employee providing the balance of premium cost. This applies equally to all eligible clergy and lay employees. The Provider is Anthem BlueCross/BlueShield. All plans provide prescription (Express Scripts), mental health (Cigna), and eye-care (Eye-Med) benefits. Eligible employees sign up for these plans at the time of employment or during the open enrollment periods that occur in the fall. Please see APPENDIX B for current rates.

Employees who are 65 years old, are eligible for Medicare, are employed by an eligible small employer and are covered by a plan sponsored by The Episcopal Church Medical Trust may enroll in a Medicare Secondary Payer (MSP). MSP is the term used when Medicare is not the primary payer of your medical claims. Medicare allows for an exception to the MSP. A small employer may request that Medicare serves as the primary payer for eligible Medicare beneficiaries by seeking a “small employer exception.” When Medicare becomes the primary payer of medical claims, the cost of providing medical coverage will be lower because your health plan through The Medical Trust becomes the secondary payer. The reduction in cost may reduce premiums compared to plans in which Medicare is not the primary payer. An employee’s out-of-pocket medical costs may be lower, too. For an employee or their eligible dependent(s) to be approved for these plans, they must first be enrolled in Medicare Part A (hospital insurance). Please contact the Canon for Finance and Administration for additional information.

Eligible employees sign up for these plans at the time of employment or during the open enrollment periods that occur annually in the fall. The enrollment date is the first of the month, whereas the termination date is the end of the month. Open enrollment begins in early October and is effective the following January 1.

Under the terms of the DHP, clergy and lay employees who have medical benefits through approved sources will be allowed to waive medical coverage under the DHP (“opt out”) and choose to maintain their medical benefits through the approved source. Examples of approved sources include coverage through a spouse’s or partner’s employment, medical benefits through a government-sponsored program such as Medicaid or TRICARE, or coverage from a previous employer. The list of approved sources is subject to change based on the federal healthcare reform law.

An employee may elect to waive coverage at the initial point of employment, during annual open enrollment, or at the time of any significant life event. The employee will need to reaffirm the election to waive coverage on an annual basis, as determined by the Medical Trust.

If a spouse has coverage under the plan with their place of employment, children are covered under the most beneficial plan.

Beginning January 1, 2014, the Diocese provides access to three dental plans provided by The Medical Trust and administered by Cigna Dental. The Diocese will pay for the employee’s benefit only, currently whichever plan the employee chooses. If the employee wishes coverage for other members of the employee’s family, they can pay for it by payroll deduction.

### **C. Life Insurance and Accidental Death Benefit**

Each eligible employee is insured for death by natural causes. The coverage is equal to one times the annual salary rounded up to the next thousand. The maximum amount of coverage is \$75,000.00. The current provider of this plan is UNUM.

This coverage also includes a double-indemnity clause for death by accidental cause and for the loss of one or more extremities by any cause. The Accidental Death or Dismemberment benefit is a maximum of \$75,000.00.

**D. Worker's Compensation**

All employees are fully covered for job-related injuries or illness by the State of Delaware Worker's Compensation Plan through Liberty Mutual. All injuries should be promptly brought to the attention of your supervisor and all claims should be filed promptly with the Human Resources Administrator.

**E. Working Hours and Times of Leave**

The office of the Episcopal Church in Delaware is open from 8:30 am to 5:00 pm, Monday through Friday. Full-time employees are expected to be present and working during these hours with exceptions only as approved by their supervisor.

At the Mission Support Office, the normal lunch period is one hour. An employee may occasionally take less time at lunch and use the accrued time for a personal appointment or add it to a later lunch period to allow for an extended lunch date. This time may be accumulated up to 5 hours per month, but may not be accumulated and taken as days off. Time may be accumulated over a period of two months, but its use must be discussed with the immediate supervisor. The following are definitions of a normal 5-day workweek for positions presently held in the Episcopal Church in Delaware are understood as follows:

Mission Support Office Executive Staff	40-44 hours per week that may include 2 evenings per week may be required 2 days off per week
Mission Support Office Support Staff: (Administrative Assistants, Financial Assistant)	37.5 hours per week 2 days off per week, usually Sat. & Sun.
Part-time Mission Support Office Support Staff	20 hours per week 2 days off per week, usually Sat. & Sun.

**Overtime**

The non-profit status of the Episcopal Church in Delaware and its commitment to good stewardship of its human and monetary resources requires that every effort be made by all employees to accomplish essential work without resorting to overtime. This emphasis is made not only with concern for available funds but also with equal concern for the amount of work done by an employee and its effect on the overall health of the employee. As funds are not budgeted for overtime, the following guidelines will apply in those occasional instances when overtime may be required, necessary, and authorized:

Full-time exempt employees are not eligible for overtime pay according to the FLSA overtime rules. However, the Bishop has the latitude to adjust contractual arrangements in special cases. From time to time there may be exceptions that will warrant the granting of compensatory time off by the Bishop.

Full-time non-exempt employees, are eligible for overtime pay. Employees must obtain prior approval from their supervisor before working in excess of their contracted workweek. An example of such an exception would be whenever an employee is required to work on a Saturday or Sunday (i.e. Diocesan Convention or Parish Life Day). In that case a compensatory day off should be taken for each day

worked, usually the following Monday. The employee must take the compensatory time off during the same work week that the overtime was earned. Failure to provide the compensatory time will entitle the employee to receive overtime pay. The Federal Standards Labor Act does not recognize comp time as an equivalent for overtime pay earned, even if an employee prefers it; however, comp time (rescheduling to allow off time) can be used in same work week so that the above 40 hour threshold is not reached. The employee and supervisor should minimize overtime. This standard applies to all non-exempt full time Camp Arrowhead and Memorial House employees. Supervisors are to consider using a flexible work schedule taking into account abnormally long work days.

Part-time and temporary employees are paid hourly and are generally not eligible for overtime pay because they will typically not be asked to work over 40 hours in a given work week. A part-time or temporary employee will fill out a diocesan time sheet accounting for hours worked, and will be paid accordingly, including overtime pay, if applicable.

Any form of unpaid or paid leave will not count as hours worked for purposes of determining overtime.

#### Holidays

Full-time employees and part-time employees working 20 hours or more per week will receive regular pay for the full period of a holiday. Part-time employees working less than 20 hours per week and temporary employees will not receive pay for a holiday. Normal holidays are: New Year's Day, Martin Luther King, Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Friday after Thanksgiving Day, Christmas Eve, and Christmas Day. Full-time employees and part-time employees working 20 hours or more per week also receive one floating personal holiday per calendar year.

#### Vacation

All full-time employees and part-time employees working 20 hours or more per week are entitled to 22 working days of vacation per year beginning January 1 of the year following the year of hire. Beginning with the tenth year of continuous employment, the above employees are entitled to 25 working days of vacation. Beginning with the twentieth year of continuous employment, the above employees are entitled to 30 working days of vacation per year.

The Mission Support Office may be closed between Christmas and New Year's and the time is counted as vacation time. Unless otherwise approved, employees should remember to count these days each year when they are planning their vacation time off.

New full-time employees and part-time employees working 20 hours or more per week may receive 5 days of vacation after each full quarter (three months) worked during the calendar year in which they are hired. Beginning with January 1 after the date of hire, the above employees are entitled to 22 days of vacation time per calendar year.

Example 1: An employee has a hire date of 04/01/2019. They will be eligible for 5 days of vacation effective 07/01/2019. In addition, they will accrue 5 vacation days per quarter for the third and fourth quarters of the year. Thus, a total of 15 vacation days will have been earned for the calendar year 2019. On 01/01/2020, the employee will be immediately eligible for 22 vacation days.

Example 2: An employee has a hire date of 09/15/2019. They are eligible for 5 days of vacation effective 12/09/2019. As the employee cannot possibly work an additional full quarter within the calendar year 2019, the employee will accrue only these 5 days' vacation during that period. However, on 01/01/2020, the employee will be immediately eligible for 22 vacation days.

An exception is made when an employee is hired during the final quarter of a calendar year. In this case, the employee is eligible for vacation beginning January 1 of the following year on a formula of 5 days of vacation for each quarter worked through the first two quarters of that year. The employees then may take the remaining 12 working days of vacation during the second half of the first full year of employment.

Example: An employee has a hire date of 10/25/2019. The employee cannot possibly work a full quarter in calendar year 2019. Thus, no vacation days will be earned during that calendar year. As of 04/01/2020, however, the employee will have earned 5 vacation days. An additional 5 days will have been earned as of 07/01/2020. Also, the employee will be granted an additional 12 vacation days for the calendar year 2020 effective 07/01/2020. These days may be taken at any time after 07/01/2020. On 01/01/2021, the employee will be immediately eligible for 22 vacation days.

Holidays falling within an employee's scheduled vacation will not be charged as vacation. Should an employee become ill for at least three consecutive days during a scheduled vacation period, the working days of illness may be charged as authorized time off rather than vacation only if their Supervisor is provided with a doctor's certificate.

**In the case of work sites other than the Mission Support Office, separate policies may apply because of the need to take some vacation at the time each facility is closed. Each institution will have this policy in writing.**

Employees may bank or carry forward into another year, no more than half of their annual unused vacation time. For instance, if you are entitled to 22 days a year, and take only 10 days leaving twelve, you may carry forward only 11 days (50% of 22 days). If there are unused days at the time of termination, the former employee will be paid for that unused vacation time in their last paycheck.

#### Weather Absence

While employees are expected to make every reasonable attempt to be at work on time during inclement weather, they should heed road restrictions by transportation and law enforcement officials. Time missed due to hazardous driving conditions will not be charged against any accumulated vacation or compensatory time. If the Brandywine Administrative offices are closed on account of weather and the Mission Support Office is closed, employees scheduled to work during the period of office closure will receive normal pay. Any exempt employee choosing to work during a time of office closure due to foul weather will not be compensated with additional time off; non-exempt employees are not permitted to work during office closure.

#### Jury Duty

Employees called for jury duty will be excused from work for the purpose of meeting jury duty obligations. Normal pay will be provided during the period of jury duty less any jury pay received. On those days when continued presence on the jury is not required, the employee will report to work. While the Diocese supports all people in their civic responsibilities, if in the supervisor's and employee's judgment jury duty will be unduly

disruptive to diocesan work or will result in a personal hardship, the employee should seek to determine whether the law will permit the granting of an exemption from jury duty.

### Military Service

Leave will be granted for the purpose of fulfilling annual military training and service requirements in accordance with the Uniformed Services Employment and Reemployment Rights Act (“USERRA”) and the following provisions:

**Training.** Full-time employees and part-time employees scheduled to work 20 or more hours per week will be paid the differential, if any, between their normal Diocesan pay and military pay for a period up to ten days each year. Leave in excess of ten working days or where the military pay exceeds normal Diocesan pay will be treated as leave without pay.

Leave for employees scheduled to work fewer than 20 hours per week will be treated as leave without pay.

**Service.** Any employee who is a service member, including active duty, the National Guard or Reserves, who is ordered to perform military service by the United States Government or the State of Delaware shall be granted a leave of absence in accordance with the particulars set forth in USERRA during the period of such activity.

Any permanent full-time employee performing such mandatory service shall receive the pay differential in the amount by which the employee's normal base wages exceed any pay received by virtue of such service. The difference in pay shall not be paid beyond 60 days. Leave for employees scheduled to work fewer than 20 hours per week will be treated as leave without pay.

**Reemployment.** The diocese will comply with USERRA in regards to any applicable reemployment rights for military employees. Healthcare benefits will be maintained for the employee; however, the diocese reserves the right in certain circumstances to require the employee to pay the full premium in accordance with USERRA.

**Notice.** Employees should give as much advance notice as possible of the military orders for training and service and their need for leave.

### **F. Sick Leave, Leave without Pay, Short-term Disability and Long-Term Disability**

#### **Sick leave**

The Episcopal Church in Delaware recognizes that employees working 20 hours or more each week may need leave time from work to address medical needs. Sick leave is provided as a benefit to employees and is not a right. Sick leave may be used for an employee’s personal illness, injury, pregnancy, and medical/dental appointments. Sick leave may also be used for injury, illness and well-care of a member of an employee's immediate family (including the employee’s spouse, children, mother and father). The Episcopal Church in Delaware does not have a policy that specifies a certain number of paid sick leave days. Instead, paid sick leave is granted when medically necessary and is paid at 100% of base compensation. Nonetheless, the Episcopal Church in Delaware reserves the right to place the employee on a leave without pay after three months of paid sick leave. However, should short-term disability apply, the employee at day 31 will be paid in accordance with the short-term disability policy stated below rather than continued paid sick leave.

Employees are required to notify their supervisor as early as possible on the first day of an unexpected sick leave absence and then notify the Human Resources Department at reasonable intervals throughout the absence. The employee shall notify the Human Resources Department in advance whenever the need for leave is foreseeable such as a medical appointment, procedure, or family care. Employees shall provide an email to the Human Resources Department explaining their absence on the first day or when requesting sick leave. If the duration is unknown, employees are expected to send updated emails at reasonable intervals and otherwise as requested by the diocese. These emails serve as documentation that the employee is using paid sick leave. Employees should also notify the Human Resources Department of their expected return to work date as soon as known. An employee who claims sick leave may, at the discretion of the Human Resources Department, be required to furnish a certificate from a health care provider stating that the employee was unable to work for the period of absence and is now able to perform his or her duties (with or without a reasonable accommodation). Chronic absences from work can result in an unsatisfactory performance of job responsibilities. In cases where absence from work prevents an employee from meeting a reasonable standard of performance, the employee will be notified in writing.

The Episcopal Church in Delaware provides the following alternative benefits where extended leave may be needed.

**Leave without Pay** is a temporary authorized leave granted to all employees working 20 hours or more each week and granted at the discretion of the diocese for personal reasons, medical issues, etc. Leave without pay must be requested by the employee in writing, explaining why such leave is requested and the requested number of days. If approved, the terms and duration of the leave will be defined in a letter authorizing the leave. Leave without pay will be limited to thirty (30) calendar days (unless otherwise required by law) but may be extended at the discretion of the diocese upon another detailed written request by the employee.

**Short-term disability** may be used because of a serious, incapacitating health condition which is not work related, defined for the purpose of this policy as an illness, injury, impairment, or physical or mental condition (which can include prenatal/pregnancy issues and the recovery after childbirth) which renders the employee unable to perform the essential functions of his or her position with or without a reasonable accommodation for a continuous period of thirty (30) calendar days up to one hundred eighty (180) calendar days and during which the employee is under the care of a health care provider.

Short-term disability benefits are payable at 100% of an employee's weekly base pay for calendar days 31-90, then at 70% for calendar days 91-180. This benefit is available for all employees working 20 hours or more each week. Calendar days 1-30 are considered a "waiting period."

It is the employees' responsibility when requesting benefits to provide the Diocesan Human Resources Department with satisfactory written medical evidence provided by a health care provider to show that the employee meets the eligibility requirement listed above. The Human Resources Department reserves the right to request, and will pay for, a second medical opinion, which will control the receipt of this benefit.

If, after a period of short term disability for which benefits are payable, an employee returns to active work for at least ten (10) consecutive work days, any recurrent short-term disability for the same or related cause will be part of a new period of short-term disability. Accordingly, there is a new waiting period and after thirty (30) calendar days short-term benefits may commence if applicable.

If an employee returns to active work for less than ten (10) consecutive work days, a recurrent short term disability for the same or related cause will be part of the same short term disability period. A new thirty (30) day waiting period is not required and benefits will be paid up to a maximum of one hundred eighty (180) days in total for both periods of absences.

**Long-term disability insurance is provided by the diocese as a benefit to all employees working 20 hours per week or more. The terms and conditions of this plan are available from the diocesan business office or are available on the insurer's website. It is the employee's responsibility to make a claim under this plan. Employees are asked to notify the Bishop or another member of the Executive Staff when making a claim. The Diocesan Human Resources Director is available to assist employees with the claims process if requested. Claim payments are made directly to employees by the insurer. The long-term disability insurance plan will be reviewed by the diocese from time to time and may be changed or terminated without prior notice.**

**Coordination of benefits.** Benefits under the diocesan sick leave policy, Workers' Compensation, and short-term and long-term disability plans will be coordinated so that the income replacement payments do not exceed 100% of an employee's weekly pay. Further, for non-exempt employees, any leave time will not be counted as hours worked for the purposes of calculating overtime.

The employee remains eligible for all benefits while utilizing paid sick leave, leave without pay and short and long-term disability. All premiums are to be shared based upon the current Active employee's policy. In the case of Medical and Dental benefits, and conforming to the Denominational Health Plan rules, the employee on long-term disability shares in the premium cost as stated annually.

**Terminations.** The Episcopal Church in Delaware reserves the right to replace an employee and/or fill the vacancy created by an employee on any form of leave based on business needs, unless otherwise prohibited by law or if the Diocese specifically notifies the employee that it will hold the position until the employee's return. Upon the employee's return to work, the Diocese will make every effort to return the employee to the same position or suitable alternative position within the organization but cannot guarantee a position and, therefore, may have to terminate the employee.

### **G. Family Leave**

Lay professionals commit to discharging their responsibilities on a regular basis and therefore practice allocating their time accordingly. On a regular basis, specific time allowances are therefore not needed for regular doctor's appointments. In the case of pregnancy or adoption and early parenthood, the Diocese is urged to be Pastoral. It is understood that individual circumstances surrounding birth or adoption may vary considerably and need to be addressed. Health issues regarding birth/pregnancy can be dealt in accordance with the Diocesan Sickness/Disability and ADA policies.

The Diocese supports the intention of Resolution C042 from the 2000 General Convention dealing with clergy time off. Therefore, the following is recommended for lay employees:

- a. An employee who has been employed by the Diocese for at least one full year and is designated the "primary child-care parent" be paid parental leave up to eight weeks immediately following the birth or the

- adoption of a child into the employee's household. Additional time off not to exceed eight weeks may be taken without compensation. An employee may elect to use vacation leave during this latter period.
- b. An employee who has been employed by the Diocese for at least one full year and is the "non-primary care parent" is entitled to leave for the birth or adoption of a child not to exceed two weeks with full compensation, and additional leave may be taken without compensation not to exceed ten additional weeks.
  - c. An employee not employed for a full year by the Diocese must negotiate the terms of leave with the employer.

#### **H. Bereavement Time**

Full-time employees or part-time employees scheduled to work 20 or more hours per week are eligible for paid leave in the event of the death of a family member or close relative within the following provisions:

In the case of the death of a member of the employee's immediate family (parent, sister, brother, spouse, child, legally adopted child, step-parent, sibling or child, grandparent, grandchild, mother/father-in-law or domestic partner), up to a maximum of five working days may be granted with pay.

In the case of the death of a close relative (aunt, uncle, niece, nephew, cousin, sister/brother-in-law) up to one day to attend a funeral with no overnight travel or up to three days to attend a funeral requiring overnight travel may be granted with pay.

If an employee wishes additional time other than that authorized above, the employee may request personal leave without pay.

In the case of funeral attendance for other than the above circumstances, the employee's supervisor may grant paid funeral leave up to one-half day or up to a full day in exceptional cases of required travel.

#### **I. Unemployment Compensation**

Religious organizations such as The Diocesan Council, Inc. d.b.a. the Episcopal Church in Delaware are exempt from the provisions of the Delaware Unemployment Compensation Law and cannot pay into the state's unemployment compensation system. This means that a former employee cannot obtain any unemployment compensation for the time spent working for the Episcopal Church in Delaware.

### **III. OPTIONAL BENEFITS**

The Diocese provides access to an interactive Benefits Website for all employees within the Episcopal Church in Delaware. Go to [www.dioceseofdelaware.net](http://www.dioceseofdelaware.net). "Click" on the *Resource* tab and then *Benefits for Clergy and Lay Employees and Employers*. This Website is updated more frequently than the handbook so employees are encouraged to review the website for the most current details. These are just summaries of the benefits. The formal plan documents, if applicable, control.

#### **A. RVSP – 403(b) Annuity Plans**

The Episcopal Church in Delaware offers access to a tax-deferred 403 (b) plan as a means of setting aside additional savings for retirement funded out of current earnings. Investment vehicles may be annuity contracts or mutual fund shares. The Church Life Insurance Corporation administers several plans.

## **B. Flexible Spending Accounts – Section 125**

A Flexible Spending Account (FSA) is a pre-tax benefit allowable under Internal Revenue Code section 125 with a maximum benefit of \$2,500 beginning January 1, 2020. The plan allows eligible employees to set aside a specific pre-tax dollar amount for unreimbursed medical, dental, and dependent care expenses. Anyone who has predictable out-of-pocket medical, dental or dependent care expenses should consider opening an FSA. This limit does not apply to premium costs deducted as pre-tax. The open enrollment period for new participants begins for new participants each year on or near November 1 and is effective January 1, of the following year. If an employee is currently a participant, then their deduction amount will automatically carry forward into the following year unless amended during the open enrollment period.

## **C. Voluntary Supplement Life Insurance**

Supplemental Life Insurance coverage is available for lay employees of the Episcopal Church in Delaware in increments of \$10,000 to \$300,000, not to exceed five times an employee's covered annual earnings. New employees who apply within 31 days of eligibility can enroll for up to \$100,000 without providing evidence of insurability satisfactory to UNUM. Evidence of insurability satisfactory to the carrier, which is currently UNUM, is required, however, for all late entrants and increases in coverage amounts for current employees.

## **D. Professional Continuing Education**

Professional development or continuing education and retreats, should be in the broad general area of present or future ministry, to encourage steady development and redevelopment of talents and skills. Times of rest and relaxation may be necessary and "A Good Thing", but they should be clearly differentiated from continuing job development. The Episcopal Church in Delaware encourages full-time employees and part-time employees working 20 hours per week or more to attend meetings, institutes and seminars for their professional growth and may from time to time require an employee to attend a meeting, seminar, or conference in support of his/her job responsibilities. Under these circumstances, the Diocese will pay all travel and participation expenses. The employee will receive full pay for time missed. Requests for time off from work and financial aid for registration fees and /or other expenses for optional continuing education that is job-related are to be submitted in advance through an employee's supervisor. Some employee agreements call for a professional license to be maintained. In that case, the Diocese will pay all travel and participation expenses. The Episcopal Church in Delaware does not have a tuition reimbursement program.

## **E. Sabbaticals**

**It is expected that sabbatical plans will be discussed in conference with the Bishop.**

Requests for time off from work and financial aid for registration fees and /or other expenses for educational sabbaticals are to be submitted through an employee's supervisor. On the recommendation of the employee's supervisor, the Bishop will review the request, and a determination will be made as to what financial assistance from the Diocese may be justified. Full-time employees and part-time employees working 20 hours or more per week with one to five years of service will be eligible for one week paid leave for sabbaticals/education and these employees with five years or more service will be eligible for two weeks paid leave for sabbaticals/education annually if in the opinion of the supervisor and the Bishop, the program chosen qualifies as work/career enhancement.

Long-term executive staff may be eligible for sabbatical. Decisions to grant this leave will be based upon the employee's length of service with the Diocese; his/her work performance, and the long-term benefit to be gained by both the Diocese and the employee from education leave.

## **F. Voluntary Additional Long-Term Disability Coverage**

The laity has the ability to purchase additional long-term disability coverage from the Church Life Insurance Corporation. This policy will become effective after 12 months of disability. This coverage is important because Worker's Compensation and Social Security may not cover every circumstance. These benefits will be paid until the employee is able to return to work or age 65, or longer in certain cases. There are two options available. One provides 25% of current total compensation and the other 50%.

## **IV. EXPENSES**

### **A. Travel Expense Reimbursement**

An employee must keep a record of all expenses, including transportation, lodging and meals, incurred while conducting the official business of the Diocese, in order to be reimbursed. All requests for reimbursement must be accompanied by the original documentation, for example, a credit card receipt, a receipted hotel bill, or a restaurant receipt. Copies are not acceptable.

The rate of reimbursement for mileage is based upon IRS guidelines. The lay employee should consult with the Human Resource Administrator to obtain the rate in effect for a particular year.

Travel advances for Diocesan travel are available to all staff members. At the end of each calendar year, in accordance with IRS regulations, Form 1099 (Non-employee Compensation) will be issued by the Diocese in the amount of all travel advances for which an accounting has not been made to the Diocese.

## **V. PERFORMANCE REVIEWS**

### **A. Job Description**

Each employee of the Diocese should have a current job description on file with the Canon for Finance and Administration.

### **B. Performance Evaluations**

A performance review is an evaluation process aimed at furnishing feedback to an employee on his or her performance. A review also serves to affirm or modify job responsibilities. Supervisors will conduct a yearly performance review with each employee under their supervision.

Supervisors meet personally with each employee under their supervision to review the job responsibilities and the employee's performance in that job. Supervisors are encouraged to obtain input from others. An objective, over-all evaluation narrative should be prepared for the employee to include affirmations, suggestions for improvement, and articulation of objectives to be pursued in the future. The employee must be given a copy of the written review.

The appraisal provides a written record of the support staff member's major job duties and the supervisor's assessment of that performance. It is designed to improve job understanding, promote more effective performance and establish future goals. In addition, the appraisal provides useful information for making salary determinations and other personnel actions. Supervisors are urged to be frank in their evaluation both for the

staff member's benefit and for the accuracy of this appraisal record. This appraisal will become part of the staff member's permanent personnel file.

Initially, every employee will complete the appropriate Appraisal Review form, which is reviewed by the appropriate supervisor and then reviewed by the Bishop. The sample form can be found at Appendix E.

If during the year an employee's job performance is less than satisfactory, an employee will receive a written notice stating that without substantial improvement their continued employment by the Diocese is in jeopardy. The employee will meet with his or her supervisor and a third party in order to discuss the problem fully in the hope that a solution can be found. Chronic absenteeism can result in unsatisfactory performance of an employee's responsibilities. If an employee fails to meet a reasonable standard of performance, then the employee may be terminated.

### **C. Personnel Files**

An employee's personnel file generally contains the following: application form and resume; signed I-9; copies of licenses, diplomas or certificates; letter of commendation; copies of certificates for training completed; performance evaluations and disciplinary action taken. Information in personnel files may be shown only to authorized personnel of the organization upon approved request to the Canon for Finance and Administration. Upon request, an employee shall be permitted to inspect his or her own personnel file. When an employee wishes to inspect his or her personnel file, upon written request to the Canon for Finance and Administration, the file may be inspected in the presence of a diocesan representative and notes taken, but no record is to be removed from any file. The right to such inspection and the procedure for such inspection shall be in accordance with the "Right to Inspect Personnel Files Act" (19 Delaware Code, Sections 730 to 735).

### **D. Grievance Reviews**

If an employee believes he or she has been subjected to unfair treatment and has been unsuccessful in achieving a satisfactory resolution through normal supervisory channels, the employee should request an appointment with the Bishop for the purpose of explaining the circumstances and requesting appropriate action. The Bishop will inquire into the matter and may appoint an individual or committee to investigate and offer recommendations concerning the grievance. The Bishop will make a final decision and will inform the employee and all concerned parties of his decision.

### **E. Termination**

When an employee voluntarily discontinues employment with the Diocese, an exit interview will be held to discuss the reasons. The employee's supervisor will conduct the interview.

All employees are employees at will and may be terminated by the Bishop and may be terminated when, in the Mission Support opinion, the working test indicates that such employee is unable or unwilling to perform the duties of the job satisfactorily or that habits or lack of dependability do not merit continued employment. When an employee is discharged or terminated by the Bishop, the basis for the termination will be made known to the employee in writing. Among the reasons that may be a basis for termination is staff or funding reduction, organizational changes, poor attendance, gross misconduct, and unsatisfactory performance. The above list is not intended to be exhaustive, only illustrative.

The Diocese will provide at least two weeks' notice of employment termination unless the conduct, for which the

employee is terminated, in the opinion of the Bishop, constitutes grounds for immediate termination. No termination on grounds concerning attendance and unsatisfactory performance will be rendered without repeated attempts by the supervisor to advise the employee of the unsatisfactory situation, thus giving the employee opportunity to change unfavorable performance behavior before termination is necessary.

A termination interview will be conducted before the employee leaves the employ of the Diocese. No termination will occur without the full knowledge and approval of the Bishop. The Bishop may request an evaluation of the conditions leading to the termination if this is warranted in the Mission Support judgment. In extreme and unusual situations, the Bishop may appoint a person or persons to review the factors leading to the termination recommendation. The findings of the review committee are submitted to the Bishop for a final decision.

*See Appendix C: Diocesan Council, Inc. Extension of Medical Benefits* for information regarding the extension of medical and/or dental benefits after termination.

## **VI. OTHER OFFICE POLICIES**

### **A. Employee Attitude**

While an employee may be hired for possessing certain skills it is also important that an employee maintain a positive and hospitable attitude, is flexible by adapting to changes in their work environment, is a team player, and shows initiative, good judgment and leadership.

### **B. Attendance and Punctuality/Time Sheets**

Regular attendance is extremely important to the success of the diocese. Employees who are frequently absent from work or who are not present when their workday begins not only lowers productivity but also lowers the morale of their fellow workers.

If there is a legitimate reason for not coming to work, the employee is required to notify his or her supervisor in advance. If the absence is to continue beyond the first day, the employee must notify their supervisor on a daily basis unless otherwise directed. The supervisor may request that the employee furnish a doctor's note or other reasonable proof when circumstances warrant. When an employee is absent for three (3) or more consecutive workdays due to illness, the employee may be required to provide a return to work certificate.

The diocese expects all employees to arrive at work on time, ready to begin work, and to work until the completion of the workday. An employee is to notify their immediate supervisor if he or she is going to be late.

At the discretion of the supervisor, an employee may make up missed time. However, missed time is to be made up during the same week in which the tardiness/absence occurred.

Unauthorized or excessive absences or tardiness will result in disciplinary action.

Employees who are absent from work for two or more consecutive days without giving proper notice to the diocese may be considered as having voluntarily quit.

Nonexempt employees will complete a weekly time sheet including start time, stop time and hours of work,

which must be signed by the employee and approved by their supervisor.

**C. No Smoking.**

Smoking is not permitted at any time on any diocesan property, site or vehicle by any person, including employees.

**D. Equal Employment Opportunity**

It is the policy of the Episcopal Church in Delaware to provide equal employment opportunity to all persons without regard to race, color, national origin, citizenship, gender, sexual orientation, gender identity, genetic information, pregnancy, age, disability, marital status, family care responsibilities, or any other classifications protected by law.

This policy shall also be applied without regard to a person's religious beliefs, except for those positions that require active membership in the Protestant Episcopal Church because they are affected by or related to the religious principles, practices, and/or doctrines of the Church.

The Diocese shall make every effort to take all practical steps to realize fully this policy by carrying out a positive, continuing program of affirmative action, which are reflected in its policies for recruitment, and hiring, training, promotion and transfer, termination, and retirement.

**E. ADA Policy**

The diocese complied with federal, state and local laws concerning nondiscrimination and the reasonable accommodation of people with disabilities in the workplace under the Americans with Disabilities Act (ADA) of 1990. The ADA requires employers to provide reasonable accommodation to qualified individuals with disabilities, unless such accommodation creates undue hardship to the employer. This policy applies to any employee or potential employee who has a physical or mental impairment that substantially limits one or more of the major life activities, has a record of such impairment, or is otherwise regarded as having such an impairment. The diocese will make every effort to provide reasonable accommodation to persons with disabilities to the extent required by law. The diocese employees and applicants should realize that the diocese may not be able to provide accommodations in situations that may create undue hardship to the diocese or its other employees.

An employee requiring accommodation for a disability must notify the Canon for Finance and Administration in writing of the nature of his/her disability and the need for an accommodation in order to perform his/her essential job functions. Upon receipt of such notice, the diocese shall engage in an interactive dialogue with the employee to the extent applicable and make a determination as to if and what type of accommodation can be made to satisfy ADA requirements.

The diocese may require the employee to provide certification of his/her disability by a medical professional and may also request suggestions as to types of alternative reasonable accommodations.

Should an employee believe there is a violation of the policy, they should follow the reporting guidelines set forth in the diocese's Anti-Harassment Policy.

**F. Anti-Harassment Policy**

### A Professional Work Environment

The Episcopal Church in Delaware is first and foremost a community of people. In all matters, other people, whatever their role or station, should be treated with utmost respect and courtesy. We are a caring community of mutual support, and that should characterize all aspects of one's job performance and personal conduct.

The Episcopal Church in Delaware strongly supports the right of all employees to have a professional work environment. Consistent with its equal employment opportunity policy, The Episcopal Church in Delaware expressly forbids sexual harassment or any other type of harassment involving a protected category under applicable law — for example, on the basis of race, color, gender, religion, national origin, gender identity, genetic information, sexual orientation, marital status, veteran status, citizen status, age, pregnancy, family care responsibilities, disability and/or any other classification protected by law. Harassment is unacceptable at the office and in any work-related setting outside the workplace, such as business-related social events or business travel.

Violations of this policy will lead to disciplinary action, up to and including termination.

Managers who become aware of an instance of possible harassment or learn of a complaint of harassment are required to report the matter immediately to the Canon to the Ordinary or the Canon for Finance and Administration.

### Definition of Sexual Harassment

Sexual harassment has been defined by the Equal Employment Opportunity Commission Guidelines as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a professional and respectful manner.

Sexual harassment does not refer to occasional compliments or behavior of a socially acceptable nature. It refers to conduct that, however it may be intended, is unwelcome, offensive, and disrespectful of the rights of another.

Sexual harassment may occur through a range of subtle and not so subtle behaviors. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances; subtle or overt pressure for sexual favors; sexual jokes; innuendos; suggestive, insulting, or obscene comments or gestures; advances or propositions; verbal abuse of a sexual nature; graphic commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, whistling, touching, pinching, assault, or coerced sexual acts; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

### Other Prohibited Harassments

This harassment may be verbal or physical conduct that denigrates or shows hostility toward an individual because of his or her race, color, religion, gender, national origin, age, sexual orientation, pregnancy, family care

responsibilities or disability or that of his or her relatives, friends, or associates and that (1) has the purpose or effect of creating an abusive or hostile work environment, (2) has the purpose or effect of unreasonably interfering with an associate's work performance, or (3) otherwise adversely affects an employee's employment opportunities. Such harassment may include, but is not limited to, the following: epithets, slurs, stereotyping, intimidating, threatening, or any hostile act that relates to race, color, religion, gender, national origin, age, sexual orientation or disability; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, sexual orientation, or disability.

#### Individuals Covered Under the Policy

The Episcopal Church in Delaware's prohibition against harassment applies to all employees and applicants for employment, as well as individuals who interact with employees of The Episcopal Church in Delaware in the course of their work, such as visitors, outside vendors, and service providers.

#### Prevention of Harassment and Exploitation Training

The Diocese expects participation in the Safe Church Training.

If an employee has participated in a Church Insurance Company-approved training elsewhere, the employee must participate in the Episcopal Church in Delaware Training program.

It is recommended that employees participate in training every 3-5 years in order to refresh their understanding of pertinent issues.

#### Reporting Harassment

The Episcopal Church in Delaware encourages early reporting of any perceived incident of harassment, regardless of the identity or position of the offender. Individuals who believe that they, or another employee, may have been the subject of harassment should promptly discuss their concerns with their immediate supervisor or the Canon to the Ordinary or the Canon for Finance and Administration. An employee will not be penalized directly or indirectly for a good faith use of this procedure.

#### Responsive Action

All reported allegations of harassment will be investigated promptly, with the findings conveyed to the Canon to the Ordinary. (See *Episcopal Church in Delaware Harassment Incident Investigation Form*: Appendix F.) In the absence of a Canon to the Ordinary or, if a possible conflict could exist, the Bishop will designate a person that will fulfill such obligations. The Canon to the Ordinary (or other designee) will decide what action(s) The Episcopal Church in Delaware should take. The Canon to the Ordinary will promptly review the facts and circumstances of any claim of harassment and, as applicable, conduct or direct additional investigation. To the extent possible, the diocese will endeavor to keep the reporting employee's concerns confidential. During the investigations, the diocese generally will:

- Interview the complainant and the alleged harasser, and conduct further interviews as necessary
- Document the diocese's findings regarding the complaint
- Document recommended follow-up actions and remedies, if warranted
- Inform the complainant of the diocese's finding

Every manager who learns of any employee's concern about conduct in violation of this policy, whether in a formal or informal complaint, must immediately report the concern to Canon to the Ordinary or the Canon for Finance and Administration. No manager should conduct an investigation without prior consultation with the Canon to the Ordinary, the Canon for Finance and Administration or the Chancellor of the Diocese.

Once the diocese's investigation is completed, the diocese will take whatever corrective measures are warranted against any person who has engaged in conduct in violation of this policy. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Regardless of position or title, if the diocese determines that someone has engaged in conduct that violates this policy, that person will be subject to discipline, up to and including termination.

When a violation of this policy is found, responsive action may include, for example, training, referral to counseling, and/or disciplinary action such as a verbal or written warning, reassignment, temporary suspension without pay, or termination.

#### Confidentiality

Any complaint and investigation will be handled with discretion. Confidentiality will be maintained to the extent practical and appropriate under the circumstances.

#### Protection from Retaliation

Retaliation against an individual who reports conduct believed to violate this policy or assists in providing information relevant to an issue under this policy is a serious violation and will not be permitted. Acts of retaliation should be reported immediately to the Canon to the Ordinary or the Canon for Finance and Administration and will be promptly investigated. When a violation of this policy is found, disciplinary measures, up to and including termination, will be imposed.

#### Questions

Any employee who has questions or concerns about any aspect of this policy should feel free to contact the Chair of the Personnel and Compensation Committee or the Canon to the Ordinary.

#### Management

When there is a report of Harassment, sexual or otherwise, it is the responsibility and commitment of the Episcopal Church in Delaware to conduct a timely investigation. Managers are required to alert the Canon to the Ordinary or the Canon for Finance and Administration of a potential harassment situation. Failure to do so may result in adverse consequences for the manager.

### **G. Whistleblower Protection**

A whistleblower, as defined by this policy, is an employee of the diocese who reports to one or more of the parties specified in this Policy an activity that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern about illegal, dishonest, or fraudulent activity, the employee is to contact his/her immediate supervisor, or the Canon for Finance and Administration, or the local police department. The employee must exercise sound judgment to avoid baseless allegations. Any employee who intentionally files a knowingly false report of wrongdoing will be subject to discipline up to and including termination. All reports of illegal and dishonest activities must be promptly submitted to the Canon for Finance and Administration who are responsible for investigating and/or determining appropriate investigative measures and corrective action.

Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

The diocese will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, decreased pay or poor working conditions, and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Canon for Finance and Administration immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Employees with any questions regarding this policy should contact the Canon for Finance and Administration.

#### **H. Email/Other Communication and Internet Use Policy**

The diocese has established a policy with regard to access and disclosure of electronic mail and other communications created, sent or received by diocese employees using its electronic mail system and other communications systems and for the use of the Internet. For the purpose of this policy, the term "other communications systems" includes telephone, cellular phone, facsimile and the Internet. The diocese intends to honor the policies set forth below, but reserves the right to change them at any time as may be required under the circumstances.

- The diocese maintains an electronic mail system and other communications systems. These systems are provided by the organization to assist in the conduct of business within the diocese.
- The electronic mail and other communications systems are the organization's property. Additionally, any and all messages and files composed, sent or received on these systems are and remain the property of the organization. They are not the private property of any employee.
- The use of the electronic mail and other communications systems is reserved solely for the conduct of business at the company. It may not be used for personal business without consent from management.
- The electronic mail and other communications systems may not be used to solicit or persuade for commercial ventures, outside religious causes, political causes, outside organizations, or other non-job-related solicitations. This includes, but is not limited to, buying and selling personal items using the diocese's e-mail or other communications systems.
- The electronic mail and other communications systems are not to be used to create any offensive or disruptive messages. Among those which are considered offensive are any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability. Such action may result in disciplinary action, up to and including immediate termination.

- Employees shall not use email or the Internet for any purpose that is illegal, against diocese policy, or contrary to the diocese's best interest.
- The electronic mail and Internet system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without prior authorization.
- Employees shall not transmit, forward, or download material that is offensive, abusive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, inflammatory, fraudulent, or otherwise unlawful.
- State and federal law allows employers to monitor employees via telephone or an electronic mail system. The diocese reserves and intends to exercise this right to review, audit, intercept, access and disclose any messages created, received or sent over these systems for any purpose. The contents of any communications composed, sent or received using the company's communications systems that are properly obtained for legitimate business purposes may be disclosed within the diocese without the permission of the employee.
- The diocese can and will monitor and access all communications sent, received and stored on its communications systems as necessary to conduct its business or protect its rights, property and interests. The diocese may inspect and disclose the contents of electronic messages or storage in the course of such monitoring or any follow-up investigation as necessary.
- The confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve that message. Further, the use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the diocese when requested or they will be made invalid.
- Notwithstanding the diocese's right to retrieve, read or listen to any electronic mail messages or voicemail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages or voicemail messages that are not sent to them. Any exception to this policy must receive prior approval by the diocese.
- Employees shall not use a code, access a file, or retrieve any stored information unless authorized to do so. Employees should not attempt to gain access to another employee's messages without the latter's permission or other appropriate approval by the diocese.
- Frivolous use of the Internet is prohibited. Computer resources are not unlimited. Network bandwidth and storage capacity have finite limits, and all employees connected to the network have a responsibility to conserve these resources. As such, employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others during normal business hours. These acts include, but are not limited to: sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, installing and utilizing instant messaging, uploading or downloading large files, accessing streaming audio and/or video files (screen savers included), or otherwise creating unnecessary loads on network traffic associated with non-work-related uses of the Internet or network storage facilities.
- Acceptable uses of the Internet access provided by the diocese include accessing information for business-related purposes, professional education and professional development. Internet access is provided primarily for retrieval of information. Do not post information, comments or statements, except for prior-approved business, professional development or business development purposes.
- Do not accept any suggested download, upgrade, or enhancement of software unless you obtain prior approval. Do not make any purchases or access a web site that charges a fee to the diocese, except for approved business purposes.
- Employees shall not knowingly introduce a computer virus, worm, "Trojan horse," or any other contaminating or destructive features into the diocese computers. Employees are not to accept or open any communication received from an unknown source.

- Any employee who becomes aware of a violation of this policy shall notify the Canon for Finance and Administration.
- Any employee who violates this policy shall be subject to discipline, up to and including discharge.

### **I. Substance Abuse**

Every employee will be given a copy of the Principles and Policies concerning the use of alcohol in church settings, addiction education, conditions of employment and the treatment of victims of addiction, and will be asked to acknowledge receipt of such.

The Diocese maintains that drug dependency and substance abuse are treatable illnesses. Therefore, it is the policy of the Diocese to offer assistance (including access to and support for professional treatment) to any staff member who is afflicted by drug dependency or substance abuse.

### **J. Workplace/Anti-Violence Policy**

The purpose of this policy is to reduce the potential for violence in and around the workplace, encourage and foster a work environment that is characterized by respect and healthy conflict resolution, and mitigate the negative consequences for employees who experience or encounter violence in their workplace.

The diocese is committed to providing, insofar as reasonably possible and within available resources, a safe environment for working and conducting business. The diocese will not tolerate acts of violence, threats, or intimidation committed by or against employees or members of the public while on diocese property or while performing diocesan business at other locations. Any unlawful actions committed by employees or members of the public while on diocesan property or while using diocesan facilities will be prosecuted as appropriate.

Examples of violence, threats or intimidation prohibited by this policy include, but are not limited to, (a) physical abuse; (b) physical or verbal intimidation; (c) threats; (d) vandalism; (e) arson; (f) sabotage; (g) stalking; (h) telephone harassment; (i) obscene telephone calls; (j) use, sale or possession of weapons on diocesan property; and (k) offensive jokes or comments regarding participants in violent events.

In the event of imminent threat or danger, employees should proceed as follows: (a) retreat immediately to safety; (b) contact 911; (c) contact their immediate supervisor as soon as possible.

Any employee who feels victimized, observes, or has any knowledge of a violation of this policy should report the incident to his or her immediate supervisor. The immediate supervisor shall notify the Canon for Finance and Administration. In the event that the immediate supervisor is involved in the violation, the employee should report the violation directly to the Canon for Finance and Administration.

Persons who, in good faith, report such violations shall not be subject to retaliation, retribution or harassment as a result of their report.

The diocese reserves the right to conduct searches and inspections if a violation is suspected. This includes, but is not limited to, personal effects of any employee or member of the public.

### **K. Diocesan Vehicles**

Current Policy:

If an employee is provided with the use of a Diocesan vehicle, the employee needs to report his/her personal use of the vehicle. For tax purposes, the dollar equivalent of this personal use shall be reported to their supervisor and then the Canon for Finance and Administration. The tax effect of this personal use will be included in the employees annual W-2.

Employees must have a valid driver's license to operate any diocese vehicle or any personal vehicle on diocese business on or off diocese premises. The driver's license must be in the possession of the employee when the vehicle is being used. Diocese vehicles and personal vehicles used for diocesan business must have a valid insurance card.

**L. Conflict of Interest**

No gift with a value of more than \$25 may be accepted from any vendor in any calendar year without the prior approval of the senior person at the Diocesan site. All employees must acknowledge the receipt of any gift (other than de minimus marketing gifts, such as pens, calendars, small bags, etc.) by a memo to his/her personnel file.

**Appendix A - EMPLOYEE CLASSIFICATIONS AND BENEFITS**

<b>BENEFITS</b>	<b>Full-Time</b>	<b>Part-Time</b>	<b>Part-Time</b>
Classification: Hours per week	at least 37.5	at least 20 but less than 37.5	less than 20
Paid Holidays	Yes	Yes	No
Paid Vacation	Yes	Yes, pro-rated*	No
Retirement Plan	Yes***	Yes***	No
Paid Bereavement	Yes	Yes, prorated*	No
Paid Military Leave	Yes	Yes	No
Health Insurance	Yes	Yes, prorated**	No
Dental Insurance	Yes	Yes, prorated**	No
Retirement Savings Plan	Yes	Yes	Yes
Flexible Spending Plan	Yes	Yes	Yes
Group Life Insurance	Yes	Yes	No
Disability Coverage	Yes	Yes	No

\* Pro-rated on the ratio between the average hours per week worked in the current month and the previous two months and 37.5 hours per week. For example, 22 days' vacation at 37.5 hours per week is 165 hours vacation. If the employee worked an average of 25 hours per week during the current month and the previous two months, the employee would be entitled to  $25/37.5$  or  $2/3$  of 165 hours vacation or 110 hours vacation.

\*\*Employer contribution pro-rated on the ratio between the employers approved hours per week worked and 37.5 hours per week; the employee pays the remaining premium by payroll deduction. For instance, if the employee were scheduled to work 25 hours per week, then the employer contribution would be  $25/37.5$  or  $2/3$  of the premium and the employee would be responsible for  $1/3$  of the premium.

\*\*\*Benefit begins after one year of eligible employment; vested after 5 years of eligible employment.

## APPENDIX B - BENEFITS

### 2019 Medical Rates

Since January 1, 2013, the Diocese of Delaware participates in the Denominational Health Plan as adopted by the 76<sup>th</sup> General Convention of The Episcopal Church. The Denominational Health Plan (DHP) is a church-wide program of healthcare benefit plans authorized by General Convention and administered by the Church Pension Group (CPG) with benefits provided through The Episcopal Church Medical Trust. All clergy and lay employees who are scheduled to work at least 1,500 compensated hours per year (30 hours per week) are required to participate in The Medical Trust's health plans. Any employee working between 1,000 (20 hours/week) and 1,499 hours has access to and can voluntarily participate in the chosen health plans.

The DHP requires that each diocese establish, on a diocesan-wide basis, the minimum required cost-sharing policy for healthcare benefits. The diocese can require employers to cover all or a portion of the contribution (premium) for employees and their families. The diocesan policy regarding employer cost-sharing must be the same for all eligible clergy and lay employees scheduled to work 1,500 compensated hours per year – “parity”. For healthcare benefits all clergy and lay employees must receive the same minimum level of funding – such as a percentage of the premium cost, a flat dollar amount, or a coverage level (i.e. single, family, etc.).

<u>Category</u>	<u>Monthly</u>	<u>Annual</u>
	<u>Cost</u>	<u>Cost</u>

#### **2019 Standard Plan #1 Consumer Driven Health Plan\*20 with Health Savings Account**

Individuals	\$ 658.00	\$ 7,896.00
Employee/child(ren)	\$1,184.00	\$14,208.00
Families	\$1,794.00	\$21,528.00
Employee/adult	\$1,316.00	\$15,792.00

#### **2019 Standard Plan #2 with Anthem BCBS Blue Card PPO 80**

Individuals	\$ 785.00	\$ 9,420.00
Employee/child(ren)	\$1,413.00	\$16,956.00
Families	\$2,355.00	\$28,260.00
Employee/adult	\$1,570.00	\$18,840.00

**This represents an average of 6% increase from 2018.**

#### **2019 Optional Buy-Up Plan with Anthem BCBS Blue Card PPO 90**

Individuals	\$ 865.00	\$10,380.00
Employee/child(ren)	\$1,557.00	\$18,684.00
Families	\$2,595.00	\$31,140.00
Employee/adult	\$1,730.00	\$20,760.00

**This represents a 6% increase from the 2018 rates.**

**APPENDIX B (continued)**

**2019 Optional MS reduced premium Anthem BCBS Blue Card PPO 80**

Individuals	\$ 636.00	\$ 7,632.00
Employee/child(ren)	\$1,145.00	\$13,740.00
Families	\$1,908.00	\$22,896.00
Employee/adult	\$1,272.00	\$15,264.00

**2019 Optional MS reduced premium Anthem BCBS Blue Card PPO 90**

Individuals	\$ 701.00	\$ 8,412.00
Employee/child(ren)	\$1,262.00	\$15,144.00
Families	\$2,103.00	\$25,236.00
Employee/adult	\$1,402.00	\$16,824.00

**2019 Cigna Dental Plans**

**Basic Dental – 50/150 – Standard Plan**

Individuals	\$ 45.00	\$ 540.00
Individual + 1	\$ 90.00	\$ 1,080.00
Individual + Children	\$ 81.00	\$ 972.00
Family	\$ 135.00	\$ 1,620.00

**Dent&Ortho – 25/75 – Optional Buy-up Plan**

Individuals	\$ 59.00	\$ 708.00
Individual + 1	\$118.00	\$ 1,416.00
Individual + Children	\$106.00	\$ 1,272.00
Family	\$177.00	\$ 2,124.00

**Preventive Dental – lower cost optional plan, can be chosen by employee**

Individuals	\$ 28.00	\$ 336.00
Individual + 1	\$ 56.00	\$ 672.00
Individual + Children	\$ 50.00	\$ 600.00
Family	\$ 84.00	\$1,008.00

**2019 Active and Retired Laity Group Life Insurance Premium Rates**

**One Times Annual Salary or 1/10 Annual Salary at Retirement up to \$75,000**

(all premiums are per thousand, per month)

Life	.332/1,000/month
AD&D	.029/1,000/month

**This represents no change from 2018.**

**Voluntary Supplemental Group Life Insurance through the Church Life Insurance Corp.**

(all premiums are per thousand, per month)

Age 20-34	.07/1,000	Age 50-54	.46/1,000
Age 35-39	.10/1,000	Age 55-59	.77/1,000
Age 40-44	.16/1,000	Age 60-64	1.05/1,000
Age 45-49	.27/1,000	Age 65-69	1.72/1,000

**Long-term Disability Rates** –.353/\$100 of salary/month. Includes a 180-day elimination period.

The 2019 Mileage Reimbursement rate is \$.58.

**APPENDIX C - DIOCESAN COUNCIL, INC.**  
**EXTENSION OF MEDICAL/DENTAL BENEFITS**

The Diocesan Council, Inc. dba The Episcopal Church in Delaware provides an extension of benefits to eligible employees and their family members terminated from an active medical/dental plan. The extension of benefits allows for up to an 18-month continuation of health benefits for employees and their dependents.

This extension of benefits is different from the benefits provided under COBRA, as COBRA does not apply to any employee or dependents covered under active medical/dental benefits through the Medical Trust and Cigna Dental. As defined by the Employee Retirement Income Security Act (ERISA), the plans funded by The Diocesan Council, Inc. are considered “church plans”, As indicated by Section 4(b)(2) of ERISA, Title 1 of ERISA does not apply to church plans.

Employees and/or their dependents are eligible for the extension of benefits under the following circumstances:

- Termination of employment (employee and/or dependents are eligible)
- Divorce (dependents are eligible)
- Graduation from seminary, for seminarians

The Diocesan Council, Inc. will notify members regarding their eligibility for the extension of benefits **upon the receipt of a termination form from the employee and signed by both the employee and a designated signee for the church (i.e. church administrator, priest in charge, director). It must include the current mailing address and phone number of the employee at the time of discharge.**

**Medical and Dental Benefits**

A notification letter will be sent from The Medical Trust, the current administrator of the Empire BCBS EPO 90, the Empire BCBS EPO 80, and the Empire BCBS PPO 90/70 plans. They will inform the employee as to the current plans available and what the monthly cost will be. Employees and/or dependents can purchase the extension of benefits for up to an 18-month period beginning on their termination date. There can be no break in coverage between termination and enrollment in the extension of benefits.

The extension of benefits and all monthly invoicing will be handled by the Medical Trust, 19 East 34<sup>th</sup> St., NY, NY 10016. The Customer Service Contact Number is 1-800-480-9967.

**DIOCESAN COUNCIL, INC.  
TERMINATION NOTICE  
EXTENSION OF MEDICAL/DENTAL BENEFITS**

Employee Name \_\_\_\_\_

Address:

\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_

Date of Termination \_\_\_\_\_ Date Benefits Cease \_\_\_\_\_

Employer \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Employer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date Received by Diocese

\_\_\_\_\_  
Amount, if any, included



**Appendix D –Office Closings for Mission Support Staff Episcopal Church in Delaware 2019 - 2020**

***The Mission Support Staff - 2019 Office Closings***

Tuesday, January 1	New Year’s Day Celebrated
Monday, January 21	Martin Luther King, Jr. Day
Friday, April 19	Good Friday
Monday, May 27	Memorial Day
Thursday, July 4	Independence Day
Monday, September 2	Labor Day
Thursday-Friday, November 28-29	Thanksgiving
Tuesday, December 24	Christmas Holiday Celebrated
Wednesday, December 25	Christmas Holiday Celebrated
Tuesday, December 31	New Year’s Eve Celebrated
One personal day ( <i>Staff</i> )	

*Closed Also:*

Monday, January 28 or Monday, February 25 (Convention Comp)

***The Mission Support Staff - 2020 Office Closings***

Wednesday, January 1	New Year’s Day Celebrated
Monday, January 20	Martin Luther King, Jr. Day
Friday, April 10	Good Friday
Monday, May 25	Memorial Day
Friday, July 3	Independence Day Holiday
Monday, September 7	Labor Day
Thursday-Friday, November 26-27	Thanksgiving
Thursday, December 24	Christmas Holiday Celebrated
Friday, December 25	Christmas Holiday Celebrated
Thursday, December 31	New Year’s Eve Celebrated
One personal day ( <i>Staff</i> )	

*Closed Also:*

Monday, January 27 or Monday, February 24 (Convention Comp)