
 <p><b>ARCHDIOCESE</b> OF <b>SAINT PAUL &amp; MINNEAPOLIS</b></p> <p><i>United in Faith, Hope, and Love</i></p>	<b>Issued Date:</b>	<b>Last Reviewed Date:</b> May 6, 2020	<b>Number:</b> 203
	<b>Subject:</b> Employee Handbook		
	<b>Scope:</b> Parishes and Parish or Regional Schools		
	<b>Reference:</b> Employee Handbook Template for Parishes and Parish or Regional Schools		<b>Distribution:</b> Emailed to Parishes and Parish or Regional Schools and Posted on Website
<b>Archbishop Signature:</b> 			

## I. Purpose

To establish the employment policies for employees of Parishes and Parish or Regional Schools.

## II. Ecclesial Foundation

The dignity of work and respect for those who labor is deeply embedded in Catholic tradition, theology, canon law, and the Magisterial teaching of our bishops and popes. Scripture, for example, reflects on the fundamental rights of workers to just conditions, fair wages, and a period of rest (Deut 5:13-15; Deut 24:14-15; Sir 34:20-22; Jer 22:13; Matt 20:1-16), while also calling upon workers to share the fruits of their labor, practice integrity in their work, and not seek riches or an abundance of possessions (Deut 14:28-29; Luke 3:10-14; Luke 12:13-21).

The 1983 Code of Canon Law provides fundamental principles that also inform the rights and duties of those who work for the Church. These include:

1. True equality and dignity among all Christian faithful in which they cooperate in building up the Body of Christ in their own way (canon 208)
2. Right of all the faithful to make known their opinion on matters pertaining to the good of the Church, according to the knowledge, competence, and position they hold (canon 212 §3)
3. Right to protection from illegitimate harm to a person's good reputation (canon 220)
4. Right to protect one's own privacy (canon 220)
5. Right to due process by defending oneself and protecting one's rights in a legitimate forum (canon 221 §1)
6. Obligation to take into account the common good and the rights and duties of others in the exercise of personal rights (canon 223 §1), and the obligation of Church authority to direct the exercise of personal rights in view of the common good (canon 223 §2)
7. Obligation and right of laity to acquire education and formation appropriate to their role in exercising the apostolate (canon 229 §1)
8. Obligation to fulfill service to the Church properly, conscientiously, eagerly, and diligently (canon 231 §1)
9. Right to decent remuneration, social support, and health benefits (for eligible employees) (canon 231 §2)

### III. Definitions

**“Archbishop”** means the sitting Archbishop of St. Paul and Minneapolis (or the appointed Apostolic Administrator).

**“Canonical Administrator”** means a priest appointed by the Archbishop to fulfill that office in accordance with the bylaws of the corporation.

**“Parish”** means a parish within the Archdiocese Territory that is Archdiocese-recognized as Catholic.

**“Parochial Administrator”** means a priest appointed as parochial administrator by the Archbishop.

**“Parish or Regional School”** means a Catholic school to which the Archbishop has assigned oversight to a Pastor, Parochial Administrator, or Canonical Administrator.

**“Pastor”** means a Parish pastor or a Parochial Administrator, as the case may be.

### IV. Policy

1. Terms and conditions of employment, including offer letters, job descriptions, and staff handbooks (if applicable) must be observed in addition to the requirements of this policy.
2. On or before July 1, 2021, all Parishes and Parish or Regional Schools must implement an Employee Handbook that applies to its employees. Once implemented, the Employee Handbook supercedes all previous employment policies (e.g. *JIE*).
3. All Employee Handbooks must be submitted to the Employment Review Board (ERB) by December 31, 2020.
4. Any modifications made by a Parish or Parish or Regional School to an Employee Handbook must be clearly highlighted on the version provided to the ERB for review.
5. Sections of the Employee Handbook that are required are marked with an “R”. Sections marked with an “O” are optional and may be eliminated or modified. Sections marked “M” are required; however, only the underlined portions may be modified. All “R’s,” “O’s,” and “M’s” must be deleted from the version of the handbook that is provided to Parish employees.
6. Any future revisions of an Employee Handbook must be submitted to the ERB for review and approval.
7. When the Parish or Parish or Regional School implements the Employee Handbook, all previous employment policies are superceded (e.g. *JIE*) and no longer apply to that Parish or Parish or Regional School. No Parish or Parish or Regional School may adopt any policy that contradicts the Employee Handbook.

8. Pastors, Canonical Administrators, and employees with management responsibilities are to act in a manner that bears witness to the teachings and laws of the Catholic Church.
9. When a principle of Catholic teaching or canon law is in question in an employment situation, the Archbishop or his designee will provide a definitive interpretation of the principle at issue.
10. The following requirements ensure that Parishes and Parish or Regional Schools comply with all state and federal laws regarding the dismissal of an employee:
  - a. Parochial Administrators and persons appointed to administer Parishes in accord with canon 517 §2 of the 1983 Code of Canon Law may not dismiss any employee without the *nihil obstat* to do so from the Archbishop or his delegate.
  - b. Pastors and Canonical Administrators who are in the first year of their appointment may not dismiss any employee without the *nihil obstat* to do so from the Archbishop or his delegate.
  - c. Prior to dismissing an employee, a Pastor, Canonical Administrator, Parochial Administrator or a person appointed to administrator a Parish must seek and duly consider the counsel of an attorney who works in the area of employment law and is familiar with the provisions of the Employee Handbook. Insurance coverage for claims of wrongful dismissal is contingent upon first seeking and considering such advice.
  - d. Granting of the *nihil obstat* in sections 9 (a) and (b) will be contingent on the demonstration of an appropriate process of addressing the issues motivating the termination of the employee in accordance with the standards set forth in the Employee Handbook.
11. Failure to abide by this policy may result in disciplinary action, up to and including dismissal from employment or, if applicable, canonical penalties for abuse of ecclesiastical office or harm caused to another through negligent exercise of ecclesiastical power (1983 Code of Canon Law, c. 1389).



*United in Faith, Hope and Love*

## CODE OF CONDUCT FOR CHURCH PERSONNEL

This *Code of Conduct (Code)* of the Archdiocese of St. Paul and Minneapolis (Archdiocese) establishes standard policies and provides guidance for the service of Church Personnel. It is the mission of the Archdiocese to make disciples of Jesus Christ and to witness the love of Jesus Christ to all. We recognize, as disciples of Jesus Christ, that we must witness to Jesus both by what we say and what we do, and that our conduct should always seek to be in accord with the Faith which we profess. As Jesus said, "Let your light so shine before all, that they may see your good works and give glory to your Father who is in heaven" (Matt 5: 16).<sup>1</sup>

This *Code* aims to further the Church's mission by providing concrete guidelines which achieve several overarching objectives:

- Promote authentic witness to Jesus Christ by those who serve in the Church,<sup>2</sup>
- Protect, nurture and guide children, vulnerable adults and all others with whom we interact,
- Provide practical guidance to Church Personnel to enable them to serve effectively and safely,
- Promote personal well-being and professional competence, and
- Build positive relationships founded upon trust and integrity.

This *Code* applies to Church Personnel conduct that relates to their role with the Church.

Church Personnel means religious (other than priests and deacons), seminarians, candidates for the diaconate, business administrators, teachers, and employees, as well as volunteers in positions of leadership within a parish, Catholic school or the Archdiocese. Parish trustees, parish council members, parish finance council members, Catholic school advisory council

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<sup>1</sup> The provisions of the Code apply to all Church Personnel regardless of individual religious beliefs or affiliation. For non-Catholics, this introductory section reminds them of the mission of the organization they have chosen to serve and are called to support through their service. It does not imply a personal assent to all Catholic Church doctrine, but rather a commitment to conduct themselves in their role with the Catholic Church in a way that is consistent with Church teachings so as not to give a public witness counter to the faith and teaching of the organization they are serving. Therefore, Catholics and non-catholics alike, who are serving the Church in an official capacity, are expected to comply with the provisions of this code which is based on our teaching about the dignity of the human person and the witness we are called to give as a Church.

<sup>2</sup> *Ibid* [1]

members, and archdiocesan finance council members are examples of volunteers in leadership positions.

An adult volunteer whose ministry involves either regular or unsupervised interaction with minors or vulnerable adults must agree to follow the *Code of Conduct for Adult Volunteers Who Interact with Minors or Vulnerable Adults* before beginning volunteer service. Youth under age 18 who work or volunteer with minors or vulnerable adults must agree to follow the *Code of Conduct for Youth Employees and Volunteers Who Interact with Children, Other Youth, or Vulnerable Adults* before beginning volunteer service or employment.

## GENERAL PRINCIPLES

1. Church Personnel must bear witness to the mission of the Church through their conduct.
2. Church Personnel must exhibit high ethical standards and personal integrity. They must be aware of the responsibilities and positions of trust that accompany their work and exhibit this awareness by maintaining appropriate boundaries and exercising caution against all harm.
3. Relationships are at the foundation of our ministries and are central to Catholic life. Healthy and safe relationships are founded upon and demonstrate our sincere love, respect and compassion for all of those we serve.
4. Church Personnel are responsible for their own spiritual, physical, mental and emotional well-being. They are also responsible for maintaining professional competence and for meeting the commonly recognized professional standards of their particular roles. They should seek the necessary help when either personal or professional areas of their life need attention.

## KEY TERMS<sup>3</sup>

**“Archdiocese” means that certain corporate entity formed, maintained and existing under Minnesota Section 315.16 with Minnesota Business Name: “The Archdiocese of St. Paul and Minneapolis”.**

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<sup>3</sup> See Settlement Agreement, section 5.7, dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney. Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749.

**“Clergy” means any persons ordained – bishops, priests, and deacons – who administer the rites of the Catholic Church.**

**“Cleric” means a member of the Clergy.**

**“Code of Conduct” means the Code of Conduct for Clergy, the Code of Conduct for Church Personnel, the Code of Conduct for Adult Volunteers, and the Code of Conduct for Youth Volunteers, as applicable.**

**“Minor” means anyone who has not reached the age of 18. For the purpose of this policy, “minor” includes a “Vulnerable Adult” as applicable.**

**“Parish” means a parish within the Archdiocese Territory that is Archdiocese-recognized as Catholic.**

**“School” means a primary school or a secondary school within the Archdiocese Territory that is Archdiocese-recognized as Catholic.**

**“Seminary” or Seminaries” means the St. Paul Seminary, St. John Vianney Seminary, or both.**

**“Unprofessional” means below or contrary to the standards expected in a particular profession.**

**“Vulnerable Adult” means persons with physical, mental or emotional conditions that render them unable to defend or protect themselves, or get help when at risk of harm.**

## **ETHICAL STANDARDS**

### **1. Professional and Personal Interaction**

- 1.1 Church Personnel will maintain appropriate boundaries in professional relationships, and not use the power inherent in their position to exercise unreasonable or inappropriate authority over others.
- 1.2 Church Personnel will relate to others respectfully and professionally, and will work collaboratively and cooperatively with others serving the Church.

- 1.3 Church Personnel must not engage in physical, psychological, or sexual harassment of any person, and must not tolerate such harassment by others serving the Church. Harassment may be a single incident or a persistent pattern of behavior where the purpose is to create a hostile, offensive, or intimidating work environment
- 1.4 Church Personnel are called to integrity according to their life vocation and to exhibit this through their conduct.
  - a. Church Personnel must not exploit another person for any purpose.
  - b. Church Personnel must not acquire, possess, or distribute any pornographic images. Church personnel are prohibited from viewing pornographic materials on, or taking pornographic materials onto, the property of the Archdiocese, a Parish or a School. <sup>4</sup>
  - c. Church Personnel will dress professionally, appropriately, and commensurate with their role.
- 1.5 Church Personnel must not possess, use, or distribute alcohol or other drugs illegally. Church Personnel must not be under the influence of illegal drugs, or under the influence of alcohol or medications that impair stable functioning or sound judgment.
- 1.6 Church Personnel are prohibited from showing pornographic material to minors.<sup>5</sup>
- 1.7 While reasonable debate on matters of social import is valued, Church Personnel must conduct themselves in a manner consistent with Catholic teaching as set forth in the *Catechism of the Catholic Church* in all public communications. Public communications are communications offered in a public forum or disseminated to a general audience, and also include communications whose potential for broad dissemination is reasonably foreseeable (e.g., public speech, bulletin article, op-ed submission to media, social media post, or blog).
- 1.8 Church Personnel must exercise discretion and confidentiality in handling sensitive information and may not disclose confidential information to others not entitled to such information.

## 2. Conduct with Minors

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<sup>4</sup> See Settlement Agreement, section 5.8, dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney. Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749.

<sup>5</sup> See Settlement Agreement, section 5.9, dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney. Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749.

- 2.1 Church Personnel must use prudent judgment and common sense when working with minors.
- 2.2 Church Personnel should be aware of their own vulnerability and the vulnerability of others when working with minors. Church Personnel should avoid any conduct that a reasonable person could misconstrue as improper. A team approach should be used when working with minors or vulnerable adults, and appropriate supervision should be in place to promote safe environments for all.
- 2.3 Church Personnel should avoid being alone with any unrelated minor, except for reasonable, common sense exceptions, such as emergency situations and circumstances where the interaction is incidental and not extended. One-on-one meetings with an unrelated minor are best held in a public area; or if that is not appropriate or possible, in an area visible to others through a window or open door.<sup>6</sup>
- 2.4 Physical contact with a minor must be nonsexual and appropriate.
- 2.5 Church Personnel who minister to the home-bound and to minors are encouraged to serve in the company of another safe-environment trained adult whenever possible.
- 2.6 Church Personnel are prohibited from using alcohol or tobacco when working with minors and providing alcohol or tobacco to a minor, except as permissible during sacramental, liturgical, or prayers services.<sup>7</sup>
- 2.7 Church Personnel must not travel alone in a vehicle with one unrelated minor without another safe-environment trained adult present, except in documented emergencies. In documented situations where groups of minors are being transported with only one adult in a vehicle, a sufficient number of drivers should be available to manage unanticipated situations.
- 2.8 Church Personnel must not share private overnight accommodations (bedroom, hotel room, tent, camper, bed, etc.) with any unrelated minor. In situations in which overnight accommodations are in open spaces (gymnasiums, classrooms, gathering spaces, etc.), actions should be taken to provide suitable supervision and create reasonable separation between sexes and between adults and minors.
- 2.9 Communications by Church Personnel with unrelated minors must be for professional reasons only. Church Personnel must maintain appropriate boundaries in all

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<sup>6</sup> See Settlement Agreement, section 3.3, dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney. Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749.

<sup>7</sup> *Ibid*[5]

communications with an unrelated minor, including communications through the use of electronic devices or web-based media.

- a. Church Personnel should make certain that the parents or guardians of an unrelated minor are aware of the content of private electronic or print communications sent to or received from that unrelated minor or vulnerable adult. In exceptional situations when a parent or guardian is not made aware of the content of a private communication, Church Personnel must share the communication with another Church Personnel.
  - b. Informing parents or guardians is not required for non-private communications, such as those sent to youth groups regarding meeting locations or times, or other administrative matters.
  - c. Some Church Personnel have been issued school, parish, or Archdiocesan computers or other communication devices that are monitored for proper usage. Electronic communications sent to, or received from, unrelated minors using such devices are not private for the purposes of this *Code*.
- 2.10 Church Personnel will not use physical force or use profane, demeaning, or abusive language in interactions with a minor; except that proportional physical force may be used as necessary in situations of self-defense or when the minor or vulnerable adult is a danger to self or others.
- 2.11 Church Personnel should not accept expensive or excessive gifts from an unrelated minor, or give expensive, individual or personal gifts to an unrelated minor without the permission of the parent or guardian. Exchanges of modest, appropriate gifts between groups of minors and Church Personnel in the ordinary course of parish programs and school settings are permissible.

### **3. Conduct Related to Counseling<sup>8</sup>**

- 3.1 When engaged in counseling or spiritual direction, Church Personnel must take great care to respect the rights and advance the welfare of all involved.
- 3.2 When counseling services are provided to two or more people who have a relationship with each other, Church Personnel must:
  - a. Clarify the nature of the relationship(s);

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<sup>8</sup> See Settlement Agreement, section 5.10, dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney. Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749.

- b. Identify potential conflicts of interest; and
  - c. Discuss how to eliminate or manage the conflicts.
- 3.3 Counseling services provided by Church Personnel must be within the scope of their expertise, training or certification.
- 3.4 Church Personnel are responsible for establishing and maintaining clear, appropriate boundaries in counseling relationships. <sup>9</sup>
- 3.5 Counseling sessions must be held in appropriate settings and at appropriate times. Sessions must not be held at places or times that might confuse the person being counseled as to the nature of the relationship with the counselor.
- 3.6 Physical contact during counseling or spiritual direction may be misconstrued. Any physical contact must be appropriate in nature and duration.
- 3.7 Upon ending a counseling relationship, Church Personnel should recommend appropriate arrangements for the continued care of person(s) they have been counseling.

#### **4. Confidentiality in Pastoral Counseling Relationships**

- 4.1 Church Personnel must discuss the nature of confidentiality and its limitations with each person in counseling.
- 4.2 Information obtained by Church Personnel in the course of religious or spiritual advice, aid, or comfort is confidential and may be disclosed only:
- a. With the written, informed consent of the person being counseled;
  - b. When there is clear and imminent danger to the person being counseled or to others (in this situation, Church Personnel must act in good faith to disclose only the information necessary to protect the parties affected and to prevent harm; if prudent, Church Personnel should inform the person being counseled about a possible disclosure before the disclosure is made);
  - c. When there is a serious threat to the health, safety, or welfare of a minor or vulnerable adult and disclosure of confidential information to a parent, legal guardian, or civil authorities is essential to the minor's or vulnerable adult's health, safety, or welfare (in this situation, Church Personnel should attempt to obtain informed consent from the minor before disclosure, and must act in good

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<sup>9</sup> See Settlement Agreement, section 5.10.a., dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney. Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749.

faith to disclose only the information necessary to address the health, safety or welfare threat);

- d. When consultation with another professional would be beneficial to the person being counseled (in this situation, Church Personnel should attempt to obtain written informed consent from the person being counseled before disclosure, must act in good faith to disclose only the information necessary to receive assistance, and must obtain assurance from the other professional that he/she agrees to be bound by our standards of confidentiality);
  - e. When a member of Church Personnel is a defendant in a legal proceeding and the disclosure of confidential information is necessary to his/her defense (in this situation, Church Personnel may disclose only the information necessary for their defense and only as permitted by civil and canon law); or
  - f. When legally required to do so consistent with civil or canon law.
- 4.3 Church Personnel must safeguard the confidentiality of any notes, files, or electronic records pertaining to counseling services. Counseling or spiritual direction sessions must not be video or audio recorded without the prior informed, written consent of all parties involved.
- 4.4 Knowledge that arises from professional pastoral counseling interactions may be used with discretion in teaching, writing, or public presentations only when effective measures have been taken to safeguard individual identity and confidentiality.

## **5. Records and Information**

- 5.1 All Chancery Corporation, parish, or Catholic school records are solely the property of the respective entity.
- 5.2 Records include all recorded information, documents, letters, maps, books, photographs, film, sound recordings, tapes, records generated in an electronic format, emails and any other documentary material regardless of media format.
- 5.3 No records will be accessed, shared, removed, destroyed, stored, or transferred into another media format, or otherwise disposed of, except in compliance with archdiocesan, parish, or Catholic school policies.
- 5.4 Confidential records will be kept separate from public records for privacy purposes. Confidential records include sacramental records, clergy files, personnel files, and records of individual financial contributions to, as well as financial records of, the Archdiocese, parish, or Catholic school.

- 5.5 When compiling and publishing statistical information from records, great care must be taken to preserve the anonymity of individuals.
- 5.6 Archdiocesan, parish, and Catholic school employees who have been issued an archdiocesan, parish, or Catholic school email account are expected to use their issued account whenever possible.

## **6. Stewardship**

- 6.1 Church Personnel must exercise responsible stewardship of all financial and material resources.
- 6.2 Church Personnel must provide a clear and accurate accounting of all funds and material resources for which they are responsible and must ensure that adequate systems and safeguards are in place and followed. Church personnel will not misappropriate Church funds or materials for personal uses or purposes.

## **7. Conflicts of Interest**

- 7.1 Church Personnel must avoid actions that may reasonably be perceived as exploiting their position with the Church to further their personal, religious, political, or business interests. Church Personnel should avoid situations that present conflicts of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question and should be avoided.
- 7.2 A conflict of interest may exist when Church Personnel have an ownership interest in, an investment interest in, or a compensation arrangement with, an entity or individual who engages in regular or substantial business with the Archdiocese, relevant parish, or relevant Catholic school.
- 7.3 Conflicts of interest situations that are to be avoided include:
  - a. Acting with unfair bias or partiality toward anyone with whom Church Personnel have an existing professional or personal relationship;
  - b. Violating the confidence of another person for personal gain; and
  - c. Accepting any gift of excessive material value.
- 7.4 Church Personnel must exercise discretion when considering assumption of fiduciary obligations or financial responsibility for a person associated with a parish or Catholic school, with the exception of family members, and should consult with the pastor or canonical administrator before assuming such obligation or responsibility.

- 7.5 Church Personnel may not receive dual compensation for work within the scope of their assignment or employment.
- 7.6 Church Personnel must disclose conflicts of interest to all affected parties. In resolving the issues, primary attention must always be given to the protection of the person receiving ministry or services.

## **8. Reporting Misconduct<sup>10</sup>**

- 8.1 Church Personnel must adhere to high ethical standards and report illegal, unethical or unprofessional behavior to their supervisor or other appropriate church authority.
- 8.2 Church Personnel must self-report to their supervisor or to the Director of Ministerial Standards and Safe Environment as promptly as possible if they are arrested or charged with a crime.
- 8.3 Church Personnel who have reason to believe that a minor or vulnerable adult is being abused or neglected or has been abused or neglected must immediately report the basis for their belief to:
  - a. Proper civil authorities, in accordance with state statutes,
  - b. The Director of Ministerial Standards and Safe Environment (or other appropriate Archdiocesan official), and
  - c. Parents or guardians, unless to do so would expose the minor or vulnerable adult to additional risk, or unless instructed otherwise by civil authorities.
- 8.4 Suspected child pornography must be referred to law enforcement immediately.

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<sup>10</sup> See Settlement Agreement, section 5.11, dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney. Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749.



*United in Faith, Hope and Love*

**ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS**

**CODE OF CONDUCT FOR CHURCH PERSONNEL**

**ACKNOWLEDGEMENT**

I am a member of Church Personnel within the Archdiocese of Saint Paul and Minneapolis. I have read this *Code of Conduct for Church Personnel* and promise to abide by it.

I understand and agree that I am subject to periodic background checks, and am required to participate in Archdiocesan safe environment training commensurate with my role. I also understand that I may face consequences or discipline, up to and including termination of my employment or other relationship with the Church, for violations of this *Code*.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Position and Location of Employment or Service

 <p>ARCHDIOCESE OF SAINT PAUL &amp; MINNEAPOLIS</p> <p><i>United in Faith, Hope and Love</i></p>	<b>Issued Date:</b>	<b>Last Reviewed Date:</b> September 10, 2019	<b>Number:</b> 215
	<b>Subject:</b> Employment Review Board		
	<b>Scope:</b> Archdiocese, Parishes, and Schools		
	<b>Reference:</b>	<b>Distribution:</b> Posted on Website	
<b>Archbishop Signature:</b> 			

## I. Purpose

To establish the structure, policies, competency, and authority of the Employment Review Board (ERB).

## II. Ecclesial Foundation

The Employee Handbooks set forth the rights and obligations of those who work for institutions of the Church as well as those who serve as employers. The ERB operates to ensure that these rights are protected and obligations are fulfilled.

The ERB does not replace or interfere with the Office of Conciliation for the Archdiocese, which is the proper forum to bring disputes regarding employment issues. Rather, the ERB may review a grievance to determine whether proper processes were followed and whether the decision reached was in accord with Archdiocese, Parish, and Parish or Regional School policies.

The ERB has no authority to recommend that an employer’s decision be changed and, therefore, is not an avenue for an employee to appeal an employer’s decision. The ERB may, however, advise those with authority over an employer whether proper processes and policies were followed in making an employment decision. In this way, the ERB provides a forum to promote accountability and to safeguard Christian values inherent in Church employment.

## III. Definitions

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**“Parish or Regional School”** means a Catholic school to which the Archbishop has assigned oversight to a Pastor, Parochial Administrator, or Canonical Administrator.

**“Pastor”** means a Parish Pastor or a parochial administrator, as the case may be.

#### IV. Policy

1. The ERB serves as a confidential, advisory, consultative body to the Archbishop and his staff regarding possible violations of the Employee Handbooks of the Archdiocese, Parishes, and Parish or Regional Schools (Handbooks) and related promulgation policies.
2. Upon request, the ERB may review grievances to determine whether the policies set forth in the Handbooks, promulgation policies, Codes of Conduct, and Standards in Church Ministry (financial standards) were properly followed. Based on its determination, the ERB may offer recommendations to the Archbishop or his designee.
3. Grievances subject to canonical hierarchical recourse (cc. 1732-1739) are exempt from this policy and shall not be considered by the ERB.
4. The ERB shall be made up of six members. *Ex officio* members shall be the Episcopal Vicar for Clergy and Parish Services and the Director of the Archdiocesan Office of Human Resources. The other four members shall be a Pastor, a Parish business administrator, a member of the Coalition of Ministry Associations, and a principal from a Parish or Regional School, all of whom must be appointed by the Archbishop. None of the members shall work at the same Parish.
  - a. The Pastor representative shall be nominated by the Presbyteral Council.
  - b. The Parish business administrator representative shall be nominated by the Association of Parish Business Administrators and must be current member of the association.
  - c. The Coalition of Ministry Associations representative shall be nominated by the Coalition of Ministry Associations and must be a current member of the coalition.
  - d. The principal from a Parish or Regional School representative shall be nominated by the Director of the Office for the Mission of Catholic Education and must be a current principal.
  - e. Members serve for a term of two years. The Archbishop may renew member's terms.
5. The Director of the Archdiocesan Office of Human Resources shall serve as the chair of the ERB and shall provide staff support.
6. The Chancellors of the Archdiocese shall serve as counsel for the ERB.
7. Grievances related to violations of the Handbooks may be filed with the ERB by persons who are subject to the Handbooks.
8. Grievances may only be filed with the ERB after all of the Office of Conciliation processes have been exhausted or permanently waived by all parties.
9. The ERB shall not serve as a replacement or substitute for the Office of Conciliation and the requirement to submit all employment-related disputes to the Office of Conciliation, pursuant to

Section 5-21, 5-22 and 5-23 of the Handbooks.

10. Findings, recommendations, or actions of the ERB not provide any party with any type of legal cause of action or claim against any other party or the ERB.
11. The ERB shall review Parish and Parish or Regional School Handbooks to ensure compliance with Archdiocesan policies.