

VI. FRINGE BENEFITS

A. CATEGORIES OF EMPLOYEES:

1. It is the intent of the diocese to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. Each employee is designated as either non-exempt or exempt from federal and state minimum wage and overtime requirements, in accordance with the Fair Labor Standards Act.¹
 - i. *Non-exempt employees* are entitled to minimum wage and overtime pay under the specific provisions of federal and state wage and hour laws.
 - ii. *Exempt employees* are excluded from these specific provisions of federal and state wage and hour laws.
2. In addition to the above categories, each employee will belong to one other employment category:
 - i. **Regular Full-Time:** Employees who are not in a temporary status and who are regularly scheduled to work 30 hours per week or more. These employees are eligible for the diocese's full benefit package, subject to the terms, conditions, and limitations of each benefit program.
 - ii. **Regular Part-Time:** Employees who are not assigned to a temporary status and who are regularly scheduled to work less than the full-time work schedule but at least 20 hours per week. Regular part-time employees are eligible for some benefits sponsored by the diocese, subject to the terms, conditions, and limitations of each benefit program.
 - iii. **Part-Time:** Employees who are not assigned to a temporary status and who are regularly scheduled to work fewer than 20 hours per week. While they do receive all legally mandated benefits (such as workers' compensation insurance coverage), they are ineligible for the diocese's other benefit programs except those who work a minimum of 500 hours/year are eligible to participate in the Diocesan 401K program.
 - iv. **Temporary:** Employees who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project, regardless of the number of hours per week they work. Employment assignments in this category are of a limited duration. While temporary employees receive all legally mandated benefits (such as worker's compensation insurance), they are ineligible for the diocese's other benefit programs.

Note: Employment beyond any initially stated period does not in any way imply a change in

¹ United States Department of Labor, <https://www.dol.gov/agencies/whd/fact-sheets/17a-overtime> (accessed May 21, 2021).

employment status. Temporary employees retain that status unless and until notified of a change. All employees who do not have an employment contract are “at will” and may be terminated at any time, with or without cause or notice.

B. **GROUP HEALTH COVERAGE:** The Catholic Diocese of Jackson has available a health benefit program for eligible employees, which are defined as those Employees whose position requires at least thirty (30) hours a week or, in the alternative, one thousand five hundred and sixty hours (1,560) hours per year. Dependent coverage is offered, but any additional premium must be paid by the employee. Additional premiums are handled by payroll deduction.

C. **CONSOLIDATED OMNIBUS BUDGET ACT (COBRA):** An employee covered under the group health, dental, vision plans have the right to continue coverage at their own expense in accordance with the Consolidated Omnibus Budget Act, which allows an employee after his/her termination, whether voluntary or involuntary, to continue their health insurance for up to eighteen (18) months.

D. **HOLIDAYS:** The holidays for each calendar year include:

1. Martin Luther King
2. Good Friday/Easter Monday
3. Memorial Day
4. Independence Day
5. Labor Day
6. Thanksgiving (2 days)
7. Christmas/New Year’s (6 days)

E. **PAID TIME OFF (PTO)** replaces previous policies on Vacation, Sick Leave, and Personal Days.

1. PTO is earned and accrued each pay period.
 - i. Regular Full-Time Employees earn PTO according to the Seniority Schedule below.
 - ii. Regular Part-Time Employees earn PTO at half the rate of the Seniority Schedule below.
 - iii. Part-Time and Temporary Employees do not earn PTO.
2. Seniority Schedule:
 - i. Eight (8) hours accrued for every calendar month beginning from date of hire.
 - ii. Twelve (12) hours accrued for every calendar month after five years.
 - iii. Sixteen (16) hours accrued for every calendar month after 15 years.
3. Maximum annual carryover is 168 hours. PTO should be requested and approved through the payroll portal. Failure to accurately request and document paid time off may result in forfeiture of accrued time.

4. Upon an employee's voluntary termination (with at least two weeks' notice), lay-off, or death, all earned but unused PTO will be paid to the employee, or, if deceased, or subject to a guardianship or conservatorship, to employee's fiduciary. Employees who are involuntarily terminated or who do not provide at least two weeks' notice will not receive pay for unused PTO.
5. Using PTO: An employee may request PTO using the payroll portal. His/her supervisor will then approve or deny the time off.
 - i. An employee must give reasonable notice (at least two weeks) to his/her supervisor if the absence is foreseeable.
 - ii. If an absence is unforeseeable and lasts more than two days, then an employee may be required to provide documentation (e.g., a doctor's excuse, a major repair bill, etc.)
6. No more than 192 hours of PTO may be taken in a fiscal year (July 1 – June 30).

F. EMPLOYEE MEDICAL LEAVE

1. Regular full-time employees receive 42 hours of Short-Term Medical Leave (STML) at the beginning of each fiscal year (July 1). For New Hires, the Short-Term Medical Leave will be prorated (3.5 hours/month to the end of the fiscal year). This time may be used for their own medical needs or for the needs of their family (spouse, child, or parent). Unused STML does not carry over and is not "paid out" when one's employment is terminated. Regular part-time employees received 21 hours of STML. Part-time and temporary employees do not receive STML.
2. If an employee absence lasts four or more consecutive days due to his/her illness or injury or the need to care for a family member (spouse, child, or parent), the employee and his/her supervisor must contact diocesan Human Resources to discuss whether they may qualify for leave under the Family Medical Leave Act (FMLA). Employees who qualify for FMLA (1,250 hours in the previous 12 consecutive months) may also qualify for Employee Medical Leave pay up to 24 days. The Employee Medical Leave rate of pay will be calculated based on the employee's base pay rate at the time of absence and normal hours worked.
3. Upon termination of employment, whether voluntary or involuntary, the separating employee shall not be entitled to any payment for **any** unused Employee Medical Leave, and all unused Employee Medical Leave is forfeited.

G. BEREAVEMENT LEAVE

1. If an employee wishes to take time off due to the death of an immediate family member, the employee should notify their supervisor immediately. Paid bereavement leave will be provided to eligible employees in the following classification(s):
 - i. Regular full-time employees
 - ii. Regular part-time employees
2. Bereavement pay is calculated based on the base pay rate at the time of absence. Bereavement leave will be granted as follows:

- i. Three Days - Spouse, parent/legal guardian, child, sibling
- ii. Two Days – Other family members
- iii. Special consideration may also be given to any other person whose association with the employee was similar to any of the above relationships. These special requests must be recommended by their immediate supervisor and approved by the diocesan Director of Human Resources.

H. JURY DUTY

1. The diocese encourages employees to fulfill their civic responsibilities by serving jury duty when required. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day(s) of absence. Employee classifications that qualify for paid jury duty leave are:
 - i. Regular full-time employees
 - ii. Regular part-time employees
2. Employees must show the jury duty summons to their supervisor as soon as possible to verify the reason for their absence. Early notice will also allow the supervisor to make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits. Either the diocese or the employee may request an excuse from jury duty if, in the diocese's judgment, the employee's absence would create serious operational difficulties. The diocese will continue to provide health insurance benefits for the full term of the jury duty absence. Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will not be affected during paid jury duty leave. Since the employee is receiving full compensation from the diocese, the employee is to send any funds received for serving on jury duty to the diocese.
3. Eligible employees will be granted a maximum of 15 hours of paid time off to appear in court as a witness at the request of a party other than the diocese. Employees will be paid at their base rate and are free to use any remaining vacation leave benefits to receive compensation for any period of witness duty absence that would otherwise be unpaid. The subpoena is to be shown to the employee's supervisor immediately after it is received to verify the reason for absence. Early notice will also allow the supervisor to make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

I. MILITARY LEAVE

1. An employee who is a member of a Reserve or National Guard unit will receive pay from the Diocese up to ten (10) business days, the difference of his/her regular salary/wages and the military pay earned during that time. Military leave pay is calculated based on the base pay rate at the time of absence.
2. Further, the employee will be granted leave, without pay for any military duty and to attend military training programs. Earned and unused PTO may also be used for required military absences and can be requested via the payroll employee portal.
3. As required by applicable law, military leave may be extended beyond sixteen (16) weeks. The Catholic Diocese of Jackson will comply with all applicable laws about military leave and those returning from military leave.

J. OVERTIME

1. Non-exempt employees (as defined by the Fair Labor Standards Act) will be paid one and a half (1 ½) times their normal hourly rate of pay for all hours worked over forty (40) hours in each week.
2. Overtime work should be performed by a non-exempt employee only with explicit approval by the Department Head, Bishop, or Vicar General. Employees with the proper authorization must clock in and out using the payroll system to document his/her hours of work.
3. The employee's immediate supervisor or Department Head must approve the overtime via the payroll system.

² Under the terms of the federal Labor Standards Act (FLSA).

J. SALARY AND BONUSES

Salaries and salary increases are at the discretion of the Bishop of the Catholic Diocese of Jackson. In the event of a general salary increase (across the board for every employee), employees, with less than six (6) months total service at the effective date of the increase, will not be eligible for such increase.

Bonuses, if any, are completely discretionary on the part of the Bishop of the Catholic Diocese of Jackson.

K. RETIREMENT BENEFITS

The Catholic Diocese of Jackson contributes to a retirement program for each eligible lay employee which is administered by Mutual of America. Eligibility for enrollment occurs after one (1) year of employment or, in the alternative, five hundred (500) hours of employment within a given calendar year.

L. SOCIAL SECURITY

Social Security deductions are withheld from the employee's salary as prescribed by law. The Catholic Diocese of Jackson pays an amount, as required by law, to the Social Security Administration.

M. WORKERS' COMPENSATION

Workers' compensation is provided as required by law. A statutorily required poster concerning such is posted in the second (2nd) floor break room.

0. FAMILY AND MEDICAL LEAVE POLICY²

Employees who have worked for the Diocese for at least a full year (12 months) and have worked one thousand two hundred fifty (1,250) hours during the previous year are eligible to take unpaid family and medical leave for one or more of these purposes:

- for incapacity, due to pregnancy, prenatal medical care, or child birth;
- to care for a child after birth or after placement for adoption or foster care;
- to care for a spouse, son, daughter, or parent who has a serious health condition;
- for a serious health condition that makes the employee unable to work; or
- if a spouse, son, daughter, or parent is on covered active duty or called to covered active duty in the armed forces to address certain qualifying exigencies.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

FMLA also provides a special leave entitlement that allows employees to take up to twenty-six (26) weeks of leave to care for a covered service member in the Armed Forces during a single twelve (12) month period. A covered service member is:

- (1) a current member of the Armed Forces who is undergoing medical treatment, recuperation, therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness³; or
- (2) a veteran who was discharged or released under conditions other than dishonorable discharge at any time during the five (5) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

² Although technical the Diocese is exempt from FMLA laws because it does not have the requisite number of employees, the Diocese has voluntarily adopted the law and agrees to abide by its "leave" allowances.

³ The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition."

Leave available

Eligible employees may take up to twelve (12) weeks of unpaid leave in a twelve (12) month period for any of the aforementioned purposes. The Diocese administers their Family Medical Leave on a "rolling" year. The first time an employee takes FMLA leave then their leave year begins. Each time additional FMLA leave is requested the Diocese will look backward twelve (12) months and determine how much FMLA leave has been used during that time and how much FMLA leave is left.

A parent who takes leave to care for a newborn, newly adopted child, or recently placed foster child must complete this leave within a year after the birth, adoption, or placement. If both spouses work for the Diocese, the two individuals are entitled to a combined total of twelve (12) weeks of leave to care for a newborn, newly adopted child, or recently placed foster child, and/or to care for a parent with a serious health condition.

Notice Requirements

Employees are required to give at least thirty (30) days' notice in advance of a need for family and medical leave if the need for leave is foreseeable. In emergencies and unexpected situations, employees must give as much notice as is practical under the circumstances. The Diocese via the Benefits Coordinator in the Department of Temporal Affairs will provide the employee a family medical leave request form in addition to a notice of eligibility and rights and responsibilities form.

Employees must provide sufficient information to the Diocese to determine if the leave may qualify for FMLA protection as well as the anticipated timing and duration of the leave. Once a determination is made, the Diocese will provide the employee with a Designation Notice.

Reinstatement

When returning from leave, an employee has the right to return to their former position or an equivalent position, except under the following circumstances:

- The employee has no greater right to reinstatement than they would have had if the employee had not been on leave. If the position is eliminated for reasons unrelated to the leave, there is no right to reinstatement.
- The Diocese may not be obligated to reinstate key employees-that is, the employee is among the highest paid ten percent (10%) of the Diocesan workforce and holding the job open during leave would cause the Diocese substantial economic harm. If the Diocese classifies the employee as a key employee under this definition, notification will be made after the requested leave.

Substitution of Paid Leave

An employee who has accrued paid time off must use those benefits first in order to receive pay for all or a portion of family and medical leave. After an employee exhausts all available accrued paid time off, the remaining FMLA leave will be unpaid.

Certification

The Diocese requires employees who take leave for their own serious health condition or to care for a spouse, parent, or a child with a serious health condition to provide a doctor's form certifying the need for leave. The Diocese via the Benefits Coordinator in the Department of Temporal Affairs will provide a form to be used for this purpose. The Diocese also has the right to seek a second opinion and periodic recertification. The Diocese will require employees who take leave for their own serious health condition to provide a release to full-duty from their doctor before returning to work.

The Diocese requires employees who take leave to care for a family member with a serious health condition or care for a new child to provide documentation or certification of their health condition and/or relationship.

Intermittent Leave

Employees may take Family Medical Leave all at one time or intermittently-that is, a day or two at a time-for their own serious health condition or to care for a family member with a serious health condition, if it is medically necessary to do so. If intermittent leave for medical treatment is needed, treatments should be scheduled, where possible, so the leave does not unduly disrupt the Diocese's operations. The Diocese may temporarily assign an employee to a different position with equivalent pay and benefits to accommodate the requested intermittent schedule.

Health Insurance During Leave

Group insurance benefits will continue during leave. The employee is responsible for paying any portion of the premium that is ordinarily paid while working, and arrangements must be made to make these payments. Employees who do not return from family and medical leave will be required to reimburse the Diocese for any premiums paid on their behalf while out on leave.

Employees may obtain information about the FMLA and leave request forms from the Benefits Coordinator in the Department of Temporal Affairs.