



*Diocese of St. Petersburg*

# HUMAN RESOURCE MANAGEMENT:

## Personnel Systems Review

*Crib Sheet*

Number 11

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Although each parish, school and early childhood center within the Diocese of St. Petersburg is considered to be a separate employing entity, there are approximately 2,000 paid employees who work in a wide variety of ministries and other jobs. Given the size of the overall composite workforce and the variety of entities, employers, and management backgrounds, the "Diocesan Personnel Initiative" was designed to assist pastors, principals, and administrators as they deal with typical matters related to personnel management. The Initiative first helped these entities to develop, document, and distribute consistent personnel policies to their employees. Secondly, recognizing that policies are only as good as the procedures that back them up, the Initiative also helps the employers through seminars, workshops, published materials, and one-on-one assistance.

The following questionnaire is designed to help parishes, schools and early childhood centers to conduct a self-audit or self-review of their respective personnel systems. Through a series of 20 carefully designed questions, pastors, principals, and administrators can evaluate their own personnel practices. There are several reasons for conducting such a review; not the least of which is to reduce their exposure to possible legal liability. In addition, employing entities who answer yes to all 20 of the questions are well on their way to providing a professional and just work environment for their employees.

Requests for assistance in completing the questionnaire or in addressing any other concerns should be directed to the Diocesan Department of Human Resources: Joe Loeber, Executive Director, 727-1611 Ext. 5400, or Colleen Loughrey, Payroll Manager, Ext. 5399.

### **1. Do you have a current employee handbook?**

All employing entities within the Diocese of St. Petersburg should have an employee handbook that is current. Such employment policies provide the beginning of a professional employment infrastructure within the Church, but also address justice, management and legal concerns.

### **2. Do you provide copies of your handbook to all new hires and incumbent employees?**

The employee handbook attempts to make clear some of the mutual expectations regarding one's employment. Therefore, copies should be provided to all persons who are on the payroll of an employing entity.

### **3. Do you have a signed acknowledgement of receipt in each employee's personnel file?**

As a record of each employee receiving a copy of the handbook, acknowledgement forms are provided and a signed form should be kept in the employee personnel file. When policies are presented to an employee, it should be made clear that they are acknowledging receipt, that they have read the handbook, that they understand and accept the content as a condition of their employment.

### **4. Do you have current and up-to-date personnel files for each employee on your payroll?**

Personnel files provide the "history" of one's employment with a particular employing entity and are very important from a legal, as well as a management standpoint. They should begin with an employment application, resume, job description and offer of employment. At the end of someone's employment, the file should also contain documentation relating to the circumstances for the separation, i.e. letter of resignation, progressive discipline process, letter of dismissal, etc. In between times, there should also be notations to changes in job description, pay, benefits, job, performance evaluations, etc.

### **5. Do you properly maintain copies of the I-9 forms for each of your employees?**

Federal immigration law requires that all employees (employed after 1986) be eligible for work within the United States. The I-9 form documents that eligibility and Federal auditors can drop in to check on compliance with the required procedures.

It is recommended that the I-9 forms be kept separate from the personnel files in a 3-ring binder, to permit ease of review if entity files are audited.

**6. Do you comply with the Florida and Federal New Hire Reporting regulations?**

Effective in October 1998, State and Federal laws require that new-hires be reported to a central clearing house for purposes related to tracking and finding those who are delinquent in child support payments. We utilize our IOI Payroll Service to make the necessary report on behalf of the entity.

**7. Do you have a current job description for each employee?**

Job descriptions are very important from the perspective of performance management and clarifying job expectations. In essence, they serve as a major part of the foundation for the employment relationship and provide a focus for performance evaluation discussions.

**8. Do you review your employee job descriptions and properly classify their position according to the Fair Labor Standards Act of 1938 as updated in 2004?**

All employees should hold one of the following designations of employment status as determined by the employer in accordance with the Federal Fair Labor Standards Act of 1938, as updated in 2004.

- **Exempt Employees** – Supervisors and administrators are not covered by the FLSA and do not receive overtime pay or compensatory time. To be exempt, a person's work must be executive, administrative, or professional in nature, requiring the regular exercise of discretion and independent judgment. **Exempt** means that you are not paid overtime if you work more than 40 hours a week. A salaried exempt employee is paid for doing a job no matter how long it takes to complete the job. Exempt employees must submit time records approved by their immediate supervisor which will be retained by the Employer for three years.

There is no comp time policy by the Employer for *full-time, exempt employees*. Full-time employees are paid their regular rate of pay assuming a Thirty seven and one half (37.5) hour work week with a one (1) hour unpaid lunch. Regular work week hours are contained in each job description. Deviations from the regular work week must be approved by the immediate supervisor.

- **Non-Exempt Employees** – Employees who perform work other than executive, administrative, or professional are defined by the FLSA as non-exempt employees. Such employees must be compensated at least the Government defined minimum wage and at a rate of one and one half times their respective hourly rate for overtime worked in excess of 40 hours per week. (Vacation, sick-time, holidays and other time off are not considered as time worked). Non-Exempt employees must submit time records approved by their immediate supervisor which will be retained by the Employer for three years.

**9. Do you require all job applicants to submit a formal application for employment?**

The Florida Tort Reform Act of 1999 allows a defense to claims of negligent hiring, only if the employer obtains an employment application, conducts a formal employment interview, conducts a criminal background screening, checks references or conducts a driving record check prior to a hiring decision. It is the policy of the Diocese to conduct a background screening for all employees. The diocese strongly recommends that all five elements of the Tort Reform Act be followed when making a hiring decision.

Standard employment application forms are available from the Diocesan Department of Human Resources.

**10. Do you conduct formal interviews prior to hiring new employees?**

Resumes and employment application only tell part of the story. The employment interview is a valuable tool in making the right hiring decision. During the interview process, care should be taken to ask only questions that relate directly to the requirements of the job or ministry.

The Diocesan Department of Human Resources can provide assistance in designing interview questions and procedures.

**11. Do you conduct a background check prior to hiring new employees or covered volunteers?**

It is not only a matter of Diocesan policy, but also a matter of prudence and good judgement to conduct a criminal background check on all new hires and covered volunteers. Incumbent employees should be re-screened. Procedures have been established to help employing entities to conduct these background checks and assistance is available from the Department of Human Resources who maintains a central database of all screenings.

**12. Do you conduct a reference check prior to hiring new employees?**

Reference checks are also important in making the right hiring decisions. Care, however, should be taken in asking the right questions and listening for the right answers.

**13. Do you conduct a driving record check of employees who will be driving on behalf of the parish?**

If the new hire or covered volunteer is going to be driving on behalf of the employing entity, their driving record should be checked. For incumbent employees, it should be re-checked at the time of re-screening. In many instances, if someone is injured due to an employee's or covered volunteer's driving or negligence, the employer is often held responsible.

#### **14. Do you conduct regular staff meetings?**

Related to performance management, staff meetings are important because they provide an opportunity to establish a team environment and to discuss common directions and vision for the employing entity. It may be necessary to conduct different types of staff meetings, i.e. ministry staff, clerical staff, maintenance staff, but it is also important to call all staff together on occasion to help everyone to feel that they are part of the overall team.

#### **15. Do you conduct annual performance reviews?**

Annual performance reviews should be used to review the content of one's ministry or job, as well as, affirm an employee for their performance and contribution to the mission of the entity. This is not a time for major criticism, although it is appropriate to make minor course corrections. Documentation of the review is very important from the standpoint of legal concerns as well as being fair and just to the employee.

#### **16. Do you use the progressive discipline system when dealing with a performance issue?**

When dealing with a serious performance issue, it is very important to deal with it objectively and fairly. Employees need to be told that their performance is not acceptable and given an opportunity to improve. This process must be documented and the progressive discipline system provides a structure and a means for that documentation. Except in extraordinary circumstances, employees should never be dismissed without following these procedures. The old adage of "document, document, document" is a hiring entity's best defense to a claim of wrongful discharge.

#### **17. Do you consult with human resources or the diocesan attorney before dismissing an employee?**

Diocesan insurance may deny coverage an employing entity that is sued for wrongful discharge, unless it has consulted with Human Resources or the Diocesan Attorney prior to acting on a dismissal or layoff.

#### **18. Do you have an equitable pay system that complies with the Federal Equal Pay Act of 1963?**

The Equal Pay Act of 1963 requires that all employees be paid on a basis of skill, effort, responsibility and working conditions. Each employee's job description should be carefully reviewed and pay should be established on this basis. To aid in complying with this legislation, it is helpful to consider the following objectives suggested by the American Compensation Association:

- Internally Equitable
- Externally Equitable
- Individually Equitable
- Affordable
- Legal & Defensible
- Understandable
- Capable of Being Reshaped

#### **19. Do you utilize the Service Agreement for Women Religious?**

The Service Agreement for Women Religious was developed in May 2001. While recognizing prior Canonical relationships exist, the agreement incorporates the use of the employee handbook and applies its professional personnel practices, i.e. requirement for job descriptions, performance evaluations, progressive discipline system, etc. to the relationship.

#### **20. Do you consider your many volunteers as unpaid staff?**

The Church is highly dependent on the good will of volunteers to help in providing all the varied ministries that are necessary in the respective faith communities. It is recommended that volunteers be, essentially, considered as unpaid staff. As such, it is important to identify how their volunteer efforts fit into the big picture. They should be provided a job description and direction, and be held accountable for the essential elements of their respective job or ministry, provided necessary orientations and/or training opportunities and, their efforts should be appreciated.

### **The Diocese of St. Petersburg Department of Human Resources**

*"It is our belief that effective ministry occurs primarily within the parish by a wide variety of people in a wide variety of vocations, careers, and jobs. It is the mission of the Human Resource Department to support these people and those at the pastoral center who minister to the ministers. We will provide this support by promoting a work environment that is fair and just, one that applies the most appropriate and effective management tools and principles and one that is consistent with the legalities laid down by state, federal and canon law."*

We are available to assist and serve you and your parish or school with:

- Personnel policies and procedures
- Employee handbooks
- Employee benefit memoranda
- Personnel problems and/or concerns
- Regional personnel seminars
- Progressive discipline procedures
- Employee and volunteer screening
- Harassment issues
- Recruitment and retention strategies
- Performance management
- Staff retreats / days of reflections / staff meetings
- Dismissal procedures Personnel management forms and procedures
- Personnel files and record retention



# Personnel Systems Review

\_\_\_\_\_  
Name of employing entity

\_\_\_\_\_  
Date review completed

\_\_\_\_\_  
Pastor / Principal / Administrator

\_\_\_\_\_  
Person completing review

Yes	No	Question regarding personnel practices
		1. Do you have a current employee handbook?
		2. Do you provide copies of your handbook to all new hires and incumbent employees?
		3. Do you have a signed acknowledgement of receipt in each employee's personnel file?
		4. Do you have current and up-to-date personnel files for each employee on your payroll?
		5. Do you properly maintain copies of the I-9 forms for each of your employees?
		6. Are you aware that IOI complies with the Florida and Federal New Hire Reporting regulations?
		7. Do you have a current job description for each employee?
		8. Do you review your employee job descriptions and properly classify their position according to the Fair Labor Standards Act of 1938 as updated in 2004?
		9. Do you require all job applicants to submit a formal application for employment?
		10. Do you conduct formal interviews prior to hiring new employees?
		11. Do you conduct a background check prior to hiring new employees or covered volunteers?
		12. Do you conduct a reference check prior to hiring new employees?
		13. Do you conduct a driving record check of employees who will be driving on behalf of the parish?
		14. Do you conduct regular staff meetings?
		15. Do you conduct annual performance reviews?
		16. Do you use the progressive discipline system when dealing with a performance issue?
		17. Do you consult with human resources or the diocesan attorney before dismissing an employee?
		18. Do you have an equitable pay system that complies with the Federal Equal Pay Act of 1963?
		19. Do you utilize the new service agreement for women religious?
		20. Do you consider your many volunteers as unpaid staff?