

PARISH ADMINISTRATIVE MANUAL

Policies & Procedures

ARCHDIOCESE OF NEWARK
Archdiocesan Center



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1: HUMAN RESOURCES

SECTION IS UNDER REVISION DUE TO REQUIREMENTS OF THE AFFORDABLE CARE ACT

1.1: CLASSIFICATION OF EMPLOYEES

Human Resource policies, some elements of civil laws about Human Resource administration, and tax reporting can vary according to the employee's classification. The following definitions apply throughout the manual:

Clergy

A. Priests

1. **Diocesan Priest** – Priests ordained for the service of, or subsequently incardinated into, the Archdiocese of Newark.
2. **Religious Priests** – Priests professed in a religious community and assigned to serve within the Archdiocese of Newark by the permission of our Archbishop.
3. **Adjunct Priests** – Priests ordained for another Diocese who are exercising their ministry in the Archdiocese of Newark without having been incardinated.

B. Deacons

1. **Permanent Deacons** – Deacons whose final step in orders is ordination to the Diaconate.
2. **Transitional Deacons** – Deacons who are seeking ordination to the Priesthood.

Religious Sisters and Brothers

Religious sisters and brothers serving within the Archdiocese of Newark.

Lay Employees

Individuals, other than clergy and religious, who perform specific duties for pay under the supervision of an employer and bound by the employer's policies and procedures. These include full-time, part-time, seasonal and temporary employees.

- A. **Full-time Employees** – Lay employees of Archdiocesan Parishes, institutions or agencies hired before 1/1/2010 and who work twenty-five hours or more per week, and lay employees hired on or after 1/1/2010 who work 35 hours or more per week and who are expected to continue employment indefinitely and are subject to employment tax laws.
- B. **Part-time Employees** – Lay employees of Archdiocesan Parishes, institutions or agencies hired before 1/1/2010 who work less than twenty-five hours per week, and lay employees hired on or after 1/1/2010 who work less than 35 hours per week and who are expected to continue their employment indefinitely. Part-time employees are subject to employment tax laws but are not eligible for Archdiocesan mandated benefits.

- C. Non-Exempt Employees** – Lay employees eligible for overtime payment under the Fair Labor Standards Act (FLSA).
- D. Exempt Employees** – Lay employees ineligible for overtime payment under FLSA.
- E. Minor** – An employee fourteen to eighteen years of age.
- F. Temporary Employee** – A substitute employee hired to work a specific period not to exceed six months; the employer is responsible for reporting wages, etc. Temporary employees are not eligible for benefits. (Note: When a temporary employee's status changes to regular full-time, the benefit eligibility status changes also.)

1.2: WHO ARE EMPLOYEES?

Many state and federal laws require employers to maintain specific documents for all employees. Complete and proper documentation is essential to avoid penalties.

This section will help you meet your legal and ethical responsibilities regarding employment practices. Please review, adopt and refer to these principles for establishing meaningful human resource administration.

Generally, factors to be considered in determining if a person is an employee or an independent contractor are as follows:

Common Law Rule (CLR)

The CLR helps employers determine who is considered an employee. The relative importance of each factor is dependent upon the position in question.

Generally, factors to be considered in determining if a person is an employee or an independent contractor are as follows:

1. **Instructions** – The element of control exists if the firm has the right to require the worker to comply with instructions about when, where, and how work shall be performed.
2. **Training** – Training the worker is indicative of employee status, depending on the extent and frequency of the training.
3. **Integration** – This refers to the relationship of the services to the firm's general business operations. When the success or continuation of a business depends to an appreciable degree upon the performance of certain services, an individual who is engaged to perform those services necessarily is subject to a certain amount of control.
4. **Personal Service** – If the person who is engaged has the right to hire a substitute, this is some indication of independent contractor status.
5. **Hiring Assistant** – If the firm hires, supervises and pays individuals to assist the worker, this tends to indicate that he is an employee.

6. **Continuing Relationship** – The longer the worker’s relationship with the firm, the more he appears to be an employee. A continuing relationship may exist even though the work is performed at frequently recurring but irregular intervals.
7. **Set hours of work** – The establishment of set hours of work by the business for whom the services are performed is a factor indicating control.
8. **Full-time work** – If the worker must devote substantially full time in order to complete the task, this is indicative of control of the worker.
9. **Working on Premises** – If the work is performed on the premises of the firm, this suggests some control over the worker, depending on the nature of the services performed.
10. **Order or Sequence** – If the company has the right to require the worker to perform services according to a schedule or routine, this indicates control.
11. **Reports** – A requirement that the worker periodically submit oral or written reports, time records, etc., indicates a degree of control.
12. **Payment by Hour Week or Month** – Payment on this basis, rather than payment of a lump sum, generally points to an employer-employee relationship, unless it is a form of installment payments.
13. **Payment of Expenses** – If the person for whom the services are rendered ordinarily pays the worker’s business or travel expenses, usually the worker is an employee.
14. **Furnishing Tools and Material** – A worker who furnishes his own tools, materials and equipment, if they are of significant value, is more likely to be an independent contractor.
15. **Significant Investment** – Independent contractors almost always have a significant investment in facilities which they use in performing services.
16. **Realization of Profit or Loss** – The risk of economic loss and the opportunity for economic profit are a distinguishing feature of an independent contractor.
17. **Working for Others** – If a person performs more than de minimis services for several unrelated firms during the same time period, that factor usually indicates that he is an independent contractor, as distinguished from the case where all or most of his earnings were derived from a single source.
18. **Services Available to Public** – The fact that an individual makes his services available to the general public on a regular basis indicates that he is an independent contractor.
19. **Right to Discharge** – An independent contractor cannot legally be discharged so long as he continues to perform according to the specifications of his agreement.
20. **Right to Terminate** – If the worker has the right to end his relationship with the company at any time without incurring liability, that factor indicates employee status.

Penalties

If an employer treats a worker as an independent contractor when in reality and legally he is an employee, and fails to withhold payroll taxes due on that employee's account, the employer is liable for the amount of the taxes, plus substantial penalties.

The penalty for an unintentional failure to withhold income tax is 1.5% of the employee's wages, and for not withholding FICA tax it is 20% of the employee's share of the tax. These amounts are doubled if no 1099 Form was filed and if the employer intentionally disregarded all withholding requirements (or withheld income tax but not FICA tax), the employer and any "responsible" corporate officer are liable for 100% of all taxes that should have been withheld.

Failure to cover an employee by Workers' Compensation insurance subjects an employer and its officers to a fine.

Non-payment of overtime compensation due under Wage-Hour-laws can result in back-pay liability in double amount.

1.3: WHAT ARE WAGES

Wages includes all pay you give an employee for services performed. The pay may be in cash or other forms. It includes salaries, vacation allowances, bonuses, commissions and fringe benefits. Non-exempt employees must be paid for all hours worked. It does not matter how you measure or make payments. If in the course of your operation, you pay your employees in a medium other than cash or other negotiable instrument, such as a check, you are said to have paid them "in kind". Payments in kind may be in the form of goods, lodging, food, clothing or services. Generally, the fair market value of such payments at the time they are provided is subject to income tax withholding and Social Security/Medicare taxes.

1.4: FEDERAL WAGE REPORTING

Note: copies of all IRS circulars and publications cited in this section can be requested from the internal revenue services: by phone 1-800-829-3676, by fax: 1-703-368-9694, or by internet: www.irs.ustreas.gov.

Federal Income Taxes

A federal form W-4 must be on file for all employees in order to determine the amount of income tax to withhold from the employee's wages. New employees must complete a W-4 form when they start work with the effective date of the first wage payment. If a new employee does not provide a W-4, withhold tax as if he or she is single with no withholding allowances.

A W-4 remains in effect until the employee submits an amended form. If a revised form is submitted, commence withholding taxes as amended no later than the start of the first payroll period ending on or after the 30th day from the date you received the replacement form.

The amount of income tax withheld must be based on filing status and withholding allowances. An employee cannot base their withholding amounts on a fixed dollar amount or percentage. The

employee may specify a dollar amount to be withheld **in addition** to the amount of withholding based on filing status and withholding allowances claimed on the W-4.

An employee may claim fewer withholding allowances than they are entitled to claim in order to ensure that they have enough withholding or to offset other sources of taxable income that are not subject to adequate withholding.

An employee may claim exemption from income tax withholding if she or he had no income tax liability for the prior year and expects none this year. The wages are still subject to Social Security/Medicare taxes. An employee must submit a signed W-4 by February 15th of each year to claim an exemption. If a new form is not received, withhold tax as though the employee is single with zero withholding allowances.

Generally, if you employ a non-resident alien, you must withhold income tax and Social Security/Medicare taxes as you would for a U.S. citizen. (Refer to IRS Publications 515 and 519 for exception to these rules.)

You must send copies of certain W-4 forms received during the quarter to the IRS with the quarterly Form 941 tax report. These include employee claims of 10 withholding allowances or more or an exemption from withholding if his/her wages are more than \$200 per week.

Unless requested specifically by the IRS, copies of no other W-4 forms should be submitted.

The dollar amount of income tax withheld is based on the employees filing status, withholding allowances and payroll period. Income tax withholding tables are available in IRS Publication 15, Circular E, Employer's Tax Guide. This publication is issued annually.

Priests are considered parish employees. However, federal tax withholdings cannot be deducted unless the priests so elect. They would continue to file their taxes as self-employed.

Social Security/Medicare Taxes

The Federal Insurance Contributions Act (FICA) mandated the establishment of a federally supported program to care for old age, survivors, the disabled and hospital insurance. Social Security tax finances the old age, disabled and survivor's portion of the Act. Medicare tax finances the hospital insurance portion. Each tax must be reported separately.

Social Security/Medicare taxes are levied on both the employee and employer. The employer is responsible for collecting the employee's portion of the taxes and remitting with the employer's matching funds.

All employees are subject to Social Security/Medicare taxes regardless of age or whether he/she is currently receiving Social Security/Medicare benefits.

The amount of Social Security/Medicare tax is determined by multiplying the employee's payment by the tax rate. The employee's tax rate for Social Security is 6.2%. The employer's tax rate for Social Security is also 6.2%. (12.4% combined) The maximum wage base is published each year by IRS.

(The wage base is the maximum wage that is subject to the tax for the year). The employee rate for Medicare taxes is 1.45%. The employer's tax rate is also 1.45%, (2.9% combined). There is no wage base for Medicare tax.

Priests who participate in the Social Security program do not have their contributions withheld. They must make FICA payments to the Internal Revenue Service as self-employed persons.

Religious sisters and brothers participate in the Social Security Program according to the procedures of their communities.

Depositing Taxes

In general, you must deposit withheld taxes by mailing or delivering a check to an authorized financial institution or Federal Reserve Bank. However, some taxpayers are required to deposit these funds via electronic funds transfer.

There are two tax deposit schedules allowed by the IRS. If you reported more than \$50,000 in tax liability for the previous four-quarter "lookback" period, you are required to file semi-weekly. If your liability was less than \$50,000 for the four-quarter "lookback" period (7/1 – 6/30 look back period,) you are required to file monthly. Your tax payment schedule is **not** based on how often you pay your employees.

If you are required to make monthly tax remittances, the payment is due by the 15th of the month following the month during which the taxes were assessed. Semi-weekly payments are due as follows:

Payment Days	Deposit By
Wednesday, Thursday, Friday	Following Wednesday
Saturday, Sunday, Monday, Tuesday	Following Friday

If you incurred more than \$50,000 in tax liability for 1996, you are required to remit all tax payments by Electronic Federal Tax Payment System (EFTPS). You must enroll in this program with the IRS and your local financial institution. If your tax liability is less than \$50,000, payment may be made by electronic funds transfer or with federal tax deposit (FTD) coupons at your local financial institution. FTD coupons are automatically supplied by the IRS.

\$100,000 Next Day Deposit. If you accumulate a tax liability of more than \$100,000 during a deposit period you **must** make your deposit by the next banking day.

Each quarter, all employers who pay wages subject to tax withholding must file Form 941, Employer's Quarterly Federal Tax Return. These forms are supplied automatically by the IRS. Blank forms can also be requested by contacting the IRS. Detailed instructions for the proper completion of Form 941 are provided on the reverse side of the form. **Note: If instructed by the IRS, Form 941 may be filed telephonically.** Retain a copy of all submitted IRS reports for future reference.

You are required to submit annual reporting to the Social Security Administration for all employee wages, including tax withheld, for the calendar year. A form W-2 is prepared for each employee indicating the employer's name, address and tax identification number, the employee's name, address, Social Security number, and the employee's gross income and all federal and state income, Social Security and Medicare taxes as well as deductions for participation in a tax deferred annuity plan. **W-2 forms are prepared for all Parish employees including Priests – full time and part time.**

Religious sisters and brothers do not file W-2 forms. Their stipends are payable to the order and are therefore considered income to their communities, not to them personally. If not payable to the order the payment is taxable.

Form W-3 summarizes the individual Forms W-2 issued for the Parish. The total of each individual W-2 must agree to the totals indicated on Form W-3. Additionally, the totals indicated on Form W-3 must agree with the amounts indicated on the four quarterly Forms 941 submitted for the calendar year. If a discrepancy is noted, the IRS will require the Parish to provide details for the difference and expose the Parish to potential penalties.

Each employee must receive their W-2 form by January 31 of the following year. Form W-3 and supporting W-2 forms must be filed with Social Security by February 28 of the following year.

Forms W-2 and W-3, with detailed instructions for completion, can be obtained from the IRS or from a local office supply store. Allow sufficient time for delivery when requesting forms.

A complete set of reports should be retained in the Parish for future reference.

1.5: STATE WAGE REPORTING

Note: copies of all State publications cited in this section can be requested from the division of taxation: by phone 1-609-588-2200, by fax: 1-609-588-4500, or by internet: www.state.nj.us/treasury/taxation.

Every employer in the State of New Jersey is required to withhold New Jersey income tax from compensation paid to both resident and non-resident employees working in the state. (Pennsylvania residents working in New Jersey are exempt from New Jersey State tax **if** the employee completed a New Jersey Certificate of Non Residence Form NJ-165).

Employee contributions to tax deferred annuity plans are included in wages for New Jersey purposes and are subject to withholding in the year the wages are earned, even though these same funds are not subject to Federal income tax withholding.

To determine the amount of income tax to be withheld, the employer should use the approved withholding tables or methods as issued by the Division of Taxation in the *New Jersey Gross Income Tax Instructions for Employers* (Form NJ-WT) and *Supplemental Withholding Tables* (Form NJ-WT Supplemental). The amount of tax withheld is based on the employee's income, filing status and the number of exemptions claimed.

The employer may use the Federal W-4 form or the NJ-W-4 form to determine an employee's marital status and number of exemptions.

An employee may claim exemption from NJ State income tax by completing line 6 of the NJ- W4 form if the employee's gross income is less than \$7,500 per annum for a single status or \$3,750 for a married status. This exemption is good for one year only. The employee must submit a NJ-W4 form for each year an exemption is claimed.

The Parish will automatically receive *Monthly Remittance of Gross Income Tax Withheld* (Form NJ-500), *Quarterly Return of Gross Income Tax Withheld* (Form NJ-941) and *Gross Income Tax Reconciliation of Tax Withheld* (Form NJ-W-3) and detailed instructions for proper completion once it registers with the State.

The amount of tax withheld determines the frequency for remitting taxes. Each employer is required to file form NJ-927 or NJ-927W regardless if taxes are being remitted for the quarter. Forms NJ-927 or NJ-927W are due on or before the last day of the month following the end of each calendar quarter.

If the employer remitted State taxes in excess of \$100,000 or more for the previous calendar year, the employer is required to submit weekly remittances. The remittances are due by the Wednesday following the payroll date and must be made by Electronic Funds Transfer.

You must enroll in this program with the State Division of Taxation and your local financial institution.

Employers not classified as monthly, whose withholdings are \$500 or more for the first two months of the calendar quarter, must file a monthly remittance on Form NJ-500. The remittance is due by the 15th day of the month following the month that the taxes are withheld.

Employers not classified as monthly, whose withholdings are less than \$500 per month, must file quarterly. These remittances are due on or before the last day of the month following the end of each calendar quarter.

At the end of each calendar year, an employer must file a *Gross Income Tax Reconciliation of Tax Withheld* (Form NJ-W-3). The reconciliation form is used to report the number of employees, wages and withholdings. Form NJ-W-3 must be filed by February 15th of the year following the close of the calendar year. Copies of the Federal Form W-2 that are provided to each employee must be submitted with Form NJ-W-3. The Forms NJ-W-3 may be submitted on magnetic tape, diskette or paper.

Effective July 1, 1998, the State of New Jersey requires all employers to notify the State of each new employee hired within 20 days of the hire date. The following methods may be used: by mail or faxing copies of the Form W-4 or via the Internet e-mail system. If you are reporting fewer than 3 new hires, it may be done by phone.

The address is New Jersey New Hire Operations Center, P.O. Box 4654, Trenton NJ 08650-4654. The toll free fax # is 1-800-304-4901. Call in location is 1-609-689-1900.

A complete set of reports should be retained in the Parish for future reference

1.6: NEW JERSEY STATE DEPARTMENT OF LABOR STATUTES

New Jersey State Department of Labor administers and enforces more than 180 federal laws. These mandates, and the regulations that implement them, cover many workplace activities.

Following is a brief description of the principle statutes most commonly applied. *The intent is to acquaint you with the major labor laws and not to offer a detailed exposition of laws and regulations enforced by the Department of Labor. For the fuller requirements of these statutes or for copies of publications and forms, contact the local Department of Labor office or visit their website at <http://www.dol.gov>.*

Wages and Hours

The Fair Labor Standards Act prescribes standards for wages and overtime pay. The act is administered by the Wage and Hour Division of the Employment Standards Administration. It requires employers to pay covered employees the federal minimum wage and overtime of one-and-one-half-times the regular wage. It restricts the hours that children under 16 can work and forbids their employment in certain jobs deemed too dangerous. Wage and Hour Division also enforces the workplace provisions of the *Immigration and Nationality Act* that apply to aliens authorized to work in the U.S.

The following are employees exempt from both the minimum wage and overtime pay requirements:

- Executive, administrative, professional computer employees (including teachers and academic administrative human resource in elementary and secondary schools), outside sales employees, and employees of certain seasonal amusement or recreational establishments.
- To be exempt, an employee must earn at least \$23,660 (\$455.00 per week) annually. Employees earning less than \$455.00 per week will be considered non-exempt no matter what their duties or how many hours they work.

The following employees are exempt from the Act's overtime pay requirements only:

- Domestic service workers who reside in their employer's residence.

The Act requires employers of covered employees who are not otherwise exempt to pay these employees a minimum. The minimum wage requirement is published by the State Department of Labor.

Employers may not displace any employee to hire someone at the youth minimum wage. Employers may pay employees on a piece-rate basis, as long as they receive at least the equivalent of the required minimum hourly wage rate.

The Act does not limit the number of hours in a day or days in a week an employee (at least 16 years old) may be required or scheduled to work, including overtime hours.

The Act requires that covered employees, unless otherwise exempt, be paid not less than **one and one-half times their regular rates of pay** for all hours worked in excess of 40 in a workweek.

Employers are required to keep records on wages, hours and other items as set out in the Department of Labor's regulations. Time Sheets must be completed by all employees- full time, part time, temporary and seasonal.

Workplace Safety and Health

The *Occupational Safety and Health Act* (OSHA) is administered by the Occupational Safety and Health Administration (OSHA). Safety and health conditions in most private industries are regulated by OSHA or OSHA-approved State systems. Employers must identify and eliminate unhealthful or hazardous conditions; employees must comply with all rules and regulations that apply to their own workplace conduct. Covered employers are required to maintain safe and healthful work environments in keeping with requirements of the law.

Basic Provisions/Requirements

The Act assigns to OSHA two principal functions: setting standards and conducting workplace inspections to ensure that employers are complying with the standards and providing a safe and healthful workplace. OSHA standards may require that employers adopt certain practices, means, methods or processes reasonably necessary to protect workers on the job. It is the responsibility of employers to become familiar with standards applicable to their establishments, to eliminate hazardous conditions to the extent possible, and to comply with the standards. Compliance may include ensuring that employees have and use personal protective equipment when required for safety or health. Employees must comply with all rules and regulations that are applicable to their own actions and conduct.

Federal OSHA Standards

Among the standards are those for access to medical and exposure records, personal protective equipment, and hazard communication.

Access to Medical and Exposure Records: This standard requires that employers grant employees access to any of their medical records maintained by the employer and to any records the employer maintains on the employees' exposure to toxic substances.

Personal Protective Equipment: This standard requires that employers provide employees, at no cost to employees, personal protective equipment designed to protect them against certain hazards. This includes protective helmets, eye protection, hearing protection and hard-toed shoes.

Hazard Communication: Employers using hazardous materials must train their employees to recognize and avoid the hazards the materials present.

In general, all employers should be aware that their workplaces should be free of recognized hazards that may cause death or serious physical harm to employees, even if OSHA does not have a specific standard or requirement addressing the hazard.

This coverage becomes important in the enforcement aspects of OSHA's work. Other types of requirements are imposed by regulation rather than by a standard. OSHA regulations cover such items as recordkeeping, reporting and posting.

Each employer, regardless of number of employees, must report to the nearest OSHA office within 8 hours, any accident that results in one or more fatalities or hospitalization of three or more employees. Such accidents are often investigated by OSHA to determine what caused the accident and whether violations of standards contributed to the event.

Employee Rights

Employees are granted several important rights by the Act. Among them are the right to: complain to OSHA about safety and health conditions in their workplace and have their identity kept confidential from the employer, contest the time period OSHA allows for correcting standards violations, and participate in OSHA workplace inspections.

The Family and Medical Leave Act

Administered by the Wage and Hour Division of Employment Standards Administration (ESA), this law requires employers of 50 or more employees to give up to 12 weeks of unpaid leave, job-related leave in a 12-month period to eligible employees for the birth or adoption of a child or for the serious illness of the employee or certain family members or because of any "qualifying exigency" resulting from a family member's covered active duty or notice of impending call to active duty in the Armed Forces . The Family and Medical Leave Act (FMLA) is intended to provide a means for employees to balance their work and family responsibilities by taking unpaid leave for certain reasons. The Act is intended to promote both the stability and economic security of families, and the national interests in preserving family integrity.

All local education agencies (schools) are covered. These employers do not need to meet the 50 employee test.

The Family Medical Leave Act must be administered in conjunction with the New Jersey Family Leave Act. Employees must be given the benefits of whichever of the two leaves is more favorable.

*For further information please refer to the Human Resources folder on the first class E-mail system or call the Archdiocesan Center Office of Human Resources.

Basic Provisions/Requirements

In order to be "eligible" for FMLA leave, an employee must be employed by a covered employer, must have worked at least 12 months (which do not have to be consecutive) for the employer; and, must have worked at least 1,250 hours during the 12 months immediately preceding the date of commencement of FMLA leave.

An employer must maintain the group health benefits that the employee was receiving at the time the leave began at the same level and in the same manner as if the employee had continued to work. Under most circumstances, an employee may elect or the employer may require the use of any accrued paid leave (vacation, sick, personal, etc.) for periods of unpaid FMLA leave. FMLA leave

may be taken in blocks of time less than the full 12 weeks on an intermittent or reduced leave basis. Taking intermittent leave for the placement for adoption, or foster care of a child is subject to approval by the employer. Intermittent leave taken for the birth and care of a child is also subject to the employer's approval except for leave relating to the pregnancy which would be leave for a serious health condition.

When leave is foreseeable, an employee must provide the employer with at least 30 days' notice of the need for leave or as much notice as is practicable. If the leave is not foreseeable, then notice must be given as soon as practicable. An employer may require medical certification of a serious health condition from the employee's health care provider, and may require periodic reports during the period of leave of the employee's status and intent to return to work, as well as "fitness-for-duty" certification upon return to work in appropriate situations.

When the employee returns from FMLA leave, the employee is entitled to be restored to the same or an equivalent job. An equivalent job is one with equivalent pay, benefits, responsibilities, etc. The employee is not entitled to accrue benefits during periods of unpaid FMLA leave, but must be returned to employment with the same benefits at the same levels as existed when the leave commenced.

Employers are required to **post a notice** for employees that outlines the basic provisions of FMLA and are subject to a civil money penalty for willfully failing to post such notice. Employers are prohibited from discriminating against or interfering with employees who take FMLA leave.

Employment of Minors

The child labor provisions of the Fair Labor Standards Act (the Act) are designed to protect the educational opportunities of youths and prohibit their employment in jobs and under conditions detrimental to their health and well-being.

Sixteen is the minimum age for most work; however, 14- and 15-year olds may be employed outside of school hours in certain occupations under certain conditions.

Basic Provisions/Requirements

The Act's child labor provisions include restrictions on the hours of work and occupations for youths under age 16. These provisions also set forth 17 hazardous occupations for jobs declared by the Secretary of Labor to be too dangerous for minors under age 18 to perform. The Act prohibits the shipment of goods in interstate commerce which were produced in violation of the child labor provisions. It is also a violation of the Act to fire or in any other manner discriminate against an employee for filing a complaint or for participating in a legal proceeding under the Act.

The permissible jobs and hours of work, by age, are as follows:

- Youths 18 years or older may perform any job for unlimited hours;
- Youths age 16 and 17 may perform any job not declared hazardous by the Secretary of Labor, for unlimited hours (detailed information on the occupations determined to be hazardous by the Secretary is available by contacting the Department of Labor).

- Youths age 14 and 15 may work outside school hours in various non-hazardous jobs under the following conditions: no more than 3 hours on a school day, 18 hours in a school week, 8 hours on a non-school day, or 40 hours in a non-school week. In addition, they may not begin work before 7 a.m. nor work after 7 p.m., except from June 1 through Labor Day, when evening hours are extended until 9 p.m. Youths aged 14 and 15 who are enrolled in an approved Work Experience and Career Exploration Program (WECEP) may be employed for up to 23 hours in school weeks and 3 hours on school days (including during school hours).

The Department of Labor regulations require employers to keep records of the date of birth of employees under age 19, their daily starting and quitting times, daily and weekly hours worked, and their occupation. Employers may protect themselves from unintentional violation of the child labor provisions by keeping on file an employment or age certificate for each youth employed to show that the youth is the minimum age for the job. Certificates issued under the state laws of New Jersey are acceptable.

Wage Garnishment

The Consumer Credit Protection Act (CCPA) protects employees from being discharged by their employers because their wages have been garnished for any one debt and limits the amount of employees' earnings which may be garnished in any one week. The Act applies to all individuals who receive personal earnings and to their employers. Personal earnings include wages, salaries, commissions and bonuses.

Wage garnishment is a legal procedure through which the earnings of an individual are required by court order to be withheld by an employer for the payment of a debt. The Act prohibits an employer from discharging an employee whose earnings have been subject to garnishment for any one debt, regardless of the number of levies made or proceedings brought to collect it. It does not, however, protect an employee from discharge if the employee's earnings have been subject to garnishment for a second or subsequent debts.

The Immigration and Nationality Act

The Immigration and Nationality Act (INA) employment eligibility verification and related nondiscrimination provisions apply to all employers.

Basic Provisions/Requirements

Under INA, employers may hire only persons who may legally work in the United States (U.S.): citizens and nationals of the U.S. and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired which includes completing and retaining the Employment Eligibility Verification Form (I-9).

Employers must keep I-9s on file for at least 3 years (or one year after employment ends, whichever is greater). The forms should be maintained in a separate file and not in each individual employee's personnel folder.

The employee must complete all information requested in Section I of the I-9 form. In addition, the employer must complete all information required in Section II of the form. This includes the recording of the type and identification number of documents used to validate employment eligibility. Use only documents approved by the US Department of Justice (DOJ) as indicated on the reverse side of the I-9 form.

Detailed instructions for the completion of the I-9 form are provided with the form.

The INA also protects U.S. citizens, and aliens authorized to accept employment in the U.S., from discrimination in hiring or discharge on the basis of national origin and citizenship status.

Equal Employment Opportunity

Federal Civil Rights Law and the New Jersey Law Against Discrimination make it unlawful to discriminate in the terms, condition or privileges of employment of an employee or prospective employee because of race, color, religion, age, sex, national origin, nationality, ancestry, present or past handicap (unless the nature or the extent of the handicap reasonably precludes performance on the job), marital status, affectional or sexual orientation, atypical hereditary cellular blood trait, genetic information or liability for service in the armed forces of the United States of America.

Roman Catholic Denomination/Equal Employment Opportunity

The Parish Corporation is a division of the Roman Catholic Church. As such, the Parish Corporation may restrict employment positions to members of the Roman Catholic faith. Such restrictions are permitted by applicable law. In other regards, the Parish Corporation identifies itself as an Equal Employment Opportunity (EEO) employer. In accordance with applicable law and the Parish Corporation's rights as a religious organization, employees and applicants for employment will receive equal treatment without regard to race, color, ancestry, national origin or nationality, sex, age, marital status, military status or liability for service in the military, disability or handicap, or atypical hereditary cellular or blood trait ("EEO areas").

The Parish Corporation does not discriminate based on any individual's handicap, disability, the perception that an individual suffers from a handicap or disability or based on an individual having a record of a disability. Upon notice of a need, the Parish Corporation will make reasonable accommodations for the known limitations of disabled individuals who are otherwise qualified for employment, provided such accommodations do not impose undue hardship on the Parish Corporation. If a qualified employee feels that he or she needs accommodations to perform the essential functions of his/her assigned job, then the employee should request such accommodations from the person's supervisor or manager with notice to the Director of the Office of Human Resources.

Americans with Disabilities Act

The Americans with Disabilities Act gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.

1.7: WORKER'S COMPENSATION

The New Jersey Workers' Compensation Laws provide medical expense benefits and disability pay benefits for injuries and diseases arising out of, and in the course of, the worker's employment. Medicare and other health plans exclude medical expenses covered by Workers' Compensation. The Archdiocese of Newark is a qualified self-insurer in the State of New Jersey for workers' compensation and hires a third-party claim administrator to process all claims.

Accident Reports

When an employee is injured, the Pastor or his designated coordinator must complete the Workers' Compensation Claim Information Worksheet as soon after the incident as possible. The incident is then reported to the Workers' Compensation Claims Administrator in the Risk Management & Insurance Service Department of the Archdiocese of Newark. All incidents should be reported even if the employee requests no treatment, whatever the extent of the injury. The Claims Administrator will determine the compensability of an injury and advise both the employer and employee.

The Claims Administrator will complete the State of New Jersey Employer's First Report and forward it to the New Jersey Department of Labor, Division of Workers' Compensation for the Parish. The Administrator will also send a copy of the First Report to the Parish and to the employee.

The Claims Administrator will maintain contact with and provide instructions to the employee.

Medical Attention

Except in emergencies, the Claims Administrator has the right to choose the treating physician or facility for cases related to workers' compensation and will advise the injured employee of what is available in the area.

The employee or physician should submit all medical bills related to the claim directly to the Claims Administrator for payment.

Benefits Provided

Types of benefits provided are related medical treatment; temporary disability and permanent loss of function because of an injury and death benefits.

The authorized physician determines the length of the disability.

There is a seven-day waiting period before the Claims Administrator will pay benefits. The employee is to be charged sick time and paid by the Parish during this period. The Claims Administrator will reimburse the Parish the applicable percentage of this amount if the disability period extends beyond the seven days. The employer should not pay wages to these employees for more than this period.

Employees returning from a workers' compensation leave of absence cannot return to work without a physician's written authorization.

Those with supervisory responsibility should notify the Pastor or the Claims Administrator of all injuries so that they may make proper reporting.

All employees are covered regardless of the number of hours worked.

Note: Workers' Compensation insurance does extend to all clergy and religious sisters and brothers. We do not extend it to volunteers or to contractors.

The Archdiocesan Self-Insurance Program Administrator bills premiums annually soon after the fiscal year starts on July 1. Premiums are based on the total payroll reported on the Parish annual financial statement for the year ending one year before the billing date. Instructions for premium payments are included with the billing. If payrolls reported for the applicable period do not reflect the current payroll, an adjustment will be necessary. Please contact the Director of Risk Management & Insurance Service Department to discuss adjustments.

1.8: SALARIES

Clergy - Active

Diocesan Priests are entitled to a salary and benefits, which the Parish, institution or agency provides, as follows:

- A salary based on year of ordination. (A salary schedule is issued annually.)
- Monthly business advance allowance.
- A residence providing meals and appropriate services.
- Annual premium payment for group term life insurance (\$20,000 value).
- Semi-annual premium payment to Priests' Retirement Benefit Plan.
- Auto Insurance.
- Monthly premium payments for medical and dental coverage.¹
- All Parishes and agencies of the Archdiocese are responsible to provide for their Priests an opportunity for an annual comprehensive medical examination. Should the examination exceed the coverage provided, the Parish or institution is responsible for the expense.
- Four weeks vacation: three in the summer and one in the winter.
- Ten days a year for Priestly renewal, separate from vacation and retreat time, and reimbursement for expenses to a maximum of \$500.

¹ When a Priest is retired, the cost for his life, health and dental insurance and his premium for Medicare Part B (if requested), is paid by the Archdiocese of Newark.

- Five days retreat time, apart from vacation, and reimbursement to a maximum of \$300 in related expenses.
- Parishes pay the salary, business expense, car insurance, pension premiums and medical benefits for Priests who are **on sabbatical**.
- The Parish or institution may pay no additional benefits, perquisites, gifts or bonuses without explicit permission from the Office of the Archbishop.

Religious Priests that serve by archiepiscopal appointment in Parishes staffed by religious orders are entitled to the same salary and benefits as Diocesan Priests, except the Priests' Retirement Benefit Plan. Those appointed by the Archbishop to other assignments are entitled to the recompense and benefits due an Adjunct Priest.

Adjunct Priests receive the basic minimum salary and business expense. Those serving in Parishes are also entitled to stipendiary income according to local custom. They receive these benefits:

Benefit	When Eligible
Life Insurance	When he begins his ministry in this Archdiocese*
Medical Insurance, Dental	When he begins his ministry in this Archdiocese*

*Except for summer assignments.

Deacons

Permanent Deacons are not provided salary or benefits.

Transitional Deacons are entitled to a salary, business expense allowance, and benefits as determined by the Archdiocese of Newark.

Religious Sisters and Brothers

The Archdiocese specifies salaries and benefits for Religious Sisters serving in Archdiocesan institutions in the annual contract approved by the Major Religious Superiors and the Archbishop.

There are two parts to the contract: a standard agreement that applies to all Sisters and a supplement that applies to the specific ministry.

The contracts are available at the following Archdiocesan offices:

Ministry	Archdiocesan Office	Telephone number
Education	Superintendent of Schools	(973) 497-4260
Catechetical	Catechetical Office	(973) 497-4285
Archdiocesan Agency	Vicar for Pastoral Life	(973) 497-4321

Hospital Ministry	Vicar for Pastoral Life	(973) 497-4321
Parish Ministry	Vicar for Pastoral Life	(973) 497-4321

The Vicariate for Education renews contract terms for Brothers serving in the Archdiocese of Newark annually.

Archdiocesan institutions provide dental coverage for Sisters and Brothers.

Lay Employee

Salaries of lay employees should be reviewed annually to ensure that they conform to Christian principles of justice, the Church’s social teaching, and the norms of civil legislation.

The Archdiocesan Schools Office provides guidelines for teachers’ salaries.

Performance evaluation is for the purpose of evaluating and documenting an employee’s strengths and those areas where improvement is needed. Particular attention is given to quality and quantity of work, dependability, attendance, initiative, effort and attitude.

These evaluations should be conducted annually; however, they may be conducted more frequently.

1.9: SABBATICALS

As the primary shepherd who seeks to foster the personal and ministerial development of his brother priests, the Archbishop authorizes a sabbatical leave from an active ministerial assignment.

1. Every priest has the right and obligation to devote time to his continuing formation.
2. A sabbatical is defined as an extended period of time away from a priest’s normal assignment:
 - To study in a formal program which will enable him to become more effective in ministry;
 - To experience prayer at a place established for the development of the spiritual life.
3. An incardinated priest who has served the Archdiocese for a period of 10 to 14 years may obtain a sabbatical for a period of three to four months depending upon the length of the specific program, or, if he has not yet had a sabbatical, after 15 years of service he is entitled to a full sabbatical of six months.
4. The parish or institution to which the priest is presently assigned will pay his salary, business expense, car insurance, and medical benefits and pension premiums during this period. The expenses of the sabbatical will be shared by the priest, the parish or institution, and the Archdiocese since the sabbatical will be beneficial to all three.

Accordingly, each will pay one-third of the cost. If this is not possible, other arrangements can be made in consultation with the Director of Priest Personnel.

5. A priest who wishes to pursue a sabbatical must do the following:
 - the priest will write a letter to the Archbishop requesting a sabbatical for a stated period of time;
 - the priest consults with the Director of Continuing Formation concerning sabbatical opportunities;
 - the Director of Diocesan Priest Personnel will interview the priest concerning the following:
 - the place and dates of the sabbatical, as well as arrangements for residence;
 - the consultation of the Pastor or administrator of the parish/institution to which he is assigned;
 - financial arrangements and sabbatical expenses.

The Director of Diocesan Priest Personnel will present the candidate's completed sabbatical plans to the Archbishop for final approval.

1.10: BENEFITS

This section is an overview of the benefits provided to employees of Parishes and Schools (not including Regional High Schools) in the Archdiocese of Newark and is not intended to be all-inclusive. For specific information, please contact the Office of Human Resources.

Specific Eligibility Requirements

- Full-time employees who have worked for the employer for more than two months must be provided with benefits. The only benefits they may waive are healthcare and dental coverage.
- An employee may work for two or more covered employers concurrently. In such cases, the employers are to provide this employee with benefits, with each employer paying a percentage of the premium. The employers coordinate this effort.
- A person who is receiving pension benefits from the Archdiocesan Lay Employees Pension Plan may work and continue to receive pension benefits if employment is customarily **less than** 25 hours per week. They are not entitled to healthcare, dental, life and disability benefits.
- If retirees resume full-time employment with the Archdiocese of Newark, pension benefits must be suspended immediately. Any pension benefits received while working full-time must be repaid to the plan. (These persons will be entitled to receive the usual healthcare, dental,

life and disability benefits offered to other full-time employees. They may also accrue additional service credit that can increase their pension benefits.)

- Archdiocesan institutions may provide benefits only to persons actively employed 25 hours per week or more if hired on or before 1/31/09 or 35 hours per week if hired on or after 1/1/10.
- Employees working 30 or more but less than 35 hours per week are eligible under the Affordable Care Act (ACA) to participate in the Medical Program (Medical/Prescription/Vision).

Benefits include the following:

The Employee Benefits Program for Lay Employees of the Archdiocese of Newark for the fiscal year beginning July 1, 2018 consists of the following:

- **Healthcare Coverage** – The Archdiocese offers a choice of two levels of coverage with different cost-sharing features. The School and the employee share in the cost of single coverage under the Standard Plan. Employees pay the full additional cost for the Premium Plan and the full cost for their dependents under both plans.
 - **Eligibility** – Coverage is effective on the first of the month coincident with or first following 60 days of hire. This waiting period cannot be waived.
 - **Enrollment** – New staff members must log on to MyEnroll.com no later than 45 days of their Date of Hire to select their benefits. Otherwise, they will be automatically enrolled in “Single” standard coverage and must wait until the next open enrollment period or a qualifying life event.
 - There is an annual open enrollment period which normally covers a 21 day period in November or December. Changes become effective January 1st of the following year.
 - **Current Providers**
 - United Healthcare is the medical claims administrator.
 - CVS/Caremark is the pharmacy benefits manager.
 - United Healthcare Vision provides a vision benefit.
- **Dental Coverage** – The Archdiocese offers a choice of two dental insurance programs with different cost sharing features. The Basic dental coverage is a PPO plan paid for by the School for the employee. Participants pay the full additional the cost of dependent coverage. The Premier Plan is a high option plan available at additional cost.
 - **Eligibility** – The first of the month coincident with or first following 60 days of hire. This waiting period cannot be waived.
 - **Enrollment** – Same as medical.
 - **Current Provider** – Delta Dental of NJ, Inc.

- **Group Life Insurance** – The core life insurance coverage is \$10,000 plus additional AD&D coverage. This is a group term policy and the School pays the cost for the basic coverage. Voluntary supplemental coverage is available at the employee’s cost. Rates are available on MyEnroll.com.
 - **Eligibility** – 90 days following date of hire if actively at work.
 - **Enrollment** – New staff members are automatically enrolled in the core life insurance coverage but should enter the names of their beneficiaries on MyEnroll.com.
 - New staff members have 345 days from their Date of Hire to elect the voluntary supplementary life without evidence of insurability. Thereafter, they can request coverage only during open enrollment or upon a qualifying life event. Approval is conditioned upon the insurance company’s review and acceptance of their application.
 - **Current Carrier** – Hartford Life Insurance Co.

- **Short-Term Disability** – The core short term disability plan provides income replacement for up to 26 weeks if an employee is disabled and unable to work due to an illness or injury not covered by Workers’ Compensation. The full cost of this program is paid by the Parish or School. The benefit is 66.67% of the employee’s salary with a maximum weekly benefit of \$525.00.
 - **Eligibility** – 90 days following date of hire if actively at work.
 - **Claims Administrator** – AbSolve.
 - **Notes** – As a religious employer, the Archdiocese is not covered by the NJ State Disability Insurance program.
 - The claims administrator will send the benefit checks payable to the Parish or School who, in turn, will deposit the funds and pay the employee directly. Disability payments are FICA and FIT taxable and be coded as Third Party Sick by the parish payroll company.

Healthcare Program for Early Retirees - To be eligible for the Program, an employee must meet all of the following criteria:

- Be age 55 or older
- Not be qualified for Medicare coverage
- Have served not less than 20 years of full-time service with covered employers
- Terminate employment with a covered employer
- Elect to begin receiving pension benefits from the Pension Plan no later than the first of the month following such termination
- Remain current with required healthcare contributions and,
- Have been covered by medical coverage through the Archdiocesan sponsored program while in active employment and at the date of termination.

Payment of Premiums. Healthcare premiums are due and payable in full (both Employee AND Employer portions), by the enrolled retiree no later than the tenth of the month before the month for which coverage is requested, e.g., the premium for coverage in the month of July must be paid no later than June 10. Health- care premiums are payable to the employer from which the employee retired. The retiree must make arrangements with their former employer to remit the required monthly premium payments to the employer by the deadline.

- **Lay Employees Pension Plan** – The plan is a qualified defined benefit pension plan. Benefits are provided at retirement based on final average earnings during the last five years of service. Coverage is transferable among participating Archdiocesan employers. The School pays 100% of the cost.
 - **Eligibility** – After completion of three years of service. Participants are vested after five years of fulltime service.
 - **Plan Administrator** – Trustees of the Roman Catholic Archdiocese of Newark Pension Plans.
- **Severance Plan** – This plan provides a lump sum payment to employees whose employment is involuntarily terminated for reasons other than cause. The amount of the benefit is based on a schedule that multiplies years of service and final weekly pay. The maximum benefit is 12 weeks’ pay.
 - **Eligibility** – After completion of six months’ service.
 - **Plan Administrator** – The Office of Human Resources at the Archdiocesan Center
 - **Note** – As a religious employer, the Archdiocese of Newark is not covered by the NJ State Unemployment Insurance Program.
- **403(b) Tax Deferred Annuity** – Employees may elect to defer a portion of their salary to this optional retirement savings program.
 - **Eligibility** – All full and part time employees of the parish or school.
 - **Enrollment** – If your parish benefits administrator does not have enrollment workbooks, the contact to request them is:

UBS Financial Services, Inc.
The F.D.G. Group
1-888-435-6930

- **Plan Administrator** – Prudential Retirement administers the 403(b) plan sponsored by the Archdiocese. Effective January 1, 2009, this is the only program of this type permitted in Archdiocesan parishes and schools.

Disclaimer – This summary is intended to provide highlights of the plans. Although every effort has been made to describe the provisions of the plans as accurately as possible, it is impossible to briefly summarize all the plans in a document of this nature.

The requirements for participation and any and all other terms and conditions of these plans will be determined strictly in accordance with the plan documents and the governing agreements and contracts with the plan providers,

Our plans are “church plans” as defined by ERISA and are not required to meet the requirement of that Act which includes the offer of COBRA continuation to plan participants.

The Archdiocese of Newark reserves the right to change plan providers, employee contributions and to amend or discontinue these plans at any time at its sole discretion.

Section 125

This plan is so named because it is provided under Section 125 of the Internal Revenue Code, as amended.

There is no enrollment in this plan. Coverage is automatic if the employee provides healthcare and/or dental coverage for another person(s).

Employee premiums for the healthcare and dental plans are paid on a before tax basis unless the employee elects out the plan on a form provided by the Office of Human Resources.

This plan generally reduces federal income tax liability on the portion of premiums paid by the employee. It does not reduce state income tax liability.

A Section 125 plan also reduces the amount of covered earnings reported for social security purposes. Employees may wish to review this matter with their own tax advisor.

1.11: RECORD KEEPING REQUIREMENTS

A Personnel file should be established for each employee. They should be neat, organized, uniform and limited to information used in making employment decisions. The files should be in a locked cabinet, in a secure location. Access should be limited to the Pastor/Principal or a designee.

Personnel File Contains:

- **Basic Information**
 - Name, address, phone numbers, e-mail addresses, emergency contacts
 - Salary history, date of hire/rehire, prior employment w/Archdiocese, date of birth, full-time or part-time, # of hours per week, SS #, marital status, sex
- **New Employment – Documents**
 - Employment application (signed)
 - Resume (if provided)
 - Position Description

- Academic transcripts (where relevant)
- Certificates (when relevant to job), e.g. - Boiler license, teaching certificate, CDL driver's license, etc.
- Results of tests (if appropriate)
- Reference checks
 - Results of actual checks
 - Letters of recommendation
- Criminal background check; First Advantage; NJ State Police
 - Reference Authorization
 - Results of criminal background check
- Protecting God's Children – Proof of course attendance (Certificate)
- Letter of hire ("At Will" status) or annual employment contract (teachers and DREs only)
- Acknowledgements signed by employee
 - Employee Handbook (if applicable)
 - Faculty Handbook – teachers
 - Policies on Professional and Ministerial Code of Conduct
 - Acknowledgment form – Right to be free of Gender Inequity Notice
 - W-4 withholding form
- **Documents Evidencing Continued Employment**
 - Performance evaluations
 - Disciplinary documentation
 - Oral
 - Written
 - Acknowledgements for updated handbooks and other documents that require signoff
 - License Renewals
 - Annual contracts (teachers and DREs only)
 - Awards or recognitions

- Change of status, e.g. position, hours, location, etc.
- Termination letter
- **Documents Which Should NOT Be Kept in Personnel File**
 - Drafts of documents
 - I-9 Form (must be kept in a separate file)
 - Garnishments (must be kept in a separate file)
 - Employee health Information – (must be kept in a separate, locked, confidential file)
 - Includes applications for insurance – if health questions are asked
 - Includes doctor’s notes excusing employee from work
 - OSHA [medical records – must be maintained for as long as 30 years]

Due to evolving employment law, the Office of Human Resources recommends that personnel files be kept indefinitely.

1.12: HUMAN RESOURCES RELATIONS

Developing a job description for every position will provide a clear understanding of responsibilities and accountability. The job description should be available before hiring the person for the position and reviewed periodically. The entire staff should be familiar with the scope of each staff position.

Regular Parish staff meetings can strengthen communication and team effort.

The job description can be used to guide performance evaluations. Job descriptions should be reviewed over time in order to determine their relevance to actual work efforts.

1.13: STATEMENT OF POLICIES

Written policies ensure consistent and equitable treatment of all employees. Written policies assist employers in their decisions by eliminating guesswork and establishing guidelines. We urge that Archdiocesan employers develop and maintain a policy statement for their employees and supervisors to include the following:

- Employee Classifications - defining who is an employee
- Work & Payroll schedules - hours of business and schedule of payments
- Time reporting
- Vacations - eligibility and accrual
- Leaves of Absence (regular, disability, funeral, sick, military)

- Salary Administration (performance appraisals, salary increment schedule)
- Holiday Schedule

The Policy and Procedure Manual for Archdiocesan Center personnel can be adapted to Parish needs. Please contact the Office of Human Resources for a copy.

1.14 ARCHDIOCESE OF NEWARK SEVERANCE PAY PLAN

Overview

- As a non-profit organization, the Archdiocese of Newark does not participate in the New Jersey Unemployment Insurance Program. The Archdiocesan Severance Pay Plan applies to all full-time employees (25 hours per week or more if hired on or before 1/31/09 or 35 hours per week if hired on or after 1/1/10) who are involuntarily separated from employment “for reasons other than cause” (e.g., classroom cutbacks, school closing).

Benefits

The benefit payable to an eligible employee equals their weekly salary times the number of years of service.

Years of Service	Weekly Salary Multiplier
Less than 6 months	0
6 months but less than 2 years	2
2 years	3
3 years	4
4 years	5
5 years	6
6 years	7
7 years	8
8 years	9
9 years	10
10 years	12

The maximum benefit payable under this plan is 12 times the weekly salary.

Administration

The Severance Plan Administrator will carry out procedures for benefit determination and remittances. The Archdiocese of Newark may amend the Plan from time to time as deemed appropriate and reasonable.

The employer shall notify employees, not terminated for cause, of their separation in a written notice.

To determine and calculate benefit eligibility, a claims form must be forwarded within two working days of the employment separation to:

Severance Plan Administrator
Office of Human Resources
P.O. Box 9500, Newark, NJ 07104-0500

The amount of the benefit due an employee will be forwarded payable to the employer. The amount of the payment includes the employer portion of social security. The employer will pay the benefit to the employee after they make proper deductions for federal and state income tax and Social Security tax (FICA). **The employer is fully responsible for appropriate deductions and tax accounting.**

Any employee protesting a denial of benefit will have the circumstances concerning their termination reviewed within 60 days of their notification of denial. To initiate a review, the former employee should contact the Severance Plan Administrator in writing. The Benefits Manager will review the matter consulting with the employer and refer it to the Severance Plan Administrator with a recommendation for action.

Funding

Funding for the plan is provided by the Parish or School. The established contribution rate is one-half of one percent of taxable wages as indicated on the quarterly IRS Form 941 for qualified employees. **A qualified employee is a full time employee of the Parish or School. Participation in the Plan for these employees is mandatory. Priests, Religious and Part-Time employees cannot participate.**

The Parish or School must complete a Severance Plan Contribution Worksheet to determine the remittance amount. The worksheet, a check made payable to the Archdiocese of Newark – Severance Plan for the remittance amount, and a copy of the quarterly IRS Form 941 should be forwarded to the following address by the end of the month following each calendar quarter end:

Severance Pay Plan
Office of Finance
P.O. Box 9500
Newark, NJ 07104-0500

If a Parish or School does not employ any full-time employees, a copy of the quarterly IRS Form 941 should still be forwarded to the Department of Finance. The Form should clearly indicate that no full-time employees are on the Parish payroll.

2: OFFICE MANAGEMENT

2.1: SECURITY

Security measures protect Parish property from theft or unauthorized usage, and prevent personal injuries. If you have any questions regarding security matters, contact the Office of Parish Business Services at 973-497-4074.

Buildings

- Establish **regular hours** when buildings will be open. Assign the responsibility for opening the buildings each day and securing the closing.
- Written procedures for closing a building, hall or meeting room should include mention of safe trash removal, lockup, etc. A checklist, which can include notes of who is performing a task each evening, may be useful when volunteers are assisting.
- Buildings should be checked regularly, inside and out, by those responsible for their security. During a routine "walk-through", problems can be noted such as unauthorized entry, water/electric damage and breakage. Such inspections are especially important when a building is not used daily.
- Install alarm systems, designed to detect both burglary and fire, in Parish buildings. The Office of Property Management can provide assistance in the selection process.
- Secure all doors and windows, preferably with dead-bolt locks.
- Entryways on all sides of the buildings should be illuminated with bright, automatically operated lights.
- Entrances to the rectory proper from the Church, offices, or meeting rooms should remain locked. Provide keys only to those requiring access because of their work.

Property

- Maintain petty cash, Mass stipends, and other cash to which daily access is required in a safe, or at least within a locked area. Do not leave the safe unlocked, or the combinations on a "0" position. Do not leave copies of the combination in an accessible area. Restrict access to the safe to key Parish Staff.
- Deposit collection money at the bank promptly or store in a locked safe in the rectory pending the count/deposit activities. Do not store in sacristy, upstairs bedroom or closet. Use night depositories between and after Masses and vary the times and routes. Preferably, no one should deliver the deposit alone. You may wish to consider arranging a police escort.
- Store liturgical vessels, especially those constructed of precious metals, in a vault or, at the minimum, in a locked cabinet, apart from generally accessible areas.

- The tabernacle must remain locked. Keep the key in an area of the rectory that is not in general usage.
- Restrict access to areas where Parish records and office machines are stored.
- Office machinery, particularly computers, may require bolting, especially in high crime communities.
- Park vehicles in a garage or fenced area. Alarm systems or digital cut-off switches are valuable deterrents to theft. Keep keys in restricted areas.
- When the integrity of locks and/or combinations have been compromised due to a burglary or an employee termination, change the lock/combination immediately.

Personal Safety

- Procedures for admitting visitors to the rectory will vary according to location. Review Parish procedures with the receptionist. Written procedures are helpful, especially if you have several receptionists. Individuals that are not known or not expected should not be admitted. When in doubt, request that the visitor wait outside until his/her identify and purpose is verified.
- Keep emergency contact numbers (police, ambulance, etc.) readily available.
- Stairways should be equipped with handrails and be adequately lighted.
- Only Parish personnel should be left alone in the sacristy, rectory, office or meeting room. Preferably, schedule two people to be present at all times. Children must have adult supervision.
- Only authorized, trained personnel should use hazardous equipment, such as power tools, lifting devices, and ladders. Parish equipment should not be loaned.

System Data Security

- Control access to data. The manuals for your computer and software will provide instructions on how to lock the unit and use passwords for access to confidential data.
- Use anti-virus and firewall software to protect the integrity of computer data.
- Back-up files on flash drives or other media must be protected from exposure to liquids, magnetic fields and extremes of temperature and dust.
- Documents for permanent retention should be stored in printed form and on selected computer media. The selected media requires a storage cabinet that is specifically designed for such media.
- All critical information such as financial records and census data should be backed up. Computer manuals provide instruction on backup procedures.

- Offsite storage of back up records should be considered for disaster recovery purposes. Backup in a secured “cloud” should be considered.
- The Office of Information Technology can help with questions about computer usage. Call the Help Desk at 973-497-4160.

2.2 TELEPHONE

The telephone is a major source of contact for the Parish. Calls should be handled in a pleasant, professional manner with due attention to the delicacy of certain matters presented.

Suggested guidelines are as follows:

- The main telephone number should be listed in the telephone directory in the name of the **Parish**. An additional listing, in the Pastor's name, also may be included.
- The telephone should always be attended. When no Priest is present, emergency telephone numbers should be provided to those handling incoming calls so that a Parish Priest or local Parish may be reached.
- If it is necessary to use an answering machine, include an emergency number as part of the recorded message.
- Parish staff should be instructed in the proper usage of telephone equipment.
- Staff should be advised not to disclose confidential information in a telephone conversation. In addition, the staff should exercise sensitivity and confidentiality when handling calls of a delicate nature.
- Requests for schedules of services should not be refused.
- If extensions with outward access are installed in unsupervised areas, physical telephones should be removed when not in use by the staff.

2.3: CORRESPONDENCE

Written Correspondence

General

- Parish letterhead should be used only for correspondence generated as a representative of the Parish or of its organizations.
- Secretaries who handle correspondence for the Pastor or Parish managers should know to whom they should provide copies of specific letters, such as the Regional Bishop or an Archdiocesan office.

Mailing lists

Mailing lists of Parishioners, members of societies, and the like, may be maintained on either computer media or labels. These lists should not be provided to anyone without the Pastor's approval. The lists should be reviewed for completeness and accuracy annually.

Bulk Mail

The United States Postal Service offers special bulk mailing rates to non-profit organizations for mailings of the **same** piece of correspondence to more than 200 recipients. Your local post office can provide the bulk mailing manual and application.

Parishes that use the bulk mailing rate must ensure that:

- the permit is actively maintained and payment is current;
- the bulk mailing account balance is sufficient;
- the postal regulations regarding size, weight, contents, the inclusions of zip codes, and imprinting of the permit number are observed; and
- the mailing is properly prepared and accompanied by required forms.

As the Post Office does not guarantee any delivery interval, it would be wise to consider the importance of timely receipt when using bulk mail.

Pastors' Mailing

The Archdiocese distributes e-mails to Pastors that can include notices from any Archdiocesan department. Since much of the material is "dated", it is recommended that the information be circulated promptly.

Computer Usage

The Information Technology Services (973-497-4160) offers extensive support for Parishes using personal computers. These services include:

- help with determining configurations when purchasing computers and software;
- free classes in usage of "standard" software, such as Microsoft Word, Microsoft Excel, D-Base, and Parish Data Systems (software designed specifically for Churches which is helpful in maintaining records and preparing financial data);
- and site visits.

2.4: PARISH CENSUS

Regular maintenance of the Parish census is a valuable resource for vital information.

Detailed guidelines are available from the Office of Development at 973-497-4589.

2.5: SACRAMENTAL RECORD/FORMS

According to Canon 470, each Parish must maintain permanent registers of Baptisms, Communion, Confirmations, Marriages, and Funerals. Store these records in a locked, fireproof safe. These records are subject to annual review by the Dean.

Forms for the various sacraments are available through the Department of Office Services at 973-497-4035.

2.6: PARISH BULLETIN

A schedule must be established that allows ample time for the typing and layout of the Parish bulletin and the subsequent in-house reproduction or submission to a printer.

All Parish departments and organizations should be informed of deadlines and restrictions on the length and contents of the contributions.

Parish guidelines should be developed for the approval of announcements from outside organizations or individuals. Readers may assume that inclusion of an item is an endorsement or recommendation by the Parish.

Do not use copyrighted materials in the Parish bulletin. Most articles, music, poems, artwork and cartoons from published sources fall into this category. Inserts, such as quotations, literary pieces, and drawings that may be duplicated are available through bookstores, or through suppliers of religious goods and educational materials. There are also inexpensive graphics that can be used with software - such as the "Christian Images" from T/Maker Click Art.

As homebound Parishioners and those in college or military service may appreciate a copy of the bulletin, it is a good idea to maintain a mailing list.

2.7: PURCHASING

Purchasing procedures can simplify controls, reduce costs, and benefit all Parish departments. It helps to channel orders, maintain documentation, and process invoices centrally to avoid duplication of payments, to take advantage of quantity discounts, and to have records readily available.

Types of Purchases

Two factors determine the level of approvals and delegation of authority for purchases: the amount of the expenditure and the nature of the product or service.

Capital expenditures are single expenses that exceed \$25,000. These expenditures are addressed in section 4: [Property Management](#).

Purchases: Between \$5,000 and \$25,000

Purchases of services, machinery, furniture, telephone systems, etc., which exceed \$5000 and are less than \$25,000 require review by the Parish Finance Council and direct approval by the Pastor. Parish staff may prepare recommendations for the Pastor's approval.

The following guidelines should assist you with major purchases:

- Determine specific requirements, including the ceiling on the expense (in relation to the Parish budget).
- If you need assistance with project specifications, contact the Chancery department that handles the area.
- Obtain three quotes for comparable products.

In association with the Parish Finance Council or accountant:

- Evaluate whether the product suits particular needs of the Parish.
- Evaluate the pricing and budgetary impact. This can include preparation of details that contain both fixed and variable costs (the latter including maintenance and supplies), and the comparison of purchase and leasing options.
- If a purchase or leasing **contract** is involved, it is policy that it be reviewed by Archdiocesan Legal Counsel.

Purchases under \$5,000 are at the discretion of the Pastor.

If a purchase is within the Pastor's level of authority (below \$25,000), only the Pastor may sign a purchase contract or lease agreement.

Leases/Certificates of Insurance

Lessors usually require a certificate of property insurance. Contact the Office of Risk Management and Insurance Services at 973-497-4040 and provide the following information:

- Name and address of the lessor;
- Make, model, serial number, and value of the equipment.

The Office of Risk Management and Insurance Services will issue a certificate of insurance to the lessor and provide the Parish with a copy.

All equipment owned or leased by the Parish is included in the Parish insurance coverage. There are no additional premiums when equipment is added.

Consumable Supplies

This category includes items such as stationery, office supplies, and maintenance products that will be used within one year. Generally, consumables are supplies for which there is a regular, continuing need, and the quantities ordered are constant.

Centralized ordering of consumable supplies prevents duplication of effort, ensures adequate stock, and leads to maximum cost savings.

The Pastor may delegate authority for ordering consumable supplies within an established limit of cost or quantity. A regular inventory helps to decide what quantities to order, considering projected needs and the "shelf-life" of the items.

Placement of Orders

It is best to issue orders for all departments from a central location, such as the secretary or business manager.

Orders placed in written form allow for quick reference, and each should include:

- full name and address of the vendor, noting to whose attention it should be routed;
- name, address, and contact for the Parish;
- quantities, stock or model numbers, and descriptions for each item ordered;
- pricing;
- and special instructions, if applicable.

Include a copy of your tax exemption certificate with the order.

Orders should not be placed by telephone unless the Parish is dealing with a vendor with whom regular contact is maintained. In such cases, a written copy of the order should be maintained on file. The order should indicate the date and time it was placed as well as the person who took the order.

Caution is urged with vendors soliciting orders by telephone, if the company is not one with which the Parish has regular contact. In particular, vendors who do not clearly identify the names and locations of their companies are suspect. If a telephone order is placed, the date, time and person spoken to should be noted.

File Documentation

For purchases of consumable and general supplies, files should contain copies of the order, delivery ticket, invoice, and, when applicable, the equipment warranty.

For major purchases, copies of the invoice, order, warranty, and any reports that documents the purchasing decision should be kept.

It is helpful to maintain separate files for each piece of equipment. Be sure to file the maintenance contracts in an accessible location.

Details of the make, model, serial number, date of purchase, and cost at acquisition should be added to the general inventory for all office machinery, upon its delivery.

2.8: USE OF PARISH FACILITIES

Use of Facilities by Parish Organizations

There should be one point of contact (such as the Parish secretary or receptionist) for arranging use of the hall or meeting rooms. The person in charge should maintain a book for each facility that includes the date and time for each rental/meeting in order to avoid conflicts in scheduling. Organizations should be aware of the lead-time for arranging an event.

Events sponsored by and for the benefit of the Parish do not need additional insurance coverage.

The Pastor or his designate should be informed of the supervision provided at events scheduled by youth groups. It is best to record the names of chaperons in advance, so that there is no doubt that the number is adequate.

Larger gatherings, such as bazaars, picnics, and dances require advance planning. Details about raffle licenses, the need for police security, etc., can be obtained from your municipal clerk's office.

Temporary Use of Facilities

This section covers arrangements such as daily rental of a Parish facility or use of Parish grounds for a retreat, when they involve organizations that are not a part of the Parish or individuals.

When outside organizations wish to use the Parish facilities on a regular, but not ongoing basis (such as the Parish hall for monthly meetings), it is recommended that a written agreement about fees, scheduling, building access, use of Parish-owned equipment (such as kitchen facilities), and security be acquired.

Organizations must provide a certificate of insurance coverage. Individuals or groups which do not carry insurance must obtain Special Events Insurance for the date of the event. This coverage is provided through the Archdiocesan Self-Insurance Program.

Forms for Special Events Insurance enrollment may be obtained through the Office of the Risk Management and Insurance Services at 973-497-4040.

All records regarding the rentals of Parish property must be maintained on Parish property.

For more information, see [13.4: Tenant Users](#).

Tenants

This section deals with long-term rentals, not with daily or weekly arrangements that do not involve an ongoing relationship.

Refer to 4: Property Management.

2.9: RECORDS MANAGEMENT

Procedures in this area are comprised of two major components:

- controls governing materials maintained by individual Parishes
- specifications for archival records.

The objectives of the program include proper security, maintenance, and access for all types of records, as well as conformity to the requirements of civil or canon law and the generally accepted principles of sound business practice.

General Guidelines

A sound program of record management includes the following major responsibilities to which implementation and adherence are essential:

- Schedules should be established for the retention, disposal, and periodic evaluation of records.
- Security measures should be instituted which are designed to protect records from loss or damage and to guard against unauthorized access or distribution.
- File systems should be maintained in order to achieve orderly and efficient usage of materials.
- Inactive materials should be transferred in an orderly manner from prime office space to alternate storage areas or Parish archives.

Definitions

Records – This term applies to papers, computer media, manuals, books, maps, drawings, and other documentary materials compiled, produced, executed, or received by an employee, officer, or advisor of the Parish corporation in connection with the transaction of business.

Non-records – Materials which do not meet the requirements of the previous definition and which need not conform to the procedures set forth in this chapter (though internal records may apply), including the following:

- Library materials which are used entirely for reference or exhibition.
- Extra copies of documents or storage media preserved only for convenience of reference, if the same information is retained elsewhere.
- Materials not filed as evidence of Parish operations, such as letters of transmittal or telephone

messages.

- Informal correspondence with no direct relation to business.
- Preliminary drafts of documents; work papers.
- Stock of printed or reproduced documents maintained for supply purposes.

Inactive records – Records to which access is required on an average of less than once per quarter.

Classification

The nature of a document determines the value of and retention schedule for a file, as well as the degree to which it should be accessible. Records generally may be classified within five major categories as follows:

- **Administrative** – Records documenting operations and the establishment of policies and procedures.
- **Fiscal** – Records relating to financial transactions.
- **Legal** – Records which document legal or property rights.
- **Sacramental** – Materials documenting the administration of the sacraments.
- **Pastoral** – Records, usually confidential, which concern counsel, direction, or assistance given to individuals or families.

Confidential Records

Materials of a confidential or sensitive nature must be maintained separately from those in general usage, and in a locked room, cabinet, or drawer. Access is granted only to persons who are directly responsible for using the information.

The following records are among those considered confidential:

- Sacramental/Pastoral records which may reflect a person's circumstances, character, state of health, or personal problems.
 - Annulment case history
 - Marriage cases (including dispensations)
 - Letters of testimony
 - Adoption investigations
 - Counseling records or referrals for counseling services.
 - Privileged correspondence

- Personnel records which contain information about an employee's salary, performance, health, personal problems, or termination.
- Financial data, other than that which is a matter of public record or which has been publicly discussed or circulated.

Confidential records must be disposed of by a method of destruction, such as shredding, which makes reconstruction impossible.

Equipment Inventory

Records of all equipment which is owned, leased, or rented by the Parish are essential to sound business practice. When this information is stored on a computer back up media such as flash drives, CDs and tapes, additional hard-copy records are recommended.

Inventory records should include:

- equipment make, model, and serial number;
- date of acquisition;
- cost of acquisition;
- and location.

Filing Systems

Materials should be arranged in a uniform, systematic manner suitable to the nature of the documentation. **Documents comprising different major categories should not be combined.**

As a simple example, arranging all files in strict alphabetical order, with no regard for categories, would not lend to easy reference or assessment of materials. A file of unpaid bills should not follow the Pastor's correspondence with the Chancery.

One general rule is the arrangement of files using a system of headings and sub-headings, with individual files containing information about a specific aspect and labeled as such.

Example:

TAB Guide: Major Heading

Parish Council - 2018

LABEL on folder: Sub-Heading

Finance Committee - 2018 Membership List

- Files:
1. Membership list
 2. Minutes
 3. Reports, to and from
 - X Recommendations regarding major expenditures
 - X Assessment of bids
 - X Analysis of budgetary impact

Designations should be clearly indicated on TAB guides and File labels. When records are maintained on any data media, the media should be labeled and stored in a systematic order with a printed index of contents maintained for reference.

Vital records are always maintained in written form, and a register of the contents is retained separately from the file storage area. If back up medias are used in composing the record, a back-up copy should be made and retained separately from the work media.

Storage of Records

Environmental conditions for safe storage of records are basically the same as those for human comfort. Care must be taken that records are protected from water, dust, steam, extreme humidity, or unusual heat.

Active records should be stored in lateral or vertical file cabinets. Those cabinets containing confidential material should be locked. Inactive records may be stored in cardboard filing boxes which should be stored elevated from the floor. **They should not be placed on stairwells or any place where they could prove hazardous to safety.**

Back up media should be protected from handling, bending or other pressure, and must never be in contact with magnetic fields.

Disposal of Records

Records are disposed of when they cease to have reference value for the Parish Corporation. The term disposal is applied both to destruction of the record or transfer to the Parish archives.

Disposal of records is coordinated through a periodic review of their contents, in accord with the Retention Schedule that follows. The disposal of a particular record should be approved by the person responsible for the operations to which it relates.

Retention Periods

The period for which a record is retained is based on the extent of its value. Most Administrative records should be reviewed periodically, in accord with the Retention Schedule, to determine whether retention is necessary. Legal and fiscal records, which must conform to the requirements of civil and ecclesiastical authorities, generally have a specific retention period. Canon law requires that Sacramental records be retained permanently.

The Retention Schedule, which follows this section, is limited to materials - active or inactive - which relate to Parish operations. Historical records, which would be maintained in Parish archives, will be

treated separately in the Schedule. (Administrative records are often of historical value.)

Schedule for the Retention of Records

Sacramental Records	
Description Period	Retention Period
Annulment Case Files	Retain 40 years. Administrative value ceases.
Baptism Register	Permanent. Canon 877
Confirmation Register	Permanent. Canon 895
Death Register	Permanent
Dispensations	Retain with marriage case files.
First Communion Register	Permanent
Marriage Case File	Retain 70 years. Administrative value ceases.
Marriage Register	Permanent. Canon 1121
Record of Anointing	Permanent

Schedule for the Retention of Records

Administrative Records	
Description Period	Retention Period
Annual Report of the Parish	Permanent
Annual Report to the Chancery	Permanent
Articles of Incorporation	Permanent
Census Records	Permanent
Communications from the Archbishop (Official)	Permanent. Canon 535
Constitutions and bylaws for Parish organizations	Permanent
Correspondence (Official) concerning Parish policies, directives from the Chancery	Permanent
Correspondence, routine	Retain three years. Periodic review.
Election ballots	Retain one year after election.
Finance Committee Minutes	Permanent. Canon 537
Inventory Records	Retain until superseded.
Liturgical Minister's Schedules	Retain until superseded.
Mass Records	Retain until superseded
Parish Council Minutes	Permanent. Canon 536
Pius Societies, records of foundation	Permanent. Canon 1306
Rosters of Parishioners	Permanent
Subject files (correspondence, memoranda, rules & regulations, schedules, etc.)	Retain 3 to 5 years. Periodic review.

Schedule for the Retention of Records

Personnel Records	
Description Period	Retention Period
Employment Contracts	Seven years after termination
Equal Opportunity Forms	Ten years
Job Descriptions	Retain until superseded
Payroll Journal	Six years
Personnel Files	Ten years after termination
Social Security Withholding Record	Six years
Time Cards	Three years
Vacation and Sick Leave Forms	Four years
940, 941, W-2, W-3, W-4 Forms	Six years

Schedule for the Retention of Records

Financial Records (Reference Canon 1284)	
Description Period	Retention Period
Annual Report	Permanent
Audit Reports	Permanent
Bank Deposit Register	Five years
Bank Deposit Slips	Five years
Bids for Major Purchases	Five years
Building Funds Account Book	Permanent
Canceled Checks and Check Stubs	Five years
Cash Records (Disbursements and Receipts)	Five years
Charitable Gaming - General Accounting Records	Three years
Check Register	Five years
Contributions, records of	Seven years
Correspondence concerning financial transactions	Five years
Financial Statements	Permanent
General Ledger	Permanent
Bank Statements	Seven years
Lease Agreements	Seven years after lease expires
Loan Files	Five years after payment of loan
Mortgages, Notes, Related Documentation	Permanent
Paid Bills	Five years
Personal & Corporate Income Tax Records	Seven years
Purchase Contracts/Orders	Five years
Receipts	Five years
Special Collections, records of	Seven years
Tax Exemption Records	Permanent
Treasurer's Account Book	Seven years
Trust Fund/Estate Contributions	Permanent. Canon 1306

Schedule for the Retention of Records

Property Records	
Description Period	Retention Period
Architectural specifications and drawings	Permanent
Certificates of insurance (contracts)	Permanent
Construction specifications	Permanent
Deeds File	Permanent
Equipment files	Retain until superseded
Insurance records	Retain until superseded
Ownership certificates, property	Retain until property is disposed
Property Inventories	Retain until superseded

3: FINANCIAL MANAGEMENT

3.1: PASTOR AND PARISH FINANCE COUNCIL RESPONSIBILITY

As Secretary-Treasurer of the Parish Corporation, the Pastor is responsible for the management of Parish finances (canon 532). He is accountable for competent and dependable stewardship.

Canon law specifically outlines a requirement that each Parish must have a Finance Council to help with managing Parish finances. The relationship between the Pastor and the Finance Council is one of support and collaboration.

Parish Finance Council and Parish Pastoral Council

The Parish Pastoral Council is responsible to assist the Pastor with the pastoral life and worship ministries of the parish. The Finance Council is responsible to assist the Pastor with parish financial administration with the specific mandate to assist the pastor in the administration of temporal goods. While the Pastoral Council is to be representative of the whole parish membership, the Finance Council is to be composed of persons skilled in finances, civil law and business practices.

Functions of the Finance Council

- The Finance Council has a consultative vote and assists the Pastor in the administration of Parish goods. The primary functions of a Finance Council are as follows:
- Advise the Pastor in all financial matters
- Be responsible for long-range financial planning
- Coordinate with all elements of Parish operations and prepare the total Parish budget for presentation to and approval by the Pastor
- Monitor all revenues and expenditures regularly to check compliance with the budget
- Monitor and evaluate the financial record keeping systems and procedures in observance of the requirements of both canon and civil law
- Determine that budget and financial reports are prepared accurately and regularly and submitted to the Pastor, Parish Council, and the Archdiocese as required.
- Ensure annual disclosure of financial position to Parishioners.
- Note and evaluate major deviations from actual vs. budget comparisons for income and expense categories.
- Suggest revenue generation and/or expense containment measures if the Parish encounters difficulty meeting expenses.
- Review controls over cash and other assets to ensure that money is being properly handled.

Members of Finance Council

The Pastor is an ex-officio member. The Finance Council should be composed of Parishioners. However, if necessary, persons with expertise in financial affairs and civil law may be drawn from beyond the Parish.

Membership, Appointment, and Terms of the Parish Finance Council

The Finance Council should have between five and seven members, among them should be the two Parish trustees. Members should possess varied gifts: sensitivity to spiritual and Pastoral issues, sound business sense, financial or legal skills, and knowledge of Church developments.

The Pastor consults with the Parochial Vicars, other staff members and advisors in selecting Finance Council members, who he himself will appoint.

Initially, half the members serve for three years and half for two. After that, the ordinary term is two years. Membership terms are renewable.

Each Parish Finance Council should adopt its own operating procedures, i.e., attendance requirements and filling of vacancies.

The parish business manager, accountant and/or bookkeeper or any other individual employed or engaged by the parish may serve as staff persons to the Finance Council and shall not be a member.

Person related by blood or marriage to the Pastor or assigned parochial vicars may not serve on the Finance Council.

The names, addresses and professional title/experience of each member shall be submitted annually upon request to the Office of the Vicar General.

The names of the Finance Council are to be made known to the parishioners, preferably by publishing the names in the bulletin with the parish annual financial report.

Officers

The Pastor shall appoint a Finance Council Chairperson for a term of one year, renewable for additional years. The chairperson assists the Pastor in coordinating the meeting agendas, and schedules and chairs the council meetings.

The Pastor shall also appoint a Finance Council Secretary. There is no term for this position. The Secretary shall keep minutes of the council meetings and distribute the minutes to all members.

Meetings

The Finance Council should meet at least four times per year. More frequent meetings are suggested for parish with fiscal challenges. The Pastor and all members are expected to attend.

To be effective in their consultation to the Pastor, the Finance Council must have access to records and documents relating to the financial status of the parish. The meeting agenda must include a

review of the parish finances. This will include the Parish Finance & Budget Reports and interim actual vs. budget fiscal report. The Finance Council must also be provided with detailed information on the parish outstanding liabilities and available assets.

Any capital expense in excess of \$5,000 must have the consensus agreement of the Parish Finance Council.

A copy of meeting minutes must be maintained in the parish's permanent files.

Each member is required to maintain confidentiality on matters designated as sensitive.

3.2: ACCOUNTING/BOOKKEEPING PROCEDURE

Accepted Business Practice dictates that generally accepted accounting procedures are used in maintaining financial records. To ensure the maintenance of adequate books and records, the following are important:

- The Administration should engage the services of a competent accountant to prepare financial and budget reports and provide other guidance as necessary.

The following criteria define the minimum requirements for any accountant providing financial services to Archdiocesan parishes and schools:

1. Accountants must be well versed in Archdiocesan operating policies as disclosed in the Pastor Administrative Manual and other Archdiocesan publications.
2. The scope of the accountant's responsibility and related fees should be defined in a written document executed by both the Pastor/Administrator and the accountant. This document should not define a term for professional services rendered.
3. Required fiscal reports (annual budgets and financial reports) must be filed on a timely basis. Interim financial reports may be required in special situations.
4. Accountant provides financial MIS (management information reports) to the Pastor/Administrator as required. Reports must be provided on a minimal quarterly basis. The reports are to include, but not be limited to, the balance sheet, budget vs. actual fiscal year to date, profit & loss statement and account payables/receivables.
5. Accounting must be on an accrual basis throughout the fiscal year. Fiscal year-end accrual accounting only is not acceptable.
6. Wages and other qualified forms of compensation for all employees are subject to federal and state tax as required by regulations. Employee status is determined based on the guidelines detailed by the Internal Revenue Service in Publication 15.
7. Independent contractors and professionals receiving payments of \$600 or more per calendar year must be issued the appropriate tax forms in accordance with Internal Revenue Service in Publication 15.

8. Employee income tax liabilities must be determined in accordance with Internal Revenue Service in Publication 15. Said tax liabilities must be reported and submitted within regulatory time frames.
9. It is recommended that the accountant attend two parish finance council meetings each year. These meetings are to coincide with preparation and submission of the annual budget and financial reports.
10. Accountant is to sustain fiscal reporting on QuickBooks Accounting software.
11. Accountant is responsible to ensure that corrective measures for all accounting internal control weakness are addressed when identified. Inability to correct deficiencies, for whatever reason, must be reported immediately to the Archdiocesan Office of Parish Business Services.
12. Compliance with the accountant's responsibility and related fees as defined in the aforementioned written document executed by both the Pastor/Administrator and the accountant.

Accounting and Business Operation Guidelines

- Accounting must be on an accrual basis, not a cash basis.
- The Pastor should consider the recommendations and advice of the Finance Council.
- All accounting records, bank statements and other financial reports must generally be maintained at the Rectory but always on Parish property for access and retention purposes.
- The Pastor and Finance Council should review all of the existing commercial bank accounts, both checking and savings, and all organization accounts, for consolidation and inclusion in the RCAN Cash Management or Investment Management programs to effect a more manageable structure. This should be a special consideration for those locations with accounts in commercial banks which do not provide canceled checks or photocopies of cleared checks.

3.3: BANK ACCOUNTS

Policies

The Pastor/Administrator is designated as the Secretary/Treasurer of the Parish Corporation and, is the only person permitted to serve as the agent for the bank accounts of the Parish.

The Pastor/Administrator alone is permitted to establish Parish bank accounts, including organization or any ancillary accounts. All Parish accounts, as assets of the Parish, must carry the Federal Identification Number of the Parish.

Upon assignment, the Pastor/Administrator is required to sign a new bank resolution when he becomes a legal signer for all Parish bank accounts (including organization or ancillary accounts). This is accomplished by bringing the official letter of assignment from the Archdiocese to the

bank(s) which handles the checking and savings account(s) for the Parish and requesting new signatory cards for execution.

Each account must reflect the Parish corporate officers as signatories. They are the Archbishop as President, the Vicar General as the Vice President, and the Pastor/Administrator as Secretary/Treasurer. Once signed by the Pastor, each signatory card is to be forwarded to the Vicar General's Office for the signatures of the President and Vice President and subsequent return to the Parish.

Exclusive of the Archbishop and Vicar General and except as provided below, the Pastor/Administrator is the sole signatory on the Parish's general operating accounts.

Approval of the Archbishop or the Vicar General may be requested for:

- A Parochial Vicar to be an authorized signatory on a Parish account
- A second authorized co-signatory, such as a Parochial Vicar, principal, or lay person, on a Parish **ancillary** account
- A principal to be an additional authorized signatory on school accounts under the Lighting the Way Initiative.
- Lay persons to be authorized as co-signatories on a Parish ancillary account under the following conditions:
 - The Pastor/Administrator is fully resolved that the need for the lay co-signatory is justified.
 - The Pastor/Administrator is also a signatory for the account.
 - The account is not used as a general operating account.
 - All deposits into and disbursements from this account are incorporated into the Parish's books of account and reported in the Parish's fiscal reports.
 - All bank statements are mailed to the rectory, formally reconciled each month, and reviewed and approved by the Pastor/Administrator monthly.

In accordance with governing Archdiocesan policies, a lay person **is not permitted** to serve as a sole signatory on a Parish bank account.

With respect to separate ancillary accounts for Parish organizations, such as Athletic Associations, Rosary Societies, Home & School Associations, etc., Archdiocesan policy relating to such accounts is as follows:

- A Parish organization, **with the specific approval of the Pastor/Administrator**, may maintain separate checking and/or savings accounts.
- It is understood that these organizations often raise funds for specific purposes. Within this context, the governing Archdiocesan policies for the accounting for restricted gifts applies.

- With the exception of fund drives which are in progress, it is expected that the Parish organizations will distribute all gifts and surplus funds to the Parish, or related program activity, at the end of each fiscal year.

Other Considerations:

- A “running” checkbook balance is to be maintained for all Parish checking accounts.
- Bank reconciliations are to be stored in the rectory with the respective bank statements and canceled checks.
- At the end of each fiscal year, bank statements, reconciliations, and corresponding canceled checks are to be removed from active files and stored for future reference.
- The use of a rubber signatory stamp instead of an original signature for check signing purposes and any other financial transaction **is prohibited by Archdiocesan policy.**
- Archdiocesan policy prohibits checks being made payable to “**Cash**”. Checks to Cash are never appropriate. There is no recourse for bank stop payments on checks payable to “cash”.
- Exclusive of payroll, control the number of checks issued to individuals. All checks issued to individuals for reimbursements must be support by detailed receipts.
- All bank account and related balances are to be reported in the Parish’s Financial Report. As part of this requirement, only reconciled balances are to be used when preparing the Financial Reports. “Unreconciled” running checkbook balances, account statement balances, and general ledger balances are never to be used when preparing/submitted Financial Reports.
- All checks should be manually signed by the Pastor. Unless there is a heavy volume of checks issued, a signature plate may be used only if the proper internal controls are in place and adhered to.
- When using a signature machine plate, the following controls must be implemented:
 - The signature machine plate must be locked at all times when not in use.
 - Access to the signature machine is to be controlled by the Pastor.
 - The key to the signature machine plate is to be maintained in the Parish safe under lock and key.
 - The Pastor must control the number of checks used for machine signature.
- All blank checks should be maintained in the locked Parish safe.

3.4: ORGANIZATION ACCOUNTS

The receipts and disbursements from each organization checking account are to be incorporated into the Parish's general ledger in detail and on the annual Financial Report. Activity cannot be recorded net or by journal entry.

Estimates of each organization's fund raising efforts are also to be included in the Parish's Annual Budget Report. If substantial, separate revenue and expense coding needs to be developed to provide monthly activity statements for the respective organization account(s).

Excessive balances are not to accumulate in organization accounts. The proceeds from each organization's fund raising should be turned over to the Parish at the end of each fiscal year.

The activities of the organizations must be overseen by the Pastor/Administrator in regards to expenditures and the recording of revenues.

An organization account is a corporate asset and must bear the Federal Identification Number of the Parish Corporation.

Excluding documented reimbursements to an individual(s) for expenses incurred on behalf of the Parish, payments from an organization account to a Parish employee(s) in excess of \$25 are considered compensation. Therefore, such employee compensation is subject to Federal and State payroll statutes and is required to be reported.

3.5: INVESTMENTS

As Secretary-Treasurer of the Parish Corporation, the Pastor is responsible for the sound investment of Parish funds. In addition, Canon Law 1284, par. 6, stipulates that the Archbishop's approval is necessary **before** a Pastor/Administrator can invest monies.

The type of investments made by the Pastor, upon the advice of the Parish Finance Council, should be as risk-free as possible. Therefore, with due consideration to the risk factors involved, placing investments in government treasury notes and other fully secured positions that yield a prudent return at no risk to the Parish is advisable.

Sound financial management requires that the Pastor obtain a reasonable return on all Parish funds. This means that Parishes should invest excess funds, which are not required for operations, in programs other than no-or low-interest bearing checking accounts.

Parishes **should not** employ ordinary savings accounts as a longer term investment instruments. The Pastor should encourage and support the Parish's participation in the Archdiocesan **Investment Management Program**. This savings program is designed to permit the investment of Parish surplus funds for either short-term or long-term investment periods, and guarantees the availability of the funds to the Parish on a demand basis. This flexibility and preferred rate of return, which is subject to change quarterly, are not available on most short-term investments. The program credits interest to the Parish from day-of-deposit to day-of-withdrawal. For the current interest rate on either the Cash Management or Investment Management Programs, please contact the Office of Banking and Investment at 973-497-4069.

Interest income on the Investment Management Program is exempt from Archdiocesan Assessment.

As a further extension of Canon Law 1284, Parishes are prohibited from actively maintaining equity investment portfolios. This includes equity securities donated to the Parish, unless the donor has explicitly placed a restriction on the liquidation of the gift. Parishes that receive donations in the form of equities, as well as Parishes that currently maintain equity investment portfolios, should contact the Office of Banking and Investments for instructions regarding the evaluation and liquidation of such securities.

3.6: PETTY CASH

The use of personal credit cards or personal funds is not recommended when making a purchase on behalf of the Parish. Direct billing to the Parish is preferred; the use of Petty Cash Fund is a viable second alternative when the expenses are of nominal cost. Petty cash funds can be established for the Rectory, school or other Parish department. It is recommended that the fund be restricted to \$100 for each area to minimize exposure.

For internal control purposes, a Petty Cash Fund operates as follows:

- An individual is designated as the petty cash custodian
- Adequate documentation (receipts/vouchers) is needed to disburse funds.
- Replenishment of the petty cash fund is made with a check payable to “Individual Custodian - Petty Cash”.
- To subsequently replenish the petty cash fund, the amount of the check issued needs to be supported by documentation (receipts/vouchers) of prior expenditures.
- Expenses are recorded when a check is issued to replenish the petty cash fund.
- The amount of the petty cash fund will always be the same: cash-on-hand plus receipts/vouchers.

The parish should conduct a periodic independent validation by someone other than the petty cash custodian to ensure compliance with the above policies and to reconcile cash on hand.

The Pastor should consider either opening an account with a local merchant (e.g. the grocery store) and having all purchases billed to the rectory, or paying for all purchases with a check payable to the local merchant.

3.7: STATEMENT OF BALANCES/ACTIVITY

Each calendar quarter, the Archdiocesan Office of Finance forwards a Statement of Balances/Activity to all Parishes. The report is available monthly upon request.

This Statement reflects all the activity for the quarter such as billing, payments and adjustments, for assessment, insurance, pension, loans and other various receivables.

The Pastor and the accountant must compare the Statement to reconcile to the Parish's accounting records. If discrepancies are noted, the Parish must submit a request for investigation in writing to the contact person indicated on the Statement.

For each financial reporting period, the Parish's Due to Chancery and Debt Renewal liabilities section of the Financial Report must be reconciled to the Statement of Balances/Activity for the period ended.

Before any Financial Report is submitted to the Archdiocese, this reconciliation is to be completed and reported in the Financial Report. To complete this reconciliation, it may be necessary to accrue specific Archdiocesan billings and/or reflect payments forwarded to the Chancery but not yet credited against outstanding balances.

3.8: PAYABLES

The Pastor is responsible for sound fiscal management of the Parish which includes the timely payment of invoices.

All invoices should be mailed to the rectory address.

All incoming invoices should be reviewed for legitimacy and absence of sales tax charges. The Pastor should ensure that all vendors are notified of the Parish's New Jersey sales tax-exemption status. A copy of the Parish's certificate of tax exemption form should be forwarded to each vendor with the payment, from which the sales tax was deleted.

All open invoices should be filed by due date. The invoices should be paid prior to the due date to allow for postal delivery and to take advantage of any discounts offered.

Payment of invoices should be recorded as follows:

- The Pastor/Principal is required to initial each invoice to signify payment approval.
- The secretary/bookkeeper can prepare the checks and submit for the Pastor/Principal signature.
- The date paid, check reference number, and amount of payment must be indicated.

Each initialed invoice is to be filed in the Parish's alphabetic paid bill files and retained for retention purposes. Original invoices should always stay in files and not be released. Copies of invoices should be used for the payment.

At the end of each fiscal year, paid bills are to be removed from active files and stored for future reference.

3.9: FINANCIAL REPORTING

Accrual accounting is required by Archdiocesan Policy.

In addition to reporting all receipts and disbursements for the period, a Parish must also accrue and report applicable items at the end of each fiscal year for accurate financial accounting. These items include:

- Uncollected income (receivables) and offsetting revenues
- Unpaid bills (liabilities) and the corresponding expenses
- Expenses that were paid (prepaid) but not used in the fiscal period
- Revenues that were collected (deferred) but not earned in the fiscal period

The financial activity of the Parish Church, School(s) and, as applicable, Cemetery and Mausoleum operations is to be separately reported on individual financial reports.

Each fiscal year the Pastor must submit the following reports to the Archdiocesan Office of Finance on these dates:

1. Annual Budget Report – This report is due for the next fiscal year on or before May 31st of the current fiscal year.
2. Annual Financial Report (twelve months ended June 30) – This report is due on or before September 30th of the next fiscal year.
3. Revised Budget Report – This report is mandated for all schools to reflect actual school enrollment and staffing. It is an optional report for churches and cemeteries. It is due by October 15th of each year.

Any questions on the preparation of financial reports can be addressed to the Office of Parish Business Services at 973-497-4074.

Instructions for the proper completion of the Fiscal Reports are provided in a separate manual.

3.10: BUDGETING PROCESS

The annual budget is a report that reflects the resources available in the Parish and their intended application in carrying out Parish activities during the new fiscal year. It represents the Parish's financial plan for the upcoming fiscal year and should be realistic and realizable.

Begin the budgeting process three to four months before the budget report is due. The process should involve the Parish Finance Council and those who manage, direct, or offer advice about Parish resources. It is recommended that current interim financial records be reviewed before finalizing the budget.

Consider all aspects of Parish operations, including methods of fund-raising, cost-containment procedures, staffing and salary requirements, plant maintenance and repair needs, enrollment and tuition levels, and the investment of surplus funds, as appropriate.

Review and compare actual figures with the current year's budget and with historical data, noting variances. Understanding the variances and their underlying causes will allow the team to plan corrective action or insure continued progress.

After considering all factors, prepare schedules with budget figures in the various revenue and expense categories, based on the reasonable assumptions of those who coordinate the budget activity.

Review the preliminary budget with all parties who are coordinating the budget effort. Revisions should be made where necessary.

Budgets should reflect the historical operating trends of the Parish and the actual anticipated income and expense for the next year. Parish must strive to develop a balanced or surplus operating budget. This may require changes to the parish operating model. Planning a realistic budget enables the Parish to anticipate their financial operating model and thereby provide the opportunity to address deficit positions by identifying ways to increase revenues or reduce costs.

The Pastor and the Parish consultative bodies approve the budget. The Pastor must sign the formal budget report, obtain other required signature approvals, and submit the report to the Office of Parish Business Services.

Any questions on the preparation of the budget can be addressed to the Office of Parish Business Services at 973-497-4074.

Instructions for the proper completion of the Budget Report are provided in a separate manual semi-annually.

3.11: PARISH BUSINESS SERVICES

In the Archdiocese of Newark, the Office of Parish Business Services Department is in integral component of the Archdiocesan oversight of its parishes.

The responsibilities of the Office of Parish Business Services includes but is not limited to:

1. Financial and operation audits of Churches, schools and cemeteries.
2. Annual review of Churches, schools and cemeteries' operating budget and financial report.
3. Assist management in the restructuring of operations and finances.
4. Advisor to Parish administration on Archdiocesan operational and internal control policies and practices.
5. Mentor Parish Finance Councils on structure and purpose

6. Conduct investigation of suspect activities at the parish level as required.

Parish Financial and Operation Audits

The main purpose of a Parish financial and operational audit is to determine the degree of compliance with the established operating policies of the Archdiocese of Newark and governmental agencies.

Every Church, school and cemetery is subject to an audit every forty eight (48) months. An audit may also be scheduled when there is a Pastor change or if a change is noted in the fiscal health of a parish. Audits may also be requested by Archdiocesan officials.

Generally, a Church, school or cemetery is notified four weeks in advance of an audit visit. A letter confirming the appointment and the requesting the availability of certain documents and records is forwarded to the parish/school.

Onsite field work is generally one to four days depending on the complexity of the operations.

A closing conference is scheduled with the Pastor/Principal to discuss the review findings as disclosed in a draft audit report. Management is required to provide written responses to each finding stating corrective measures implemented to address the cited deficiencies.

It is the responsibility of the Pastor/Principal to implement the mandatory corrective measures referenced in the report such as those designated as violations of policies and government laws. Any recommendations suggested should be seriously considered for implementation.

Copies of final audit reports are provided to the Office of the Archbishop, the Regional Bishop, the local administration, the Parish Finance Council Chairperson, the Parish Trustees and designated offices in the Chancery.

A follow-up review is conducted by Internal Audit within 90 to 120 days of the final report issuance to validate the implementation of corrective measures. Any unaddressed issues are reported to the Archbishop of Newark and the respective Regional Bishop for further action.

Any questions regarding this subject can be addressed to the Office of Parish Business Services at 973-497-4074.

3.12: ARCHDIOCESAN ASSESSMENTS

As an integral part of the Archdiocese, each Parish has the responsibility of providing financial support necessary to accomplish its mission. All Parishes share the responsibility for providing funds to manage the Archdiocesan office and agencies, and to provide educational, charitable and social services. The major vehicle for providing this financial support is the annual assessment.

A billing statement will be provided prior to the commencement of a new fiscal year.

Church and cemetery assessment is calculated separately based on their respective ordinary income. Separate invoices are generated for each.

The assessment for the current fiscal year is based on the parish ordinary income from two fiscal year prior.

Ordinary Income	Rate
Over \$750k	18%
\$500K–\$750k	16%
\$100K–500k	14%
\$100k–\$500k	12%

Parishes which fail to submit their financial reports or submit incomplete reports may be subject to ordinary income estimations.

3.13: REQUESTS FOR FINANCIAL ASSISTANCE

It is the responsibility of each Church, school and cemetery to develop a fiscally sound operating budget. A balanced or surplus budget is expected.

If a parish determines that the budget cannot be sufficiently revised to address the operating deficit, a meeting with the Pastor/Administrator, Parish Accountant and representatives of the Archdiocesan Office of Finance should be requested.

The objective of this meeting is to provide insight on operating model changes to address the deficit. These concepts will most likely address three areas: staffing, expense control and proper classification of assets. The parish will be advised to implement changes and to submit a revised budget.

If the revised budget continues to reflect a deficit, an internal audit of parish finances and operations will be scheduled. This will most likely result in further recommendations for changes to the parish operating model to address the operating deficit.

If a Church or cemetery requires financial assistance to meet its operating expenses, a formal written request must be submitted by the Pastor/Administrator to the Office of the Archbishop.

3.14: LOANS

Loaning of Church, school or cemetery funds to individuals, including staff, is not permitted.

Churches, schools or cemeteries may not take out any loans without permission of the Vicar General.

A **loan** is the lending of a principal sum of money to one who promises to repay the amount borrowed, plus interest. Payment of the debt in regular, periodic installments of principal and interest is **amortization**. An **amortization schedule** shows each loan payment, separating the portions applied to principal and to interest.

The Pastor/Administrator must submit a letter to the Office of the Archbishop requesting an emergency loan if it does not have sufficient available reserves to fund any plant project or to meet an operating deficit. The letter must identify the dollar amount requested, the reason for the loan request and the proposed loan payment plan. The loan request must be endorsed by the Parish Finance Council and documented in the council meeting minutes.

Upon notification of the approval of a loan request, the parish is required to sign binding loan agreement which will stipulate terms including interest rate and repayment terms. All loan disbursements will be processed by the Archdiocesan Office of Finance.

3.15: CORPORATE CREDIT CARDS

A corporate credit card entitles its holder to buy goods and services for a Church, school or cemetery with the commitment to pay for these goods and services at a later date. The issuer of the card grants a **line of credit** from which a card holder can “borrow” money for payment to a **merchant** in return for tangible goods. As a credit card is a liability, a corporate signer must submit a letter to the Office of the Archbishop requesting approval to establish a corporate credit card.

Corporate cards may be issued to authorized individual cardholders as approved by a corporate officer. Cards may be issued to employees who in turn must be required to operate within a set of company rules and guidelines which must include an approved spending limit.

Corporate credit cards include the major cards such as American Express, Visa, MasterCard and local or national chain stores.

The administration must maintain a record of each credit card issuer and card number, the name of each card holders, the location of the card and the card dollar limit.

The card activity must be business related. The use of a card for personal purchases is prohibited. (Reimbursement for personal purchases is therefore not acceptable.)

The cardholder (and Management for non-corporate officer controlled cards) should review and initial each transaction on the monthly statement. All activity on each credit card statements must be supported by individual original receipts.

The balance must be paid in full each month eliminating the payment of finance charges and late fees.

Cash advances are prohibited.

Credit card(s) liability must be reflected on the balance sheet.

Credit card(s) must be returned to management when a cardholder leaves their position for any reason.

Any card benefits (i.e. Frequent Flyer or Reward Points) that accrue as a result of using a credit card(s) can only redeemed for the benefit of the Church, school or cemetery. No personal benefits are passed to the cardholder.

4: PROPERTY MANAGEMENT

EXECUTIVE SUMMARY

The Department of Property Management Administration (PMA) provides support services for the Pastor for all construction and real estate projects. PMA's primary function is to assist Pastors and Principals throughout all phases of construction, real estate and sustainable energy projects. This document is designed to provide assistance and guidance for the challenges inherent in managing parish facilities.

Contractor Selection Process

Qualification

To become eligible to bid upon Church projects, every Architect, Engineer and Contractor must complete a standard qualification form that is distributed by the Office of PMA. Upon submittal, the form is reviewed to ensure that all firms show proof they possess the appropriate licensing, insurance requirements and historical performance record to be considered qualified vendors. Once the above is verified the contractor becomes "qualified" and is eligible to appear on our bidders' list for the relevant trades they perform. For larger projects, a background check of the company's financial assets may be undertaken in coordination with the Finance Department.

Report Cards

At the completion or "close-out" stage of every project, the Pastor, Principal and Project Manager will be asked to reply to a list of questions designed to measure the ability of the contractor on issues ranging from quality of workmanship to communication skills. Each question on this report card will be assigned a numeric value, which will be totaled to form the contractor "grade." On future projects of a similar nature, the contractor grades will appear on a detailed contractor comparison form submitted to the Pastor **prior** to his selection of qualified bidders. In this manner, Pastors and Principals will have a framework for contractor comparison that utilizes a rating system derived from the commentary submitted by their peers. Those contractors selected by the Pastor will take part in the competitive bidding process.

Competitive Bidding

When construction documents are completed and approved by the Parish Finance Council, the Pastor, and the Office of PMA, the architect shall arrange to distribute them for competitive bidding. The bidding process must be coordinated by the Office of Property Management and conform to department guidelines. The Archdiocesan Bid Committee will receive all proposals at the Archdiocesan Center, and the bid opening will be set for a predetermined time and should be attended by the Pastor, members of the Parish Building Committee, and the architect. The Bid Committee will open all bids at the designated date and time, and log in the particulars of the results. A copy of all bids, documents, and related support data will be provided to the parish, along with commentary and a recommendation from PMA, based on the lowest, best-qualified proposal. After the Pastor makes his decision, PMA will assist the Parish in preparing the contracts with the assistance of legal counsel and insurance. PMA will coordinate signature processing with the Vicar General, as Vice-President, and the Pastor, as Secretary-Treasurer, executing the contract.

4.1: CONSTRUCTION PROJECTS

Construction project categories are based on contract dollar amount:

- **Under \$25,000**
- **\$25,000-\$99,999**
- **Over \$100,000**

The following special conditions apply to all project categories:

- The Parish Finance Council must approve all projects over \$5,000 in writing. This approval must be recorded in the Finance Council minutes.
- **Any** projects that affect **liturgical improvements** require review by the Office of Divine Worship before the project can be approved (see [4.3: Construction & Renovation of Worship Spaces](#))
- When policy requires the Archbishop's approval, the Vicar General may substitute.
- Pastors **must** request permission for projects that involve environmental concerns affected by state or federal laws, such as asbestos, mold and underground storage tanks.
- Pastors who contemplate a change in use of a convent building will need to contact the Delegate for Religious before proceeding.
- The Development Office must be contacted prior to beginning any Capital campaign. (Refer to section [10.5: Parish Capital Campaign Policy and Procedure](#))
- Purchases of materials or supplies used exclusively for erecting or altering realty that is directly related to Parish purposes are not subject to New Jersey sales tax. Provide the Parish Tax Exempt Certificate to any contractor or repairmen to avoid being charged sales tax
- Projects related to school buildings must be reviewed by the Superintendent of Schools.
- The Contractor must provide an Insurance Certificate meeting all standard requirements.

4.2: REPAIRS AND RENOVATIONS

Projects under \$25,000

The Pastor, with the approval of the Parish Finance Council documented in meeting minutes, has full responsibility and authority for projects less than \$25,000 with the following exceptions:

- The project is potentially an environmental hazard such as an oil tank leak, mold lead, or asbestos abatement. In this case PMA must be contacted.
- The Parish is being financially assisted (FAP) and must borrow the money to pay for the project. In this case the Parish Internal Audit Department must be contacted.

- The project involves liturgical concerns, in which case the Office of Divine Worship must be contacted.

The Office of PMA is available at all times to offer assistance, guidance and resources to the Pastor, regardless of total project value.

Projects ranging from \$25,000 - \$99,999

For projects in this category, the Pastor will obtain the endorsement of the Parish Finance Council and Trustees and, prior to entering into any agreement, the Pastor must send in a written request to the Archbishop for permission, **co-signed by the Chairperson of the Finance Council. The parish must also contact** PMA who will arrange for a field visit to be conducted to help the Parish define the scope of the project. PMA will then provide a site visit report that will be forwarded to the Consultor Team for advice and approval. The information will also be distributed to the Finance Department and to the Office of Divine Worship, the Superintendent of Schools and the Development Office in accordance with requirements. PMA will also provide support services including; development of specifications, requests for in-house legal services, procurement of competitive bids, contract preparation, construction monitoring and project close out.

Projects Greater Than \$100,000

The sequence is similar to projects between \$25,000 and \$99,999 with the following exceptions:

- The various offices of Chancery go through a comprehensive vetting process for projects presented to the College of Consultors. This process is designed to enable the Consultors and the Archbishop of Newark to have access to all of the information necessary to provide well informed decisions. Accordingly, all request letters and project information must be submitted at least five working days **prior** to the Consultor meeting. Please work closely with your PMA representative, along with your Regional Vicar throughout this process
- The College of Consultors must approve pivotal project phases **prior** to parish commitment including: Beginning a capital campaign, retaining an architect or engineer, competitively bidding a project and starting construction.
- **The Parish must have 100% of the funds needed for the project budget before proceeding. If the parish is in the midst of a capital campaign, 90% of the funds needed must be on hand before proceeding, with the remaining 10% provided by campaign pledge revenue.**

Projects Greater Than \$500,000

The project sequence is similar to that defined for projects greater than \$100,000 with the following exceptions:

- With the aid of PMA, interviews of at least two architectural/engineering candidates will be conducted. The selected Architect should prepare an initial budget estimate. A 15%

contingency must be included in the estimate. The College of Consultors must approve the budget prior to the Architect being retained.

- After the completion of schematic and design development phases, the architect, most likely with the aid of a contractor, will prepare more refined project estimates. Once the competitive bidding is completed the project will return to the College of Consultors for final approval.
- New construction projects, including additions valued at over \$2 million, must be completed using union contractors, approved by PMA, whenever feasible.

➤ **Liturgical Design Development Phase**

With Church or Chapel construction or renovation the plans should show the location and approximate size of all liturgical appointments along with the seating capacity and arrangements. Once the Building Committee and Finance Council have accepted the final design and received concurrence from PMA, the architect may proceed with the Construction Documents phase.

➤ **Construction Documents Phase**

During this phase, the construction drawings and specifications are completed and prepared for the bidding process. The construction documents consist of the following:

- Complete architectural and engineering drawings
- Specifications with details including workmanship and finishes
- Coordination and scheduling of architectural, structural, mechanical and electrical phases of the work.
- Bidding requirements, forms and information
- Bond requirements and forms
- Insurance requirements
- Standard contract form

When the Pastor and Finance Council have endorsed the construction drawings and estimate as recommended by the Building Committee, the Pastor forwards copies of all materials to PMA for the approval of the College of Consultors to competitively bid the project.

2. Construction Phase

➤ **Administration of Construction Contract**

The architect will have the following responsibilities:

- Keep the Parish informed of progress *

- Approve all materials, equipment and tests
- Interpret the intent of the specifications and plans
- Approve all changes in the work and issue change orders *
- Check and approve contract installment payments *
- Regularly inspect the work and verify adherence to contract terms *
- Complete a final inspection of the project *
- The Project Manager assigned from The Office of Property Management will assist the Pastor by sharing in these responsibilities. The process is described in more detail in The Office of Property Management guidelines. Normally, 10% of the total project cost is held as retainage until the project is completed. The Pastor must agree to all change orders before they are processed.

➤ **Project Punch List and Final Payment**

When the project is completed, representatives of the architect, contractor, Pastor, Building Committee and the Project Manager must inspect the results before the Parish issues the final contract payment. The architect shall schedule the joint inspection. The architect shall prepare a list of the noted deficiencies and forward copies to the contractor, Pastor, Building Committee, Finance Council, and Office of Property Management.

Once the contractor has corrected the defects, they will notify the architect. If the architect approves the corrections, their office will send the Parish Council a final certificate of payment and the contractor's final requisition for payment, recommending that the council accept the project. The Office of PMA will review the requisition prior to the Pastor releasing payment.

4.3: CONSTRUCTION & RENOVATION OF WORSHIP SPACES

Any changes to the liturgical environment in a parish church or chapel on any archdiocesan property must be reviewed by the Office of Divine Worship **prior to the finalization of the design and before the beginning of construction.**

Review by the Worship Office is required regardless of the cost of the project. Even if there is **no cost** associated with the project, review by the Worship Office is required.

This pertains to but is not limited to:

- The construction of a new church or chapel
- The renovation of an existing church or chapel
- The movement, replacement or alterations to an altar, ambo, presider's chair, baptismal font

- The seating of the assembly
- The music ministry, including the purchase or removal of an organ
- Stained glass, painting, flooring, lighting or sound system
- The place of reservation of the Blessed Sacrament (including the relocation or replacement of the tabernacle)
- The addition or removal of objects of devotion (e.g. statuary, liturgical art et al.)
- The location and/or design of devotional spaces
- Alterations to the gathering space
- **Any other changes to the worship space**

Upon review of the proposal, the Worship Office will submit its recommendations to the Cardinal for approval. Only upon approval may work/construction begin.

Parishes intending to make changes to their liturgical environment (or presently involved in such projects) are directed to contact the Worship Office to initiate a process of review. The Worship Office is also in a position to suggest resources where desired.

4.4: BENEFACTIONS, SALES, AND PURCHASES – REAL ESTATE

The Pastor must obtain the endorsement of the Parish Finance Council and Trustees and send a written request to the Archbishop for permission to execute any real estate transaction which is either valued at more than \$25,000, or, involves a commitment of more than one year. Unless the Parish is being financially assisted, the Pastor has full authority for projects under \$25,000. Once approval is received, PMA will aid the Pastor in obtaining an appraisal, marketing the property and reviewing the contract for sale or lease. For transactions over \$100,000 or involves an installment commitment of more than one year, the Office will also guide the Pastor through the College of Consultor approval process. For all Benefactions, the Pastor must contact the Development Office prior to any action being taken. Any new tenant must pay a \$250 processing fee for a complete background check to be performed by the Department of Finance.

4.5: ENVIRONMENTAL CONCERNS

A Pastor involved in any project that may have an environmental impact shall forward a permission request to the Archbishop. In cases of an environmental emergency, the Pastor or Administrator shall immediately notify the Office of PMA. If an Underground Storage Tank (UST) discharge is suspected, contact PMA for assistance to confirm whether a leak has indeed occurred.

Asbestos

The U.S. Environmental Protection Agency's 40 CFR Part 763 regulates the treatment of asbestos containing materials in school and varies widely from those for other buildings. Worker training, annual notification, and bi-annual school inspections are examples of the requirements.

Federal Occupational Safety and Health Administration (OSHA) regulation 29 CFR 1926.1101 requires that many building materials be presumed to contain asbestos. Materials are to be sampled and identified before any activity that may result in their disturbance.

Contact the Office of PMA before beginning a renovation or demolition project to determine if a survey for asbestos containing materials is required.

PMA representatives inspect all active Archdiocesan school facilities twice annually, and perform a comprehensive re-inspection every three years in accordance with the Asbestos Hazardous Emergency Response Act (AHERA). An updated AHERA plan is kept at every school as required by EPA regulations.

Lead in Drinking Water

Every water faucet in every one of our school buildings was tested for lead and will be retested in 2022 in accordance with the requirements of the State of NJ Dept of Education, Subchapter 12 Safety requirements for school facilities 6A:26-12.4 Safe Drinking Water. If you would like to have additional faucets tested, please contact PMA to arrange for water sampling.

Underground Storage Tanks (UST)

Release Response Plan – If it is suspected that an underground storage tank may be leaking, please take the following steps:

1. Contact PMA **immediately** at (973) 497-4110.
2. Contact local fire department and health department if any fire, safety, or health hazard may exist.
3. Contact NJDEP via hotline (609) 292-7172.
4. Determine the source of the discharge.
5. Cease use of the Underground Storage Tank System, which includes properly removing hazardous substances.
6. Comply with the reporting requirements set forth in N.J.A.C. 7:14B-73.
7. Comply with corrective action requirements set forth in N.J.A.C. 7:14B-8.

4.6: PREVENTIVE MAINTENANCE

A comprehensive, preventive maintenance program protects the Parish assets and is essential for effective stewardship. Preventive maintenance extends the life of building components and reduces the cost of operations. Assistance is available from the PMA to establish such a program which will provide a full plant evaluation to help determine a budget for both long and short-term needs.

4.7: HISTORICAL SITE DESIGNATION AND GRANTS

Many Parishes seek to have their buildings listed in the State and National Registers of historic places. Some Parishes, which have buildings listed in these registers, are applying for State and Federal funds to restore the buildings. Federal, State and Municipal laws can restrict the use and repair of historical sites. Consequently, the Archbishop must approve any action to have a Church building declared an historic site. Notify the Office of Property Management at once if the local municipality, even independently, seeks to declare the Parish buildings or the encompassing area(s) of historical significance.

4.8: OTHER GRANTS FROM GOVERNMENTAL ENTITIES

Because of potential encumbrances on Parish property, the Archbishop's Office must approve all grant applications.

4.9: CHANGING USE OF PARISH FACILITIES HOUSING WOMEN RELIGIOUS

- Pastors must notify the Delegate for Religious if they are contemplating changes in use of a convent.
- The Delegate for Religious will consult the Major Superior of the Community that would be affected, then with other Major Superiors, if appropriate.
- The Delegate for Religious will decide the need to meet with the Archdiocesan Team Concerned for Housing Women Religious.
- The Delegate for Religious arranges and conducts the meeting of the Superior(s) and the Team.
- The Delegate for Religious meets with the Pastor and other appropriate Parish groups to explore the building's use. The team will share the Vision Statement and other details about housing for Women Religious. They will suggest action and recommend resources to help evaluate the buildings potential as a convent.
- The Delegate for Religious will report the team's recommendations to the Pastor, PMA, and the College of Consultors.

4.10: PARISH CAPITAL CAMPAIGN POLICY AND PROCEDURES

Refer to Section [10: Office of Development and Stewardship](#).

4.11: USE OF PROCEEDS FROM THE SALE OF PARISH PROPERTIES

In order to offset the costs of administration, including appraisals, legal fees, surveys, etc., one percent (1%) of all proceeds from the sale of any Parish property will be placed in a restricted Chancery account. The actual cost of the fees noted above will be deducted from the 1% fee.

For any properties sold by a parish (excluding schools), the proceeds shall be utilized as follows:

- All amounts due the Chancery will be paid in full (i.e. assessments, insurance, pensions and loans,) as well as any amounts past due for medical benefits.
- The remainder of the proceeds shall be deposited in the Archdiocese Investment Program as a restricted fund in the name of the parish. The income from the fund will be used for maintenance or renovations of parish properties. Any request for the use of the principal by the parish for less than \$100,000 requires the recommendation from Office of Property Management and the Finance Officer with final approval by the Regional Bishop. For any amounts in excess of \$100,000 approval by College of Consultors must be obtained.

For the sale of **any and all School Properties including schools that have been closed for extended periods of time**, the proceeds will be utilized as follows:

- **Some or all** amounts due the Chancery will be paid in full (i.e. assessments, insurance, pensions and loans) as well as any amounts past due for medical benefits.
- After chancery obligations are satisfied, 25% of the remaining net proceeds (gross proceeds less payment of obligations as stated above) will be deposited in the Archdiocese Investment Program as a restricted fund for use towards Archdiocesan school's maintenance and renovations.
- The remaining 75% of net proceeds shall be deposited in the Archdiocese Investment Program as a restricted fund in the name of the parish. The income from this fund will be used for maintenance or renovations of parish properties. Any request for the use of the principal by the parish for less than \$100,000 requires the recommendation from Office of Property Management and the Finance Officer, with final approval by the Regional Bishop. For any amounts in excess of \$100,000 approval by College of Consultors must be obtained.

4.12: USE OF PROCEEDS FROM THE RENTAL OF PARISH PROPERTIES

In an effort to help support and enhance Catholic education, twenty-five percent (25%) of the proceeds of lease agreements associated with any school or convent properties will be designated for Catholic education in the Archdiocese of Newark.

It is hoped that this policy will bring a greater degree of consistency within the Archdiocese in sharing the gifts by our current and past parishioners, who so generously contributed to the construction of our schools with the goal of making Catholic education for our children a possibility.

- Some or all amounts due the Chancery will be paid in full (i.e. assessments, insurance, pensions and loans,) as well as any amounts past due for medical benefits.
- Twenty-five percent (25%) of any rental from school properties must be designated for the School Endowment Fund. The Chancery will invoice annually for the amount due.
- Rental income that is used to support Catholic education will be exempt from any assessments.

4.13: USE OF PROCEEDS FROM THE RENTAL OR SALE OF A CONVENT

In an effort to help support and enhance Catholic education, twenty-five percent (25%) of the proceeds of lease agreements associated with **any school or convent** properties will be designated for Catholic education in the Archdiocese of Newark.

- In recognition of the support provided to a Religious community, parishes, which immediately prior to the first rental of a convent had used the convent as a residence for Religious, may defer their twenty-five percent (25%) obligation for the first two years of the first rental. If the convent is sold, the twenty-five percent (25%) obligation shall not be deferred.
- In all other cases where the convent has been previously leased or has been used for other non-residential purposes by the parish, the twenty-five percent (25%) obligation shall not be deferred.

4.14: ECCLESIASTICAL PARISH PATRIMONY

The Office of Parish Patrimony monitors and regulates the safekeeping and distribution of Archdiocesan historical artifacts. Please see [Appendix C: Ecclesiastical Patrimony](#).

5: LEGAL MANAGEMENT

5.1: THE PARISH AS CIVIL CORPORATION

Structure

New Jersey statutes, NJSA 16:15-1 and 2, define the structure of a parish corporation of the Roman Catholic Church. Each parish corporation has three cleric trustees: the Archbishop, the Vicar General, and the Pastor. These three elect two lay trustees. The five members of the Board of Trustees are the civil governing body of the parish corporation, except as limited by State law and the ecclesiastical authority of the Archbishop.

Relationship to the Archbishop

Although each parish is a distinct corporation, New Jersey law recognizes the hierarchical structure of the Roman Catholic Church. Therefore, actions by the parish trustees must receive the sanction of the Archbishop.

Officers

Each year, parish corporations elect the Archbishop as President, the Vicar General as Vice-President and the Pastor as Secretary/Treasurer. As Secretary/Treasurer, the Pastor must provide regular, complete reports to the other officers and to the lay trustees. In consultation with the Archbishop as President, Archdiocesan instructions determine the frequency and type of such reports.

Lay Trustees

The two lay trustees serve on the civil governing body of the parish corporation. They assist with ordinary business and exercise their powers as necessary and proper for attaining the corporation's purposes. Careful selection of lay trustees is essential to meet these responsibilities.

Lay trustees should:

- be members in good standing of the parish
- be active participants in the parish community
- have relevant business experience or ability
- have the commitment needed for the position

The two lay trustees can be male or female.

Process for Appointment of Lay Trustees

Lay trustees are appointed at the annual meeting of the parish corporation and serve a term of one year. There is no limit on the number of terms one individual may serve. Lay trustees may be removed anytime by determination of the three cleric trustees; no reason for such removal needs to be stated. Vacancies may occur due to attrition, or a deliberate choice to remove or not reappoint a

lay trustee. Depending on the situation, the process for appointment of a new lay trustee is as follows:

Vacancies Caused by Death, Resignation, or Voluntary Choice Not to Seek Reappointment

- The Pastor notifies the Regional Bishop by letter and, simultaneously, recommends a replacement. The letter of recommendation should contain background about the nominee, including information on how (s)he meets the required criteria.
- If the Regional Bishop approves the replacement, the Regional Bishop sends a letter to the Vicar General, recommending the appointment.
- When the Archbishop and the Vicar General approve the appointment, the Pastor formally notifies the new trustee.

Vacancies Caused by Cleric Trustee Determination That Is in the Best Interests of the Parish That a Lay Trustee Be Involuntarily Removed or Not Reappointed

- The cleric trustee who wishes to replace the lay trustee notifies the other cleric trustees and the Regional Bishop by letter, stating his reasons.
- If all agree to the recommended action, the Pastor recommends a replacement to the Regional Bishop and the process continues as outlined above.
- If any cleric trustee or the Regional Bishop does not agree, the Regional Bishop, Pastor and Vicar General discuss the matter, and then submit the issue to the Archbishop (with the reasons for and against) for his determination.

Liability of Trustees

Under common law, trustees of a corporation have no personal liability for their acts as trustees if the corporation has authorized their actions, either expressly or implicitly. However, claims involving fraud, assault, negligence, and contracting of debts with knowledge of insolvency may expose trustees to suit. New Jersey statutory law gives volunteer trustees immunity from liability except where they have shown reckless disregard for their duties.

Bylaws

Each parish corporation should adopt Bylaws. Contact the Archdiocesan Legal Department for more information. See [Appendix A: Archdiocesan Legal Counsel Contact List](#).

Annual Meeting of Parish Corporation

Parishes must hold an annual meeting of their corporation each year. The meeting should be held before September 30th. The Pastor schedules the meeting at the parish, and gives written notice to the Archbishop, the Vicar General, and the lay trustees. Archdiocesan Counsel supplies a form of notice.

Customarily, the Archbishop and Vicar General do not attend. However, the parish **must** hold an actual meeting. The Pastor and two lay trustees constitute a quorum. Using forms supplied by Archdiocesan Counsel, the Pastor should prepare **minutes** reflecting all activity at the annual meeting.

The Pastor and the two lay trustees should sign the minutes when the meeting ends. They then submit the minutes to the Archbishop for approval according to the instructions supplied by Archdiocesan Counsel. The minutes do not become effective until approved by the Archbishop. Approval of the minutes does not signify the Archbishop's permission to take action discussed when Archdiocesan guidelines require his approval.

After the Archbishop approves the minutes, parishes should retain a copy in the official corporate minute book of the parish.

5.2: LEGAL RESPONSIBILITIES

Archives

Copies of the minutes of meetings of the Board of Trustees must be kept in a secure, fireproof place. All original Deeds to parish property are filed with the Chancery, with a copy retained in the Parish archives.

For retention requirements of other documents, see [2: Office Management](#).

Contracts and Leases for Goods and Services

Note: All contracts are required to be review by Archdiocesan legal counsel.

Archdiocesan policy establishes the following approval guidelines:

- The Pastor himself may execute contracts and leases for goods and services **if** the total cost is less than \$5,000 and the contract term less than one year. The parish Finance Council and trustees must endorse contracts totaling less than \$5,000 with a term of **more** than one year
- The parish Finance Council and trustees must endorse contracts and leases for goods and services **from \$5,000 to \$10,000**, which then may be executed by the Pastor
- Contracts and leases for goods and services **from \$10,000 to \$50,000** must be endorsed by the parish Finance Council and trustees and approved by the Archbishop or Vicar General
- Contracts and leases for goods and services **greater than \$50,000** must be endorsed by the parish Finance Council and trustees, and personally approved by the Archbishop. The Archbishop or Vicar General, then the Pastor, must execute these documents
- Contracts and leases that require the Archbishop's (or Vicar General's) approval must identify the source of funds the parish will use to meet such obligations

- Each Pastor is responsible for following the approval guidelines. He must send a permission request to the Archbishop when required by these guidelines, and take no action until he receives the permission
- To avoid legal problems, the Pastor should establish controls to ensure that goods received are reviewed and properly acknowledged, that services received are properly accounted for, and that receipts are received for items shipped from the parish.

Purchase, Sale, and Leasing of Property

Pastors must refer all contracts involving the purchase, sale, or leasing of parish property to the Archbishop for legal review and signature. Specific requirements for such activities are set forth in [4: Property Management](#).

Insurance

The Pastor is responsible for having all parish property and employees properly insured by the Archdiocesan Self-Insurance Program. He also must see that all parish employees are enrolled for the insurance benefits to which they are entitled. Failure to do so may expose the parish to liability for the value of insurance benefits the employee loses as a result including other financial penalties.

Contractors and those renting parish properties must provide the parish with proof that they have their own insurance coverage. *(This is not a substitute for the “bold harmless” provision that should be a part of the contract.)* Questions in this regard should be directed to the Office of Risk Management and Insurance Services, 973-497-4040.

Lawsuits

All civil lawsuits and legal claims against the parish corporation or its personnel concerning Church activities should be forwarded immediately to Archdiocesan Counsel, with all information about the case. The parish should retain copies of all documents. If the suit involves a claim for which the Archdiocesan Self-Insurance Program provides coverage, forward a copy of all documents to the Archdiocesan Insurance Service agent.

When a parish wishes to sue, it must obtain permission of the Archbishop. The Pastor should forward a letter requesting permission, stating the reasons they require legal proceedings, with copies of all pertinent supporting documentation, to Archdiocesan Counsel. Archdiocesan Counsel will refer the request to the Archbishop.

Occasionally, a parish may be served with a subpoena for production of records, or an individual priest or employee may be served with a subpoena to testify in a court proceeding involving other parties. The parish should immediately report such incidents to Archdiocesan Counsel, so that they can discuss the appropriateness of the subpoena or possible privileges before the subpoena is honored.

Gaming Licenses

State law requires that parishes which operate bingo, raffles, and other legalized games of chance obtain licenses for these activities. The State of New Jersey and municipalities issue gaming licenses.

The municipality may examine the records of any organization holding such a license as far as they relate to any transaction connected with the operation of games of chance.

Contracts with Religious Congregations

Contracts should be in effect for the services of all religious. For tax and other purposes, the parties to the contract should be the parish, as employer, and the religious congregation of which the individual(s) is a member, as employee. The sister, brother or priest may be mentioned but should not be a party to the contract.

The standard Archdiocesan contract is issued for all sisters serving within the Archdiocese. Forms are available for sisters serving in schools, as parish Catechetical personnel, and in parish ministry. This contract may be modified for brothers, or for other personnel, when appropriate.

The proper procedure for reporting remuneration paid for services of members of religious congregations is as follows:

- Issue checks in the name of the religious institute alone or in the joint names of the congregation and the religious
- Do not use Form W-2 to report compensation paid for these services. (Use of Form W-2 implies that the recipient has earned taxable income and can trigger an IRS audit, assessment of tax liability, and difficulty with Social Security benefit payments for older religious.) If a form is requested to report the compensation paid for the services by religious personnel, it should be Form 1099, naming the religious institute as the recipient and stating its employer identification number. The use of Form 1099, however, is not generally required for payments made to corporations.

Compliance with Law

In conducting the operations of the parish, the Pastor is responsible for complying with all requirements imposed by civil law. This includes, but is not limited to, such legal requirements as withholding income and social security taxes, nondiscrimination, compliance with codes affecting parish buildings, recording vital statistics data, maintaining school records, etc. Please direct questions concerning these obligations to Archdiocesan Counsel.

5.3: TAX EXEMPTION

IRS Group Rulings

Parish corporations and related entities are exempt from federal income taxation under a Group Ruling which the IRS issues each year to the United States Catholic Conference. It covers all Catholic institutions listed in the Official Catholic Directory (OCD). The Group Ruling ensures that donor's contributions to these institutions are deductible for federal income, gift and estate tax purposes.

Groups and organizations which are not Archdiocesan or parish-affiliated must specifically request inclusion in the OCD. Applications for inclusion in the Group Ruling may be obtained from Archdiocesan Counsel. The Archbishop must approve all applications.

The OCD Group Ruling Number is 0928 or 928.

Groups and organizations having a separate tax exemption ruling from the IRS cannot also be included in the Group Ruling. Such organizations, however, may apply for inclusion in the OCD with an asterisk to denote the separate ruling. The Archbishop must approve all applications.

Please refer to Appendix B regarding the policy on Political Campaign Activity Restrictions, which is issued each year to all parishes prior to elections. Violation of this policy can jeopardize the tax-exempt status of a parish.

State Sales Tax

New Jersey law exempts Churches and other organizations operated exclusively for religious, educational and charitable purposes from State sales taxes.

To obtain this exemption, the Church or organization must apply to the State for exempt status. If approved, the organization will be issued an Exempt Organization Permit, with an individual permit number, to be presented to vendors when a purchase is made. This certificate enables the vendor to document for the State why taxes were not collected on specific sales made. Sales tax exemption applies only to purchases of goods and services subject to New Jersey sales tax.

Property Taxes

New Jersey law exempts all buildings exclusively used for religious worship, and all buildings actually used in the work of associations and corporations organized exclusively for religious or charitable purposes, from property taxation. The property of a parish, when used for these purposes, ordinarily is tax-exempt. The tax assessor may require that the parish periodically file a certificate showing the Church's exempt use of its property has not changed.

Property tax exemption may be lost, in whole or in part, if the Church's use of its property does not comply with legal requirements for tax exemption. For example, the rental of Church premises to a commercial or other for-profit tenant may result in loss of exempt status, even if the income generated by the rental is used for religious and charitable purposes.

To obtain tax exemption for properties not currently tax exempt, the Church must file an application for exemption with the tax assessor and prove exempt status.

Leasing of Exempt Property

Parishes should consider the potential tax consequences of leasing or renting parish property to outside agencies. Besides the property tax matters noted above, there is the issue of unrelated business income tax under section 512 of the Internal Revenue Code.

Ordinary rental income is not considered unrelated business income on which a Church must pay taxes. Under certain circumstances, however, rental income may be taxed. For example, if, instead of a fixed dollar amount, the rent is a fixed dollar amount plus a percentage of the tenant's net income, or if the rental involves the performance of services typically beyond those provided by a landlord, the rent received may be considered unrelated business income.

5.4: BEQUESTS TO PARISH CORPORATIONS

Introduction

Individuals may name the parish corporation as a beneficiary in their wills. The Pastor is responsible for protecting the parish's interests in the estate. Parishes must consult Archdiocesan Counsel for assistance.

Administration of estate and probate proceedings are legal actions and a Pastor must consult with legal counsel immediately, upon receiving notice of a Bequest. **Archdiocesan Counsel (Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, 5 Becker Farm Road, Roseland, NJ 07068, Tel: (973) 994-1700, Fax: (973) 994-1744, Donald F. Miceli, Esq. ext. 511, specializes in Estates, Trusts & Bequests)** will provide information, assistance, and support for parish Counsel on such matters. When parish Counsel becomes involved in an estate matter, (s)he should inform Archdiocesan Counsel promptly.

Initial Notice of Bequest

Under New Jersey law, each beneficiary named in a will is entitled to receive notice of this within sixty days of the probate of the will. The beneficiary is entitled to receive a copy of the will and notice of the place and date of probate.

When the will contains a charitable bequest, the New Jersey Attorney General is also entitled to receive notice.

A parish should always insist on receiving a copy of the will. It is the only way that a Pastor can be certain what the parish is due from the estate.

When the parish receives a copy of the will, a file is open for the estate and the parish should acknowledge receipt of the will.

Unless the attorney or executor for the estate advise when they expect the administration to be complete, the attorney or executor should be contacted periodically for the status.

Generally, even the simplest estate will take nine months to be completed. More complex estates may take years. However, the parish is entitled to know what is happening concerning the administration of the estate and when it can expect to receive the bequest.

The Office of Development , exists to assist parishes with the promotion of estate gifts through both wills and other planned giving vehicles such as charitable gift annuities. Seminars on estate tax elimination, income tax reduction and wills from a Catholic perspective are offered by the office on a periodic basis. Parishes should consult with the Director of Development at (973) 497-4332 to request one of these seminars. Seminars promote increased knowledge of how to make these kinds of gifts and often result in more deferred gifts for the parishes who host seminars.

Types of Bequests

A "Specific Bequest" is one in which the beneficiary is entitled to receive a specific item from an estate. While this is most often a specific amount of money, it could also be title to a piece of

property, a block of stock, an automobile, or any other item of real or personal property. A specific bequest is different from a "Residuary Bequest" in which the beneficiary is entitled to all or a certain portion of the estate after payment of expenses and perhaps other specific bequests. It is possible that individuals may name a parish as a beneficiary of a specific bequest and a residuary bequest in the same Will.

Restrictions on Bequest

Both a specific bequest and a residuary bequest may be unrestricted or may be limited to a particular use. The most common restriction is a bequest for Masses for the repose of the decedent's soul. Restrictions attached to bequests must be honored, under both civil law and Canons 1300 and 1301. In the rare instance when a restriction cannot be honored, the parish must notify the Vicar General and should seek legal advice immediately. In such circumstances, the Pastor will need both permission of the Archbishop and court approval to modify or avoid the restriction, or the parish must refuse the gift.

There are also other Canon Law requirements to be considered. Canon 953 requires that bequests for Masses must be satisfied within one year. When one priest cannot accomplish this, he may transfer the Mass obligations to other priests with the permission of the Archbishop. Priests and parishes can accept bequests establishing foundations (i.e., requiring that the principal be retained in trust and the income only be used for Masses or other purposes) only with the permission of the Archbishop (Canon 1304).

Similarly, parishes may not change the use of bequests without approval from the Archbishop. Whenever a question concerning Canon Law compliance arises, the Vicar General should be notified immediately.

Specific Bequests

Specific bequests are more common and are easier to handle. If the parish or entity receives the bequest, there is little need to become involved in the other details of the estate. If the specific bequest is restricted, the attorney for the estate or the Executor may request written confirmation that the restriction will be honored. Such requests must be directed to the Vicar General and may not be addressed at the parish level.

Specific bequests to religious entities should not be subject to any offset for inheritance or estate taxes, unless the will specifically directs that this occur.

If a Pastor faces a situation where the attorney for the estate or executor requests that the parish accept less than the amount due because of taxes, he should seek legal advice before agreeing.

Residuary Bequests

In contrast to specific bequests, residuary bequests are more complex. As a rule, there should always be consultation with Legal Counsel when a residuary bequest is involved.

Because a residuary bequest involves all or part of the estate after payment of expenses and specific bequests, the parish must monitor the entire administration of the estate to assure that it properly protects its bequest. Some items which need to be checked include: a) proper legal fees and fiduciary commissions are paid; b) taxes are kept to a minimum and are properly allocated among beneficiaries; c) only legitimate debts and expenses of the estate are paid; d) all assets are preserved or sold for maximum value; and e) estate assets are properly invested. This list is hardly complete, but it is offered as an example of the many details which need to be examined.

Accounting

A residuary beneficiary is entitled to receive an Accounting from the Executor of the estate. An Accounting is a complete list of all estate assets and expenses, with a proposed schedule for distribution of the remaining balance to the beneficiaries of the estate. An Accounting must be carefully reviewed to assure that it protects the interests of the parish.

An Accounting may be either formal or informal. A formal Accounting is submitted to the court for approval. All interested parties are served with a copy of the Accounting and have the right to present any objections to the court. An informal Accounting is simply submitted to each party interested in the estate with a request to sign a document acknowledging receipt and indicating acceptance of the Accounting. In either event, the information provided should be the same -- a complete review of all financial matters involving the estate. If an informal Accounting is unacceptable, a formal Accounting may be demanded so that a court can rule on any objections made.

Refunding Bond and Release

Whether a specific bequest or a residuary bequest is involved, the beneficiary is almost always requested to sign a Refunding Bond and Release.

Parishes must submit every Refunding Bond and Release to Archdiocesan Counsel for review and signature. This document signifies that the recipient of the bequest has received and accepted the bequest from the estate and is satisfied that it is proper in all respects. Thus, Pastors should sign a Refunding Bond and Release only when a specific bequest has been or will be paid in full, or when an Accounting has been reviewed and found acceptable, and the amount of a residuary bequest has been fixed.

It is frequently the practice that an attorney for an estate, or an Executor, will ask that the Refunding Bond and Release be signed first and then exchanged for the bequest. This is not objectionable unless there is reason to believe that something is amiss. Also, when residuary bequests are involved, there will often be some additional income which will accrue and be due to the parish after the date of the Accounting.

There are many forms of Refunding Bonds and Releases which can be used. Often, an attorney will submit a form intended to be signed by an individual beneficiary. The proper form to be used for a Church beneficiary is a corporate form. Errors in the Refunding Bond and Release are reviewed and corrected when submitted to Archdiocesan Counsel for review. However, preventing such errors can speed the review and signature process.

Process for Submission of Papers to Chancery

Two corporate officers must sign all papers for a parish--generally, the Vicar General as Vice President and the Pastor as Secretary. This will assure compliance with both New Jersey Law and Canon Law. Accordingly, parishes should submit all papers to be signed directly to Archdiocesan Counsel. Submissions should include a copy of the Will, a copy of the Accounting (if applicable), any other documents to be signed, and all relevant information regarding review of the estate by a parish attorney. After legal review by Archdiocesan Counsel, the Vicar General will sign as Vice President. The papers will be returned to the Pastor with the instructions to obtain the bequest.

5.5: ALLEGATIONS OF CHILD ABUSE

Please contact the Office of Child and Youth Protection.

5.6: DEFENSE OF LITIGATION UNDER SELF-INSURANCE PROGRAM

Matters Covered by the Self-Insurance Program

The Self-Insurance Program covers a variety of occurrences involving Archdiocesan/parish employees, premises, and property. These include claims of injury arising out of: a parish sponsored or authorized activity; the claimant's presence on parish premises and the use of automobiles insured under the Self-Insurance Program.

The Program also provides coverage for employee work-related accidents (Workers Compensation) and against claims of discrimination made by employees. The program typically does not cover other labor matters (e.g., allegations that the institution improperly paid an employee).

Incident Reports

The Archdiocesan Claims Administrator should be promptly notified of any facts which might lead to a claim against the parish, or its organizations, employees or agents. Claims may arise, for example, out of auto accidents, accidents during employment, falls on Church premises, school/student incidents, employee termination, etc.

Each incident should be treated as a potential lawsuit. If in doubt about whether to inform the Archdiocesan Claims Administrator, err on the side of over-reporting.

A responsible person should write an incident report when (s)he knows the circumstances of the occurrence. The report should show objective facts, avoiding conclusions about whom or what might be responsible for the injury or damage claimed. In other words, incident reports should state who, what, when, and where, but not why.

Defense Guidelines

The Self-Insurance Program provides a legal defense for various individuals against whom claims are brought. The program unconditionally provides legal defense for the Archdiocese and all covered entities.

The program conditionally provides legal defense to Archdiocesan and religious order priests, members of religious communities, and lay employees serving in covered entities.

The conditions under which the program provides defense include:

- the alleged action must have occurred within the scope of employment or duty with the Archdiocese or covered entity;
- the individual was the authorized driver of a vehicle insured under the Self-Insurance Program;
- under certain circumstances, a volunteer performing services requested or accepted by the Archdiocese or a covered entity, or other persons not specified above, may also be covered.

The Self-Insurance Program will not provide a defense to a person if the alleged action constitutes an intentional tort (damage or injury); or if the individual fails to cooperate with the Self-Insurance Program.

Cooperation with Defense

The cooperation of the Pastor is crucial to the successful defense of claims against the parish, or any of its organizations. Often complaints name the Pastor himself a defendant, as the individual with overall responsibility for parish affairs.

Cooperation in defense of claims is evidenced by:

- concern for preventive measures
- prompt reporting of potential claims
- assistance to the Archdiocesan Claims Administrator in the investigation of incidents
- supplying information required for answers to interrogatories
- appearing for depositions and trial

5.7: CONFIDENTIAL COMMUNICATIONS

New Jersey Civil Law

New Jersey law protects confidential communications. Although frequently called the "priest-penitent" privilege, the scope of protected communications is considerably broader than the term implies.

Under New Jersey law, a priest "shall not be allowed or compelled to disclose a confession or other confidential communication" made to him "in his professional character, or as a spiritual advisor in the course of the discipline or practice" of the faith. This applies to all priests. The privilege cannot be waived without the consent of both the person making the communication and the priest who receives it.

Internal Religious Communications

Besides the privilege expressly granted by the civil law, there is a qualified privilege based on the religious clauses of the First Amendment to the United States Constitution. Communications between the Archbishop and his Priests are internal religious matters entitled to constitutional protection. However, this privilege is not absolute; the extent of the privilege depends on balancing the need for religious confidentiality with the public interest.

Confidential Communications from Priests to Those Designated

The Archbishop has designated Vicars and the Minister for Priests and has established the following guidelines regarding priests' confidential communications to them. The guidelines are to allow them to be spiritual advisors for priests who have personal difficulties and to respect the confidentiality of such communications to the greatest extent possible, consistent with the general welfare of the Archdiocese of Newark and the Catholic Church.

1. **Definitions.** As used in these guidelines:
 - a. "Confidential communications" shall mean conversations, and other means of communications, between a priest and a Vicar, made for spiritual advice and counseling, about a priest's personal problems.
 - b. "Designated Persons" shall mean the Vicar General, all Auxiliary Bishops, including retired Bishops of the Archdiocese and the Minister for Priests.
2. **General Principle.** Confidential communications between a priest and a Vicar/or Minister for Priests shall be respected. They shall not reveal such confidential communications to any other person unless exceptional circumstances as set forth in these guidelines require such disclosure.
3. **Uses of Information.** Information received by a Vicar or Minister for Priests because of confidential communications shall be used to provide spiritual advice, counseling, and other assistance to the priest. When it is necessary for the priest's welfare, the Vicar or Minister for Priests may, after consulting with the priest, request that the Archbishop act in the best interests of the priest and the Archdiocese. The Vicar or Minister for Priests shall request such action based on "confidential needs" or "matter of conscience."
4. **Exceptions.** The Vicar or Minister for Priests receiving confidential communications may make limited disclosure to the Archbishop if **exceptional circumstances** exist. They shall meet the following criteria: a) disclosure is necessary to prevent harm to other parties; b) disclosure is necessary to prevent injury or scandal to the Archdiocese and the Catholic Church; and c) no alternative to disclosure exists. In such situations, the disclosure shall be as limited as possible. The Vicar or Minister for Priests shall advise the priest he is making the limited disclosure.
5. **Protecting Confidentiality.** Whenever possible, the confidential communications shall be restricted to the priest and the Vicar or Minister for Priests. However, the confidential relationship shall not be impaired by: a) disclosure due to exceptional circumstances as permitted by these guidelines; b) an initial disclosure to another priest which leads to the confidential communications with the Vicar or Minister for Priests; c) other confidential

disclosures which are designed to remedy personal difficulty; or d) any other circumstances which do not reveal an intent to waive or yield the confidentiality.

6. **Information from Other Sources.** Information that a Vicar or Minister for Priests receives from others about a priest's personal difficulties is not to be considered a confidential communication. He should review reports of such difficulties to assure compliance with law and other Archdiocesan procedures. However, such information shall not preclude initiation of confidential communications between the priest and the Vicar or Minister for Priests, and these guidelines shall cover any subsequent confidential communications.
7. **Seal of Confession.** These guidelines do not in any way affect the seal of Confession under Catholic law, theology and tradition.

6: MONETARY CONTROLS

6.1: MASS COLLECTIONS

Mass collection procedures should be distributed in writing to each Parish usher.

Ushers are assigned the responsibility of collecting offerings at each Mass. These Mass donations should be placed in lockable canvas bank bags or tamper resistant disposable currency bags immediately after collection in the presence of at least two ushers and safeguarded at all times during the Mass. The bags should be pre-labeled with the date and time of Mass.

The proceeds should never be left unattended or in the possession of only one person at any time. If feasible, the monetary donations should be presented with the offertory gifts with the funds in full public view until the end of the Mass

After each Mass celebration, the monetary gifts, still secured in lockable canvas bank bags or tamper resistant disposable currency bags, are to be properly protected in a lockable, fireproof safe in the rectory or counting area until the count process commences. A drop safe in the sacristy or in the rectory is strongly encouraged. (See [6.4: Count Controls](#)) Collection proceeds should not be maintained in a closets or rectory rooms including clergy suites.

For security reasons, a minimum of two individuals should transfer the collection proceeds to the parish safe. This is especially recommended in situations when external building access is required from the Church to the safe location.

The parish safe is to be locked at all times when Mass collections or other cash proceeds are stored. Access to the safe should be restricted to only essential parish personnel. Combinations and keys should never be stored in an unlocked desk drawer, hung on a wall, the back of a door, or in an unsupervised area readily accessible. Security cameras in the safe area should be considered.

Under no circumstances should funds be exchanged or taken from the offertory collections. Check cashing from the Mass collections is not permitted.

6.2: OTHER GIFTS/PAYMENTS

From time to time, the Parish will receive gifts and donations other than at Mass celebrations. These gifts may be received in the mail or delivered in person.

Additionally, the Parish will receive payments for services provided such as weddings and property rentals. It is strongly recommended that these payments be made in the form of a check. The check should be made payable to the Parish rather than to an individual.

The same controls in effect for Mass collections should be adhered for all gifts and payments received.

6.3: CONTRIBUTION STATEMENTS

Donations in Excess of \$250

Effective for contributions after 1993, the Internal Revenue Service Code disallowed the deduction for any contribution of \$250 or more unless the donor receives **written substantiation** from the Parish. The written statement must indicate the amount of each contribution of \$250 and a statement that no goods or services have been provided to the donor in return for the donation.

Separate payments are treated as separate contributions and are not aggregated for the \$250 substantiation requirement. As such, separate monthly contributions of \$50 each, aggregating \$600 for a calendar year, do not require any written statement from the Parish under the IRS Code.

It is recommended that the written statement for each gift of \$250 or more be issued to the donor at the time of the acceptance of each gift rather than at the end of the calendar year.

For more information on the IRS Tax Code or sample statements contact the Office of Parish Business Services at 973-497-4074.

Parishioner's Contributions

For personal income tax purposes, Parishioners may request a statement of their aggregate contributions for a calendar year.

Most Parishes utilize numerical envelope systems to record donations. This system may be maintained by the Parish or by a third party vendor.

Regardless of how the envelope system is managed, the Parish has the option of determining if contribution statements should be issued to all parishioners or only for specific requests. (If the Parish uses a third party vendor, the Parish must specify in the contractual agreement if year-end contribution statements will be mailed to all parishioners.)

The Statement of Contribution for a calendar year should include the Parish name and address, the Parishioner's name and address, the tax year and the contribution amount. There is no government tax form for this statement. The statement may be issued on Parish stationery.

6.4: COUNT CONTROLS

The uncounted collection should never be left unattended or in the custody of a single individual.

Closed circuit cameras with digital video recorders and monitor are recommended as an additional internal control. This affords supplemental protection for the cash count teams as well as the collection proceeds. The monitor and digital video recording output should be reviewed periodically by the Pastor or a designee not participating in the count for any deviation in protocol.

The counting process should be done on Sunday with night deposit if possible or the following Monday. Receipts are to be deposited no later than the first banking day after the collection takes place.

The counting process must be supervised by the Pastor or by the Parochial Vicar. Closed circuit cameras with digital video recorders system can substitute for this control if the recordings are review.

The cash count should be conducted in a safe and secure area of the rectory or parish center with no access permitted to unauthorized individuals. All count activity should be in unobstructed view and conducive to observation. Set up the count room with the counting equipment and supplies, revenue tally sheets and bank deposit tickets.

For statistical analysis purposes, the counting could be segregated by Mass.

A Revenue Tally Sheet is to be used to record all Mass collections received. This would include cash and checks. For a sample tally sheet contact the Office of Parish Business Services at 973-497-4074.

Establish a Count Committee of volunteers from the parish. Volunteers should be independent of the parish's accounting and bookkeeping functions. Volunteers should be carefully screened. It is recommended that a criminal background check be obtained for each volunteer. A list of the count team members (names and addresses) as well as the count schedule should be maintained by the Parish.

Cash count procedures should be distributed in writing to each member of the Count Committee. All count team members should be trained on the correct method of completing the Revenue Tally Sheet to ensure that the on-going counting, classification and recording of the Parish Mass collections and other revenues are consistent and accurate.

A minimum of a two person team (teams) is required to count Mass collection monies. Individuals are to be rotated so that the same people are not always on the same team.

The offertory bags should be counted by the team to ensure that each Mass collection is present.

The counters should examine the offertory bags to determine that there is no evidence of tampering with the bags. If the integrity of the bags appears compromised, the pastor should notify immediately.

Count teams should ascertain that the amount checked on the offertory envelope agrees with the contents.

The team should endorse all checks "For Deposit Only" to the parish bank account. If feasible, photocopies or a list of checks should be retained with the revenue tally sheet.

The Revenue Tally Sheet should be signed by the count team leader or by each member of the team documenting concurrence of the cash count. The Tally Sheets should be retained in Parish files for a one year period.

Currency and coins are to be prepared in accordance with the requirements of the Parish's financial institution.

A **count team member should complete the bank deposit slip** which must agree to the amount posted on the Revenue Tally Sheet. There should be a separation of duties between the preparation of the deposit tickets, the recording of the deposit on the accounting system and the delivery of the deposit to the banking institution.

The dollar amount counted and recorded should be re-verified prior to deposit to avoid bank adjustments.

All offertory is to be deposited intact, including all coins.

Revenue Tally Sheets are to be matched and stapled to each returned validated bank deposit slip. The forms are subsequently used for the monthly bank reconciliation process and included with the reconciled bank statement for the Pastor's monthly review.

Bank Deposit

For safety reasons, deposits are always to be brought to the bank with an escort. Additionally, the time of day and route that deposits are brought to the bank should vary.

For security and control purposes, the following procedures are to be followed when using a night depository drop:

- Each individual deposit should be held together by an elastic band and placed into a locked bank bag.
- If multiple bags are used, a listing should be maintained detailing the amount/type of deposit in each individual bank bag.
- Locked bank bags are to be taken to the bank night depository with an escort.
- For safety reasons, the time of day that deposits are brought to the bank should vary.
- Each locked bank bag is to be placed into the night depository box individually to ensure that each bag has dropped into the night depository box safely.
- If the drop box is not working properly (i.e. the lock is not working properly, the bag is not dropping down into the box, etc.) **no further deposits are to be made.** If a bank bag from a previous customer is found in the drop box, the police are to be called immediately.
- The keys to the bank bags and the night deposit box are to be stored in a secure place with limited access.
- All receipted deposit slips must be maintained for use by the Pastor during his monthly review of the bank reconciliation and process.
- Intact collection proceeds are to be deposited. The withholdings of funds for payment of services and/ or household provision is not permitted.

6.5: NATIONAL COLLECTIONS

National Collections are donations for the universal work of the Church.

A schedule of National Collections for the fiscal year is provided by Office of the Vicar General.

Donations for each specific National Collection are accumulated and processed through the Parish's operating bank account. A check for the amount collected by the Parish is to be forwarded to the Archdiocesan Office of Finance (or other designated office) for subsequent remittance to the National Office of the recipient.

The check from the Parish should be made payable to the ARCHDIOCESE OF NEWARK with the recipient clearly identified in the memo section of the check.

The receipt and remittance of National Collection proceeds **are not** reported in the Revenue and Expense sections of the parish's financial reports. All National Collection activity is detailed in Note 29 of the parish financial reports.

6.6: ASSESSMENT COLLECTION

The taking of a non-assessable Assessment Collection requires the specific written approval of the Office of the Archbishop. Funds collected are restricted for payment toward the Parish's annual assessment obligation and must be applied towards the parish assessment liability.

Permission to take-up a non-assessable assessment collection is subject to the following stipulations:

- The assessment collection must be a new and separate collection, not simply the renaming of an existing collection that was already in place. As such, ordinary Mass collections cannot be partially allocated and reported as "assessment collection revenue".
- The non-assessable collection must be specifically identified and recorded in the cash receipts records of the Parish and reported separately on the financial reports of the Parish.

A copy of the approval letter should be maintained in parish files.

Failure to remit the restricted collection towards the parish's assessment payable balance will result in an adjustment of ordinary income and may affect future assessment calculations.

6.7: SPECIAL COLLECTIONS

The Parish may request approval from the Office of the Archbishop for a special collection to fund specific expenses. These include expenses such as utilities, building maintenance, debt reduction or other ministry needs.

The conditions for these non-assessable programs are similar to those of an assessment collection.

- Written approval from the Office of the Archbishop must be obtained.

- The funds collected are specifically restricted for the purpose of the special collection or fund drive. As such, these funds may not be used for any other purpose.
- The non-assessable special collections and fund drives must be specifically identified and recorded in the cash receipts records and reported separately in the financial reports of the Parish

A copy of the approval letter should be maintained by the parish and will be on file in the Archdiocesan Office of Parish Business Services.

7: PRIEST INCOME TAX

7.1: OVERVIEW

This section provides general information only. This publication does not, and is not intended to, provide legal, tax or accounting advice, and readers should consult their tax advisors concerning the application of tax laws to their particular situations.

Internal Revenue Service rules classify a Priest as an employee of the Archdiocese or the Parish in which he serves rather than an independent contractor. This requires the Priest's income to be reported on a **Form W-2**. Form 1099 Miscellaneous is not an acceptable form to report the wages of Clergy assigned to a parish.

Visiting Priest, weekend assisting Clergy and other wages, stipends or other compensation paid to Priest not specifically assigned to a parish are required to be reported on tax form 1099 if the dollar amount in a calendar year is \$600 or more. Wages, stipends and other compensation paid to part time clergy, (i.e. visiting clergy) with regularly assigned Mass schedules, should be reported on Form W-2.

Please note that although a Priest is considered an employee by the Internal Revenue Service for income tax reporting, the Tax Code provides that Priests are still viewed as self-employed for Social Security purposes.

Each Priest **may elect** to have income and self-employment taxes withheld from his salary payments. If this election is made, the Priest must document the request in a memorandum in the personnel files. Tax Form W-4 (withholding election) is not to be used for Clergy. Unless a memorandum is in file, a Parish is prohibited from withholding Federal and State taxes. It is strongly recommended that Clergy discuss their individual financial situation with their accountant or tax advisor to determine appropriate withholding if any.

On the parish payroll, Clergy wages are not subject to FICA and/or the 50% employer FICA match.

All amounts withheld for income and self-employment taxes must be reported **in the aggregate** as Federal Income Tax Withheld on the Priests' annual Form W-2.

Please be aware that if the withholding for Federal and New Jersey State Income Taxes and the self-employment tax is elected, the amounts withheld may not be sufficient to meet the related tax liabilities for the calendar year. **Each Priest should consult with his personal tax advisor to ascertain if (a) the withholding of taxes should be elected, and (b) if so, will the filing of quarterly estimated tax payments also be required to avoid any penalties applicable to the underpayment of his tax liabilities for the year.**

The payment for Priestly business expenses are subject to an accountable reimbursement plan. Among others, the related requirements of the Internal Revenue Service provide for each Priest to retain documentation for his Priestly business expenses incurred.

In accounting for automobile expenses, the Priest may report actual expenses incurred, including depreciation, or the actual business mileage multiplied by the federally allowable rate per mile. (Contact the Office of Parish Internal Audit at 973-497-4074 for current rate.) A travel log or business mileage record should be maintained for this purpose.

To the extent that there is any amount of the annual expense allowance remaining after the auto business expenses are incurred and reported, the remaining allowance amount can be used for the costs and maintenance of vestments, professional books and periodicals, retreat fees, business supplies and other Priestly business expenses. These expenses must also be substantiated and an annual accounting for the expense allowance should be performed at the end of each calendar year for income tax purposes.

For income tax reporting, any amount of the annual Priestly expense allowance that is in excess of the expenses documented is considered taxable income. **Each Priest should consult with his personal tax advisor to ensure proper reporting of business allowances.**

As an employee, amounts paid by the employer for the Priest's health insurance premiums, pension contributions, disability insurance and group life insurance are not considered in taxable income.

Room & Board

The value of Priest housing may be subject to income and social security taxes. **Each Priest should consult with his tax advisor to ascertain to evaluate his personal tax situation and documentation requirements.**

The Archdiocese of Newark provides rectory room and board with an estimated fair market value of \$500 per month.

7.2: FREQUENTLY ASKED QUESTIONS

The following questions and answers are provided to clarify anticipated questions regarding the tax status of Priests:

Q: If I do not document my Priestly business allowance expenses?

A: All undocumented amounts could be considered taxable income and reportable to the IRS.

Q: Must I pay the full self-employment tax instead of having the employer's share of Social Security paid by my employer?

A: Yes. The IRS considers Priests self-employed for Social Security purposes.

Q: What types of expenses are included within the accountable reimbursement plan of my employer?

A: After automobile expenses, the costs of purchase and maintenance of vestments, books and periodicals, business supplies and other Priestly business expenses that you incur and pay during the calendar year.

Q: How do I document my expenses?

A: Retain receipts or other documentation for all expenses. You can base your auto expenses for business mileage at the federally allowable rate per mile or your actual expenses. Discuss this matter with your personal tax advisor.

Q: Can I still contribute to my IRA?

A: Yes. You may also participate in the deferred annuity programs made available by the Archdiocese.

Q: Can I contribute to a 403(b) tax deferred annuity?

A: Yes.

Q: Do I have to file a Schedule C with my income tax return?

A: A schedule C is required if you received income associated with your Priestly ministry other than your salary paid by your employer.

Q: What are my options for the payment of income and self-employment taxes?

A: You may elect to have the taxes withheld from your salary, or you may elect to make quarterly estimated tax payments, or you may elect to have the income tax withheld and pay the self-employment tax quarterly. All Federal amounts withheld from your salary must be reported in the aggregate as Federal Income Tax Withheld of your annual Form 1040.

Q: What is the current rate of self-employment tax?

A: The rate is subject to change. For the current rate, please contact your personal tax advisor. .

The following questions and answers are intended to clarify some anticipated concerns of Parish staff:

Q: How do I report and remit the Priest's income (and self-employment) taxes that are withheld?

A: Whether they relate to federal income taxes or self-employment, all amounts withheld for Priests are reported on line 3 Form 941.

Q: How do I prepare form 941?

A: The Priest's salary is **included** on line 2 and **excluded** from line 6.

Q: What do I do on Form 941 if a Priest is assigned to another Parish during the year?

A: The actual salary payments paid to the Priest by the Parish are reported on line 2 of Form 941. A W-2 form is also to be issued by the Parish to cover the actual salary paid to the Priest and the taxes withheld, if any.

8: FUNDRAISING

8.1: FUNDRAISING

Fundraising is a means toward accomplishing the mission of our Archdiocese. Good stewardship requires understanding that God is the owner of all things, and, we, his people, merely hold what we possess in trust. Both the givers of funds and receiver must ultimately give an accounting of how they gave and received these gifts.

8.2: BINGO/RAFFLES

The Legalized Games of Chance Commission establishes regulations which impact every organization conducting bingo games and raffles. These regulations also govern non-profit organizations such as churches.

Details of the regulations governing games of chance are provided in a publication titled "Bingos and Raffles" published by the New Jersey Department of Law & Public Safety, Division of Consumer Affairs.

Copies of this publication can be obtained by contacting the following:

NJ Department of Law & Public Safety
Division of Consumer Affairs
Legalized Games of Chance Control Commission
PO Box 46000
Newark, NJ 07101
973-273-8000
<http://www.state.nj.us/lps/ca/lgccc.htm>

It is strongly recommended that each Pastor/Administrator familiarize himself and all volunteers working bingo with these gaming regulations.

Registration / Licensing

1. Before applying for a gaming license, every organization must register with the Control Commission and secure an identification number.
2. The organizations must complete separate applications with the State of New Jersey for each **bingo & raffle licenses**. Specific form information is in the Bingo & Raffles publication.
3. License applications must also be filed with the local Municipal Clerk.
4. Licenses for the holding, operating and conducting of any game of chance are valid for a maximum period of one year.

The Pastor/Administrator should pay special attention to the duration of bingo/raffle license(s) to ensure that the existing license(s) is valid and renewal application(s) is filed on a timely basis. Special attention should also be paid to the accuracy of the application for the bingo/raffle license(s).

Reporting Requirements

1. Regulations require that organizations file a Bingo Report of Operations and /or Raffle Report of Operations with the Legalized Games of Chance Control Commission no later than the 15th day of the month following the conduct of the game(s) of chance.
2. The Bingo Report of Operations and Raffle Report of Operations must be reconciled to General Ledger before these documents are filed with the State.
3. A copy of the submitted report is to be maintained in the office files.

Internal Controls - Bingo

Bank Accounts

A separate checking account must be opened in order to comply with legal requirements, to ensure a clear audit trail and to eliminate the commingling of bingo funds with other bank accounts.

As with all bank accounts - including those for societies and organizations – the bingo account(s) is a corporate asset that must carry the Federal Identification of the corporation and must be included on the financial reports.

The Pastor/Administrator as Secretary/Treasurer, the Vicar General as Vice President and the Archbishop as President of the respective corporation(s) are required to be recorded as authorized check signers of the related gaming account(s).

Another representative (other than those listed above) may be approved and recorded as an authorized co-signature (along with the signature requirement of the Secretary/Treasurer, or the Vice President) of the Parish Corporation. The Vicar General's office must be contacted to obtain approval for a second authorized signatory on the gaming checking account.

It should be noted that a lay person is not permitted to be sole signatory on any bank accounts.

It is not necessary to open a separate account for each organization. One checking account may be used by several organizations provided the "authorized use" of the bingo proceeds is identical.

The use of an Archdiocesan Cash Management account for bingo/raffle related activity is prohibited.

The bingo/raffle account must be maintained in accordance with the procedures set forth in **Section 3: Financial Management**.

Collection, Deposit, and Disbursement of Funds

- The following procedures should be used when collecting funds at bingo games:
- Admission fees should be collected at the door.

- The sale of cards, markers, etc. should not be collected near the entrance of the bingo hall. The collection table for these items should be set up in a secure place away from the entrance to the bingo hall.
- As a function of the monies collected, bingo receipts should be periodically transported to the safe with an escort. Funds should be stored in the safe until counted and deposited. If possible, police security should be used during bingo; including for escort purposes.

The collecting and counting of bingo funds should always be done by at least two individuals. One individual should never be left alone with bingo funds. Counting teams should count bingo monies, prepare a bingo tally sheet, and prepare the deposit. Counting teams should be supervised by the Pastor/Administrator.

The bingo tally sheet should list the type and amount of all bingo revenues received. The total amount of funds collected should agree with the amount deposited to the bank account.

Funds should be taken to the bank with an escort. If possible, a night depository drop should be used for the deposit of bingo funds.

For safety purposes, progressive payouts should be awarded by check to eliminate handling / keeping large amounts of cash on premises where bingo is being held. An announcement should be made at the beginning of each bingo stating that "all progressive prizes will be awarded by check". A notice should also be posted in a conspicuous place stating "all progressive prizes will be awarded by check" and "all prize winners must provide the necessary information to complete Form W-2G for applicable winnings".

Checks issued for progressive payouts should be issued to the "individual's name - Social Security #" and the memo section should note the winner's address, date and type of prize. All checks for the payment of bingo/ raffle prizes are to be issued from the "Gaming Account". Checks are not to be issued from the any other bank account for any gaming expenses, including prize monies

Archdiocesan Policy prohibits the signing of blank checks. The Pastor/Administrator must manually sign all checks after the Date, Payee, and Amount have been completed.

Tax Reporting

IRS Form W-2G is to be completed for each person paid \$600 or more in gambling winnings from a 50/50 drawing or raffle if such winnings are at least 300 times the amount of the wager AND/OR \$1,200 or more in gambling winnings from bingo.

Winners must provide identification validating name, address and social security number. This information is necessary for the completion of the W-2G tax form. Management should request that the winner complete IRS form W-9, Request for Taxpayer Identification Number and Certification. Proceeds should not be released to individuals refusing to provide the requested identification.

Federal tax must be withheld at a rate of 25% from the amount of winnings less the amount wagered if such winnings less the wager exceed \$5,000. In addition, these winnings are subject to 3% New Jersey State Withholding Tax.

Federal non-payroll income tax withholding is reported on Form 945, Annual Return of Withheld Income Tax. State tax is reported on the NJ-W-3 Form.

For tax forms or additional information regarding tax reporting on gambling winnings, contact the Internal Revenue Service at www.irs.gov

Additional Information

Separate alphabetic paid bill files should be maintained for all gaming related expenses. (i.e., security, soda, snacks, licenses, cards, etc.)

Upon payment, the date paid, check number, and amount of payment should be noted on each paid invoice. The Pastor/Administrator is required to initial each invoice to signify payment approval.

All gaming proceeds are to be used in accordance with the purpose identified when the license was filed, e.g. "Church use". Gaming expenses are to be paid directly from the gaming bank account. Excess cash reserves in the gaming account should be transferred to other bank accounts for further disbursement.

Note: Bingo proceeds reported to the State on the 15th day of the month following the conduct of the game(s) of chance on form titled "Legalized Games of Chance Control Commission" must be spent within one year from the date recorded/reported.

All receipts and disbursements from games of chance need to be incorporated into the financial records. Revenue and expense sub-coding can be developed to provide monthly activity statements. In accordance with Archdiocesan guidelines, the revenues reported on Line 405 are the **gross** proceeds received from bingo/raffle activities. The Parish should not deduct bingo/raffle payouts from the revenue amount reported on Line 405. All bingo/raffle expenses, including prize monies, are to be reported on Line 561 of the Parish's Financial Report.

The reconciled balance(s) of the gaming checking account(s) is to be reported on Line 100 of the Parish's Financial Report.

Each gaming checking account is to be formally reconciled monthly. The Pastor/Administrator is to review each bank statement reconciliation and corresponding canceled checks cleared by the bank.

Avoiding Common Violations of Gaming Regulations

No payments or tuition reductions are to be given to any individual for working bingo games.

No minors (individuals under the age of 18) are to be on the premises while bingo games are being held. Likewise, minors are not permitted to work in the kitchen during bingo games.

No game is to be conducted in a room or outdoor area where alcoholic beverages are sold, dispensed, or consumed during the period between commencement of the first and conclusion of the last bingo game of the occasion.

All players must be physically present in order to participate in the game.

Each player must select his/her own bingo card or series or cards for each regular bingo game; **cards may not be reserved for players.**

The card used by the player must be part of a deck, group or series of cards. No two cards may contain the same number patterns during a particular bingo game. It is the responsibility of the organization running the bingo to ensure that no two cards containing the same numbers are issued during a particular bingo game.

A notice should be posted in a conspicuous area on the bingo premises listing the amounts of the charges for admission, the nature and amount of prizes awarded, the name of the licensee, the name of the member in charge, and the identification and license numbers.

Periodic inspection of bingo tables, chairs, equipment, should be made to help eliminate potential liability damages. Broken, chairs, tables, etc. should be replaced once discovered to help prevent potential liabilities.

The above guidelines are merely a sampling of the regulations issued by the Legalized Games of Chance Control Commission and/or internal controls suggested by the Archdiocese of Newark. A complete listing of regulations should be obtained from the Legalized Games of Chance Control Commission and read in order to ensure compliance to state Legalized Games of Chance regulations.

Raffle Tickets

It is illegal under Federal Law (18 USC1302) to mail through the US Postal Service raffle tickets, lottery tickets or other forms of games of chance. Similarly, it is illegal to mail through the Postal Service any payments for these games of chance.

A majority of parishes and schools in the Archdiocese engage in this type of fundraising activities throughout the year.

What You Can Do

Although you are not permitted to mail raffle tickets or request payment for a raffle ticket using the mail, the same Federal law does permit nonprofit organizations like parishes and schools to “advertise” through the US Mail any raffles they will be conducting. In essence, you can mail your intended audiences a notice that you will be conducting a raffle, what the tickets cost, and where interested individuals can obtain tickets, but that notice must not include the tickets themselves.

You also can hand-distribute tickets directly to individuals or make them available at a specific location. This method is particularly easy to undertake in school communities by sending books of tickets home with students or with parents after home-school association meetings. It also

is possible for ushers or others to distribute books of tickets to parishioners at the conclusion of Mass.

What About Using “Suggested Donation” Language?

Federal law may allow for mailing of raffle tickets if there is a “No Purchase Required” or “Suggested Donation” stipulation on the ticket, since such a step would eliminate any actual obligation to pay to enter the raffle. In such a situation, however, the parish or school conducting the raffle is bound to accept and include in the group of possible winners any returned tickets received, even if no donation or an amount less than the Suggested Donation accompanies the returned tickets. Because the goal of fundraising activities for parishes and schools is to provide maximum opportunity for funds for ministry purposes, this avenue may not benefit the parish or school. It is possible that such an action still could be considered prohibited under 18 US 1302, and it may not produce sufficient funds to both cover the prize(s) required under the raffle and assist in meeting the financial needs of the parish or school.

For specific information or questions, contact the Office of Parish Business Services at 973-497-4074.

8.3: SCRIP

SCRIP is a term that means substitute money. When a parish or school purchases scrip it is generally in the form of gift certificates or cards that are used like cash. The scrip may be issued by the national or local vendors. Scrip is purchased at a discounted face value by the parish or school and resold at face value to the third party purchaser. The discount varies from vendor to vendor. The discounted value is the profit margin. The scrip is either purchased in advance and maintained as inventory or purchased upon request and maintained until purchaser pick-up. As scrip is readily negotiable, proper controls must be in place to safeguard the instruments.

All Scrip programs must be approved by the Pastor (or Board).

A committee must be established for managing and controlling the scrip program. The Internal Revenue Service considers Scrip fundraising activities a trade or business. The profits made from the activity are exempt from income tax when the number of volunteer hours is at least 85% of the total number of hours it takes to run the program. No tuition payments or tuition reductions are to be given to any individual for selling script.

A separate bank account should be used for Scrip activity. This will separate fundraising activity from normal church/school operations and will limited the scope of review should the Scrip program be audited by federal or state examiners.

A Scrip control log should be maintained to record purchases, sales and inventory. To document purchases, the church/school should utilize customer order forms.

The physical inventory of Scrip must be adequately protected against theft or loss and must be maintained in a secure fireproof location. Scrip inventory must be maintained on parish/school property at all times.

A system should be in place to assure that certificates are counted on a regular basis and that this reconciliatory inventory is properly documented. This internal process should be conducted at random times at least every two months by individuals who are not responsible for managing or controlling the Scrip program on a daily basis.

Scrip inventory is reflected on the parish/school balance sheet as an other asset.

8.4: OTHER FUNDRAISING EVENTS

A variety of other fundraising events are sponsored by our Churches, schools and cemeteries.

These may include festivals, the sale of goods, sport activities and other like events.

Cash controls must always be enforced to protect assets.

Please contact the Office of Parish Business Services at 973-497-4074 for assistance to developing internal controls specific to sponsored events.

9: FINANCIAL FRAUD POLICY

9.1: FINANCIAL FRAUD POLICY STATEMENT

The Archdiocese of Newark has enacted a financial fraud policy which clearly identifies that it will not tolerate fraud of any nature and that all reports of fraud will be fully investigated and reported to the appropriate authorities if applicable. Persons found to have participated in fraudulent acts will be subject to disciplinary action, up to and including termination and civil and criminal prosecution.

The Archdiocese of Newark has established operating policies and procedures which include internal controls to encourage operational efficiency and prevent the deliberate or misguided use of funds for unauthorized purposes. The responsibility to prevent fraud and fully safeguard the assets of the Church is the obligation of parish clergy & religious, lay employees & volunteers.

9.2: TYPES OF FINANCIAL FRAUD

Fraud is defined as “an intentional action, inaction, or statement made by an individual for the purposes of obtaining benefits to which he or she is not entitled.” To act with intent to defraud means to act willfully, and with the specific intent to deceive or cheat.

Prohibited acts of fraud include, but are not limited to:

- Theft of any assets (money, tangible property, etc.)
- Authorizing or receiving compensation for goods not received, services not performed, or hours not worked
- Bribery, kickbacks, or rebates (given or received)
- Alteration or falsification of documents
- Inappropriate use of computer systems
- Misappropriation, misapplication, destruction, removal, or concealment of Church money, property, or other assets
- Embezzlement (any loss resulting from the misappropriation of assets)
- Intentional misrepresentation or distortion of facts, financial records, or financial statements
- Improper use of church paid staff involving non-church property or assets

9.3: FINANCIAL FRAUD DETECTION

A parish is generally a cash based organization as a result of its Mass offertory and fundraising efforts. It often relies on small paid staff as well as volunteers to handling its money and accounting records.

There are some warning signs that management should be aware of in order to identify potential fraud. These include:

- Lack of oversight by management of all finances and operations.
- Lack of internal controls within the accounting cycle. There is no or a minimal separation of duties between invoice receipt, expense approval, check issuance, check signage, account reconciliation and fiscal report preparation.
- Physical assets, including cash, are not properly safeguarded at all times. Proper safeguarding of cash requires that the funds are never with one individual at any time.
- Failure to properly screen an individual for employment by neglecting to obtain an application, verify prior employers and references and conduct appropriate background checks. The high turnover of employees may result in people with unknown integrity access to assets.
- Lifestyle or behavior changes in employees or volunteers. A prominent difference between an employee's earnings or volunteer's known worth and how the person lives can be a red flag for fraud. If a person's behavior suddenly changes, it may be due to the pressure caused by fraudulent activity.
- Fraud warnings may come in the form of telephone messages or anonymous letters from employees or volunteers. The reporting individual may prefer to remain unidentified for a variety of reasons. All warnings, even those that are received anonymously, should be investigated.

9.4: REPORTING FINANCIAL FRAUD

Suspicion of financial fraud should be reported as soon as identified in order to commence a timely investigation. This will increase the possibility of recovering the loss and/or pursuing options for criminal or civil action.

Suspected fraud should be reported to the Office of Parish Business Parish Services of the Archdiocese of Newark at 973-497-4074. Anonymous claims may be investigated if credible information is provided.

Suspected fraud may also be reported via EthicsPoint, an independent third-party company, which provides the Archdiocese with an ethics hotline so employees, volunteers, parishioners, vendors and other interested parties can report concerns about suspected financial or human resources misconduct. Reports can be filed confidentially through a link on the Archdiocesan website or via one of EthicsPoint's trained specialists at **1-XXX-XXX-XXXX**.

The Office of Parish Business Parish Services will promptly and thoroughly investigate all reported cases of suspected financial fraud per internal investigation procedures. Matters reported that are not financial in nature will be directed to the appropriate Archdiocesan office. The individual submitting the suspect fraud report may or may not be contacted during the investigation.

10: OFFICE OF DEVELOPMENT AND STEWARDSHIP

10.1: STEWARDSHIP

“Stewardship is what we do with what we have after we say that we believe in God.”

Cardinal Joseph W. Tobin, C.Ss.R.

The spirituality of stewardship underlies all of the programs and activities of the Office of Development. As Christian Stewards, we acknowledge that God is the true owner of all that we possess, and that we are called to cultivate responsibly and share generously all the spiritual and material gifts we have received from our Creator.

The Stewardship Office hosts an Archdiocesan Stewardship Day and other stewardship initiatives designed to help parishes teach the spirituality of stewardship and foster stewardship principals of gratitude, accountability, generosity and the desire to give back to God with increase. The Director of Stewardship is available to meet with any parish stewardship committee to discuss new initiatives, parish ministry fairs, and programs that feature Time, Talent and Treasure. Any parish interested in starting a Stewardship Committee should contact our office at (973) 497-4126.

10.2: SHARING GOD’S BLESSINGS ANNUAL APPEAL (AA)

The Sharing God’s Blessings Annual Appeal is a parish-based campaign, which helps to support the programs and ministries of the Archdiocese. Goals are assigned to each Parish based on its offertory income.

- Parishes follow a prescribed plan for executing the annual campaign, including an in-pew solicitation on the first weekend of the appeal.
- Parishioners are kindly asked to make a gift or a pledge to be paid within the calendar year.
- Parishes will share in the funds raised by the Appeal when they have exceeded their goal. The rebate formula is included in the AA Leadership Manual.
- The campaign timetable is detailed in the Leadership Manual.
- Parishes maintain a current listing of their parishioners. The Archdiocese sends a parish roster to each Parish in August, which to be reviewed and submitted to the Development Office by October.
- The Archdiocese provides campaign materials for each Parish to distribute before the start of the Annual Appeal. (Pledge Sunday is normally the first weekend in February.)
- Pastors are encouraged to do a follow-up in April either through a mailing or in person.
- The Development Office will conduct several follow-ups throughout the year.
- Rebate checks are distributed the January following the Appeal.
- Rebate checks are then used for general operating needs or capital improvements.

- Pastors can check their parish's progress monthly by accessing their Alpha Report online (see <http://onlineparishreports.rcan.org/>) If login problems are experienced, contact the help desk at (973) 497- 4160.

For more information on the Annual Appeal program, contact the Office of Development at (973) 497-4126.

How Does My Parish Directly Benefit from the Appeal?

In January, pastors from parishes that have exceeded their goals in the previous year, are honored and given rebates to be used for parish projects at their discretion.

AA Leadership Manual

A Leadership Manual is mailed to each parish prior to the start of the new Appeal. This manual is designed to address frequently asked questions and walk through the appeal at the parish level.

Reading the Leadership Manual is highly recommended before implementing the Appeal. The Leadership Manual should be made available to those assisting with the implementation of the Appeal at the parish level.

10.3: MAJOR GIFTS AND GIFT ACCEPTANCE POLICIES

The Office of Development and Stewardship has established a gift acceptance policy to ensure that all gifts received are consistent with the mission of the Archdiocese, do not generate more cost than benefit, or are restricted in a manner that is inconsistent with the goals of the Archdiocese. The Office works with Pastors and their parishioners to assist them in supporting the Church's mission while taking advantage of various tax laws or financial products that enhance the value and impact of contributions.

Significant gifts of property and gifts in-kind must be evaluated to determine whether the costs associated with receiving the gift can be accommodated. Many of the policies apply equally to the parish.

Depending on one's needs, the Archdiocese of Newark and its parishes provide giving methods that offer significant tax advantages, can reduce future estate taxes, and/or provide a steady income.

Gifts can be made with a number of assets:

- Cash
- Stock/Securities
- Life Insurance
- Real Estate
- Other personal property

Gifts of securities (stocks, bonds, etc.) may be completed in several ways which impact the transfer of ownership. The Office of Development and Stewardship should be notified and involved in all transactions involving gifts of securities in partnership with the Office of Finance. Please contact the Director of Development at (973) 497-4332.

The Archdiocese of Newark also maintains several endowments - funds which help underwrite the operations of its charitable programs. These gifts are permanent and perpetual because only the earned income (interest) will be used each year. They include:

- Catholic Education Endowment
- Seminary Endowment
- Priest Care and Retirement Endowment
- CYO/Youth Ministries Endowment

10.4: PLANNED GIVING

The Development Office seeks to support parishes by educating parishioners about the benefits of making a planned gift and remembering their parish within their estate planning.

Many of these planned gifts offer significant financial benefits and tax savings, which are unavailable in other forms of financial planning. Materials are available from the Office of Planned Giving regarding making/obtaining a:

- **Bequest** – A gift of property/money designated for the Parish or the Church in a Will.
- **Charitable Gift Annuity** – This arrangement requires a gift of at least \$5,000. A fixed rate is then assigned based on age, amount of the gift and the IRS discount rate. The annuitant will receive a guaranteed income for the rest of his/her life with the remainder going to a parish, the Archdiocese or another Archdiocesan entity as designated by the annuitant.
- **Charitable Remainder Trust** – The trust provides income for the donor and their beneficiaries. When the trust matures, the remainder becomes a gift to the Church.
- **Charitable Lead Trust** – The trust provides annual income to the Archdiocese toward the program(s) of one's choice. At maturity, the trust's principal returns to the donor.

Parishes are encouraged to contact the Office of Development for assistance. We also can assist you with gifts of stock.

Seminars

Parishes can schedule Planned Gift Seminars throughout the year. Anyone interested in these seminars should call the Office of Development at (973) 497-4126.

Legacy Circle Planned Giving Society

The Legacy Circle was established to honor individuals who have named their parish or the Archdiocese in their will or made a planned gift. Anyone who has named the parish in their will or made another type of planned gift is eligible for enrollment in the Legacy Circle. Pastors should be encouraged to notify the Office of Development to enroll any parishioners who have made a planned gift to the parish.

Any parish interested in receiving more information on estate planning and resources may call the Office of Development and Stewardship at (973) 497-4126.

10.5: PARISH CAPITAL CAMPAIGN POLICY AND PROCEDURE

Definitions

Capital Campaign – A parish capital fund-raising campaign is any parish effort, which seeks to raise an amount of cash that is greater than \$100,000. The campaign's pledge collection period may extend from one to five years. The funds raised may be used for new building, renovation or restoration, debt reduction, special programs or other capital needs.

Feasibility Study – A feasibility study includes an analysis of a parish's financial ability to raise a specific capital amount **and** a summary of parishioner support for the project. Parishioner support is determined through a series of confidential interviews with a cross section of parishioners and friends that explain the reasons for the capital campaign, solicit opinions, and develop financial support and leadership commitments.

All parish capital campaigns must raise funds over and above the annual offertory collection, the Annual Appeal or any special collections that benefit the parish.

Procedure

- The Pastor should contact the Office of Development and Stewardship **before** retaining a firm to conduct a feasibility study.
- Before retaining a firm to conduct a feasibility study and /or capital campaign, the parish must contact three (3) firms from the approved list and conduct an interview/bid process. A representative from the office of Development can be present at the interview/bid meetings, at the Pastor's request.
- After the interviewing three firms, the Pastor, with the approval of the parish finance committee can retain a development firm to conduct a feasibility study. The completed feasibility study must be submitted to the Office of Development and Stewardship. The Director will make a recommendation to the Pre-Consultors Committee.
- The Archdiocesan Pre-Consultors Committee, which includes the Finance Officer, the Vicar for Education, the Executive Director of Property Management Administration, the Director of Internal Audit, the Director of Research & Planning, and the Executive Director of Development will evaluate the recommendation. The evaluation will also include New Energies considerations, parish indebtedness or surplus, history of parish capital campaigns

and the Annual Appeal performance. The parish must be in compliance with Archdiocesan fiscal reporting requirements.

- Only feasibility studies prepared within the previous six months will be accepted by the College of Consultors. Older feasibility studies must be updated before submitted for review.
- The Pastor will send a formal letter to the Archbishop seeking permission to conduct a capital campaign.
- The letter along with the Pre-Consultors' recommendation will be submitted to the College of Consultors for final approval.
- Approval to start a capital campaign is effective for one year from the date permission is granted. Upon receiving approval for a capital campaign, a parish **must guarantee** it will reach its Annual Appeal (AA) goal for the duration of its campaign. This includes the appeal year in which the campaign begins and each succeeding year for the duration of the campaign (including redemption phase). For the first year of the capital campaign, the pastor has the option of (A) including the Annual Appeal goal into the parish campaign case statement and then sending a check for the amount of the Appeal goal to the Archdiocese (this would eliminate parishioners' Appeal solicitations and Pledge Weekend for the first year), or (B) conducting the Appeal as usual (if the Appeal goal is not met, the parish will be invoiced at the end of the year). Please notify the Development Office which option, (A) or (B), is chosen.
- Parish must first satisfy any current or historical debt due to the Archdiocese of Newark before raised funds can be utilized on case statement items.
- The Office of Development will monitor the progress of the campaign.
- The Archdiocese of Newark has adopted the policy that any approved fundraising firm that does not achieve the campaign goal (barring any special circumstances) and/or follow Archdiocesan policy will be removed from the approved list for a period of three years.

For projects that are funded either in whole or in part by capital campaign pledges, the parish must have at least 90 percent of the project cost in reserve prior to beginning construction, with the balance covered by redeemable pledges. The reserves should be placed in a restricted account and not be co-mingled with other funding during the course of the project. Separate aspects of a project can be started if the funds necessary are collected.

10.6: OFFERTORY INCREASE PROGRAMS

Permission is not required to start parish offertory increase programs. However, please contact the Associate Director of Stewardship and the Annual Appeal, (973) 497-4126 for assistance in this process.

10.7: STEWARDSHIP ENDOWMENT GRANTS

Grants are available for critical capital needs. All parishes and schools in the Archdiocese are eligible to apply. Details and grant applications are included in the parish budget report form, mailed each April by the Office of Parish Internal Audit.

11: PARISH CEMETERY OPERATIONS

PREFACE

The Catholic Church's involvement in cemetery ministry is a long-standing part of its history. The church's caring for her deceased members is a **corporal work of mercy** and a formal ministerial engagement of the Catholic Church throughout the United States. The cemetery ministry grew rapidly until the middle of the last century. During the last 30 to 40 years, growth of the ministry has slowed and many changes have occurred in the way this **work of mercy** is conducted. The cemetery ministry continues to have significant value in the church's role in today's society.

Cemetery ministry is an important external sign of the church's presence as a community -- a group of people banded together in their belief in Jesus Christ, his resurrection from the dead, and a promise that one day his followers will share eternal life with him.

Catholic cemeteries help the church to sustain faith among its members and are a valuable teaching tool. People using Catholic cemeteries have an opportunity to better understand the church's theology about life, death, and life after death. Each visit to a Catholic cemetery provides the faithful with a very visible sign of the reality of the communion of saints.

Catholic Church ownership of cemeteries also creates another avenue for outreach to the poor. The church can provide a religious burial to members without funds, thus upholding dignity in death for all of the baptized.

This handbook of policies and procedures is intended to support pastors of Latin Rite parishes with parochial cemetery responsibilities of the **Archdiocese of Newark** to provide the best possible tools and guidance to people operating or working in each parochial cemetery.

The Archdiocese of Newark Catholic Cemeteries office is a resource for, and offers assistance to, parish cemeteries. Catholic Cemeteries has provided the parishes with Rules and Regulations, Policy and Procedures, Perpetual Care Workbook, HMIS Conversion assistance, Minimum Standards and marketing assistance. The Catholic Cemeteries office will continue to be a resource and assist as and when needed.

Before proceeding further, it's important to note the following:

- The Archdiocese of Newark is ultimately responsible for the religious well-being of Roman Catholic Church institutions in the archdiocese, including all parochial or parish cemeteries. By appointing a pastor to a parish with parochial cemetery responsibilities, the archbishop and his successors assure that parish cemetery operation and products are consistent with church theology and support the church's comprehensive ministry. And that the property is appropriately maintained in perpetuity.
- These policies and procedures are subject to change. Modifications will be made when ministerial and operating needs suggest an appropriate need.
- The policies and procedures are meant to be helpful. They are based on extensive experience in Catholic cemetery ministry and should be used to answer questions and

provide assistance. They should be applied as guidelines for making pastoral and management decisions for cemetery ministry. Doing so will avoid a common perception that policies are primarily intended to constrain or obstruct people using the parish cemetery.

FOUNDATION

The history of Catholic cemeteries is complex. The early church took its lead from Jewish practice in setting aside burial facilities for its members. The Roman catacombs witness a time when Catholic Church members buried their dead in secret and gathered at these sites to celebrate the Eucharist.

Many predominantly Catholic European countries have cemeteries or bone houses attached to churches. Also common are municipal cemeteries, predominantly for Catholics, that include small, separate sections for members of other religious denominations.

As Catholics migrated to the United States, they brought the church's burial customs with them. Because of the great expanses of land in America, use of bone houses and ossuaries was discontinued. Parish cemeteries were the norm in the early Catholic dioceses. Today, many dioceses also have regional and larger diocesan facilities.

In a pluralistic society, especially where so many came to find freedom from religious persecution, cemeteries, schools, hospitals and fraternal organizations were seen as ways for congregations or denominations to profess their beliefs and protect themselves from discrimination.

In earlier times both the Catholic Church and Jewish congregations used their cemetery systems in a disciplinary way. Those baptized Catholic who were not members of a parish, did not make their "Easter duty," were married outside the disciplines of the church, were public or notorious unrepentant sinners, committed suicide, or were cremated, were denied burial in the consecrated ground of the Catholic cemetery.

These situations evolved to a new reality in the post-Vatican II church. Guided by the content and spirit of the documents of the Second Vatican Council, the bishops of the United States simultaneously relaxed two disciplines--the abstinence from meat on Fridays and the mandate that all Catholics be buried in Catholic cemeteries.

In the first instance, the relaxation of abstinence was coupled with a catechesis that emphasized **voluntary** penances being more worthwhile for the individual, with such penances encouraged to continue as a part of personal piety and spiritual growth.

With Catholic cemeteries, the bishops simply indicated that adult Catholics should not be disciplined at the time of death by an exercise of control over where they were to be buried. The church still had its cemetery system, but it was to be used differently. However, no further instruction was given about the value and worth of Catholic cemeteries.

Reform of Catholic cremation discipline began in 1963 with the Holy Office's instruction *Piam et Constantem*. This instruction permitted Catholics to request cremation under certain circumstances. This reform continues to change as time passes.

All of these issues have come together to cause the church to look at the **Catholic cemetery tradition** again and to take steps to more fully appreciate its significance.

The 1986 [Revised] **Code of Canon Law, Canon 1240** states:

"Where possible, the Church is to have its own cemeteries, or at least an area in public cemeteries which is duly blessed and reserved for the deceased faithful."

Catholics of the **Archdiocese of Newark** esteem the **Catholic cemetery tradition**. With Catholic cemeteries serving thousands of families each year, the archbishop continues the practices of his predecessors to look for ways to better maintain these facilities, actively promote their use, and improve communication about their value and ministerial service.

BASIC ASSUMPTIONS

In developing these policies and procedures for the parochial cemeteries of the **Catholic Archdiocese of Newark** five assumptions have been made. A review of this information will increase readers' understanding of the policy and procedure recommendations. The assumptions constitute the foundation for a unified Catholic cemetery program.

1. **The operation of a Catholic cemetery is a *ministry*.** The burial of the dead has been identified as a ***corporal work of mercy***; it can be done without direct involvement in ownership or operation of cemeteries.

Church operation of hospitals, orphanages, schools and parishes mirrors the Risen Christ to people using these facilities. The Catholic cemetery can and must be seen in the same way.

The church's cemeteries silently but eloquently witness to belief in resurrection, to individual human dignity, to communion with the saints, and to the history and presence of the church in space and time.

However, Catholic cemeteries are unique church institutions because of the perpetual care obligations inherent in this ministry.

2. **The operation of a Catholic cemetery is a *business reality*.** There are many facets to successful operation of any business--especially one that makes an ongoing commitment to maintain its facilities perpetually.

These business considerations include:

- sound management principles;
- efficient operations;
- safety and insurance;
- effective human resource policies that promote professional development and longevity; timely and complete financial information that supports planning and management reporting;
- a long-range view for development that assures a complete inventory while preserving capital.

Cemetery competition has increased. The absence of a mandate for using Catholic cemeteries makes it imperative that the pastors understand all sources of competition and recognize a need to compete for market share.

3. **The Catholic cemetery ministry is primarily exercised as a lay ministry.** Catholic cemeteries are owned and operated by the church. This ministry does not, however, require direct management by clergy.

Given today's shortage of ordained clergy, the church's cemeteries can be more effectively managed by committed lay people who are delegated and supervised by the pastor and can focus on this one ministry.

4. **People managing or working in the Catholic cemetery must perceive their role as a commitment to ministerial service.** It's one thing to define a cemetery system as ministerial in character and approach. It's quite another to employ people who understand the implications of work as ministry.

All Catholic cemetery employees must understand the concept of lay ecclesial ministry and commit to providing ministerial service in every aspect of their work. Competition has created a need for increased marketing activity and it is particularly important that people selling products and services conduct these transactions with a degree of ethics and sensitivity that clearly supports cemetery ministry.

5. **The parish with parochial cemetery responsibility is committed to fiscal integrity, and long-term management and operational stability of the parish cemetery.** Effective stewardship ensures solvency and financial integrity of cemetery operations. The parish will not walk away from the commitments made by opening and operating the parish cemetery. Fiscal integrity includes effective use of operating budgets, care funds, management controls, reporting systems and human resources.

This will ensure the parochial cemetery operates in perpetuity after it is filled and closed, and that revenue may be available to develop new properties in response to migration of the Catholic population within the **Archdiocese of Newark.**

Catholics have a deep and abiding belief in the church's teachings about life, death and life after death. That belief often causes them to commit deceased loved ones to the care of the church and its cemeteries. Family members' regular visits to graves demonstrate loving memory for the departed and a willingness to support the church's efforts to provide the best possible cemetery system on their behalf.

The preceding assumptions are the basis for this handbook. The policies and procedures are intended to promote the best interests of:

- the families who use the cemetery facility,
- the cemetery property, and the people responsible for its administration and operation,
- all Catholics, and

- parish leadership with overall responsibility for this ministry.

HISTORY

The Catholic Church in the United States finds its current structure in the territory covered by the **Diocese of Baltimore**, established November 6, 1789. Baltimore was established as an archdiocese the same April 8, 1808 that the suffragan sees of **Boston, New York, Philadelphia, and Bardstown** were named. The diocese of Newark was established in 1853 and elevated to the status of archdiocese in 1937.

The sequence of establishment of Catholic cemeteries within the geographical boundaries of the Archdiocese of Newark is as follows:

1840	*St. Rose of Lima	Short Hills
1842	*St. Peter	Belleville
1849	*St. Mary	Elizabeth (Epidemic Cemetery)
1849	St. Peter	Jersey City
1850	*St. Mary	Clark
1850	*St. Mary	Plainfield
1851	*St. John	Orange
1854	*St. Francis de Sales	Lodi
1859	Holy Sepulchre	East Orange
1864	*Madonna	Fort Lee
1864	*St. Luke	Ho-Ho-Kus
1866	Holy Name	Jersey City
1868	*St. Joseph	Hackensack
1871	*Mount Olivet	Newark
1880	Mount Carmel	Tenafly (AON Cemetery 8/1/13)
1883	*Mount Olivet	Bloomfield
1887	St. Mary	East Orange
1889	*St. Teresa of Avila	Summit
1895	*Immaculate Conception	Upper Montclair
1896	*St. Joseph	Lyndhurst
1900	*St. Andrew	River Vale
1911	*Mount Calvary	Linden
1915	Holy Cross	North Arlington
1933	St. Gertrude	Colonia
1935	Maryrest	Mahwah
1937	Gate of Heaven	East Hanover
1968	Christ the King	Franklin Lakes

[Those cemeteries marked with an asterisk [*] are owned and operated by Latin Rite parishes of the **Archdiocese of Newark.**]

In 1904, as he solemnly blessed the graves in **St. Mary's Cemetery**, Minneapolis, Minnesota, Archbishop John Ireland said:

Next to the church, the tabernacle of the living God, is the cemetery, the earthly home of the departed - God's Acre, as Catholic piety was once used to call it - it is the most sacred of places.

There God is vividly present, in the nothingness of time, in the awful reality of eternity. The lesson is striking - time and the things of time are passing shadows: only eternity and the things of eternity have value.

There our relatives and friends are at sleep, awaiting the morning of the resurrection: their memories meanwhile thrilling us with hope in God's love, if we are faithful to His laws, with dread of His judgments if we dare betray Him...

This quotation is oftentimes used throughout the United States and Canada in conjunction with the promotion of the *Catholic burial tradition*.

STRUCTURE

Archdiocesan Cemeteries

There are currently ten archdiocesan cemeteries, i.e. cemeteries owned and operated by the archdiocese. Archdiocesan cemeteries typically serve large groups of parishes. Cemeteries designated as “archdiocesan” can include both open and closed facilities.

Catholic Fraternal Cemeteries

The Catholic Church, in its 1983 Code of Canon Law, Canon 1241, Paragraph (2) allows for other Catholic cemeteries as follows:

"Other juridical persons or families may each have their own special cemetery or burial place which, if the local Ordinary judges accordingly, is to be blessed."

Where the church may not have its own properties, families or Catholic societies formed to organize burial societies that evolved into Catholic fraternal cemeteries. These facilities operate with archdiocesan approval and on its behalf. Typically, a board of directors governs the activity of these nonprofit organizations.

Joint Parish Cemeteries

A joint parish cemetery is usually defined as a facility serving a number of parishes in a common area with governance customarily conducted by a board of representatives from the involved parishes at the local level. They are identified in the PJ Kennedy Official Catholic Directory by the symbol [JC] but not by name. There are no joint parish cemeteries in the Archdiocese of Newark.

The Parish Cemetery

A parish cemetery is established to meet the needs of parish members and the pastor is typically responsible for its administration. Some parish cemeteries meet the needs of neighboring parishes without having any formal administrative relationship with those parishes.

In the Archdiocese of Newark, New Jersey, Catholic parishes are typically religious corporations. Parish cemeteries usually belong to individual parish corporations.

Catholic Sections/Other Cemeteries

The 1983 [Revised] **Code of Canon Law, Canon 1240** mandates the existence of Catholic cemeteries, or blessed sections set aside in other cemeteries, as follows:

(1) "Where possible, the Church is to have its own cemeteries, or at least an area in public cemeteries which is duly blessed and reserved for the deceased faithful."

Approved Facilities

Catholic sections authorized in nonsectarian properties must meet at least the following criteria:

- a clear written mandate and authorization by the local bishop;
- assurance of appropriate controls for permission to bury in the Catholic section;
- evidence of controls for records maintenance;
- provisions for burial of the indigent;
- evidence of insurance;
- evidence of written guidelines governing revenue, expense and
- satisfaction of perpetual care obligations;
- periodic review of quality of the facility and its products to assure services are consistent with Catholic theology and burial traditions.

Unauthorized Facilities

In some areas of the United States, nonsectarian cemetery operators have designated "Catholic sections" in their facilities without consent of the local bishop. This is improper since it compromises the official Catholic cemetery ministry.

There are no Catholic sections, approved or otherwise, in non-sectarian cemeteries within the geographical boundaries of the **Archdiocese of Newark**.

MISSION AND MINISTRY

It is important to place the Catholic cemetery within the **Catholic burial tradition**. That tradition flows out of fundamental tenets of the Catholic faith including:

- the dignity of each individual human person;
- the importance of Baptism into the faith;
- the reality of the resurrection of Jesus Christ;
- the promise of Jesus that his followers will share eternal life;

- the celebration of Eucharist as remembrance and thanksgiving.

The operation of a Catholic cemetery ministry should support each of these tenets:

Catholic Parish Cemetery

Mission Statement

Vision

Our experiences of birth and personal development as we journey through life's important events are part of a great voyage. Our faith has significant influence on how we experience this journey. We don't travel alone, we are part of a believing community; this community supports us and marks important moments in our lives with prayer and ritual.

Death is not the end of the journey. Death and life are of the same cloth. During the funeral liturgy we say "Lord, for your faithful people life is changed, not ended." Faith helps us to see death as another event of our journey that is celebrated by a believing community. The cemetery is part of this ritual.

We have our own cemetery because our perception of death is guided by our resurrection faith. Our parish cemetery exists to meet the needs of the faithful at the time of death and burial, and throughout bereavement. By setting aside a holy place for burial we provide a fitting environment for liturgical celebration. As in life, we believe the human body should be treated in death with respect and dignity. Our memories of the deceased are enlightened by a faith that sees death as a bridge to the communion of saints. Our bonds with the believing are not broken by death.

History of the Catholic Cemetery

The cemetery is rooted in ancient religious rituals of reverence for the dead. Separate sacred spaces have always been set aside for burial. Influenced by Jewish tradition and the diversity of burial practices of Gentile converts, the early Christian church developed a burial tradition which retained reverence for the body and a sacred space for burial but also connected the death/resurrection of the believer with the death/resurrection of the Lord. That is why Eucharist, the remembrance and celebration of the death and resurrection of the Lord, has always been integral to the burial of Christians who "have died in the hope of rising again".

Significance of the Catholic Cemetery

People entering a Catholic cemetery should see symbols of the church's teachings about life, death, and life after death. The cemetery is part of our ritual space. People working or volunteering in the cemetery should provide a ministerial service.

The Catholic cemetery dates from the time of the first Catholic presence in the area and is a service organization. The cemetery should help people respond to death in the context of the promise of eternal life.

A Catholic cemetery encourages frequent visitation and prayer for the dead. It seeks to foster an environment in which love is remembered, hope is rekindled, and faith is awakened and strengthened. Responding to the needs of the poor is also an integral part of its ministry.

The Catholic cemetery serves families best when it helps them anticipate the reality of death and to make appropriate plans. The purchase of burial space is more than a business transaction. It is a teaching moment, an opportunity for growth in faith. When individuals and families acknowledge the issues surrounding mortality and make burial plans, the Catholic parochial cemetery must provide a ministerial response that builds faith and confidence in the **Catholic burial tradition**.

In the Catholic cemetery's contact with families, it represents the larger church and its work should reflect a **welcoming, caring and healing** approach to clients and visitors.

Clientele

The Catholic parochial cemetery exists to serve not only the church but also the greater community and all of society by making religious statements about the individual person, humankind, life, death, and life after death.

Those who minister in the Catholic cemetery will extend their efforts to all baptized members of the Catholic tradition. Where families are divided in their religious tradition, the request for burial of a family member of another tradition will be honored.

Service Commitment

The parochial cemetery should reflect an active resurrection faith. Responding to the burial needs of the Catholic community is a sacred trust. People who labor in the cemetery must be committed to supporting this ministry when death occurs.

Future

The parish is committed to promoting ministerial cemetery services. The cemetery's primary focus is comforting the bereaved. The Catholic cemetery is a place of prayer and liturgical celebration. It continues to express Catholic belief and practice in the cemetery environment.

ORDER OF CHRISTIAN FUNERALS

A death in any family can be extremely traumatic. Death causes families to consider and decide many things in a short time period. Distant relatives are notified, a funeral home is selected, burial arrangement details and financial considerations are discussed. These activities occur while family members are reacting to the transition a death has created in each of their lives.

Death of a Catholic

For Catholics, death also affects the community. The loss is most directly experienced in the person's family. But it is also felt, and must be ritualized, in the church's family. When families make timely contact following a death, we can immediately begin supporting the grief and healing process.

A priest or other staff member will seek information about the desires of the deceased and the needs of the family. The pastoral team then guides the family in making decisions about the type of celebration appropriate to its circumstances.

The Funeral Liturgy

The church's funeral liturgy consists of three parts or stations. The first is the **Vigil**. When possible, the Vigil is conducted with the body present. A relatively new approach includes holding the Vigil at the parish church with the casket near the baptismal font. The family may choose to have the casket open or closed.

A **Wake Service** is typically held during the Vigil. This service includes scripturally-based prayer and very often includes personal sharing of memories of the deceased by family members and friends. If the Rosary was a favorite personal devotion of the deceased or his/her family, it may be recited during another part of the Vigil.

A **Funeral Mass**, with the body present, is the most common liturgical celebration. Catholics come to church to celebrate the sacraments of Baptism, Eucharist, Penance, and Matrimony. Following death, it's appropriate to bring the remains of the deceased,

surrounded by family and friends, for a celebration of the Eucharist - the Great Prayer of Thanksgiving. At this time the life and death of that person is integrated into the life, death and resurrection of Jesus Christ.

The final component is the **Committal Service and Farewell**. Accompanied by members of the parish, family and friends bring the deceased person's remains to a resting place at the cemetery. The appropriate place to celebrate this component is at the actual burial or interment site. Here, Catholic beliefs about life, death, and life after death are once more awakened among the survivors. Participants are reminded to remember in prayer the deceased, and one another, as we await the day when we too will join the deceased in the company of the angels and saints.

The challenge is to educate and invite participation in the full ritual of the church at the time a death occurs. This task is easier where this topic is regularly addressed in homilies and religious instruction to adults and children. When Catholics have a good understanding of the **Order of Christian Funerals** and follow it appropriately, the church can more effectively respond to grieving families in a way that enhances resurrection faith within the entire community.

Particular attention should be given to helping families understand how the **Order of Christian Funerals** applies to a decision to cremate. It's very important that team members have accurate and current information about use of cremation by Catholics. The parish has an obligation to assure that funeral directors serving its area accurately inform Catholic families about this topic.

EIGHT DISCIPLINE APPROACH

Administration and operation of the parochial or parish cemetery is addressed in eight disciplines for achieving an effective cemetery ministry. Each discipline is approached from the religious perspective of the Catholic Church. The 8 disciplines are:

- **Management**
- **Pastoral & Public Relations**
- **Grounds Operations & Maintenance**
- **Inventory & Development**
- **Office Operations**
- **Human Resources**
- **Sales: Pre-Need & Family Service**
- **Accounting & Finance**

The Catholic cemetery operates most effectively when presenting a unified ministry to clients and visitors. These disciplines are intended to support an administrative approach to the policies that foster consistent quality of products, properties and ministerial service at the parish cemetery. The policy statements are organized within each discipline. Procedures for implementing and administering the policies are included when appropriate.

Hopefully, implementing and using these policies will assure the stability and future of the parochial cemetery; support the pastor and the delegated manager/administrator responsible for the facility; and provide Catholics families with a well-maintained parochial cemetery that reflects church teachings about resurrection faith.

11.1: MANAGEMENT

Leadership, direction and communication are key to effective operation of any activity. The archbishop's role is to lead education about the evangelizing potential inherent in the Catholic cemetery ministry. His actions show the faithful that Catholic cemeteries have an important ministerial role in the archdiocese.

In parishes with parochial cemeteries, the pastor advocates for the cemetery's ministerial success. He assures program integrity by understanding its complexity and then monitoring financial and operating performance data. He assures long-term operating, budget, and reserve strategies are in place and periodically updated for the parish cemetery.

The following eleven policies support effective management of the parochial cemetery ministry in the Archdiocese of Newark.

- [1.1 Cemetery Policies & Procedures](#)
- [1.2 Ownership](#)
- [1.3 Insurance Coverage](#)
- [1.4 Establish/Expand/Close](#)
- [1.5 Cemetery Advisory Board](#)
- [1.6 Archdiocesan Executive Director of Cemeteries](#)
- [1.7 Roles & Responsibilities](#)

[1.8 Annual Reports](#)

[1.9 Authority to Intervene](#)

[1.10 Property Damage & Crisis Management](#)

[1.11 Uniform Program](#)

1.1: CEMETERY POLICIES AND PROCEDURES

Canon 1243 states that “Appropriate norms are to be enacted by particular law for the management of cemeteries, especially in what concerns the protection and the fostering of their sacred character.”

In addition, **Canon 1276** states that “Ordinaries must carefully supervise the administration of all goods which belong to public juridical persons subject to them, without prejudice to lawful titles which may give the Ordinary greater rights. Taking into account rights, lawful customs and the circumstances, Ordinaries are to regulate the whole matter of the administration of ecclesiastical goods by issuing special instructions within the limits of universal and particular law.”

Policy

The archbishop approves and promulgates policy and procedures for operation of parochial cemeteries within the archdiocese. Policy development is guided by input from pastors with parochial cemeteries, independent parochial cemetery evaluations, the executive director of cemeteries, **the Vicar General for administration**, and the archdiocesan cemetery advisory board.

1.2 OWNERSHIP

Canon 1243 states that “Appropriate norms are to be enacted by particular law for the management of cemeteries, especially in what concerns the protection and the fostering of their sacred character.”

To assure norms are appropriately applied and cemeteries supervised, it is essential to document current ownership of all properties that presume to identify themselves as Catholic burial grounds, whether owned by the archdiocese, a particular parish, or some other separate corporation.

Policy

The governing document to discern ownership of the parochial or parish cemetery is the deed to the property. The pastor with parochial cemetery responsibility will obtain two copies of duly registered property deeds for all parcels dedicated as cemetery land, providing one copy to the Office of the Executive Director of Cemeteries and maintaining the second copy with the archive records of the parish cemetery.

1.3: INSURANCE COVERAGE

Canon 1243 states that “Appropriate norms are to be enacted by particular law for the management of cemeteries, especially in what concerns the protection and the fostering of their sacred character.”

From determination of ownership, certain obligations follow immediately. One of the most important obligations is the assurance of proper insurance coverage for any property that is legitimately owned and governed by the Catholic parish. Not only must the property itself be protected, but also those who work on the property as employees or volunteers. Visitors to the property must also be assured of a safe environment and be protected should any untoward event occur.

Policy

The parochial cemetery will avail itself of the property and liability insurance coverages such as that offered by the Archdiocese of Newark and insurance premiums will be paid from receipts generated from cemetery activity.

1.4: ESTABLISH/EXPAND/CLOSE

The Catholic Church has both a canonical mandate and established tradition for ownership and operation of cemeteries. Each parochial cemetery is titled for civil law purposes to the duly established Catholic parish. The canon law of the Catholic Church provides methods and means to delegate responsibilities for individual properties.

Policy

The right to establish parochial or parish cemeteries, including Catholic sections in nonsectarian or municipal cemeteries, resides with the archbishop. The decision to open, transfer, close or suppress a Catholic cemetery is also made by the archbishop. Once opened, the parish cemetery becomes an integral part of the Catholic Church’s mission and its operation and care should reflect this relationship.

Canons 298, 300, 1205, 1206, 1208 and 1240 of the 1983 Code of Canon Law support this policy.

1.5: CEMETERY ADVISORY BOARD

For effective Catholic cemetery management, complex issues often require expertise in a variety of disciplines. Theological and canonical disciplines, financial management and planning, human resources, use of public relations outlets and approaches, are examples. The church has always recognized volunteers as responsible stewards of time, talent, and treasure.

Policy

The pastor with parochial cemetery responsibilities will be supported in planning and administration of the parish cemetery through a cemetery advisory board and/or a parish council made up of a suitable balance of parish laity, representing various disciplines required to effectively manage the cemetery.

The archdiocesan executive director of cemeteries will be available as an informational resource to the pastor with parochial cemetery responsibilities.

Parish cemetery advisors or parish council members will be vested with consultative authority only and will be appointed by the pastor. When the cemetery advisory board, or parish council, or one of its committees fulfills this responsibility, the parish may implement its ordinary procedure for election/appointment of such members.

Members of the parish cemetery advisory board or committee serve at the pleasure of the pastor. The position is unpaid. The parish cemetery advisory board or parish council or its cemetery committee will meet at least two times each year and keep formal minutes of its meetings.

1.6: ARCHDIOCESAN EXECUTIVE DIRECTOR OF CEMETERIES

An administrative structure that supports effective and efficient operation of Catholic cemetery ministry is desired. The operating structure should promote ministry with good communication and regular monitoring of results.

Archdiocesan cemeteries can serve as an information resource for all other Catholic cemeteries within the archdiocese. All have the same mission and ministry and their operation should reflect a consistent level of maintenance and service that enhances the image of this ministry. This operating approach also applies to closed properties.

The best way to assure the cemetery ministry fulfills its mission is to appoint a qualified person to oversee the program. The executive director of cemeteries applies managerial experience and good judgment in carrying out the duties of his position. This ensures his ability to serve as an effective resource for the entire program.

Policy

The archdiocesan executive director of cemeteries is responsible for administration of the *Archdiocesan Cemetery Program*.

The executive director serves as a resource to the archbishop, diocesan officials, and pastors with parochial cemetery responsibilities.

The archdiocesan executive director of cemeteries should be consulted for information about how cemetery matters are handled by archdiocesan cemeteries, so as to take advantage of the experience and knowledge of those who have confronted similar issues and challenges. Decisions, however, concerning parish cemeteries are ultimately the responsibility of the respective pastor.

1.7: ROLES AND RESPONSIBILITIES

The **Catholic Archdiocese of Newark** encompasses the four New Jersey counties of Bergen, Hudson, Essex and Union. Parochial cemetery ministry includes 17 parishes and one religious order cemetery properties. Effective administration and good communications are needed to preserve and enhance this ministry.

The Second Vatican Council supports movement toward lay ministry and the demographics of United States dioceses strongly suggest pursuing greater use of lay people in cemetery ministry.

Policy

The Catholic cemetery program best operates as lay ministry. The executive director of cemeteries provides program leadership that supports development of a uniform ministerial program. The executive director is supported by the cemetery advisory board, the Vicar General for administration, and a priest director for theological issues.

Under the guidance of the executive director, cemetery managerial personnel carry out the ministry by ensuring proper administration and operation of the archdiocesan cemeteries.

The pastor, with the executive director of cemeteries as a resource, by implementing these policies and procedures, assists in developing a uniform cemetery ministerial program and carries out the parish cemetery ministry under his charge.

1.8: ANNUAL REPORTS

Accurate, complete and timely information is critical to effective operation of the cemetery ministry. Annual reporting of operating data is essential for good program management and future planning.

Policy

The archdiocesan executive director of cemeteries and finance director develop and modify a reporting format for submitting operating and financial information to the archdiocese. The parochial cemetery is obligated to annually complete and timely submit required operating and financial information.

The executive director of cemeteries will consult with the archdiocesan finance director to ensure the reporting period fits with the fiscal year established for other archdiocesan programs.

The cemetery advisory board, through the executive director of cemeteries, receives, reviews and uses these reports to understand and accept the planning for future development as submitted by pastors with parochial cemetery responsibilities and the executive director of cemeteries.

1.9: AUTHORITY TO INTERVENE

Continuity, fiscal integrity and excellent service are required in every Catholic cemetery, whether archdiocesan or parochial. Serious problems at one property may jeopardize the image of the entire program. In these circumstances, immediate action from the archdiocese may be appropriate.

Policy

The executive director of cemeteries may be asked to intervene in individual day to day cemetery operations at the direction of the appropriate archdiocesan authority when required to protect the interests of the archdiocese and/or the interests of families using these facilities.

Reasons for intervention may include: request of the appropriate pastor, serious disrepair of a property, suspected fraud or insolvency, and violations of applicable state or federal laws governing operations, financial reporting or environmental requirements.

1.10: PROPERTY DAMAGE AND CRISIS MANAGEMENT

Cemeteries may be situated in transitional neighborhoods or remote areas that increase risk of vandalism or desecration. Overturning tombstones, painting graffiti, other acts of mischief and cult activities are acts that require immediate attention.

Additionally, contractors or visitors may cause unintentional damage to memorials and monuments. Volunteers or contractors working in the cemetery may experience a serious injury or severe health problem. Personal safety and respect for the properties require an appropriate and timely response.

Policy

Cemetery managerial personnel will report all occurrences of vandalism to pastors who will report to local police and assure prosecution of those committing vandalism or desecration. Acts of desecration should also be reported to the executive director of cemeteries and the cemetery's insurance carrier.

Accidental property damage may be caused by visitors, vendors, or severe weather. Individual monuments or markers belong to the certificate-holders or their heirs. Damage to these items should be reported to family members when they can be located. Their homeowner's insurance policies may cover cost of repair or replacement of damaged monuments or markers.

Insurance coverage, or in the last instance, cemetery funds should be used for other property damage or to repair seriously damaged monuments which create safety hazards when no family member can be found.

All vendors working on cemetery property are required to comply in all respects with applicable federal, state and local law, and carry both worker compensation and liability

insurance that cover both their employees and any damage caused by them to persons or property at the parish cemetery. Vendors must cause their carriers to present current certificates of insurance before commencing work in the parish cemetery.

Cemetery managerial personnel are responsible for assuring that property damage is addressed quickly.

Cemetery managerial personnel will assess any serious damage, personal injury or death occurring on cemetery property and report immediately to the pastor who will advise appropriate archdiocesan authorities.

1.11: ENCOURAGED UNIFORM APPROACH

Today's Catholic parish does not operate in isolation from other parishes in the same archdiocese nor does the archdiocese operate independently from other dioceses in the region. Contemporary communication enables Catholic families to be familiar with pastoral practices in a wide variety of parishes and dioceses. Inasmuch as rules or disciplines that apply during the time of a family death can exacerbate negative emotions, it is essential that cemeteries operate with sound practices that are seen as essentially uniform throughout the archdiocese.

Policy

All Catholic parochial cemeteries of the *Archdiocese of Newark* are encouraged to adopt a uniform mission statement [such as the one contained herein] that clarifies the ministerial vision, clientele and future of the cemetery program. Operating from a common understanding of history and purpose, Catholic cemetery personnel will communicate the same theology and effect the same burial practices.

In addition, the archdiocese will promulgate and the executive director of cemeteries will support parish and fraternal Catholic cemeteries implementing the policies and procedures contained herein.

11.2: PASTORAL AND PUBLIC RELATIONS

Catholic cemetery ministry is rooted in both history and tradition, fosters understanding and belief in theology about the value of life and promise of resurrection, and provides ministerial service that helps families using the cemeteries make a journey through grief and bereavement. The cemeteries are places for prayer, reflection and remembering. They welcome and encourage frequent visiting by family and friends of the faithful departed.

The following policies are established to support a positive, faith-based image for the parochial cemetery ministry.

[2.1 Identification](#)

[2.2 Annual Cemetery Service](#)

[2.3 Eligibility for Burial](#)

- [2.4 Legal & Legislative Issues](#)
- [2.5 Standard Rules & Regulations](#)
- [2.6 Ministerial Collaboration](#)
- [2.7 Indigent Burials](#)

2.1: IDENTIFICATION

A relaxed mandate for burial in Catholic cemeteries and increased competition makes it important to promote these facilities. The Catholic cemetery must be identified as a sacred place, a ministry of the church, and clearly reflect Catholic identity and affiliation with the parish.

Policy

The parochial cemetery will be identified with a permanent sign that includes the name of the cemetery, the location of burial records if they are not at that particular cemetery office, and a telephone number for inquiries.

2.2: ANNUAL CEMETERY SERVICE

A fundamental tenet of the Catholic Church is the worth of prayer for the peaceful repose of the souls of the faithful departed. Contemporary society, including those who have migrated to New Jersey from other locations, perhaps bringing specific ethnic customs, may not be aware of the diverse opportunities to manifest this core belief.

Policy

The parochial cemetery will celebrate at least annually on the cemetery property either the Eucharist for the repose of the souls of the faithful departed who are buried within the facility or an appropriate prayer service for the same intention. Celebration of one does not preclude celebration of the other.

Preference is expressed for the celebration of the Eucharist and this can be coordinated with Memorial Day or some other day during clement weather. While the month of November is dedicated to the memory of the deceased, inclement weather may preclude celebrations within the cemetery property but this reality does not eliminate a second service in the parish church to commemorate Catholic Cemetery Sunday or the Feast of All Souls.

2.3: ELIGIBILITY FOR BURIAL

While a relaxed mandate for burial in Catholic cemeteries and increased competition makes it important to promote these facilities, the identity and mission of Catholic cemeteries must be preserved as sacred places with primary responsibility for the burial of Catholics and members of their families.

Policy

Eligibility for burial in Catholic cemeteries is governed by the Code of Canon Law of the Catholic Church. Canons 1183, 1184 and 1185 address the question of eligibility for Catholic funerals. By extension, if a Catholic funeral is appropriate and permitted, then burial in the parish cemetery is appropriate and permitted. If the funeral is not permitted for a baptized Catholic, then a question of eligibility for burial in a parish cemetery is surfaced and must be communicated by the pastor to the chancellor or vicar general of the archdiocese for a decision.

While burial in a Catholic cemetery is also permitted for members of other religious denominations who have relatives buried in the Catholic cemetery, care must be taken for eligibility to preserve both the ministerial identity and purpose of the program.

2.4: LEGAL AND LEGISLATIVE ISSUES

Certain secular laws impact religious cemeteries. Canon Law of the Catholic Church also has statutes that pertain to temporal goods in general and the operation of cemeteries in particular to assure both the holders of cemetery properties and those who receive ministry in these environments are reasonably protected.

Policy

The archdiocesan Vicar General is responsible for interpretation of canon laws applicable to Catholic cemeteries.

The pastor of the parish with cemetery responsibilities will communicate with the executive director of cemeteries about legislative issues and the executive director will coordinate responses to all regulatory inquiries regarding parochial cemeteries. Individual cemetery legal matters are referred by the pastor to appropriate professional representatives.

Support

General law covers items such as contracts, standards of care, and negligence. Federal law cover items such as income and employment taxes and employee safety. State Law concedes to the state the ability to regulate public health and provides an exemption from taxes for public burial grounds, all churches and church property; there may also be exemptions from assessments for local improvements such as streets, sewers and water lines.

Administrative Regulations cover the requirements for permits for disposition of human remains, disinterments, and recording of cemetery burial activities. Local Law addresses items like zoning, set-back requirements, building size and placement, fencing, ornamentation and signs.

2.5: STANDARD RULES AND REGULATIONS

Formally adopted and published cemetery rules provide guidelines that promote the best interests everyone using the property. They ensure the dignity of this sacred space and the safety of visitors, workers and contractors.

Giving families a rule document when they purchase burial rights may prevent problems when the spaces are used. Rules and regulations are written as guidelines that promote cooperation and mutual respect among easement-holders. A constructive tone in the document and a pastoral approach in applying the guidelines fosters greater acceptance and increase compliance.

Timely and consistent follow up with people not complying with the guidelines will prevent an appearance of inequity and should resolve most issues before they become serious problems.

Policy

Parochial cemeteries of Latin Rite parishes within the *Archdiocese of Newark* will adhere to officially adopted rules and regulations. These rules and regulations will be available at each parochial cemetery office. Uniform condensed rules may be published in pamphlet form for distribution to patrons, visitors and vendors.

The executive director of cemeteries shall coordinate a uniform approach to parochial cemetery rules and regulations, be responsible for coordinating proposed changes to rules and regulations, and disseminating them to pastors with parochial cemeteries upon proper approvals.

2.6: MINISTERIAL COLLABORATION

Effective Catholic cemetery ministry requires a clear understanding of the program's mission and a connection with church theology concerning death and resurrection.

Policy

The executive director of cemeteries and pastors with parochial cemetery responsibilities will support parish cemeteries in developing materials and strategies that foster a clear understanding of the cemetery ministry.

Approaches include development and dissemination of promotional literature, suggested content for religious education programs, suggested homily background information near appropriate religious holidays, and other information for archdiocesan and parish leadership that promotes growth and success of the cemetery program.

2.7: INDIGENT BURIALS

Formally adopted and published cemetery rules provide guidelines that promote the best interests of everyone using the property. They ensure the beauty of this sacred space as well as the dignity of each person buried, entombed or inurned within it.

Both the Sacred Scriptures and the tradition of the Catholic Church have always articulated a special concern for the dignity and the rights of the *anawim*, those who find themselves in less fortunate financial circumstances. Catholic cemeteries are expected to take their rightful place among all other church ministries in assuring that the poor have access to the products and services required at the time of a death.

Policy

The rules and regulations contain sections which address how the cemeteries are to respond to the needs of the poor and indigent when requests for burial products and services are made.

Those sections of the standard rules and regulations are to be carefully reviewed by pastors and cemetery administrators and enforced as provided. All price lists will contain printed information about the care for the indigent.

11.3: OPERATIONS AND FIELD MAINTENANCE

The **Catholic parochial cemetery must be** well-maintained, efficiently operated and have sufficient financial reserves to assure perpetual care. At every stage of a cemetery's development its appearance should add to the faith-based element of this ministry.

To generate sufficient revenues to assure proper maintenance of the parochial or parish cemetery, including infrastructure, products must be appropriately priced and all legitimate cemetery services must generate revenue.

The following policies are established to support achievement of this result in the parochial cemetery ministry.

- [3.1 Cemetery Services](#)
- [3.2 Operating Standards/Maintenance](#)
- [3.3 Infrastructure](#)
- [3.4 Safety](#)
- [3.5 Committal Services](#)
- [3.6 Equipment](#)
- [3.7 Vaults, Liners & Casket Protection](#)
- [3.8 Wetlands & Refuse Disposal](#)
- [3.9 Winter Storage](#)

3.1: CEMETERY SERVICES

A consistent, high standard of maintenance reflects positively on the cemetery ministry. The appearance of the cemetery should invite people to visit and pray, and encourage sales. In order to provide the required standard of maintenance, all services proper to the parochial cemetery must be under the control of the cemetery and provided by the cemetery in such a way that the cemetery is able to generate revenue from them.

Policy

The parish cemetery will assure and govern the provision of opening/closing of graves, crypts and niches, the sale and placement of crypt front identification and memorialization, the placement of flush memorials, and the foundations for the placement of upright monuments.

When these services are sub-contracted, the contract will be executed through a cemetery official and a set fee for the execution of the contract will be charged by the cemetery to assure the proper maintenance of the facility.

3.2: OPERATING STANDARDS/MAINTENANCE

A consistent, high standard of maintenance reflects positively on the cemetery ministry. The appearance of the cemetery should invite people to visit and pray, and encourage sales. Maintenance activity should also address and eliminate potential safety hazards.

Policy

The parochial cemetery will be safely operated and maintained to clearly manifest the church's care and respect for her deceased members and their families.

The pastor with parochial cemetery responsibilities will advocate for standardized turf maintenance, regular attention to infrastructure items, and reasonable enhancements to the cemeteries that reflect its religious identity and mission.

Support

The cemetery should be neat, clean, free from debris, and always ready for burial services. Turf should present a well-maintained appearance, be uniform in type, evenly cut and free of weeds and infestations.

Monuments and markers should be trimmed regularly and properly aligned. Timely attention must be given to tipping monuments. Matters determined to be hazardous or potentially hazardous should be resolved in a reasonably expeditious manner.

3.3: INFRASTRUCTURE

A variety of infrastructure elements support the operation and add to the beauty of the parochial cemetery. The existence of these elements, however, does not come without obligations for ongoing maintenance to assure their safety and original purposes. Infrastructure elements include roads, fences, entrances, shrines, gates, trees, office and maintenance buildings, equipment, and water/sewer lines. Each of these elements requires care/maintenance on a regular basis to assure longevity and safety for both visitors and workers.

Policy

The parochial cemetery will document the existence and condition of all infrastructure items. Each year, proper attention will be given to infrastructure items to assure proper maintenance and assure the safety of visitors and workers.

Each year management will budget for proper attention to the needs of infrastructure items, transmit the information to the pastor and advisory board or parish council, and, once funds are made available, assure that these items are attended to in a timely manner.

3.4: SAFETY

Because some parochial cemeteries are over 160 years old, design, development, lack of monument foundations, and the use of curbs and steps may create hazards for visitors, workers and contractors. Steep grades, large and decaying trees, and use of heavy equipment, power mowers and trimmers create other opportunities for serious injury.

Policy

Parochial cemeteries are regularly inspected for safety hazards by a representative of the firm insuring the property. The inspection includes grounds, memorials, buildings and their contents, other structures, and equipment. Any identified hazards shall be corrected immediately and a copy of the completed work order sent to the inspector.

Minor accidents on cemetery property should be documented and the original documentation provided to the pastor who will send a copy to the cemetery's insurer. A serious injury or death should be reported immediately.

Parish cemetery employees and volunteers will be provided with copies of OSHA guidelines for workplace safety and issued any supplies or equipment required to protect them from injury. Employees and volunteers are expected to use required safety items when working at the cemetery.

3.5: COMMITMENTAL SERVICES

Many years ago it was customary for family members to be directly involved in preparation of the body and burial of the dead. This included lowering the burial container and covering

the grave at the committal. **Committal Service:** Families cannot participate in the lowering of the body.

Policy

The *Order of Christian Funerals* will be followed. Committal services will take place at the actual burial, entombment, or inurnment site. When possible, the body or remains will be placed at the grave, crypt or niche during the service. Appropriate training and instruction should be provided to cemetery staff or contractors to assure this activity is completed safely.

Alternative use of committal chapels is permitted when weather, age and ability of mourners to reach the interment site, or safety considerations require an exception. Cemetery management makes this determination.

Support

Paragraph 204 of the **Rite of Committal** of the **Order of Christian Funerals:**

“The rite of committal, the conclusion of the funeral rites, is the final act of the community of faith in caring for the body of its deceased member. It may be celebrated at the grave, tomb, or crematorium and may be used for burial at sea. Whenever possible, the rite of committal is to be celebrated at the site of committal, that is, beside the open grave or place of interment, rather than at a cemetery chapel.”

Paragraph 209 states further:

“The act of committal takes place after the words of committal (in the rite of committal with final commendation, after the prayer of commendation) or at the conclusion of the rite. The act of committal expresses the full significance of this rite. Through this act the community of faith proclaims that the grave or place of interment, once a sign of futility and despair, has been transformed by means of Christ's own death and resurrection into a sign of hope and promise.”

3.6: EQUIPMENT

Cost effective operation of labor-intensive cemeteries requires investment in new technology, including operations and maintenance equipment. Parochial cemeteries are often challenged in obtaining access to appropriate equipment on the most effective cost basis.

Policy

The *Archdiocesan Cemetery Program* may act as a resource to assist parochial and religious community-owned Catholic cemeteries within the *Archdiocese of Newark* in obtaining vehicles and equipment. The goal would be to promote lower costs, better quality equipment and increased efficiency.

The *Archdiocesan Cemetery Program* may also develop a process for notifying parochial cemetery administrators when used equipment may be available for purchase from another cemetery, or if there are appropriate rental sources.

3.7: VAULTS, LINERS AND CASKET PROTECTION

Contrary to common opinion, civil laws do not usually mandate the use of liners or burial vaults. There are two purposes for the use of a liner or vault. The first is protection of the casket or urn from the ground itself or other types of disturbance. The second is easier cemetery maintenance.

As wood caskets deteriorate, they gradually collapse under the weight of the ground, causing sinking and a need to refill a grave, level it, and replant grass.

A severe collapse may cause upright monuments to fall into a grave. This could require reinstallation of foundations and repositioning of monuments. These situations significantly increase operating costs.

In the instance of mausoleum entombment, potential hazards exist with the entombment of human remains. Newly developed casket outer protective covering with supporting trays alleviate potential problems.

Policy

Burial vaults, grave liners and casket outer protection increase safety, promote efficiency and lower operating costs. Therefore, for grave burial, outer burial containers are recommended. A diverse selection is available from funeral homes.

For mausoleum entombment a crypt liner is required for both community and private facilities.

For ground inurnment of cremated remains, a cremation liner is required; for mausoleum inurnment, a suitable urn is required.

3.8: WETLANDS AND REFUSE DISPOSAL

Streams, ponds or lakes may abut or run through the parish cemetery and may be fed by pathways where the winter snow melt runs freely into these bodies of water. The parish cemetery may contain undeveloped land that is used for disposal of excess soil from grave excavations and disposal of other debris. Civil regulations protect water, and govern topography and refuse disposal.

Policy

The parochial cemetery will comply with state and federal regulations for designated wetlands conservation as well as state and local regulations regarding proper disposal of excess soil and other cemetery refuse.

3.9: WINTER STORAGE

New Jersey winters can be particularly harsh with substantial amounts of snow and ground freezing to depths beyond thirty inches. Terrain can be prohibitive to winter road clearing and accessing burial sites at the tops or alongside hills.

These realities may make performing winter burials dangerous, very difficult or cost prohibitive. Because legislation exists to assure burials throughout the year, foresight is required. Bodies cannot be stored during the winter to await burial in the spring.

Policy

Cemetery management is required to have available the proper equipment and work force to enable burials to be made during all seasons of the year.

Should cemetery management desire to close the facility because of inclement weather, it will seek the approval of the pastor. If given, provision must be made to accommodate the burials of those who have died within that period as soon as reasonably possible.

During cemetery closings, however, the cemetery should not take custody of the body. The local funeral home should retain custody until the proper grave has been prepared and is able to be safely accessed for use.

11.4: INVENTORY AND DEVELOPMENT

During the past 50 years the cemetery industry has developed new burial practices and the public is generally more accepting of alternatives for disposition of human remains. This environment provides opportunity for pastors and cemetery administrators to preserve land, increase efficiency and lower costs for consumers.

Not all parish cemeteries are of sufficient size that they can provide the complete menu of burial, entombment and inurnment alternatives. At a minimum, however, special care must be taken to assure that provision is made for the inurnment of cremated remains in such a way that land conservation and appropriate pricing are in place.

The following policies will support consistent service and greater efficiency for the **Catholic** parochial cemetery.

[4.1 Products & Services](#)

[4.2 Grave Numbering & Maps](#)

[4.3 Inventory Size](#)

[4.4 Cremation](#)

[4.5 Project Development](#)

4.1: PRODUCTS AND SERVICES

Funeral costs continue to increase and many Catholics are responding by carefully shopping for related services. The price of products and services is often weighed equally with family

tradition as choices are made. Catholic cemeteries need to respond to this business reality by presenting a unified program that provides desired products and services at competitive costs. Ignoring a changing market and increased competition may result in loss of market share and lack of meaningful service to clients.

Policy

The parochial cemetery offers products and services that are consistent with the Catholic cemetery program mission, state and local regulations, and meet expectations of patrons.

Pricing will generate sufficient revenue to ensure financing of current and long-term operating requirements. The pastor will coordinate and support development of new products and offering of new services if possible.

Support

Products, including graves, chapel and garden mausoleum crypts, cremation gardens, and niche walls are consistent with Catholic cemetery identity and mission.

A number of services create additional revenue when they are provided by the cemetery. Included are: opening/closing of burial spaces, construction of monument foundations and mausoleum crypt and cremation niche memorialization. Larger properties may also consider offering other services including cleaning of memorials and monuments, planting and watering of permitted floral tributes, and sale and placement of winter wreaths.

4.2: GRAVE NUMBERING AND MAPS

Smaller cemeteries with infrequent burial activity often cannot generate sufficient income to purchase the latest record keeping technology. However, it's important that all graves can be accurately and quickly located by in-ground numbering systems that correspond to a printed or computer-drawn mapping system.

Policy

The parochial cemetery will be periodically surveyed. Survey results will be the basis for creating general property and section maps.

At larger properties, a master plan, prepared by a cemetery professional, is highly recommended. Copies of maps and master plans for parochial cemeteries will be provided to the executive director of cemeteries.

Corner posts where appropriate will be installed in the ground and identified on the maps for each section. Where possible, graves or plots should be identified by an in-ground numbering system. The cemetery should require monuments to carry section, plot and grave identification on the top of the base or on the right side of monolith if no base required.

4.3: INVENTORY SIZE

The parochial cemeteries should operate as a self-sustaining ministerial service. Careful planning and accumulation of sufficient development reserves is required to support both continued availability of product and future expansion of facilities.

Policy

The pastor with parochial cemetery responsibilities, in collaboration with the archdiocesan executive director of cemeteries, will plan and implement mausoleum construction or other cemetery property expansion. Proposed mausoleum construction projects will be supported by a market analysis. Care must be taken not to develop more ground property than can be reasonably expected to be sold in a 5 year time frame so that needless maintenance expense is avoided.

4.4: CREMATION

The relaxation of church discipline regarding cremation began in the 1960s. Catholics have gradually increased use of this option. However, higher funeral costs may result in much greater use of cremation in the future. Some practices associated with disposition of cremated remains are inconsistent with Catholic belief and practice. Cemetery managerial personnel should ensure families considering cremation have complete and correct information about church theology related to this option.

Cremation products and services that conform with Catholic theology and practice should be available to everyone using Catholic cemeteries.

Policy

The pastor with parochial cemetery responsibilities, collaborating with the executive director of cemeteries, will guide all proposals for development of cremation products and services in the parish cemetery. All cremation inurnments will permit proper memorialization of the deceased.

The practice of scattering cremated remains, or strewing or co-mingling of these remains – including the use of a designated scattering garden – is not consistent with church practice and will not be permitted.

A Catholic church building, or the grounds immediately surrounding it, is not suitable locations for columbaria without provision for inhumation (full body burial).

4.5: PROJECT DEVELOPMENT

Many things must be considered before large capital expenditures are made in the parochial cemetery. Market data, death rates, and population trends are among the more important factors. Major development requires significant commitment of capital, people and other parish cemetery resources. Therefore, large development proposals must be carefully

evaluated to ensure a fit with overall archdiocesan goals, archdiocesan cemetery program direction, other parish goals, and current parish and deanery circumstances.

Policy

The archdiocesan cemetery advisory board and the buildings & properties department will review all large parochial cemetery development proposals.

This review process applies to land acquisition, mausoleum construction, installation of garden crypts or lawn crypts, and development of cemetery grounds.

The archbishop or his delegate makes final decisions based upon this input.

11.5: OFFICE OPERATIONS

The cemetery office supports at-need burial arrangements, purchase of memorial products, pre-need sales of graves, crypts or cremation niches, complaint response, and inquiries from visitors needing assistance with locating a grave or copies of cemetery records. At smaller parochial cemeteries, because of the size/limited activity, this function may take place at the parish or rectory office where cemetery records are retained.

Regardless of where burial arrangements are made, cemetery records are stored, and inquiries from certificate-holders or visitors take place, the most important reality is the atmosphere of ministerial service and the caring demeanor in evidence by all who interact in the name of the Catholic Church on behalf of the deceased and his/her bereaved family and friends.

The following policies support consistent service and uniform integrity of parish cemetery records.

[5.1 Sound Business Practices](#)

[5.2 Forms & Records](#)

[5.3 Records Security & Retention](#)

[5.4 Administration of Burial Rights](#)

[5.5 Memorial Permission](#)

[5.6 Computer Software](#)

[5.7 Office Environment](#)

5.1: SOUND BUSINESS PRACTICE

The archdiocese maintains accounting policies to govern the manner in which funds are managed and expenditures are reported. These policies also apply to the parochial cemetery. Other operating practices must also support the complex business and ministerial character of the parish cemetery.

Policy

The cemetery offices will use standard, sequentially numbered burial right documents and other controlled forms that are part of cemetery business transactions.

Generally accepted accounting principles and business practices that include separation of responsibility for those handling cash and conducting other business transactions will be followed.

Sales transactions, grave selections, and orders for opening of graves, crypts or niches will be verified before permanent record entries are made or work is started.

5.2: FORMS AND RECORDS

Cemetery records include maps, sales, financial and burial activity. Good forms are required to assure collection of all necessary information. Locating and entering missing information for older records is encouraged. When possible, cemetery records should be converted to an electronic format.

Policy

The parish cemetery will maintain certificate/easement-holder records to permit cross reference by name, location and purchase date. Interment records will be accessible by name, burial date or location. When automated systems are used, back-up files will be created regularly to protect against loss of data.

5.3: RECORD SECURITY AND RETENTION

Older small parochial cemeteries may have inadequate documentation of grave sales, burial activity and location of graves – sometimes because sufficient resources weren't available to establish and maintain these records. Occasionally records were destroyed in fires or transported and never recovered.

Today's parochial Catholic cemetery managerial personnel are sometimes confronted with the challenge of reconstructing missing records and establishing systems or procedures to avoid this situation in the future.

Policy

The parish cemetery will maintain complete records and secure them from loss by fire or theft. Minimum data required includes certificate-holder's contact information, particulars about each of the interred, and identification of certificate-holder's assignment of heirs or spaces.

These records will be maintained in the parish or cemetery office at all times. Destruction of historical paper records is prohibited even though this information may have been converted to an automated, electronic format.

A back-up copy of records should be kept off-site. The office of the executive director of cemeteries may provide an archive service for electronic storage of cemetery sales and service data.

5.4: ADMINISTRATION OF BURIAL RIGHTS

When certificate-holders and their families are confused about their legal rights relating to cemetery lots, it is imperative that their questions be correctly resolved. Conveyance of the right to bury is governed by state law. Complicating the ability to easily resolve questions of ownership of burial rights is the possibility that the laws governing this matter may have changed over the years.

Policy

In the matter of the conveyance of the right to bury, the laws that govern a public or nonsectarian cemetery will be also govern the parish cemetery to the extent applicable.

Those responsible for the administration of parish cemetery records and facilitation of burial arrangements must be conversant with and competent to properly apply the provisions of the law.

The applicable law is to be referenced in the standard rules & regulations for the parochial cemetery.

5.5: MEMORIAL PERMISSION

The Catholic cemetery maintains a distinct identity not only because of the restrictions for burial but also because of the type of memorial art that is displayed within its confines. Memorial art, whether contained on individual memorials or monuments, or developed as central features or shrines for the facility, has the ability to perform both catechetical and evangelizing functions about the core beliefs of the Catholic faith.

Policy

The original certificate-holders or all surviving heirs shall have the right to memorialize or identify graves, crypts and niches within the parish cemetery. To assure that the proper person is requesting permission to erect a monument or memorial, a standard permission application is required.

The application must contain provision for a sketch of the monument or memorial which shows the names and correct placement according to the layout of the space. A monument or memorial must contain either a cross or other appropriate Catholic symbol.

5.6: COMPUTER SOFTWARE

A number of cemetery software products are currently available and this selection will continue to increase. Cemetery records contain sensitive information and accuracy is essential to effective operations. The best products permit easy data entry, include controls for accuracy, ensure rapid access and provide additional fields for recording other information needed in a Catholic cemetery ministry.

However, the archdiocese must exercise control of software selection to assure unanticipated future administrative support and backup. This is particularly important because periodic personnel changes occur and laity involved in a volunteer capacity may at some time choose to relinquish their service to the cemetery ministry.

Policy

The office of the executive director of cemeteries is consulted prior to the selection of software used in the parish cemetery. The objective is to ensure as uniform as possible use of suitable software that can be supported by various computer and software technology staffs of the archdiocese.

5.7: OFFICE ENVIRONMENT

Effective service to families completing burial arrangements requires privacy, sensitivity and a ministerial approach that develops an opportunity for teaching and evangelization. When and if possible the parochial cemetery should have attractively furnished, private offices that include religious artwork appropriate to this ministry. The goal is to provide privacy and to avoid interruptions while facilitating burial arrangements.

Policy

Parochial cemetery offices or cemetery office space in the parish office or rectory should reflect a quiet religious atmosphere where patrons can conduct business transactions in privacy. When possible, use of artwork reflecting Catholic teaching about resurrection is encouraged. Interactions with families should support a ministry of compassion and transactions should reflect ethical business practice.

11.6: HUMAN RESOURCES

This discipline fosters an environment that encourages and supports ministerial service, effective communication, long-term personal commitment, and skills development for employees.

The Catholic Church has a commitment to all who work in the lay ecclesial ministry of parochial cemeteries, assuring that all who participate in this ministry have a firm grasp of the theology that initiated it and continues to enable cemetery service.

The following policies are intended to assist the pastors and parochial cemetery administrators in supporting all levels of cemetery staff to appreciate the depth and breadth of the work they do as a profound expression of the potential for building the Kingdom of God.

[6.1 Human Resources Program](#)

[6.2 Reporting Personnel Costs](#)

[6.3 Independent Contractors](#)

6.1: HUMAN RESOURCES PROGRAM

Most desirable is a cemetery program that attract and retain employees who both understand and are committed to ministerial service.

Policy

Consistent with standard human resources policy and practice, parochial cemetery employment should include as appropriate job descriptions, performance evaluations, training and benefit administration.

The objective is to attract and retain highly qualified and motivated personnel, assure compliance with laws governing employment practice, and fulfill the mandates of the social encyclicals of the Roman Catholic Pontiffs.

6.2: REPORTING PERSONNEL COSTS

Cemeteries are labor-intensive and personnel costs are often the largest operating expense. Complete and accurate reporting of these expenses supports realistic and effective operation of this ministry.

Policy

The pastor of the parish with parish cemetery responsibility will assure an accurate reporting of wages, salaries and benefits. Complete identification of cemetery employment costs supports realistic pricing of program goods and services, and compliance with federal, state and local tax regulations.

6.3: INDEPENDENT CONTRACTORS

A parochial cemetery may use independent contractors on occasion for various services. Federal and state regulations include rules for reporting income, taxation and other liability obligations for these contractors. Cemetery managerial personnel using independent contractors must understand and comply with these regulations.

In addition, independent contractors may also perform work directly at a plot site at the behest of the certificate-holder, representative or designate. In such cases, cemetery managerial personnel should confirm that all such independent contractors are properly licensed and that the appropriate insurance and/or bonding is in place to protect the cemetery, cemetery personnel, parish, and other third-parties from personal injury or property damage.

Policy

The pastor is ultimately responsible for implementation of written agreements with any outside person or company working in the parish cemetery. Any such agreements will confirm that the contractor is not an employee of the cemetery, or parish or archdiocese, describe all services to be provided, identify fees, state that work will in all respects comply

with applicable federal, state and local law, describe liability insurance coverage for personal injury and property damage, and contain indemnification provisions that protect the cemetery, parish and archdiocese if the contractor or its employees are injured or cause injury or damage on cemetery property.

For work involving amounts over \$3,500.00, agreements directly between the parish cemetery and independent contractors shall be transmitted to the pastor for review before execution, and in appropriate cases, also reviewed by appropriate legal counsel.

For independent contractors engaged to perform work at a cemetery plot on behalf of the certificate-holder, representative or designate, such independent contractor must first be granted permission to do such work by cemetery managerial personnel, who shall assure that such contractors are properly licensed, and that appropriate bonding, insurance, and/or indemnifications are in place to safeguard the cemetery, parish and archdiocese in case of personal injury or property damage.

A form containing such representations, and attaching proof where appropriate, may be utilized for this purpose, which shall also contain a representation and statement by the independent contractor that all work will comply in all respects with applicable federal, state and local law.

11.7: SALES – PRENEED AND FAMILY SERVICE

Continued viability of the parochial cemetery ministry may be significantly dependent on the parish's ability to teach new generations of its membership about the church's burial tradition and interest them in using its facilities. The parish cemetery needs to become a more important and visible sign of Catholic beliefs about life, death, life after death, the dignity of the baptized, and the communion of saints.

The parish cemetery administrator must become familiar with all the dynamics surrounding death and bereavement.

The following policies are intended to assure the integrity of the parish cemetery while supporting growth of a cemetery ministry in the parish.

7.1 Sales Environment

7.2 Prices and Terms

7.1: SALES ENVIRONMENT

Inhumation, the ground burial of human remains without cremation, was historically the Catholic custom and practice. And typically a family patriarch purchased a significant number of graves and erected a family monument for the use of his progeny.

For a number of generations, that removed any consideration of burial alternatives and selection of a suitable cemetery and site within the cemetery for burial of a loved one.

For the most part, the spaces in these large family plots are no longer available and subsequent generations are faced not only with selection of appropriate burial sites, but also the type of burial desired and the cemetery within which the burial will take place.

Policy

Parish cemetery management recognizes three environments within which purchase of cemetery products and services can take place, i.e. pre-need, at-need, and post-need.

Provision will be made to allow purchase of burial products, i.e. graves, crypts, niches, in all three environments.

7.2: PRICES AND TERMS

Establishing prices for products and services requires understanding the cemetery's history, labor costs, land acquisition and development, competition, profit margins and reserves for future needs. This approach should result in pricing that is fair to consumers but recognizes short- and long-term requirements for the cemetery and the parish with which it is affiliated.

Policy

The pastor and the parish cemetery management will annually review pricing of goods and services to ensure pricing is fair, competitive, and sufficient to support long-term care obligations.

11.8: ACCOUNTING AND FINANCE

Realistic cemetery financial planning requires attention to many issues that include an obligation to provide for permanent care and infrastructure repairs when new sources of income are exhausted. Good stewardship of the parish cemetery requires regular reporting and monitoring of financial performance.

Those with responsibility for the administration of the temporal goods of the church recognize the evolving interest by government in the fiscal stability of social ministries of churches. They further acknowledge the change in audience for these services and the impact that these societal evolutions create.

The following policies support long-term financial viability and fiscal integrity of the parochial cemetery.

8.1 Chart of Accounts & Reporting

8.2 Audits

8.3 Endowment Care

8.4 Receivables

8.1: CHART OF ACCOUNTS AND REPORTING

Good financial management requires use of effective accounting tools for identifying all sources of revenue and accurate tracking of expenses. A chart of accounts organizes this information in a way that helps cemetery administrators and managers better assess operating results.

Policy

The executive director of cemeteries consults with the archdiocesan finance director to develop a standard chart of accounts for use at each parochial cemetery.

Accrual accounting methods will be followed and the archdiocesan fiscal year will be used for reporting. Burial activity will be maintained on both a fiscal and calendar year basis.

8.2: AUDITS

Good stewardship of the business aspects of the cemetery ministry requires regular and timely reporting of operating and financial information. Reliable and current data is essential for monitoring results and effective planning for each cemetery facility.

Policy

The parochial cemetery is subject to periodic audits. Ordinarily, these will be scheduled upon the change of pastors, when requested by a pastor upon the change of parish cemetery managerial personnel, or on a calendar of regular 5-year rotations. However, audits may be initiated by archdiocesan administrative or financial personnel at any time.

8.3: ENDOWMENT CARE

A cemetery is a depleting resource because once land has been used for burials it cannot be used for other purposes. A portion of each burial easement sale must be held in reserve to provide for maintenance of the property after all burial spaces are sold. This is the primary purpose of a cemetery endowment or perpetual care fund.

Policy

All cemeteries with a mausoleum must establish a fund or segregate within their existing trust fund or amount equal to 10% of the cost of the mausoleum constructed. The parochial cemetery establishes and regularly contributes to its endowment care. The pastor, with the support of the executive director of cemeteries and the archdiocesan director of finance, determines the size of the fund required to assure that the parochial cemetery has a sufficient reserve to guarantee future maintenance requirements.

The archdiocese establishes a common fund to meet the endowment [perpetual] care obligations of parochial cemeteries. The fund is managed by the archdiocese and investment policy and strategy is established and reviewed by a subcommittee of the finance council.

The pastor, in conjunction with the archdiocesan finance director, will annually review the minimum required contribution for perpetual care. The contribution rate will be adjusted as required to accomplish the fund objective.

The fund's ultimate goal is to grow and produce sufficient interest income to sustain current and future maintenance obligations, in perpetuity.

The parochial cemetery will deposit all monies collected for perpetual or endowment care into the trust fund established for this purpose.

Support

In the end, responsible stewardship requires an environment to reserve funds that allows even cemeteries completely sold to generate funds to maintain them.

8.4: RECEIVABLES

The decision to engage in pre-need sales presents a series of important steps and requirements that are intended to protect both the consuming public and the cemetery operator. The pastor and cemetery administrator are equally concerned with their properties, the people who choose to pre-purchase goods and services, and the structures in place to assure proper governance of these transactions.

Policy

Graves, crypts and niches may be sold pre-need with a reasonable period for payment and interest may be charged. All grave, crypt or niche contracts are required to be paid in full prior to an interment being made in the space that was selected.

Cemetery charges for the opening and closing of graves, crypts or niches must be paid at the time of the request for the opening.

Cemetery charges for construction of foundations must be paid in full at the time of the request for the foundation. No monument or memorial may be erected on a grave, crypt or niche that has not been paid in full.

12: RISK MANAGEMENT

INTRODUCTION

The Risk Control program provides guidelines for working toward **optimum safety**. This educational program will help Archdiocesan locations tailor risk control systems to their needs and develop controls to monitor progress and eliminate deficiencies.

The Archdiocese has a large and consistent volume of insurance claims. Types of claims include bodily injury, auto and property damage. Comprehensive risk control programs can prevent many incidents.

The program manual is a step towards forming plans for applying risk control principles, designed to suit the size, exposures, and personnel resources of the location.

Basic Elements of the Risk Control Manual

These are the core elements for a successful risk control program.

- Risk Control Requirements - Develop safety programs based on the location's actual exposures
- Program guidelines - for specific, ongoing activities that ensure safety and the conservation of property. Carry out the program guidelines according to which exposures exist.
- Risk Control Work Plan Packet - tools for evaluating which elements and guidelines should be incorporated into a location's daily activities. The work plan is an outline for establishing objectives, assigning responsible personnel and developing time frames.
- Instructions for completing paperwork for the risk control work plan are included in [Appendix A: Risk Control Work Plan Packet](#).

The Risk Management & Insurance Services Department will help parishes with technical elements of risk control.

Risk Control Requirements

This section outlines elements of risk control. Later sections include sample policies, examples of procedures, or assessment forms aimed at Archdiocesan institutions.

1. Establish and maintain an ongoing risk control program.
Once a plan is established, those involved will need to assess program needs and direction to maximize opportunities for improvement.
2. Establish a written risk control policy
This policy outlines the direction of the program, and shows support from the highest level of administration. The sample statement in the foreword can be amended for each specific location.

3. Form a safety team.
The safety team reviews loss history, conducts inspections and promotes the risk control program.
4. Appoint a risk control administrator.
The administrator coordinates the activities of the risk control program.
5. Membership in a safety organization (optional).
Membership in such safety organizations as the National Safety Council or National Fire Protection Association can be beneficial for large locations with diverse exposures.
6. Periodic self-inspection programs.
The Safety Team should perform and document self-inspections regularly. The risk control administrator and team would form the specifications. *(See the sample forms in [Appendix A: Risk Control Work Plan Packet](#).)*
7. Emergency action plans.
Document the responsibilities and procedures for handling such emergencies as may result from fire, snow, a tornado, failures in utilities, and bomb threats.
8. Evaluation procedures.
Document procedures for evaluating the effectiveness of the risk control program regularly. *(See [Appendix A: Risk Control Work Plan Packet](#). Select those areas that apply to your location)*
9. Risk control education programs.
Determine what safety training employees need, and establish a plan for their education.
10. Risk control maintenance program.
The safety team should devise a building maintenance program which emphasizes safety.
11. Property conservation programs.
Establish methods for safeguarding buildings, contents, and other property from fires or other catastrophes.
12. Record keeping policies and procedures.
Documentation is critical in risk management, and there should be an easily referenced, orderly system of documentation and filing.

12.1: BASIC CONCEPTS OF RISK MANAGEMENT

Risk management involves the following decision sequence:

- **identifying** exposures
- **examining** techniques for eliminating or reducing these exposures
- **selecting** the best techniques

- **carrying** out the selected techniques
- **monitoring** the results.

The guidelines in this section will provide direction for implementing Risk Control Techniques and thereby reducing cases of property damage and bodily injury. The goal is a safe environment.

12.2: SAFETY RISK CONTROL POLICY STATEMENT

(Each Archdiocesan facility should adopt this statement or a similar version).

The Archdiocese of Newark is committed to personal safety and to preserving the property which allows us to provide for the spiritual, educational, and social needs of our people in a community setting. Safety is a major priority, and expresses our dedication to the health, well-being, and security of our local community, and our awareness of our responsibility to serve.

The generosity of those whom we serve made the construction and operation of our facilities possible. Reducing the financial strain from losses allows us to improve our stewardship and use temporal resources for the greater needs of our community.

With the goal of optimal safety, our policy is as follows:

- We will incorporate safety concerns into our planning, building maintenance, security procedures, employee training, and school operations.
- We will include the safety policy in plans for our activities.
- Our Safety Team will administer the safety policy, establishing means for eliminating hazards and improving conditions.
- We will train and support our employees and volunteers in safe work practices, knowing that their cooperation is essential to this program.
- Our administration will support and direct everyone in fulfilling our safety policies.
- All will observe the laws of our state and city, and the directives of our archdiocese, which are essential to safety and the preservation of property.

Authorized Signer

Date

12.3: ASSIGNMENT OF RISK CONTROL RESPONSIBILITIES

The success of a risk control program will depend on having individuals assume certain responsibilities. The following outline of responsibilities can be adapted to your location's requirements.

Pastor, Executive Director/General Administrator, etc.

- Fulfill the goals stated in the Risk Control Policy Statement.
- Ensure that everyone fulfills the safety standards
- Supports the Risk Control Program. Safety programs need support from the highest level of administration to be accepted at other levels.
- Establish controls to monitor efforts of the safety program

Safety Coordinator

- Plan and direct the Safety Program for employees, residents, parishioners, students, and visitors.
- Develop safety policies and procedures that fulfill the requirements determined by the Archdiocese.
- Perform and document hazard surveys of buildings, installations, equipment and activities. Retain documentation in a secured area.
- Investigate situations that pose a repeated or imminent danger to those living, working, or visiting at the location. Use past accident data, safety suggestions or other means to identify areas that require further investigation and analysis.
- Prepare and distribute safety literature, and prepare charts and displays concerning safety.
- Maintain safety records and reports
- Meet with personnel about safety matters
- Arrange and conduct safety education. Base topics on prior and potential losses.
- Assemble details of civil regulations that apply to employees in their work, and see that employees are instructed in and given copies of these regulations.
- Executive personnel must appoint the Safety Administrator. The administrator needs cooperation from all levels of administration to fulfill these responsibilities. [Note: The same administrator may serve multiple locations.]

Employees

- Follow safety rules adopted by the Archdiocese of Newark.
- Follow federal, state and local regulations that apply to their occupations.
- Refrain from unsafe acts
- Report unsafe situations to the maintenance supervisor or safety administrator
- Use safety devices and protective equipment that pertains to their jobs.

Contractor

- All contractors and their employees must follow the guidelines presented in this risk control manual. Appropriate communication and supervision should ensure that:
 - Any subletting by the Contractor is subject to the provisions of the Archdiocese's Risk Control Policy.
 - All employees and subcontractor personnel follow the Archdiocese's Risk Control Requirements.
 - A Contractor Representative is at the job site during all work, including subcontractor work.
 - Contractor personnel have followed and enforced all safety and environmental rules.
 - They report all problems. Contractors should ask questions if they are uncertain about a work-related condition.
 - Contractors are responsible for the actions of their employees and subcontractor personnel.
 - Contractors are responsible for the manner of operation and the quality of the work environment.
 - All work meets environmental requirements.
 - Work complies with all provisions of the Federal Occupational Safety and Health Act (OSHA) and all other safety codes, laws or ordinances of the local, state and Federal agencies.

12.4: SAFETY TEAM

The Safety Team carries out the risk control program. Members plan Safety Procedures, survey facilities, and work towards educating employees, students and tenants. Members promote safe practices and suggest safety improvements.

The safety team is involved in identifying risks, collecting and analyzing data, reaching solutions and monitoring the results.

The Safety Team should include those knowledgeable in various areas that contribute to risk control. Larger locations should include administrative and managerial personnel. One member would chair the team.

Safety Teams normally meet at least once a month. They should document and retain the minutes of their meetings, with copies provided to the Pastor/Executive Director/General Administrator; the Safety Coordinator; and to each member of the team.

Other practices that the safety team shall be associated with include:

Fire Prevention

The Safety Team shall develop a program of fire safety, working with the local fire department to develop specifications. Based on the nature and size of the location, they will educate certain residents or employees in managing the hazards that can cause fires, and in what to do if fires occur. This involves the following tasks, performed by either team members or the others trained in the processes:

- Arrange periodic training on fire prevention and protection. Document the topics covered and the names of instructors and trainees. Maintain this information on file.
- Inspect the premises, using the checklists provided in the “Fire Prevention” section of this manual
- Extinguish or control fires until the local fire department arrives, unless the attempt to do so would place them in danger.

Conducting Accident Investigations

Accident investigations provide information that can identify the causes of accidents and prevent recurrence.

The safety team should investigate all incidents of injury and property damage, identifying the causes and determining how to prevent similar accidents. Analyzing “near miss” incidents will help identify situations that may cause losses (see Incident Investigation Report included in [Appendix D: Investigation Form](#)).

Follow-up on Corrective Action

When you have chosen corrective action, monitoring its progress and effectiveness is important. Review the documentation, then determine whether those concerned have taken adequate action. Monitor the impact of the action and ensure that it does not increase the possibility of future losses.

12.5: EDUCATION

A. Responsibilities

The Safety Administrator works with other personnel and with the safety team in developing safety education and making it available to your staff and volunteers.

B. New Employees and Volunteers

Show new employees where exits, restrooms, and first aid supplies are located. Tell them to report any injuries to their supervisors.

Those (such as kitchen workers and maintenance staff) who work in areas where there are other safety risks should know the location of equipment they may need to prevent injuries. Supervisors should train them in safety precautions, and insure that they have adequate knowledge before assuming tasks or operating equipment that presents a risk of injury or damage.

12.6: FIRE PREVENTION AND PROTECTION

The following guidelines are based on studies of structural fires. Unusual fire hazards require special protective measures, beyond those mentioned here. Consult your local fire department and/or The Office of Property Management Administration about high risk areas or special concerns.

Fire prevention is the best form of fire protection. A basic fire prevention program should include awareness of fire safety concerns, regular fire inspections, and preventive maintenance for equipment that presents a risk. You will find inspection forms and an outline for self-inspection in [Appendix C: Fire Catastrophe Preparedness Action Plan](#).

Fire protection equipment and emergency procedures should be designed to reduce the risks of loss of life and property damage. Include this equipment in the self-inspection and preventive maintenance programs to verify proper operation. Review the fire procedures and evacuation plans periodically, revising them when necessary, and make certain that they are appropriate for each building.

Fire Safety Protection and Prevention Guidelines

Education, inspections, preparation and preventive action reduce the possibility of injury and damage from fires. These fire prevention and protection guidelines align with state, local and federal requirements, and should help personnel understand their responsibilities.

Fire Safety Planning and Prevention Involving Management

Every multi-occupancy building shall have a fire safety plan including preventive maintenance, emergency evacuation plans, training and inspection programs. A manager should oversee employees or residents who are trained in containing fires; preparation and execution of fire drills; and installation of approved signs and lighting for emergency exits.

Include the following provisions in your fire safety plan:

- Advisory material from the local fire department.

- Use of alarms.
- Transmission of alarms to the fire department.
- Response to alarms.
- Control of elevators.
- Preparation for evacuation from buildings.
- Evacuation of premises.
- Isolation or containment of fire.
- Fire extinguishment.
- Cooperation with the Fire Department.
- Fire loading of buildings (esp. common in boiler rooms and storage areas)

Conduct fire operations from a predetermined station.

Make sure that the following information is readily available in at least two areas of each building. One should be the usual station for handling emergencies, the other an alternate:

- Floor plans, including the location of the fire suppression systems
- A directory of phone numbers for the bomb squad, fire department and ambulance service. [If your location uses a PBX telephone system, make sure that you note the locations of emergency transfer stations.]

If it does not put individuals in danger to do so, team members shall staff this station **immediately** when fire alarms are activated.

Periodic drills, scheduled and unscheduled, will confirm that the plan is operational and that staff understands the process. Contact your fire department for help with fire disaster plans.

Please see [Appendix C: Fire Catastrophe Preparedness Action Plan](#) for a comprehensive checklist of items related to fire safety.

12.7: SELF-INSPECTIONS/HAZARD RECOGNITION

Comprehensive self-inspection programs help identify and correct hazards **before** an accident or injury occurs. Self-inspection reports verify the Archdiocese's commitment to personal safety and property preservation, and provide the information needed to develop plans for correcting problems.

Self-Inspection Format

Divide each facility into small “inspection zones” to allow a thorough survey of one area at a time. Base the division on criteria pertinent at your location, such as structural units within the facility, fire zones, or department areas. A staggered schedule makes the process manageable.

Based on the size of your location, you may need an “inspection team” to conduct the inspection. This will improve efficiency and ensure that they have identified and corrected hazards. Someone **other than** the person who is responsible for maintenance work is your best choice for performing the inspection. Make sure that inspectors are familiar with the equipment, maintenance schedules, and other particulars of the area they will survey.

Documentation

Use a Self-Inspection Checklist/Report (provided in [Appendix A: Risk Control Work Plan Packet](#)) to document the inspection process. Include the following checklist items:

- Safety concerns common to each room, department, or area.
- Hazards identified during the inspection - Include safety hazards that occur infrequently, such as a missing fire extinguisher, broken window, or crumbling sidewalk. Describe each hazard in detail and note its exact location for prompt corrective measures.
- Use checklists for specific areas to help improve inspection efficiency, based on your location’s facilities.

See [Appendix A: Risk Control Work Plan Packet](#) for a Risk Control Program Assessment form.

Inspection Follow-up

The inspection data can help determine requirements for preventive maintenance, repairs, and management planning. Major problems, for example, will require planning at management level, including the development of project schedules and budgets. The Safety Administrator or team should prepare a summary report of conditions that require more than normal maintenance and repairs for correction, to allow the pastor, parish council, or other committees to review for planning.

After the inspection, develop recommendations for each building and inspection area. Each recommendation should have a reference number showing the year, month and number of the related hazard on the Checklist/Report.

Forward the recommendations to appropriate personnel for follow-up, based on the nature of the condition and the extent of the remedies needed.

During the next inspection, refer to the report to verify that these hazards have been corrected. Those recommendations that have not been corrected by the next inspection should be re-listed with their original reference numbers as “pending” or “outstanding” recommendations.

Inspection Frequency

Determine the inspection schedule according to the size and layout of your buildings, and considering special concerns or hazards.

12.8: ACCIDENT INVESTIGATIONS

Accidents of any kind often reflect situations that, if uncorrected, could lead to repeated injuries or property damage. Good investigation is an effective prevention tool. Investigate all instances of property damage, bodily injury, or breaches of security.

Investigations should include the person in authority most directly involved, who is probably responsible for controlling the problem and for initiating corrective action. The investigator's attitude will stimulate the witnesses and those involved to contribute meaningful information

Reporting of Accidents

Prompt reporting of accidents is key in effective investigations. When you do not investigate accidents, nothing is done to correct their causes and prevent future accidents. We gain maximum benefits only if people report every accident **promptly**.

The What, When and Why of Accident Investigations

An accident investigation is an analysis, evaluation, and report of an accident, intended to prevent or control recurrence. A good investigation includes objective evaluation of all the facts, opinions, and related information, and a plan of action for accident prevention. For example, the situations surrounding an accident may point to a need for repairs, for instructing employees in safe practices, or for further security precautions.

Allowing it to become a faultfinding, blame-fixing exercise defeats its real value . . . accident prevention.

General Guidelines to Help Ensure Good Investigations Are:

The best time to investigate an accident is right after it occurs. You should delay investigations only to help the ill or injured, control a catastrophe, or take emergency action. The sooner you investigate, the better you can see the conditions and the more accurate will be the facts, impressions, and details.

Get the big picture. See for yourself what the accident scene and surroundings look like and get a mental picture of the situation. Take photographs of the area. This will help you plan what to do, and determine the source of the problem.

Avoid re-enactment. Every year, property is damaged and people are injured while showing "how the accident happened." On those extremely rare occasions when you cannot get the information or develop remedies in any other way, take care that the "re-enactment" does not become a "repetition."

Interview the most knowledgeable people for the best information about what happened. This may be the ill or injured party - the operator of the vehicle or equipment that caused the injury or damage - an eyewitness - or anyone with helpful knowledge.

Get the basic causes. The unsafe conditions or actions involved in the accident are only “symptoms.” The root causes may be “personal factors,” such as lack of knowledge or skill, improper motivation, or physical or mental problems. They may be “equipment/material/environmental factors,” such as deficiencies in work standards or methods, design, purchasing, or maintenance; wear and tear, or abnormal usage. To avoid recurrences, control these basic causes.

What to Investigate

- All vehicle accidents
- Significant injuries with General Liability loss potential
- Major Property losses
- Major or unusual incident reports
- Near-miss incidents

12.9: EMERGENCY PREPAREDNESS

An emergency plan identifies life safety hazards and the actions the location must take in an emergency that threatens life or health. Establish the plan and education activities appropriate for the hazards/exposures that exist.

General

- Develop plans that detail the steps to take in case of emergencies such as fire, power failure, and natural disaster. (A typical fire response plan is in [Appendix C: Fire Catastrophe Preparedness Action Plan](#).)
- Review the plans periodically, updating them for maximum efficiency.

Minimum Requirements

Establish the following:

- Emergency escape procedures and routes.
- Procedures for staff members who will handle critical parish operations before they evacuate.
- Procedures to account for all staff members after emergency evacuation.
- The preferred means for reporting fire and other emergencies.

Training

- Acquaint each staff member with the parish's emergency action plans.
- Instruct new staff members in the emergency plans and in their own related responsibilities.
- Review use of the emergency telephone list.

Emergency Telephone List

Develop and maintain an emergency telephone list. Post it conspicuously in various areas.

Floor Plan

Post a floor plan, showing all exits and evacuation routes, in strategic locations.

Emergency Equipment

Each parish should have the following equipment:

- A fire alarm system.
- Flashlights for strategic areas.
- Emergency lighting for all exits and their approaching areas.
- A battery operated radio.

Local Fire Departments

Arrange for your local fire department to visit the parish each year and review your emergency plans.

12.10: SAFETY MAINTENANCE OF RECTORIES, CONVENTS, AND MULTI-FAMILY HOUSING DEVELOPMENTS

Introduction

The Maintenance Superintendent and staff have the greatest opportunity to discover and correct unsafe conditions. Hazards may exist on the grounds of the developments, or in dwelling units, crawlspaces, maintenance shops and offices. A good risk control program consists of recognizing and correcting potential causes of accidents before injury occurs. Any unsafe condition discovered or reported should be corrected promptly.

Tools for Preventing Accidents

- Regular inspections of facilities
- Preventive maintenance programs that include prompt correction of problems noted during the inspections and loss prevention surveys

- Safe work methods
- Safe, well-maintained equipment
- Education of residents in safe behavior and what to do in case of emergencies.

We have provided checklists to assist the Maintenance staff in regular inspections in [Appendix A: Risk Control Work Plan Packet](#), Self-Inspection Checklist.

NOTE: Some of the information contained in sections [12.11: School Safety Guidelines](#), [12.12: A Playground Supervisor's Safety Checklist](#), and [12.13: Special Exposure Guidelines](#) may be addressed in other chapters of the Pastor's Administrative Manual. In the event of a conflict between the information in this chapter and the chapter relating to the specific exposure being discussed, the specific chapter criteria should prevail.

12.11: SCHOOL SAFETY GUIDELINES

Schools present unique exposures that need adequate control.

Please adapt the following procedures for areas that apply to your parish:

1. Safety Practices

- Controls and supervision for classrooms, shops, labs, gyms, playgrounds, and extracurricular activities.
- Adequate training and supervision of volunteers, students or part-time employees who assist with activities.
- A maintenance program for indoor and outdoor equipment, machinery, and grounds, and arrangements for ice and snow removal.
- Regularly supervised fire drills.
- Use trained crowd control personnel at indoor and outdoor functions/sporting events.
- Require physical examinations for students participating in sporting activities.
- Have a doctor or clinic on call during athletic activities.
- Insure adequate contractual and insurance controls for rental, leasing or loaning of school facilities to outside organizations.

2. Physical Hazard Controls

See that the following all are in adequate condition:

- Gym equipment, floors and unprotected walls

- Grandstand, bleachers and auditorium seating
- Outside playing fields
- Personal protective gear for football and other contact sports
- Swimming pool construction meets current standards.
- Adequate housekeeping on stage and backstage areas, stairs, floors, etc.
- Lab and shop machinery and equipment, chemicals maintained in adequate condition and insects, reptiles and animals safeguarded.
- Adequate number of exits with panic hardware - unchained and unlocked.
- Parking lots and walkways free of holes and obstructions with adequate lighting.

Note: The Risk Management & Insurance Services Department has developed a comprehensive safety audit for parish schools.

12.12: A PLAYGROUND SUPERVISOR'S SAFETY CHECKLIST

Typical unsafe conditions that should be regularly checked and corrected:

Check For:

- Any loose nuts, bolts, and clamps.
- Broken, bent or damaged hangers, hooks, frames connections and suspensions.
- Any protruding bolts and screws.
- Rusted and worn parts.
- Landing pits which need refilling.
- Wear around equipment supports.
- Broken glass and other litter; clean and remove.

If the unsafe conditions cannot be immediately corrected, playground equipment must be taken out of use until the deficiencies are corrected.

During Usage:

- Be sure children use equipment that is safe and appropriate for their age group. (i.e., preschoolers should use low slides)
- Do not use wet equipment. Dry it first.

- Do not let too many children on one piece of equipment.

12.13: SPECIAL EXPOSURE GUIDELINES

Include the areas that apply in your parish risk control practices for these exposures:

1. Cemeteries

- Control traffic flow with signs, barricades and pavement markings.
- Keep walkways and driveways free of debris, ice and snow.
- Continuous maintenance of graves.
- Field operations off limit to the public and property supervised.
- Tents, chairs and kneelers sturdy and maintained in good repair.

2. Fundraising Affairs

- Facilities properly designed and maintained for various activities.
- Designated individuals responsible for onsite supervision of all activities.
- Obtain certificates of insurance and hold harmless agreements from firms that are in charge of sponsored activities.
- Obtain appropriate certificates of capacity for various events.
- Facilities comply with applicable sections of NFPA #101 (life safety code). Obtain most current version of code on-line.

3. Bake/Food Sales

- Obtain certificates of liability insurance from caterers.
- Keep food storage and serving areas clean
- Refrigerate perishable items

4. Bingo

- Insure that the facilities meet standards for life safety.

5. Athletic Events/Sponsored Teams

- Obtain hold harmless agreements from competing teams for organized athletic events.

- Obtain certificates of insurance from competing teams, evidencing, at a minimum, their general liability and accident insurance.
- Check that there are crowd control procedures and first aid facilities
- Provide protective equipment. Facilities for spectators should comply with NFPA Life Safety Code (Code 101).
- Maintain sports equipment in good condition.
- Trained coaches should properly supervise teams

6. Carnivals with Mechanical Amusement Rides

- Make provisions for first aid and crowd control.
- Insure safe practices for food preparation, storage and distribution
- Obtain certificates of insurance and hold harmless agreements from caterers and contracts for amusement rides
- Make sure that the premises are in good condition and appropriate for average crowd sizes.
- Verify that walkways, parking lots, etc. are well maintained

7. Athletic Fields

- Secure and fence fields to prevent unauthorized use.
- Appropriate inspection, maintenance and repair practices in place.
- Various participants obtain separate accident insurance.
- Knowledgeable staff evaluates bleachers for condition and made suitable repairs before spectator use.

8. Motorized Activities

- Use only locations designed and built for such events.
- Keep spectators separated from the activity with fencing or guard rails.
- Verify adequate traffic control
- Keep spectators away from the "pit" area.
- Participants should not drink alcoholic beverages before and during the event.
- If subcontractors conduct the event, obtain certificates of insurance from them.

9. Liquor Liability

- Obtain appropriate liquor licenses
- Appropriate liquor management policy administered that includes the following practices.
 - Have all personnel who will serve alcohol attend a server training seminar, i.e., **TIPS**. See www.TIPSalcohol.com for additional information.
 - Post a policy concerning the serving of alcoholic beverages.
 - Have youthful individuals show two pieces of identification, one of which has a photograph. When in doubt, require each to duplicate their signatures on a card.
 - Carefully observe individuals to detect signs of intoxication.
 - Do not serve alcoholic beverages to anyone who appears intoxicated.
 - Document actions taken with intoxicated individuals
 - Begin a "designated driver" arrangement
 - Serve food to reduce the rate of alcohol absorbance.
 - Separate the area where alcoholic beverages are served from other areas.

10. Nursery School/Day care Centers

- Adequate staff to children ratios.
- Acquired state licensing.
- Equipment and toys appropriate and maintained in adequate condition.
- Emergency phone numbers for each child's parent or guardian; fire department, ambulance service and other necessary services readily available.
- Post emergency evacuation floor plans in various spots
- Regular fire drills
- Stand by power available for emergency lighting.

11. Auditoriums

- Adequate lighting, stairs and control of various electrical hazards.
- Exit doors equipped with panic bars to always allow access from the inside, but locked to keep intruders out.

12. Gymnasiums

- Avoid highly waxed floor surfaces
- Walls protected.
- Equipment maintained in good repair.
- Bleachers in good repair and meet current guidelines/regulations.
- Adequate supervision

12.14: PREMISES SECURITY GUIDELINES

Security controls provide continuous monitoring of premises, and prevent emergencies and unauthorized access.

The degree of security required depend on your parish's activities.

A. Administrative

Pastors will need to develop procedures for screening those who offer volunteer service.

Pastors and managers should work with the maintenance staff, other parish employees, and volunteers to insure the implementation of procedures for access, accounting controls, monitoring premises, etc.

Include such areas as the following.

Access

- Keep the premises locked except in supervised areas.
- Visitors should enter through an office or other supervised area.
- Establish a system to monitor who enters the buildings. Depending on the degree of security that your parish needs, this can include using intercom or camera surveillance equipment, or for procedures where business matters are handled only by appointment.
- Limit the distribution of keys to those who need access to a building or restricted area in the course of their duties.
- Have your staff check daily that windows and doors are locked "after hours."

Financial

- Keep money out of sight and in locked safes until deposited. When you are choosing the area where deposits are prepared, consider the preparer's safety.

- Stamp checks "for deposit only".
- See that your staff uses proper accounting controls, which always allow for supervision. For example, the person who prepares checks generally would not be the one who signs them.

B. Equipment

- Basement windows barred.
- Surveillance cameras provided where appropriate.
- Grounds provided with perimeter lighting.
- Adequate locks provided for doors and windows.

C. Alarms

Alarms provided for:

- Fire and explosion potential.
- Supervision - Some parishes may require sophisticated fire and burglar detection equipment, with monitoring from a central station.
- Intrusion - burglar alarms and other sources used to minimize unauthorized entry.
- Trouble - signaling systems available to detect loss of power/circuit integrity.

12.15: FLEET SAFETY

The safe operation of fleet vehicles is extremely important. Therefore, locations that use vehicles should incorporate the following fleet safety elements as appropriate:

Fleet Accident Prevention Elements

1. Fleet safety policy.
2. Driver selection.
3. Driver education.
4. Vehicle maintenance.
5. Record keeping.

Control techniques for each of these program elements are listed below.

1. Fleet Safety Policy

Fleet safety is part of the location's overall risk control policy statement. Management procedures should include the following items:

- Assign responsibilities for fleet safety to appropriate management

- Establish accountability for reducing vehicle accidents

2. **Driver Selection**

Driver selection is the most important control technique for fleet safety. You should decide the abilities and skills of applicants for driving tasks. This involves obtaining information on the driver's experience and performance on previous driving jobs and attitude towards fleet safety. Key tools for use in this selection process include:

- Application form - including a copy of the applicant's driver's license
- Interview
- Reference check
- License check

The application form is an excellent tool for obtaining these essential facts:

- Driving experience
- Job permanence record
- Responsibility, maturity and stability
- Past safety performance

Key information gathered from the interview includes the following:

- Driving experience
- Knowledge and education
- Knowledge of the type of vehicle
- Experience with the vehicle, maintenance, etc.
- Record - arrests, violations, etc.

After the application and the interview, make some reference checks.

Always check with New Jersey Motor Vehicle Services to ensure that the applicant has a valid driver's license and an acceptable driving record. Keep a copy of the employees' driver's licenses on file.

3. **Driver Training**

After an employee is placed on the payroll with driving responsibilities, the supervisor must orient and then properly educate him. Orientation should include:

- Archdiocese's policies and practices
- State, county and local traffic laws
- Defensive driving
- Customer/public relations
- Concepts of fleet safety

Ongoing education of drivers should include the following:

- Vehicle operation
- Vehicle condition. How to check the vehicle daily and what to report.
- Use of company forms (such as a “trip sheet”)
- Emergency procedures. Road side warning devices, use of fire extinguishers, proper use of accident report forms, witness cards, conduct at the scene of an accident, etc.

There are companies in this area that offer films, tapes, books, and seminars about fleet safety, and using these services can be very worthwhile.

4. **Vehicle Maintenance**

The safety administrator should see that vehicles obtain preventive maintenance. Follow the manufacturer’s schedule, which is detailed in the owner’s manual. Maintain copies of receipts for service. A maintenance record system, which verifies regular maintenance of vehicles (referencing the dates of service, type performed, and vehicle mileage) is very helpful for locations that use many cars.

Forms

Drivers Condition Report

A checklist to verify the vehicle is in decent condition, which the drivers would complete each week and forward to their supervisor or the Safety Administrator. Drivers would check the wipers, lights, hoses, oil level, and other routine areas.

Maintenance Scheduling Form

Log of vehicles due for maintenance, and schedules for routine service.

Service Report

A record showing detailed inspection by mechanic, dealership, service station, etc. when in for routine service and repairs needed and when made.

Vehicle History Card/Folder

A complete history of each vehicle's preventive maintenance.

5. Record keeping

Driver Records

The following are minimum records that you should maintain in the personnel file for each driver:

Hiring

- Application form completed for screening
- Character references
- Record of violations and accidents
- Results of tests given
- Information on previous driver education

Job Performance

- Record of education received
- Vehicles assigned
- Violations or warning notices
- Accidents
- Complaints
- Property damage reports

Accident Records

Accident records start with the driver submitting an accident report. Investigate all accidents. Check accumulated accident records for trends that show a need for education or renewed stress on safe practices. Let your analysis include the following:

- Type of accidents
- Immediate causes
- Driver accountability

Typical driver related causes of accidents include the following:

- Failure to yield right of way
- Following too closely
- Failure to use directional signals
- Speeding
- Failure to obey traffic signals or signs
- Cell phone usage (which should be strictly prohibited)
- Improper passing
- Improper turns
- Driving in the wrong lane

Determine appropriate corrective measures, such as enrollment in an educational program or replacement of the driver, based on the specific case.

APPENDIX A: RISK CONTROL WORK PLAN PACKET

ARCHDIOCESE OF NEWARK

RISK CONTROL WORK PLAN PACKET

Includes:

- Work Plan Development Description
- Risk Control Program Assessment
- Liability Hazard Checklist
- Identified Risk Control Improvements “Needed”
- Risk Control Requirements - Setting Priorities
- Work Plan Completion Timetable
- Blank Risk Control Work Plan

Work Plan Development

The work packet allows you to develop a plan for meeting risk control requirements, based on your location’s needs. We are asking that you: 1) assess your location’s risk control and safety effort, and 2) establish work plans to fulfill the risk control requirements.

The ultimate goals of the risk control requirements are as follows:

- To reduce the POTENTIAL for injuries and property damage.
- To reduce the OCCURRENCE of injuries and property damage.
- To LIMIT the severity of the claims and losses which do occur despite risk control efforts.

To assess the current effort at your location please complete the following:

1. Use the attached risk control program assessment document to assess the ENTIRE location. *Review each question in the document answering, “What policy, procedure or directive is in place (or is not in place) location-wide?” or, “Does a policy, procedure or directive address the question?”*

Answer “yes” or “no.” If it cannot be answered with a simple “yes” or “no,” describe the existing situation. Further description should be placed on the document or on attached sheets, if necessary.

2. Use the risk control program assessment document to assess the conditions and the use of appropriate policies and procedures. Besides the assessment, complete a self-inspection checklist for the entire location. **This means the completion of two forms.**

3. Compare the risk control requirements with the status of your risk control/safety effort at the location. The 12 Risk Control Requirements are presented earlier.
4. Highlight areas which do not adequately comply with those presented on the Risk Control program assessment document; the self-inspection checklist and the 12 risk control requirements. List these if necessary. These items are your “needs” which your team should address to have an effective risk control/safety effort.
5. Once the survey has identified your location’s risk control needs, take the blank “Work Plan Form.” Set priorities for the needs. Some needs will need to be carried out first to complete others.

Questions may be directed to:

Risk Management & Insurance Services Department
Archdiocese of Newark
171 Clifton Avenue
Post Office Box 9500
Newark, NJ 07104-9500

Be sure to maintain your own file regarding the risk control assessment, self-inspection checklists and the work plan.

ARCHDIOCESE OF NEWARK

RISK CONTROL PROGRAM ASSESSMENT

SECTION/INSTITUTION:

ADDRESS:

CITY:

EXECUTIVE ADMINISTRATOR:

- I.** RISK CONTROL PROGRAM ADMINISTRATOR:
- II.** MANAGEMENT DIRECTION
- III.** FIRE PROTECTION
- IV.** BUILDING MAINTENANCE
- V.** UTILITIES
- VI.** EMERGENCY ACTION PLANS
- VII.** LIFE SAFETY
- VIII.** SECURITY
- IX.** RECREATION AREAS
- X.** EMPLOYEE SELECTION AND EDUCATION
- XI.** FLEET SAFETY

EVALUATION TEAM

Signature

Signature

Printed Name & Date

Printed Name & Date

Signature

Signature

Printed Name & Date

Printed Name & Date

	YES	NO	N/A
I. MANAGEMENT DIRECTION			
Safety Policy Developed? (Responsibilities specified and assigned)			
Written program distributed and reviewed with all personnel (Documentation)			
Objectives and Goals established to include Risk Control activities and loss performance?			
Safety Team established?			
Chairperson?			
Members?			
Meetings held on a routine basis? (Documented)			
Date of last meeting? Accident losses discussed as well as safety program improvements?			
Member of a Safety Organization (NSC, NFPA) National Safety Council?			
Inspections performed by Safety Team?			
Date of last inspection?			
II. FIRE PROTECTION			
Are periodic self-inspections conducted?			
How often?			
Inspector?			
Date of last inspection?			
Documented?			
First Aid/CPR training?			
Are the following items included in the inspection?			
Extinguishers			
Sprinkler system			
Hoses			
Smoke alarms			
Rate of rise detectors			
Emergency Lighting			

II. FIRE PROTECTION (cont.)			
Water pumps			
Riser			
Hydrants			
Generators			
Alarms			
Pull Boxes			
Fire Doors			
Fire Escapes			
Does the fire department conduct periodic inspections?			
Date of last inspection?			
Fire Department:			
Are the inspection procedures used reviewed with inspectors and documented?			
III. BUILDING MAINTENANCE			
Is there a maintenance service?			
Are maintenance procedures written and reviewed with personnel?			
Do maintenance workers perform routine inspections of the location?			
How often?			
Date of last inspection?			
Is all broken or defective equipment disconnected and "tagged" until repairs are made?			
Are installation procedures carefully followed for any new equipment?			
Is all equipment tagged or marked?			
IV. UTILITIES			
A. Electrical			
Is all electrical wiring in good condition?			
Is all electrical work performed by a qualified electrician?			
Is all work documented			
Are all electrical panels properly marked and made accessible only to qualified personnel?			

IV. UTILITIES (cont.)			
Are approved fire extinguishers accessible?			
Is ground fault interruption protection provided for all receptacles near a water source?			
Are electrical switch covers and outlet covers in place?			
Who is responsible for ensuring that electrical components are in proper working order?			
Are outlets on the building exteriors approved for outside use?			
Is building lighting maintained in good condition?			
Do elevator lights and power sources work properly?			
B. Gas			
Is all gas supplied equipment supplied with emergency shut-off valves?			
Is gas piping and equipment in proper working condition?			
Are all gas leaks in piping and equipment promptly reported to qualified maintenance personnel?			
Are self-inspections carried out and documented?			
By whom?			
C. Water			
Is plumbing in proper working condition?			
Are leaking pipes, plumbing, or equipment prevalent at the location?			
Are plumbing problems promptly reported to qualified maintenance personnel?			
Are self-inspections carried out and documented?			
By whom?			
Date of last inspection?			
Are there inspection performed on all water heating systems?			
By whom?			
Date of last inspection?			
D. Heat/Air Conditioning			
Are all furnaces and boilers inspected on a routine basis?			
Date of last inspection?			
Inspector?			

D. Heat/Air Conditioning (cont.)			
Are proper tags and certificates maintained?			
Are window air conditioners properly grounded and installed?			
Is central air conditioning maintained and inspected by qualified personnel?			
Date of last inspection?			
V. EMERGENCY ACTION PLAN			
Have procedures been developed for severe weather and related emergencies?			
Have they been documented and distributed to residents?			
Are emergency procedures posted?			
Have the following emergencies been included?			
Fire			
Snow			
Tornado			
Utility			
Bomb threat or other terroristic-type threat			
Civil strife			
Have emergency drills been conducted?			
Date of last drill:			
Procedures developed for contacting fire department, police, ambulance?			
Are emergency numbers displayed near a working telephone?			
CPR/First Aid training and certification required?			
Is a fire brigade established?			
VI. LIFE SAFETY			
Have occupant loads been determined for the location?			
Are fire doors free from obstructions and in proper working order?			
Are doors designed for use as fire exits properly marked and equipped with panic hardware?			
Do fire exits allow discharge to an open area outside?			
Are fire exit stairways properly maintained?			
Are all exit lights in proper working order?			

VI. LIFE SAFETY (cont.)			
Is emergency lighting located in proper areas to aid in illuminating exit paths?			
Are signs posted informing occupants not to use elevators in the event of a fire?			
Are fire alarms adequately marked and accessible to occupants?			
Are interiors constructed and furnished in a manner that keeps fire resistance at a maximum?			
Are all doorways and stairways unblocked and kept free from obstructions?			
VII. SECURITY			
Are entrance and exit doors maintained in proper working order?			
Are windows on lower levels promptly replaced if broken?			
Do window latches and locks work properly?			
Are locks changed in the event that a resident loses a key?			
Are parking lots properly lit?			
Is there police security on site?			
What hours are they present?			
Are fire lanes accessible to fire department and emergency vehicles?			
Is access to the buildings limited?			
Are metal screens placed over basement windows to prevent entry?			
Are there burglar alarms present? (motion detectors)			
VIII. RECREATION AREAS			
Is playground equipment in proper working order?			
Is playground equipment inspected on a routine basis?			
Is all equipment properly secured?			
Are safety rules posted on site?			
IX. EMPLOYEE SELECTION AND EDUCATION			
Are references checked on all employees?			
Do new employees receive orientation and education?			
Is it documented?			
X. FLEET SAFETY			
Are drivers given a background check before being allowed to drive?			
Are drivers given pre-trip orientation and guidance?			

X. FLEET SAFETY (cont.)			
Annual/MVS validity check			
Are vehicles given pre and post trip inspections?			
Who conducts the inspection?			
Are they documented?			
Are maintenance records retained?			
Do drivers receive any type of driver training? (F.L.I., D.D.C.)			
Has a procedure been established for reporting, investigating and correcting the causes of vehicle accidents?			

ARCHDIOCESE OF NEWARK

**Self-Inspection Checklist
Liability Hazard Identification
(Common Assembly Locations)**

Location: _____

Date: _____

Inspected by: _____

Inspection started: _____ AM PM

Inspection completed: _____ AM PM

CATEGORY	YES	NO	N/A	NOTE DEFICIENCIES (Location, Problem)
1. INTERIOR				
A. <u>Fire Doors/Emergency Exit Doors</u> Self-closing; unobstructed; kept closed; unlocked; equipped with panic hardware (if necessary; identified by illuminated signs) illumination working.				
B. <u>Fire Extinguishers</u> Proper type available; unobstructed; fully charged; annual servicing by outside firm; current servicing up-to-date; hung or mounted.				
C. <u>Emergency Lighting</u> Functioning (battery charged); illuminates hallway/walking area; adequate for area.				
D. <u>Emergency Generators</u> Weekly operation, records of operations, inspections, maintenance.				
E. <u>Stair Wells</u> Clean and unobstructed, no storage; well illuminated; equipped with slip resistant surfaces.				

F. <u>Handrails</u> (on stairs, in stair wells) Available; secure; proper height (30-34" from floor surface)				
G. <u>Floors</u> Carpeted, free of holes or bunching; secure; flat; not curling up.				
H. <u>Walls</u> Limited use of hanging combustible (paper, rugs, other hangings); draperies, and curtains fire-rated or flame proofed.				
I. <u>Furniture</u> In good repair (stable, secure); free of sharp edges or protrusions.				
J. <u>Hallways</u> Well illuminated; no storage				
K. <u>Trash Chute Openings</u> Equipped with self-closing door; door close functional; not propped open; door self-latches; located in trash room; room equipped with self-closing, B-rated fire door; door kept closed; chute terminal room door kept closed.				
L. <u>Elevators</u> Well-lit; inspection certificates current; sign posted indicating non-use in case of fire; elevator emergency instruction posted.				
M. <u>Evacuation Maps Posted</u> Placed in strategic areas throughout location.				
N. <u>Emergency Instructions posted</u> Placed in strategic areas throughout location.				
O. <u>Smoke Detectors</u> Tested with smoke; functional.				

P. <u>Pull Boxes</u>				
Available, visible; functional				
Q. <u>Alarms/Bells</u>				
Distinct from other building sounds; audible to occupants.				
R. <u>Sprinkler System</u>				
Heads unobstructed; valves chained open; valves accessible to Fire dept.; Fire Dept.. hookups covered.				
S. <u>First Aid Kit</u>				
Available; accessible; supplies stocked; supplied distributed only by qualified staff (Red Cross certified).				
2. EXTERIOR				
A. <u>Trees</u>				
Trimmed back and above eye level; dead limbs/branches removed; not lifting sidewalk; roots well below ground.				
B. <u>Curbs/Walk</u>				
Lack holes, cracks, uneven areas; clear of snow & ice; salted/sanded to reduce slipperiness during snowfall.				
C. <u>Municipal Lighting</u> <u>Adequate</u>				
D. <u>Utility/Light Poles</u>				
Not leaning; supports covered (no sharp edges or points)				
E. <u>Signs</u>				
Not bent; properly oriented.				
F. <u>Grounds</u>				
Trash removed/cleaned up; no broken glass; no holes, protrusions, wires or other hazards which could cause tripping.				
G. <u>Hydrants</u>				

Not hidden by brush or other obstructions; curb demarcated in yellow.				
<p>H. <u>Doors</u></p> <p>Glass type well marked; secure to prevent unauthorized access; illuminated for easy access.</p>				

ARCHDIOCESE OF NEWARK

Identified Risk Control Improvement “Needed”

ARCHDIOCESE LOCATION _____

The following is a list of the "needs" or risk control improvements which will be implemented by the _____ location as a result of the assessment, inspection and comparison of current status to established risk control requirements.

A. Risk Control Requirements Not Currently Fulfilled

-
-
-
-

B. Self-Assessment Identified Needs

-
-
-
-

C. Self-Inspection Identified Needs

-
-
-
-

These needs have been prioritized on the attached work plan.

ARCHDIOCESE OF NEWARK
Risk Control Requirements
Setting Priorities

Establishing a work plan requires setting priorities. Use the twelve risk control requirements, a completed self-assessment and a completed inspection form as the basis. Some "needs" will warrant immediate attention, while others need to be delayed until other steps are completed. This list **suggests** a priority sequence for the twelve risk control requirements. It is understood that not all locations will be able to complete them in the exact order listed.

1. Maintain an on-going Risk Control program.
2. Risk control administrator.
3. Risk control maintenance program.
4. A written risk control policy established.
5. Emergency Action Plan.
6. Record keeping policies and procedures.
7. Risk control committee established.
8. Periodic self-inspections.
9. Risk control education.
10. Property conservation program.
11. Evaluation procedures.
12. Membership in a risk control organization.

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Risk Control Work Plan

From: _____, _____

To: _____, _____

Date: _____

Location: _____

Established by: _____

Position: _____

Activity : _____

Responsible Individual(s): _____

Targeted Completion Date: _____

ARCHDIOCESE OF NEWARK

Risk Control Work Plan

Completion Status

Location: _____

Activity: _____

Responsible Individual(s) _____

Status _____

APPENDIX B: TRAINING DOCUMENTATION SHEET

EDUCATION

Employee Sign-In Sheet

Education Session:

Date/Time/Location:

Instructor:

Employee Name "Printed"	Employee Signature
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

APPENDIX C: FIRE CATASTROPHE PREPAREDNESS ACTION PLAN

Implement the following guidelines to allow for a universal fire catastrophe recognition and response.

- Observe the “Fire Prevention Guidelines” listed in the chapter of that name.
- Keep exit doors and their passageways absolutely clear at all times.
- Maintain aisles for open areas and in back rooms to allow clear exits from any area of the parish.
- Designated fire exits should have panic hardware. Never lock fire exits from the inside.
- Maintain illuminated signs at all fire exits and in their surrounding areas.
- Have adequate emergency lighting at and near fire exits.
- Provide a fire alarm system that is audible in all parish buildings.
- Make all employees aware of the signal to evacuate the parish and of the exits leading from their working areas.
- Administrative staff should develop and post an evacuation plan, and rehearse the procedures at least twice per year. The following guidelines apply:

IN THE EVENT OF A FIRE:

The **PERSON DISCOVERING** a fire (no matter how small) shall notify the pastor or the appropriate person. Identify the location of the fire.

The **PASTOR** or his designee is the focal point of fire communications. Upon learning of a fire he/she shall:

- Call the fire department, using the number posted on the parish emergency telephone list, regardless of the size of the fire.

FIRE PROTECTION - FIRE DETECTION SYSTEMS

Smoke/Heat Detector Selection

Smoke detectors, which are critical for early fire detection, are needed in all major buildings. Your local fire department can acquaint you with your municipality’s regulations about smoke detectors, and assist you with selection and placement.

- Install photoelectric smoke detectors in areas where smoldering fires are likely.
- Install ionization smoke detectors where flame and open fires are likely.

- Combination detectors provide photoelectric and ionization protection.
- Heat detectors are only activated **after** fire has spread and should only be used in special areas subject to dust or chemical fumes (such as boiler rooms, janitorial closets, and bathrooms)

Smoke Detector Systems

- Round-the-clock protection is provided by using existing phone lines to directly tie to a monitoring service
- Some systems use detectors with micro-transmitters, which are less expensive to install.
- "Homeowner grade" detectors may be ineffective in closed areas or unoccupied buildings where the alarm may not be heard.

Smoke Detector Placement

- Install units on or near the ceiling (avoiding the heating/air conditioning registers).
- Install detectors at the top of the stairs on each building level.

FIRE PREVENTION - MAINTENANCE/HOUSEKEEPING DECORATIONS

Flame proofing

- All draperies, tapestries and decorations should be flameproof or fire-rated.
- Commercial laundries with fire department approval may do flame proofing.
- Your fire department may suggest other means of flame proofing.
- Do not place art work on walls near exit doors.
- Art work and teaching materials should cover less than 20 percent of the wall area.

Christmas Trees

- Flameproof according to fire department recommendations.
- Use only flameproof or non-combustible decorations.
- Lighting sets should be in good condition and U.L. approved.
- Store trees outdoors until needed.
- Place trees in water when moved indoors.
- Place trees away from exits, stairways, elevators and sources of heat.

- Check the water level in the tree stand and the condition of the tree daily.
- Discard the tree if it becomes too dry.

Material/Equipment Storage - Combustible and Flammable Materials

- Store only what you need. Discard combustible items that are no longer used.
- Do not store flammable or combustible items beneath stairways.
- Store flammable liquids outside if possible.
- Indoor storage of flammable liquids should be in approved cabinets away from heating appliances/ignition sources.
- Use refillable containers for flammable waste for disposal of solvent soaked rags.
- Empty flammable waste outside the building at the end of each day. Be extremely cautious with materials subject to spontaneous combustion (for example, certain wood stain products).

Smoking

- Smoking is prohibited inside all public buildings.
- No smoking signs should be posted at all public entrances of the buildings.
- An outside smoking area should be established which is a minimum of 15 feet from any doorway, window or building air intake vents. The designated area should also be away from any fuel storage, brush, wood chip surfaces, or any other flammable objects.
- A 'smoking permitted' sign should be posted in this area.
- Freestanding stainless steel cigarette disposal unit(s) should be placed in the designated smoking area.
- There should be personnel who routinely check the smoking area and perimeter to ensure that the area is clean and safe, and that smoking rules are being followed.

Housekeeping Procedures

- Inspect storage areas regularly, including those used by clubs/organizations.
- Keep the keys for club/activity rooms readily available, for use in inspections and for emergency access.

FIRE PREVENTION – MAINTENANCE ELECTRICAL HAZARDS

Electrical Faults

- Electrical faults are a leading cause of building fires.
- Wiring/equipment should have periodic checks by a licensed electrician.
- Only licensed electricians should perform electrical work.

Extension Cords

- For temporary, short term operations only.
- No substitute for permanent, approved wiring.
- Should not be run across aisle ways.
- Must be large enough for current draw of the appliance.
- Use only grounded cords for grounded equipment.

Electrical Outlets

- Should have grounded receptacles, installed by a licensed electrician
- Two-slot receptacles should have adaptor plugs with ground clip/wire attached to cover plate screw.
- Connections behind equipment subject to crushing damage need spacer blocks.
- Reroute “octopus” electrical connections for a balanced load.

Older Structures

- May have problems with electrical overloading.
- Should be upgraded by a competent electrician.
- Bridging of fuses/blocking of circuit breakers not permitted.
- Fuses/breakers need U.L. seals.
- Fuses should be the size specified in the panel.

Electric Panels

- Panels/disconnect boxes should be labeled.
- Panel area should be accessible (three foot clearance).

- Panels, boxes, switches and outlets need cover plates or doors.

FIRE PREVENTION - HEATING SYSTEMS AND EQUIPMENT

Defective/Misused Systems

- A leading cause of building fires.
- Poor maintenance often causes overheated chimneys, flues and furnaces.
- Automatic shut-offs/limit switches, low water cutoffs, and pressure relief valves need yearly, professional inspection.
- Furnaces/boilers need to be “blown down” each week, and must be inspected and cleaned annually.
- Chimneys/pipes need inspection/repairs before the heating season.

Firing of Heating System

- Failure to maintain moderate temperatures often overtaxes systems *Maintain a temperature of*
- Overtaxed systems cause overhead flues and chimney fires.
- Maintenance staff should be careful when they fire heating devices.

Auxiliary Heating Devices

- Use space heaters with caution, and never leave them unattended.
- Do not use them in areas where there are flammable liquids, combustible materials, or dust.
- Should not be placed in high traffic areas.
- Kerosene heaters are prohibited.

FIRE PREVENTION - COMMERCIAL KITCHEN AREAS

Appliances/Equipment

- Gas appliances need automatic gas shut-offs or shut-off valves.
- Shut-off valves should be labeled, accessible and kept a safe distance from appliances.
- Gas appliances should be on a preventive maintenance program.
- Qualified personnel should inspect gas appliances periodically.
- Range hoods/ducts need regular cleaning/fireproofing.

- Removable hood filters should be cleaned as needed.

Staff Responsibilities During a Fire

When Alarms Sound or a Fire is Noticed:

- A. Notify the Fire Department.
- B. Help residents, parishioners, visitors, et al, to safety, with special attention to the aged and incapacitated
- C. Search rooms to ensure that all occupants have escaped.
- D. Call elevators to the main or first floor, and place them on manual control. Hold for fire department use.
- E. Trained staff should **extinguish or control** the fire using the appropriate fire protection systems, unless this would place them in immediate danger
- F. Send messengers to meet the fire department and direct them to the exact location of the fire.

Boilers - Trained Staff Only!

- A. Upon entering the boiler room, shut off the boiler.
- B. If there is a fire in the room, use a multi-class dry chemical extinguisher.
- C. If you detect gas, use the manual shut-off valve to shut off gas. Do not rely on the automatic shut-off valves.
- D. If there is flooding, use proper precautions to reduce the chances of electrocution.
- E. When there is evidence of a steam leak, shut down the boiler and wait for the steam to clear before working on the boiler.
- F. CO detectors

When the fire department arrives:

Inform the fire department of the location of:

- A. Fire pumps.
- B. Ventilating equipment.
- C. Generators and motors.

Guidelines for After a Fire

After a fire, following these guidelines will reduce the possibility of a recurrence.

1. Safety team members should patrol and monitor the property daily for a period after the fire to ensure that the fire does not restart. *What period is recommended?*
2. Repair or replace damaged fire suppression equipment quickly
3. Inspect all main water valves and sprinkler valves and check that they are accessible.
4. Inspect and reset alarm and detection systems immediately
5. Test emergency lighting
6. Before reoccupation of the building, verify that all exits are accessible.
7. Replace or repair all damaged exit lights, signs and hardware.
8. Arrange daily inspections by trained personnel.

Fire Drills

- A. Trained employees should plan and conduct fire drills at least once each year.
- B. Drills shall simulate an actual fire. Vary the times and exits used.
- C. Use the fire alarm systems to conduct fire drills.

General Fire Precautions

- A. No bonfires or outdoor rubbish fires
- B. Use open flame lighting devices only for ceremonial purposes. Provide means for proper extinguishment.

Locate racks for vigil candles away from decorations, flowers, other furniture, and flammable materials. Keep a watering can near the rack. Don't leave candles burning overnight.
- C. Store matches properly
- D. Keep fire extinguishers near any welding equipment, torches, kitchen equipment, etc. Supervisors should train personnel who use such equipment in its safe use.
- E. Store flammable and combustible materials in approved containers, fire cabinets, or suitable storage rooms. The storage methods shall match National Fire Protection Association standards.
- F. Contractors or trained personnel shall properly install and maintain all chimneys, vents, heat producing appliances and exhaust systems. The maintenance shall follow the guidelines that are set by the manufacturer of the equipment. *License needed?*

- G. All fire lanes shall be properly marked and kept clear
- H. Keep fire exits and escape routes unobstructed.
- I. Do not lock doors from the inside. Buildings that are for public use, such as church halls, auditoriums, and schools, are best equipped with doors that have panic bars.
- J. A door designed to be kept closed during a fire should have a self-closing mechanism. Keep a sign on the door that reads:

FIRE DOOR

KEEP CLOSED AT ALL TIME
- K. No building or part of a building under construction shall be occupied until approval has been given for such occupancy.

Fire Suppression Equipment and Maintenance

1. Provide proper fire suppression equipment in all hazardous locations. The areas include but are not limited to the following:

Perhaps examples of what suppression equipment is needed in various types of rooms

- Central computer offices
 - Boiler and heater rooms
 - Kitchens
 - Maintenance shops
 - Employee locker rooms
 - Trash rooms
 - Bulk storage rooms and adjacent corridors.
 - Laundry and trash chutes
2. Always maintain fire extinguishers in reliable operating condition. Vendors shall inspect the extinguishers annually. Keep documentation of the inspection on the extinguisher.
 3. Occasionally, safety team members should train residents and staff in how to use the extinguishers.
 4. Replace used or damaged extinguishers immediately.
 5. Maintain fire suppression and kitchen hood suppression systems in proper working condition. Inspect and maintain the riser periodically.

6. Fire alarm and detection systems shall be under the supervision of a qualified, responsible person. This person shall conduct and document all of the proper tests and inspections.
7. Properly maintain emergency signs and lighting.
8. Check electrical wiring for appliances and extension cords periodically for cuts, fraying, etc. Residents may not use appliances with defective cords or connections. Do not run cords over hooks or nails or under carpets. All electrical appliances should be properly grounded to prevent electric shock.
9. Maintain fuses and circuit breakers in proper working condition. Replace fuses properly. Never bypass the circuit breakers.
10. Replace all damaged switch plates and electrical outlets. Use plastic caps on outlets that are in areas where small children are present.

APPENDIX D: INVESTIGATION FORM

"INJURY & PROPERTY DAMAGE"
INCIDENT INVESTIGATION REPORT (All Questions Must Be Answered.)

TIME & PLACE OF INCIDENT	PARISH LOCATION:
	DATE OF INCIDENT: _____ TIME: _____ A.M. P.M. WEATHER CONDITION: CLEAR RAIN SNOW
	ADDRESS AT WHICH INCIDENT OCCURRED:
INJURED PERSON	NAME: DATE OF BIRTH: MALE FEMALE
	ADDRESS:
	PHONE (HOME): _____ (WORK): _____ (CELL): _____ EMPLOYED BY:
	NATURE OF INJURY:
	WHERE TAKEN: HOSPITAL DOCTOR: URGENT CARE NAME OF FACILITY WHERE TAKEN TRANSPORTED VIA AMBULANCE? YES NO
PROPERTY DAMAGE	NATURE AND EXTENT
	NAME OF OWNER: PHONE (HOME): _____ (WORK): _____ (CELL): _____
	ADDRESS:
DESCRIPTION OF INCIDENT	

INTERVIEWER OF INJURED PERSON:

PRINT NAME:
TITLE:

SIGNATURE:

PASTOR/PRINCIPAL (IF NOT INTERVIEWER):

PRINT NAME:

SIGNATURE:

DATE OF THIS REPORT:

PHONE NUMBER:

13: INSURANCE PROGRAM

13.1: WORKERS' COMPENSATION

SECTION I - WHO IS INSURED

The Archdiocese of Newark and Archdiocesan entities specifically covered under the Archdiocese's Insurance Program.

SECTION II - COVERED PERSONS

A person is covered if they are employed by an Insured and their injuries arise out of and in the course of employment. A person is considered employed if they perform services for wages. Workers Compensation does not extend to volunteers or to contractors. Pursuant to the Workers Compensation Act for the State of New Jersey, the points at which employment begins and ends are defined within article 34:15-36 as follows:

Employment shall be deemed to commence when an employee arrives at the employer's place of employment to report to work and shall terminate when the employee leaves the employer's place of employment, excluding areas not under the control of the employer; provided, however, when the employee is engaged in direct performance of duties assigned or directed by the employer; but the employment of employee paid travel time by an employer for the time spent traveling to and from a job site or of any employee who utilizes an employer authorized vehicle will commence and terminate with the time spent traveling to and from the job site or the authorized operation of the vehicle on business authorized by the employer."

SECTION III - LIMITS OF LIABILITY

COVERAGE	LIMIT OF LIABILITY
Coverage A - Workers Compensation	Statutory
Coverage B - Employers Liability	\$1,000,000

SECTION IV - TYPES OF INJURIES COVERED

All work related injuries and illnesses are covered.

SECTION V - TYPES OF COVERED BENEFITS

Workers Compensation provides medical and wage loss benefits for work related injuries or illnesses. The specific categories of coverage include the following:

A. Medical Expenses

1. All necessary medical treatment and hospitalization services are covered in full.
2. The Workers' Compensation Claims Administrator (see [13.8: Insurance Program Contacts](#)) has the right to choose the treating physician or facility for cases related to workers' compensation and will advise the injured employee of what is available in the area. The employee may lose the right to compensation for failing to obtain

treatment from the physician designated by the Claims Administrator. However, if the accident is life threatening, and/or requires emergency care, then the nearest medical facility should be utilized.

B. Temporary Disability Income

1. The compensability of disability income is determined by the length of disability and in New Jersey is distinguished between disabilities of less than seven days and those of more than seven days. The authorized physician determines the length of the disability.
 - a. If less than seven days, the employee is paid by their employer in accordance with the organization's overall policy relating to sickness and disability.
 - b. If more than seven days, the employee's compensation for the first seven days should be handled in accordance with the organization's overall policy relating to sickness and disability. After the seven day waiting period has elapsed, the employee must be removed from the payroll and paid temporary disability benefits by the Workers Compensation Claims Administrator. The Claims Administrator will reimburse the organization at the applicable workers' compensation percentage for the amount paid to the employee for the initial seven-day period.
2. Temporary Disability Benefits are payable when a work related accident results in a disability beyond seven consecutive days. Benefits are 70% of the injured employee's average weekly wage, subject to maximums established annually by the New Jersey Commissioner of Labor. The payments are retroactive to the first day of lost time and are payable during the period the injured employee is unable to work and is under active medical care, or has reach maximum medical improvement (MMI). MMI is defined as when it has been medically determined that additional treatment will no longer improve the medical condition of the injured employee in terms of their work related injury.

C. Permanent Total Disability Income

1. Permanent Total Disability occurs when an injury is permanent in nature and total in character. A Permanent Total Disability is automatically presumed when a worker's injury results in the loss of two major members, or a combination of members of the body such as eyes, arms, hands, legs or feet.
2. Permanent Total Disability benefits are 70% of the injured employee's average weekly wage, subject to maximums, and is payable in full for 450 weeks. After that time (16 total years of disability), future payments may be reduced due to wages earned from subsequent employment or Social Security earnings.

D. Permanent Partial Benefits and Death Benefits

1. Permanent Partial Disabilities are defined as those injuries that are partial in character and permanent in quality. Benefits are based on a percentage of impairment that is

applied to a schedule of injury benefits published by the New Jersey Department of Labor.

2. Death Benefits are payable to the employee's spouse, children or other dependents as defined by law, if a work related accident or occupational illness results in an employee's death. Benefits include weekly payments to dependents and funeral expenses.
 - a. Weekly payments vary, depending on the number of dependents, between 50% and 70% of a deceased worker's average weekly wage up to a maximum dollar amount established annually by the Commissioner of Labor. If the surviving spouse remarries, he/she will receive either the rest of the benefit due or 100 times the weekly rate, whichever is less. For dependents, benefits are paid until age 18, or if a full time student, until age 23.
 - b. Funeral expenses are payable up to a limit of \$3,500.

SECTION VI - EMPLOYER'S ADMINISTRATIVE DUTIES AND RESPONSIBILITIES

- A. Every employer is responsible for establishing a mechanism for reporting claims. This mechanism should include a Workers Compensation Claims Coordinator (alternatively Benefits Administrator) who is preferably a full-time employee with the proven ability to handle confidential and sensitive information (since the coordinator will have access to payroll records). Responsibilities of the coordinator should include:
 1. Providing information to employees about coverage and procedures, including posting the required Workers' Compensation notices in a conspicuous place.
 2. Filing of first reports of injury.
 3. Directing injured workers to medical facilities for emergency treatment. (Contact the Claims Administrator (See [13.8: Insurance Program Contacts](#)) for physicians and/or facilities in the area)
 4. Maintaining documentation.
 5. Maintaining contact with injured workers, their supervisors and the Claims Administrators.
- B. It is a supervisor's duty to report an employee injury to the Workers Compensation Claims Coordinator. The Claims Coordinator must report the incident to the Workers' Compensation Claims Administrator (See [13.8: Insurance Program Contacts](#)) within 24 hours. When filing the first report of injury, the following information should be provided, if available. However, DO NOT delay reporting the claim to the Workers Compensation Claims Administrator if this information is not readily available. Supplemental information can be provided after the first report is filed.
 1. Note existence of prior injuries or litigation. This information may enable us to recover some of our expense from the Second Injury Fund.
 2. Identify whether the claim is questionable or disputed. Consider factors such as:

- a. Any unusual circumstances surrounding the accident (i.e. type of injury does not seem to correspond to the accident.)
 - b. If you know an employee, who is alleging a back injury on Monday, was doing strenuous work on the weekend.
 - c. If the employee has a history of numerous or questionable injuries.
 - d. If you feel the employee was not injured on the job or not hurt at all.
3. Identify whether a third party's negligence contributed to the accident. Such a situation would include, for example, an injury caused by faulty equipment or occurring while on a non-owned premises.
 4. Provide accurate wage information.
 5. Identify whether modified work is available.
 6. Use the term "alleged" when describing the injury (i.e. "Employee alleges back strain after lifting a 30 lb. box.")
- C.** In the course of hiring, asking questions about medical histories is prohibited by law. However, questions specifically addressing an individual's ability to perform a specific task are permitted. Contact the Human Resources Department of the Archdiocesan Center for information relating to allowable and prohibited questions.
- D.** Permanently replacing disabled workers is prohibited for 90 days. However, temporary substitutes can be hired during the 90 day period. Contact the Human Resources Department of the Archdiocesan Center for assistance and direction.
- E.** Salary payments should not be paid during the disability period

SECTION VII - DUTIES IN THE EVENT OF A LOSS

- A.** An employee is required to give notice of an injury as soon as possible, regardless of whether medical attention is required. The Statute of Limitations is the later of two years from the date of the occurrence or the last payment of compensation.
- B.** Injured workers must be directed to employer sanctioned providers for treatment. Contact the Workers Compensation Claims Administrator (See [13.8: Insurance Program Contacts](#)) for a list of authorized physicians. The employee may lose the right to compensation for failing to obtain treatment from the physician designated by the employer or Claims Administrator. However, if the accident is life threatening, the employee should be sent to the nearest hospital emergency room.. .
- C.** The Employee's Workers Compensation Questionnaire (see [Appendix A: Claim Reporting Form](#)) should be completed and submitted to the Workers Compensation Claims Coordinator within 24 hours from the time an injury is first reported.

- D. The manager of an injured worker is expected to complete a Management Investigation Report (See [Appendix A: Claim Reporting Form](#)) and submit it to their Workers Compensation Claims Coordinator within 48 hours of a reported injury.
- E. The Workers Compensation Claims Coordinator will submit the claim to the Claims Administrator for coverage determination and subsequent claim processing (see [Section VIII - Claims Administrator's Duties In The Event of a Loss](#)).
- F. If the injured employee provides a physician 'out of work' certificate to the Workers' Compensation Coordinator, it must be forwarded immediately to the Claims Administrator in order for disability benefits to be provided.
- G. The injured worker's manager is expected to maintain weekly contact with the employee.
- H. Once an employee returns to work, the employer must contact the Workers Compensation Claims Coordinator in order for pay to be activated.
- I. The Workers Compensation Claims Coordinator will provide the interface between the employer, employee and the claims representative.
- J. In some instances, the manager may be requested to further investigate the accident scene, provide testimony at an Accident Board Hearing and retain evidence.

SECTION VIII - CLAIMS ADMINISTRATOR'S DUTIES IN THE EVENT OF A LOSS

- A. Once an injury or illness is reported, the claims representative will make contact with the treating physician, the injured employee, and employer within 24 hours to provide prompt payment of benefits and establish employee follow-up plans.
- B. Files are reviewed every 30 days (14 days when disability payments are being made) to monitor medical treatment, maintain contact with the employer, adjust the plan of action, and once treatment has concluded, evaluate for a permanency benefit.
- C. All medical bills are paid by the claims administrator directly to the medical providers. In the event a bill is sent to the employee or employer, it should be forwarded to the claims representative (see [13.8: Insurance Program Contacts](#)) for handling.
- D. Disability benefits are paid by the claims administrator directly to the injured worker. Disability benefits can only be paid after the claims administrator is provided with a physician's out-of-work authorization. The claims administrator will work directly with the injured employee and/or treating physician to obtain this documentation. The claims administrator may request assistance from the Workers' Compensation Claims Coordinator where necessary and applicable.
- E. A copy of the First Report of Injury will be filed with the State Workers' Compensation Board as required by New Jersey law (with a copy forwarded to the Workers Compensation Claims Coordinator.)

SECTION IX - ADMINISTRATION

- A.** There is no enrollment of employees. Coverage is provided automatically.
- B.** Premiums are based on total payroll.
- C.** The Workers Compensation law requires a notice evidencing Workers Compensation coverage be conspicuously displayed in each place of employment. Notices are mailed out periodically by the Risk Management and Insurance Services Office. Contact the office if a replacement is required. The Workers Compensation Claims Coordinator should ensure that this notice is conspicuously displayed.
- D.** Significant penalties apply in cases where a workplace injury involves a minor. These charges are not covered by the insurance program and would be the responsibility of the employer.
- E.** Work assignments should reflect an individual's capacity to perform the job's essential tasks. While it is unlawful to ask about medical histories, it is legal to inquire about an individual's capacity to perform essential tasks. Contact the Human Resources Department of the Archdiocesan Center for information relating to allowable and prohibited questions.

SECTION X - FREQUENTLY ASKED QUESTIONS

Q: Can I ask a potential new hire about their medical history?

A: No. Applicants cannot be asked about their medical history under any conditions. However, they can be asked about their physical ability to perform an essential job task. Contact the Human Resources Department of the Archdiocesan Center for information relating to allowable and prohibited questions.

Q: Will our policy pay the Workers Compensation benefits required by other states when an employee is injured in another state?

A: Yes. Our policy automatically conforms to the applicable Workers Compensation benefits for worker injuries.

Q: Are employees covered by Workers Compensation while traveling to and from work?

A: Not normally. Employees are only covered while traveling to and from non-employer owned locations (see [Section II - Covered Persons](#)) for more detail).

Q: Are religious employees covered by workers compensation?

A: Yes. Religious employees, like lay employees, are covered if they perform services for wages and their injuries arise out of and in the course of employment.

13.2: LIABILITY

SECTION I - WHO IS INSURED

The following persons are insured for liability obligations for covered losses to third parties:

- The Archdiocese of Newark;
- All Archdiocesan parishes, schools, and other entities who participate in the Archdiocesan Insurance Program;
- Employees and volunteers of all Archdiocesan entities who participate in the Archdiocesan Insurance Program; and
- Unaffiliated organizations or individuals for whom the Risk Management and Insurance Services Department agrees to provide insurance protection.

SECTION II - TYPES OF LIABILITY COVERED

The liability coverage pays for legal obligations to third parties and defense costs arising out of negligent (unintended) acts or omissions in the following areas:

- A. General Liability and Personal Injury.** Covers liability imposed by law or assumed by contract arising from bodily injury, property damage or personal injury.
 1. Bodily Injury means bodily injury, sickness or disease, and death.
 2. Property Damage means damage to, destruction of or loss of use of property, excluding property owned by an insured, but including damage to property of others in the care, custody or control of the insured.
 3. Personal Injury means Mental Injury, Mental Anguish, Shock, Sickness, Disease, Disability, False Arrest, False Imprisonment, Wrongful Eviction, Wrongful Detection, Malicious Prosecution, Discrimination, Humiliation, Invasion of Right of Privacy, Libel, Slander or Defamation of Character; also Piracy, and any Infringement of Copyright or of Property; Erroneous Service of Civil Papers, Violation of Civil Rights, Assault and Battery, and Disparagement of Property.
- B. Host and or Liquor Liability.** Covers liability for damages emanating from the sale or distribution of alcoholic beverages regulated by any local, state or federal liquor control laws.
- C. Directors and Officers, Errors and Omissions, and School Board Legal Liability.** Covers errors and omissions by insureds while acting in their capacity as trustees, directors, council members, board members or employees. Errors and omissions coverage is specifically excluded for legal, architectural, engineering, actuarial, accounting, the provision of real estate advice, financial counseling or investment counseling and medical activities (except as provided by the following section). All other professionals should be presumed covered (i.e. clergy, teachers, etc.).
- D. Medical Professional Liability.** Covers bodily injury claims resulting from rendering or the failure to render medical professional services at an insured's school, infirmary, clinic,

nursing home, residential care facility, retirement home or social service program, but does not include any services provided by:

1. Any facility licensed as a hospital or emergency facility;
2. An allopathic, osteopathic, naturopathic, or chiropractic physician, resident, intern or extern, except when and only to the extent that the physician is performing in the capacity of a medical director of a covered facility, but not including any hands on patient care by such medical director;
3. A psychiatrist;
4. A pharmacist;
5. A dentist, orthodontist, endodontist or periodontist; or
6. Any individual providing obstetrical delivery services.

SECTION III - LIMITS OF LIABILITY

COVERAGE	LIMIT OF LIABILITY
Per Occurrence	\$5,000,000

SECTION IV - SELECTED EXCLUSIONS

- A. Liability caused by a trampoline.
- B. Liability arising from the ownership or use of any aircraft.
- C. Liability arising from pollution.
- D. Liability arising from asbestos.
- E. Liability assumed by contract if the indemnitee is an architect, engineer or surveyor and if the loss arises from the preparation or failure to prepare or approve maps or the giving of or failure to give directions.

SECTION V - DUTIES IN THE EVENT OF A LOSS

- A. When an accident occurs or a claim for damages is made, do not admit liability. Obtain emergency care if necessary. Note that the definition of “claim” includes any demands for damages, including a verbal demand for damages, as well as any incident that could likely lead to a claim and therefore are subject to the claim reporting requirements outlined below.
- B. Immediately contact the Claims Administrator by fax or phone to report the claim and forward copies of any demand, notice, summons or legal papers to our Claims Administrator (see [13.8: Insurance Program Contacts](#) section). Keep copies for your records and retain for at least three years from the date of final resolution.

- C. Document all information found in the enclosed loss report (see [Appendix A: Claim Reporting Form](#)) and obtain copies of any applicable contracts and/or Certificates of Insurance.
- D. Assume no obligation, make no payments, or incur no expense without the company's consent or the Claims Administrator's consent (see [13.8: Insurance Program Contacts](#) section).
- E. Do not communicate in anyway with anyone other than the Claims Administrator or your assigned attorney. Refer inquiries from the claimant, claimant's attorney or other third parties to the Claims Administrator.
- F. Cooperate fully with the Claims Administrator in their investigation and attend hearings where necessary.

SECTION VI - CLAIMS ADMINISTRATOR'S DUTIES IN THE EVENT OF A LOSS

- A. Once a claim is reported, the Claims Administrator will make contact with the claimant within 24 hours.
- B. The Claims Administrator will interact directly with the claimant and, where involved, their attorney on your behalf.
- C. The Claims Administrator may conduct further investigation to determine the extent of liability and damages.
- D. The Claims Administrator will settle damages directly with the claimant.

SECTION VII - ADMINISTRATION

- A. Premium for liability coverage is a part of the property and liability billing. The charge is based on the size and scope of covered operations.
- B. Coverage should be verified prior to undertaking any new and innovative programs or new organizational structures (i.e., joint ventures). This is particularly true with respect to providing any type of professional services.
- C. Rentals are subject to the following requirements:
 1. Rent only to non-profit organizations whose philosophy and purpose are known to be compatible with the philosophy and purpose of the Roman Catholic Church. If the prospective renter is an unknown entity, request to be furnished with further information on the background of the organization in question. Renting to profit-making organizations may endanger the tax exempt status of your property. The Finance Office may review and make specific arrangements in such cases.
 2. If the rental period is short-term (a single day or week), refer to section [13.4: Tenant Users](#) for more information.
 3. If the rental period is for a long term basis, then the standard lease agreement should be used. This lease agreement is intended to give the parish or school every possible

protection while still being essentially fair to the tenant. The standard lease agreement is made available to a parish or school by the Office of Property Management Administration as soon as it becomes aware that a potential leasing arrangement is being discussed. Note that the standard lease also requires that the lessee/tenant provide a certificate of insurance naming the owner or lessor as an additional insured.

- D. Any contractor doing work for affiliated Archdiocesan entities should provide a certificate of insurance naming the property owner as an additional insured.
- E. All certificates from any party must be kept on file and updated prior to the expiration date of the liability policy evidenced on the certificate of insurance. Expired certificates should be maintained for three years as claims may not surface until after a policy expires.

SECTION VIII - FREQUENTLY ASKED QUESTIONS

Q: What is a certificate of insurance?

A: A certificate of insurance is proof to the certificate holder that the insured has insurance coverage in the amounts and types evidenced (see [Appendix B: Sample Certificate of Liability Insurance](#) for sample).

Q: What effect does adding an organization as an additional insured have?

A: The additional insured designation affords liability coverage to an unrelated entity under the policy of another. Additional insured status provides the additional insured with substantially the same benefits as their own policy with the additional advantage of transferring loss payments and defense costs to another party's insurance policy.

13.3: AUTO

SECTION I - WHO IS INSURED

The following are insured:

- A. The Archdiocese of Newark;
- B. All Archdiocesan parishes, schools, priests and other entities who participate in the Archdiocese's Automobile Insurance Program; and
- C. Any licensed individual while driving a covered auto with the owner's permission.

SECTION II - LIABILITY COVERAGE AND SELECTED EXCLUSIONS

A. Coverage

The policy pays sums a covered person becomes legally obligated to pay because of bodily injury or property damage that involves a covered auto. In addition, the policy covers defense costs associated with allegations arising from a covered event.

B. Exclusions

1. Expected or intended injury.
2. Liability assumed under contract.
3. Property damage to property owned or in the care, custody, and control of a covered person.
4. Bodily injury or property damage from pollutants stored or transported in a covered auto.

SECTION III - PHYSICAL DAMAGE COVERAGES AND EXCLUSIONS

A. Physical Damage. This coverage pays for loss to a covered “auto” under the following sub parts. Note that since this policy does not cover physical damage coverage for hired or rented vehicles, consideration should be given to purchasing coverage from the rental company. Alternatively, coverage may be offered through your credit card company as a “free” benefit if the rental cost is charged to that card.

1. Collision Coverage. Includes the following causes of loss:
 - a. The covered auto’s collision with another vehicle; or
 - b. The covered auto’s overturn.
2. Comprehensive Coverage. Covers all other causes of loss not specifically excluded (see this section: [D. Exclusions](#)).

B. Towing.

The coverage pays the amount indicated in [Section IV - Limits of Liability](#) for the cost of towing a covered auto that becomes disabled from an event not specifically excluded (see this section: [D. Exclusions](#)).

C. Rental Reimbursement

This coverage pays the cost up to the amount indicated in [Section IV - Limits of Liability](#) for renting a substitute auto during the period of a covered auto disablement due to a covered loss.

Note that this policy does not cover physical damage coverage for hired or rented vehicles except as noted above (i.e. covered auto is disabled due to a covered loss). Therefore, consideration should be given to purchasing coverage from the rental company. Alternatively, coverage may be offered through your credit card company as a “free” benefit if the rental cost is charged to that card.

D. Exclusions

1. Wear and tear
2. Freezing
3. Mechanical or electrical breakdown
4. Blowouts, punctures or other road damage to tires

E. Deductible

Any applicable deductible appears in the [Section IV - Limits of Liability](#).

SECTION IV - LIMITS OF LIABILITY

COVERAGES	COVERED AUTOS (SEE KEY BELOW)	LIMIT(THE MOST WE WILL PAY FOR ANY ONE ACCIDENT OR LOSS)
LIABILITY	A, B, C	\$5,000,000 COMBINED SINGLE LIMIT FOR BODILY INJURY AND PROPERTY DAMAGE
PERSONAL INJURY PROTECTION	D	STATUTORY MINIMUM BENEFITS; \$250,000 MEDICAL EXPENSES (MINUS A \$250 DEDUCTIBLE). THE CLERGY'S HEALTH PLAN PAYS MEDICAL EXPENSES FIRST. UNCOVERED EXPENSES ARE THEN PAID UNDER THIS COVERAGE. THERE ARE ALSO CERTAIN BENEFITS FOR INCOME CONTINUATION, ESSENTIAL SERVICES AND FUNERAL EXPENSES.
UNINSURED MOTORISTS	E	STATUTORY MINIMUM BENEFITS; \$30,000 EACH ACCIDENT FOR BODILY INJURY (NO DEDUCTIBLE) AND PROPERTY DAMAGE (MINUS A \$500 DEDUCTIBLE)
UNDERINSURED MOTORISTS	E	STATUTORY MINIMUM BENEFITS; \$30,000 EACH ACCIDENT FOR BODILY INJURY (NO DEDUCTIBLE) AND PROPERTY DAMAGE (MINUS A \$500 DEDUCTIBLE)
PHYSICAL DAMAGE COMPREHENSIVE COVERAGE	F	ACTUAL CASH VALUE OR COST OF REPAIR, WHICHEVER IS LESS MINUS EITHER A \$500 DEDUCTIBLE FOR PARISH OWNED VEHICLES OR \$300 FOR PRIESTS' VEHICLES (NO DEDUCTIBLE APPLIES TO

		FIRE OR LIGHTNING LOSSES)
PHYSICAL DAMAGE COLLISION COVERAGE	F	ACTUAL CASH VALUE OR THE COST OF REPAIR, WHICHEVER IS LESS MINUS EITHER A \$500 DEDUCTIBLE FOR PARISH OWNED VEHICLES OR \$300 FOR PRIESTS' VEHICLES
PHYSICAL DAMAGE TOWING AND LABOR	F	\$50 FOR EACH PRIVATE PASSENGER DISABLEMENT
RENTAL REIMBURSEMENT	F	TEMPORARY REPLACEMENT OF COVERED VEHICLES ARE REIMBURSED AT A RATE OF \$40 PER DAY FOR A MAXIMUM OF 30 DAYS

The AUTO COVERAGE DECLARATIONS indicates the types of autos that are covered for each of the coverage sections. The letters correspond to the following types of covered vehicles:

- A. SCHEDULED AUTOS OWNED, BORROWED OR LEASED. Priests are limited to one scheduled vehicle that must be registered in the name of the priest applying for coverage.
- B. ANY AUTO LOANED OR RENTED.
- C. ANY NON-OWNED AUTO
- D. SCHEDULED "AUTOS" SUBJECT TO NO-FAULT
- E. SCHEDULED "AUTOS" SUBJECT TO UNINSURED/UNDERINSURED MOTORISTS COVERAGE
- F. SCHEDULED AUTOS ONLY.

SECTION V - DUTIES IN THE EVENT OF A LOSS

In the event of a loss, you must give the Claims Administrator prompt notice of the claim (see [13.8: Insurance Program Contacts](#)). The claim form is enclosed (see [Appendix A: Claim Reporting Form](#) section). Also, promptly notify the police if another party is involved or if a covered auto or any of its equipment is stolen and forward a copy of the police report to the Claims Administrator. In addition, you must:

- A. If another party is involved
 1. When an accident occurs or a claim for damages is made, do not admit liability. Obtain emergency care if necessary. Note that the definition of "claim" includes any demands for damages, including a verbal demand for damages, as well as any incident that could likely lead to a claim and therefore are subject to the claim reporting requirements outlined below.
 2. Assume no obligation, make no payments and incur no expense without the company's consent or the Claims Administrator's consent (see [13.8: Insurance Program Contacts](#) section).
 3. Document all information found in the enclosed loss report (see [Appendix A: Claim Reporting Form](#)).

4. Immediately contact the Claims Administrator by fax or phone to report the claim and forward copies of any demand, notice, summons, or legal papers to our Claims Administrator (see [13.8: Insurance Program Contacts](#) section). Keep copies for your records and retain for at least three years from the date of final resolution.
5. Do not communicate in any way with anyone other than the Claims Administrator or your assigned attorney. Refer inquiries from the claimant, claimant's attorney or other third parties to the Claims Administrator.
6. Cooperate fully with the Claims Administrator in their investigation and attend hearings where necessary.

B. If you are injured

1. Seek emergency care as necessary.
2. If the injury occurred during the course of employment, all worker related benefits are covered under the workers compensation coverage. A separate claim will need to be made with the workers compensation administrator (see [13.8: Insurance Program Contacts](#) section).
3. If the accident was not work related, benefits are first payable by the auto program's Personal Injury Protection coverage and once exhausted then by the driver's health insurance. An exception applies to clergy where the medical plan is primary and Personal Injury benefits are secondary. A separate claim for non-occupational disabilities should also be made to the non-occupational short term disability Claims Administrator (contact Human Resources Department for assistance).
4. Document all information found in the enclosed loss report (see [Appendix A: Claim Reporting Form](#)).
5. Immediately contact the Claims Administrator by fax or phone to report the claim and forward copies of any demand, notice, summons, or legal papers to our Claims Administrator (see [13.8: Insurance Program Contacts](#) section). Keep copies for your records and retain for at least three years from the date of final settlement.
6. Do not communicate in any way with anyone other than the Claims Administrator or your assigned attorney. Refer inquiries from the claimant, claimant's attorney or other third parties to the Claims Administrator.
7. Cooperate fully with the Claims Administrator in their investigation and attend hearings where necessary.

C. If there is damage to a covered auto

1. Take all reasonable steps to protect the covered auto from further damage. Also keep a record of your expenses for consideration in the settlement of the claim.
2. Take the vehicle to a body shop of your choice for repair estimates and contact the Claims Administrator.

- a. If the damage is less than \$1,500, then you must obtain two appraisals and submit them to the Claims Administrator for review.
 - b. If the damage is greater than \$1,500, then the Claims Administrator will send-out their own appraiser to assess the damage and authorize repair.
- 3. The Claims Administrator has made arrangements with Enterprise Rental. If you utilize this rental company, the rental reimbursement charge will be paid directly by the Claims Administrator up to \$40 per day for 30 days (any excess must be paid by the owner). If any other rental company is utilized, reimbursement of up to \$40 per day for 30 days will be reimbursed to you once the vehicle is repaired.
- 4. Permit us to inspect the vehicle before its repair or disposition. The policy will pay the lesser of the adjuster's estimate or the body shop's work order.
- 5. Sign-over the title of the vehicle to the Claims Administrator in the event of a total loss. You may keep the totaled vehicle however the amount of the auto's total value will be reduced by its salvage value.

SECTION VI - CLAIMS ADMINISTRATOR'S DUTIES IN THE EVENT OF A LOSS

A. If another party is injured or has damage to their vehicle

- 1. Once a claim is reported, the Claims Administrator will make contact with the claimant within 24 hours.
- 2. The Claims Administrator will interact directly with the claimant and, where involved, their attorney on your behalf.
- 3. The Claims Administrator may conduct further investigation to determine the extent of liability and damages.
- 4. The Claims Administrator will settle damages directly with the claimant.

B. If you have damage to your vehicle

- 1. Rental reimbursement charges will be paid directly by the Claims Administrator up to the limit of liability (any excess must be paid by the owner) if the Claims Administrator's authorized rental car operation is used. Otherwise the charge will be reimbursed once the vehicle is repaired.
- 2. If the damage to the vehicle is less than \$1,500, then the Claims Administrator will review the two estimates and will authorize repair, typically based on the lower of the two estimates.
- 3. If the damage to the vehicle is greater than \$1,500, then the Claims Administrator will use their appraiser to assess the damage. The appraiser will see the vehicle and determine an authorized amount within two business days of the first report. The authorized amount is generally non-negotiable and, therefore, it is incumbent upon you find someone who will do the work for the authorized amount.

4. The Claims Administrator will issue a check payable to the owner (and the loss payee and or leasing company if applicable) for the authorized amount, less the applicable deductible (see [Section IV - Limits of Liability](#)). The check should be mailed to the owner within two business days following an authorized appraisal. In the event an unauthorized car rental operation is used, any rental reimbursement costs, up to the limit provided, should be reimbursed to the owner within two business days following the receipt of the invoice by the Claims Administrator.

SECTION VII - ADMINISTRATION

A. Invoices

1. Invoices are sent in July (the beginning of the renewal policy period) as well as during the year for any vehicle changes.
2. Auto premiums are based on the type of vehicle you insure (note that priests are limited to one vehicle).
3. Payment terms are indicated on the invoice.
4. Premium adjustments to the original billing are made from the date a vehicle change is reported to the Risk Management and Insurance Services Department (see [13.8: Insurance Program Contacts](#)).
5. Direct billing questions to the Risk Management and Insurance Services Department (see [13.8: Insurance Program Contacts](#)).
6. Direct account balance and payment inquiries to the Finance Department (see [13.8: Insurance Program Contacts](#)).

B. Vehicle additions, deletions and substitutions

1. Vehicle additions, deletions and replacements must be called into the Risk Management and Insurance Services Department immediately (see [13.8: Insurance Program Contacts](#)). The information that is required for additions includes the following; name on vehicle registration, year, make, model, VIN and name and address of additional interests (i.e. bank or leasing company).
2. Vehicle coverage is added or deleted on the day the Risk Management and Insurance Services Department is notified.

C. Auto Identification cards

1. The Risk Management and Insurance Services Office will issue auto I.D. cards annually by June 15 for policy periods beginning on July 1 and ending one year later.
2. Auto Identification Cards for vehicle additions or replacements will be issued on the same day notification is made (see section [B. Vehicle additions, deletions, and substitutions](#)). Note that the name on the auto ID card must match the name on the vehicle's registration, except for leased vehicles where the lessee's name will be indicated.

D. Certificates of Insurance

1. Certificates of Insurance are used to evidence insurance coverage to a third party. They are usually requested when a vehicle is financed or leased.
2. Requests for certificates of insurance should be forwarded to the Risk Management and Insurance Services Office for processing (see [13.8: Insurance Program Contacts](#) section). The request should include the following information: name of certificate holder (leasing company, bank, etc.), address, vehicle information and any other special instructions.
3. Certificates will be issued within one business day and mailed directly to the certificate holder, with a copy to the priest/location, unless instructed otherwise.

SECTION VIII - FREQUENTLY ASKED QUESTIONS

Q: What is the amount of physical damage reimbursed?

A: The physical damage amount reimbursed is the cost to restore the vehicle to like quality prior to the accident (this could mean that an older vehicle will be repaired with used parts). If the vehicle is declared a total loss, a check will issued in an amount equal to the vehicle's actual cash value (depreciated value).

Q: Does the policy cover towing and other repair costs in the event of mechanical failure?

A: No. The auto policy does not cover towing or repairs for mechanical failure.

Q: Does the auto policy cover liability and physical damage to an employee's or a volunteer's auto while arising out of and in the scope of employment or volunteer work?

A: There is excess liability protection (meaning over the personal auto limits of the vehicle owner's policy) but no coverage for auto physical damage.

Q: Does the program cover liability and auto physical damage coverage for hired or rented vehicles?

A: The program covers liability on hired autos but does not cover physical damage coverage. Consideration should be given to purchasing physical damage coverage from the rental company. Alternatively, coverage may be offered through your credit card company as a "free" benefit if the rental cost is charged to that card.

13.4: TENANT USERS

SECTION I - RULES GOVERNING USE OF PARISH OR SCHOOL FACILITIES AND WHEN TENANT USER COVERAGE MUST BE PURCHASED

- A.** Rent only to non-profit organizations whose philosophy and purpose are known to be compatible with the philosophy and purpose of the Catholic Church. If the prospective renter is an unknown entity, request to be furnished with further information on the

background of the organization in question. Renting to organizations that are profit-making endangers the tax exempt status of your property. The Archdiocesan Finance Department should be contacted to review and make specific arrangements in such cases.

- B.** For every event not sponsored by a parish or school, the Contract for Use of Parish Facilities should be completed and signed by both the Parish/School and User (see [Contract for Use of Parish Facilities](#)).
 - 1.** The rental agreement should be used only in cases of temporary occupancy (i.e. one day event or weekly event) and not in cases of more permanent occupancy of a facility. Specific restrictions of use regarding such items as security, parking, food preparation, etc., should be clearly set forth in paragraph 4 of the contract.
 - 2.** Longer term rentals require a more formal lease agreement and therefore the “Contract for Use of Parish Facilities” form would not be applicable or appropriate. Instead, a standard lease agreement should be used. The standard lease agreement is intended to give the parish or school every possible protection while remaining fair to both parties. The Office of Property Management Administration should be contacted as soon as it becomes apparent that a potential leasing arrangement is being considered.
- C.** In accordance with the tenant user contract, the user is to provide a certificate of insurance evidencing the required coverage and name the parish/school as an “additional insured”. In lieu of the user providing their own certificate, they may pay the insurance premium incurred by the Archdiocese to buy event insurance on itself and the parish. This is the only acceptable substitute for a certificate of insurance. All certificates and contracts should be kept on file at the parish or school so that they may be easily available and accessible for review if necessary.
- D.** Modifications should not be made to the Contract for Use of Parish Facilities form without consulting the Risk Management and Insurance Services Office. This is for the protection of both the parish/school and the Archdiocese.

SECTION II - WHO IS INSURED

- A.** The Archdiocese of Newark; and
- B.** The owner or lessee of the premises.

SECTION III - TYPES OF LIABILITY COVERED

The liability coverage pays for legal obligations arising out of negligent (unintended) actions that affect third parties in the following areas:

- A.** General Liability and Personal Injury. Covers liability imposed by law or assumed by contract arising from bodily injury, property damage and personal injury.
 - 1.** Bodily Injury means bodily injury, sickness or disease, and death.

- 2. Property Damage means damage to, destruction of, or loss of use of property, excluding property owned by an insured, but including damage to property of others in the care, custody or control of the insured.
 - 3. Personal Injury means, among other things, Mental Anguish, Humiliation, Libel and Slander.
- B. Host Liquor Liability. Covers liability for damages from the distribution of alcoholic beverages regulated by any local, state or federal liquor control laws. Liability arising from the sale of liquor is excluded.

SECTION IV - LIMITS OF LIABILITY

COVERAGE	LIMIT OF LIABILITY
Per Occurrence	\$1,000,000

SECTION V - SELECTED EXCLUSIONS

- A. Liability from the distribution of liquor.
- B. Liability arising out of Athletic participation.
- C. Liability arising from pollution.
- D. Liability arising from asbestos.
- E. Liability arising out of rock band events, fireworks display, mechanically operated amusement devices, any band member performing at a dance, sporting events, circus and carnivals.
- F. Liability arising from aircraft, auto or watercraft.

SECTION VI - DUTIES IN THE EVENT OF A LOSS

- A. When an accident occurs or a claim for damages is made, do not admit liability. Obtain emergency care if necessary. Note that the definition of “claim” includes any demands for damages, including a verbal demand for damages, as well as any incident that could likely lead to a claim and therefore are subject to the claim reporting requirements outlined below.
- B. Assume no obligation, make no payments or incur no expense without the company’s consent or the Claims Administrator’s consent (see [13.8: Insurance Program Contacts](#) section).
- C. Document all information found in the enclosed loss report (see [Appendix A: Claim Reporting Form](#)) and obtain copies of any applicable contracts and or Certificates of Insurance.
- D. Immediately contact the Claims Administrator by fax or phone to report the claim and forward copies of any demand, notice, summons, or legal papers to our Claims

Administrator (see [13.8: Insurance Program Contacts](#) section). Keep copies for your records and retain for at least three years from the date of final resolution.

- E. Do not communicate in any way with anyone other than the Claims Administrator or your assigned attorney. Refer inquiries from the claimant, claimant’s attorney or other third parties to the Claims Administrator.
- F. Cooperate fully with the Claims Administrator in their investigation and attend hearings where necessary.

SECTION VII - CLAIMS ADMINISTRATOR’S DUTIES IN THE EVENT OF A LOSS

- A. Once a claim is reported, the Claims Administrator will make contact with the claimant within 24 hours.
- B. The Claims Administrator will interact directly with the claimant and, where involved, their attorney on your behalf.
- C. The Claims Administrator may conduct further investigation to determine the extent of liability and damages.
- D. The Claims Administrator will settle damages directly with the claimant.

SECTION VIII – ADMINISTRATION

- A. Coverage is made effective by completing an application form (see [Appendix C: Tenant User Liability Insurance Application](#)) and remitting the form and appropriate premium to the Risk Management and Insurance Services Office prior to the event.
- B. The check should be made payable to the “Archdiocese of Newark Tenant Users Insurance”.

SECTION IX - FREQUENTLY ASKED QUESTIONS

Q: What is a certificate of insurance?

A: A certificate of insurance is a form that evidences the amounts and types of coverage an insured has in force.

Q: What effect does adding an organization as an additional insured have?

A: The additional insured designation affords liability coverage to an unrelated entity under the policy of another. Additional insured status provides the additional insured with substantially the same benefits as their own policy with the additional advantage of transferring loss payments and defense costs to another party’s insurance policy.

Q: Why is the contract important if a certificate of insurance evidencing the lessor as an additional insured is obtained?

A: The contract is important because it requires the lessee to hold the parish or school harmless. This prevents the lessee (and their liability insurer) from suing the parish or school (the lessor) for damages that arise out of the lessor's negligence.

Q: What happens if an additional insured designation or tenant user policy is not obtained and the other entity creates a loss?

A: The Archdiocese will be required to pay the first \$500,000 of all of expenses and costs associated with the loss.

13.5: ACCIDENT INSURANCE

SECTION I - WHO IS INSURED

- A.** All students enrolled in Archdiocesan schools (includes pre-K through 12th grade;
- B.** All non-parochial students for any school sponsored or supervised activity;
- C.** All students participating in CYO and parish-sponsored activities; and
- D.** All volunteers.

NOTE: As of August, 2017, student accident coverage is purchased by each school directly with the insurance carrier. The information provided in this section [13.5: Accident Insurance](#) provides an overview of all of the types of accident coverages noted above. However, coverage related questions relating to item A should be directed to the insurance carrier.

SECTION II - COVERAGE AND LIMITS OF LIABILITY

- A.** Coverage includes all usual and customary medical costs, excess of any other collectible insurance, for covered injuries and events subject to the policy limits of liability.
 - 1.** Usual and customary means those comparable charges for similar treatment, services and supplies in the geographic area where treatment is performed.
 - 2.** Covered injuries are accidental bodily injuries:
 - a.** Received while insured under the policy; and
 - b.** Resulting:
 - 1)** independently of sickness and all other causes and
 - 2)** from injuries not specifically excluded (see [Section III - Selected Excluded Events](#))
 - 3.** Covered events include all covered injuries while:
 - a.** Traveling directly to and from school (detours and all events following a detour are not covered);
 - b.** At school; or

- c. Participating in any school, CYO or parish sponsored activity on and off school premises.

B. Limits of Liability

NO	COVERAGE	LIMITS
1.	Full Excess Student Accident coverage, at usual and customary amounts, for treatment initiated within 90 days of a covered injury and for costs incurred during a three year period following the date of accident.	\$5,000,000
2.	Life and AD&D Insurance Benefit (double indemnity for loss of both eyes, hands or feet).	\$10,000
3.	Catastrophic Cash Disability Benefit for a permanent and total disability arising out of participation in athletic activities, including gym class, and extracurricular activities (payout is \$200,000 after six months and then \$28,200 per year until age 65).	\$1,500,000
4.	Optional 24-Hour Wrap-Around program, at usual and customary amounts, for treatment initiated within 90 days of a covered injury and for costs incurred within 104 weeks of the date of accident for basic benefits and 156 weeks for major medical benefits.	\$300,000
5	Full Excess Volunteer Accident coverage, at usual and customary amounts, for treatment initiated within 90 days of a covered injury and for costs incurred during a twelve month period following the date of accident	\$25,000

SECTION III - SELECTED EXCLUDED EVENTS (CAUSES OF LOSS)

- A. Suicide
- B. War
- C. Piloting a plane or while acting as a crew member (passenger travel is covered)
- D. Illegal activities
- E. Controlled substances unless administered on the advice of a legally qualified physician

SECTION IV - DUTIES IN THE EVENT OF A LOSS

You must provide prompt written notice of an accident to the Claims Administrator (see [13.8: Insurance Program Contacts](#) and [Appendix A: Claim Reporting Form](#)) within 20 days or as soon thereafter as reasonably possible.

SECTION V - ADMINISTRATOR'S DUTIES IN THE EVENT OF A LOSS

- A. The Claims Administrator will make contact with the parents of the injured student or the injured volunteer, the school/parish, and the treating physician within 24 hours of the first report.
- B. The Claims Administrator will interact directly with the claimant's parents or injured volunteer on your behalf.
- C. The Claims Administrator will settle damages directly with the claimant's parents or injured volunteer.

SECTION VI - ADMINISTRATION

- A. For student accident coverages, the schools will receive information for renewal from the insurance carrier. The enrollment and premium payment must be submitted directly to the insurance carrier, as directed by them for coverage to be in effect.
- B. No enrollment is necessary for the other types of accident coverage described in section [I. Who Is Insured](#).
- C. With the exception of the student accident coverage, premiums are included in the property and casualty allocation.

SECTION VII - FREQUENTLY ASKED QUESTIONS

Q: Does there have to be liability on the part of a covered entity in order to trigger coverage?

A: No. This policy provides benefits regardless of liability.

Q: What happens once benefits are exhausted under the Student Accident program?

A: Once benefits are exhausted, then the liability policy will pay if the insured covered by the liability policy is found legally liable.

Q: How does a student's parents purchase optional 24 hour wrap-around coverage?

A: Parents receive notices annually (in August) offering optional student accident coverage for non-school time injuries. Direct any inquiries to the Director of Schools (see [13.8: Insurance Program Contacts](#)) for handling.

Q: What does Full Excess coverage mean?

- A: The policy pays the parents' out of pocket costs that are not covered by other insurance (such as deductibles, co-payments, coinsurance); subject to the coverage and terms of the policy.

13.6: PROPERTY

SECTION I - WHO IS INSURED

- A. The Archdiocese of Newark;
- B. All Archdiocesan parishes, schools and other entities who participate in the property insurance program; and
- C. Priests and Resident Religious, as respects their personal effects.

SECTION II - WHAT TYPES AND AMOUNTS OF PROPERTY ARE COVERED

Property losses are covered up to the limits of liability if all of the following are true: the location is covered, the cause of loss is covered, and the loss is excess of the \$1,000 per occurrence deductible (\$300 for personal effects of priests and resident religious.) The major areas of covered property, causes of loss, and associated limits of liability offered are evidenced below:

N O	COVERED PROPERTY (COVERED CAUSES OF LOSS)	LIMITS OF LIABILITY
A	Buildings at scheduled locations, including stained glass and while under construction or renovation, business interruption, tuition and rents; contents including fine arts (all risks except those specifically excluded)	Replacement Value subject to certain sublimits
	Personal effects of resident priests: Personal effects resident religious	\$10,000 \$5,000
B	Unnamed property locations (all risks except those specifically excluded)	\$5,000,000
C	Property in transit (all risks except those specifically excluded)	\$1,000,000
D	Reconstruction of valuable papers and records (all risks except those specifically excluded)	\$25,000,000
E	Accounts Receivables (all risks except those specifically excluded)	\$25,000,000
F	Breakdown of pressure vessels, mechanical and electrical objects (i.e. steam boilers)	\$50,000,000
G	Money and securities on premises or in transit (destruction, disappearance, computer theft and funds transfer, and wrongful abstraction)	\$1,000,000
H	Employee Dishonesty	\$2,000,000

SECTION III - HOW IS DAMAGED PROPERTY VALUED

Property, if replaced, is valued at the cost to replace in like kind and quality, otherwise at actual cash value. Note the following exceptions: fine arts are valued at market price at time of loss and mobile equipment is valued at actual cash value. Actual cash value is defined as replacement cost, less depreciation (percentage of useful life that has expired).

SECTION IV - EXCLUDED TYPES OF PROPERTY

- A. Asbestos
- B. Environmentally contaminated property
- C. Individual fine arts with a market value in excess of \$100,000, unless appraised and scheduled

SECTION V - EXCLUDED CAUSES OF LOSS

- A. Wear and tear
- B. War
- C. Nuclear
- D. Pollution

SECTION VI - DUTIES IN THE EVENT OF A LOSS

- A. Protect persons and property from further harm.
- B. Document pertinent information (see [Appendix A: Claim Reporting Form](#))
- C. Report claims to the Claims Administrator by phone or fax (see [13.8: Insurance Program Contacts](#)), using the Loss Reporting Form, as soon as possible but no later than 24 hours from the date of loss. Failure to report on a timely basis may result in denial of the claim.
- D. Save damaged parts and property.
- E. Obtain estimates if requested.

SECTION VII - ADMINISTRATOR'S DUTIES IN THE EVENT OF A LOSS

- A. The Claims Administrator will advise what will be required in order to process the claim (i.e. whether you are to obtain a police report or estimates, etc.).
 - a. If the damage is anticipated to be less than \$2,500, then the Claims Administrator, following receipt of all required information, will review the documentation and issue a payment, net of the applicable deductible, within 14 days.
 - b. If the damage is anticipated to be greater than \$2,500, then the Claims Administrator will schedule an inspection to inspect the damage within 48 hours. The inspection will include scene photographs and preparation of a scope of damages. Once the

scope has been prepared, the claims administrator will contact the location to discuss the adjustment and coordinate with the contractor.

- B. The Claims Administrator will issue a check payable to the owner for the authorized amount, less the applicable deductible (see [Section II - What Types and Amounts of Property Are Covered](#)). The check will be mailed to the owner within seven business days following the preparation of a scope of damages report.

SECTION VIII - ADMINISTRATION

- A. Premiums are billed annually and are based on each building's appraised replacement value at each location.
- B. Certificates of insurance are issued by the Risk Management and Insurance Services Office upon request.

SECTION IX - FREQUENTLY ASKED QUESTIONS

Q: Is leased equipment, like telephone systems and postage machines covered under the program or should coverage offered by the leasing company be purchased?

- A: All property, with some exceptions, is covered while in your care, custody and control for full replacement value. A certificate evidencing this coverage can be obtained from the Risk Management and Insurance Services Office.

13.7: EMPLOYMENT PRACTICES LIABILITY

SECTION I - WHAT IS INSURED

Subject to the provisions of this coverage summary and the terms of the actual excess insurance policies, the Archdiocese Insurance Program (Program) shall pay Damages and Defense Expenses, on behalf of an Insured, resulting from a Claim first made against the Insured for a Wrongful Employment Practice provided notice is given in accordance with [Section V. - B. Disability Benefits](#) of this summary.

SECTION II - WHO IS INSURED

- A. The Insured Organization
- B. Any past, present or future natural person, while acting in the course and scope of their duties for or on behalf of the Insured Organization, including any: Employee; duly elected or appointed officer; director; partner; member of a management committee; or member of a board of managers.

SECTION III - LIMITS OF LIABILITY AND DEDUCTIBLE

- A. The limit of liability for Damages and Defense Expenses per Claim is \$500,000.
- B. The aggregate limit of liability for Damages and Defense Expenses per policy year is \$1,000,000. This is the total limit of the Program's liability for Damages and Defense

Expenses because of all Claims made during a single policy period, regardless of the number of persons or entities bringing Claims and regardless of the number of persons or entities who are Insureds.

- C. A deductible of 50% of the first \$25,000 shall apply to any Claim for or arising from Wrongful Termination if an Insured fails to seek and consider the advice of the Human Resources Department prior to termination and involuntary separation of an Employee.

SECTION IV - EXCLUSIONS

This insurance does not apply to any Claim:

- A. Contractual Liability**

For or arising out of any Wrongful Employment Practice for which an Insured has assumed another's liability pursuant to a contract or agreement. This exclusion shall not apply to liability which an Insured would have otherwise incurred notwithstanding the contract or agreement.

- B. Disability Benefits**

For or arising out of any right or benefit conferred under Workers Compensation, unemployment compensation, any disability benefits, or Social Security.

- C. COBRA and ERISA**

For or arising out of any alleged violation of responsibilities, duties or obligations imposed on an Insured under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), Employee Retirement Income Security Act of 1974 (ERISA) and any similar federal, state, or local law, and any amendments thereto and any rules or regulations promulgated thereunder.

- D. Violation of Statutes**

For or arising out of any alleged violation of the Fair Labor Standards Act, the Workers' Adjustment and Retraining Notification Act, Occupational Safety and Health Act, and any similar federal, state, or local law, and any amendments thereto and any rules or regulations promulgated thereunder, provided that this exclusion shall not apply to Claims for alleged Retaliation.

- E. Property Damage or Bodily Injury**

For any damage to, destruction of, loss of, or loss of use of any tangible property; or for or arising out of any bodily injury, sickness, loss of consortium, disease or death of any person except for that portion of any Claim seeking Damages for emotional distress, loss of reputation, mental anguish or humiliation.

- F. Lockout**

For or arising out of a lockout, strike, picket line, hiring of replacement workers or similar action in connection with any labor dispute or labor negotiation; or for or arising out of any

alleged violation of responsibilities, duties or obligations imposed on an Insured under the National Labor Relations Act or amendments thereto or regulations promulgated thereunder, or any similar or related law.

SECTION V - DEFENSE, SETTLEMENT AND DUTIES IN THE EVENT OF A LOSS

- A.** The Program shall appoint and direct counsel and have the right and duty to make any investigation and settlement, which the Program in its sole discretion deems necessary (whether above or below the applicable deductible amount). If a Claim includes both covered and uncovered matters, there will be an allocation of Damages, but not Defense Expenses, between such covered and uncovered matters.
- B.** The Insureds shall, as a condition precedent to any rights under this summary or any underlying insurance, give written notice to the Human Resources Department in writing of any Claim or circumstance(s) that may give rise to a Claim as soon as practicable but in no event later than sixty (60) days after such Claim is made or circumstance(s) become known.
- C.** The Insureds shall not admit liability for, or settle, any Claim, or incur Defense Costs in connection with any Claim, without the Program's prior written consent.

SECTION VI - DEFINITIONS

These terms have special meaning and apply whether used in the singular, plural, singular possessive or plural possessive.

- A.** "Claim" means an attorney letter of representation, suit or notice of a civil administrative proceeding commenced by an investigative order, or notice of charges which arises from a Wrongful Employment Practice. All Related Claims are a single Claim for purposes of this coverage, and all Related Claims shall be deemed to have been made at the time the first of such Related Claims was made.
- B.** "Damages" means money an Insured is legally obligated to pay as a result of a Claim. Damages does not include:
 - 1.** Fines or penalties; punitive damages; the multiplied portion of any multiplied damage award; liquidated damages other than liquidated damages awarded under the Age Discrimination in Employment Act (ADEA) or the Equal Pay Act; taxes; or damages, penalties or types of relief deemed uninsurable under applicable law.
 - 2.** That part of any judgment or settlement which constitutes front pay, future monetary losses including but not limited to pension and other benefits, or other future economic relief or the value or equivalent thereof, if the Insured has been ordered, or has the option pursuant to a judgment, order or other award or disposition of a Claim, to promote, accommodate, reinstate, or hire the claimant to which such sums are to be paid but fails to do so.
 - 3.** Any costs or expenses relating to the compliance of any requests for: injunctive relief, including but not limited to any order to modify any building or property in order to make it more accessible or accommodating to any disabled person; declaratory relief; disgorgement; or any other equitable remedy.

- C. “Defense Expenses” means reasonable and necessary legal fees and expenses incurred in the investigation, adjustment, defense and appeal of Claims; provided, that they shall not include salaries, wages, benefits or overhead of, or paid to, any Insured.
- D. “Discrimination” means the failure to hire an applicant or the failure to promote, the demotion of, segregation of, classification of, or wrongful treatment of any Employee with respect to the terms or conditions of actual or prospective employment and based upon the applicant’s or Employee’s actual or perceived race, color, creed, religion, age, national origin, sex, sexual orientation or preference, gender, disability, handicap, pregnancy, or any other protected class or characteristic established under applicable federal, state or local statute or ordinance.
- E. “Employee” means an individual whose labor or service is engaged by and directed by the Insured Organization and:
1. Who is on the payroll of the Insured Organization, including full-time, part-time and seasonal workers;
 2. Who is a temporary worker or volunteer; or
 3. Whose services have been leased by the Insured Organization.
- The status of an individual as an Employee shall be determined as of the date of the alleged Wrongful Employment Practice.
- F. “Harassment” means, with respect to an Employee, applicant or any other third party:
1. Unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature that: is made either explicitly or implicitly a term or condition of employment with the Insured Organization; is used as a basis for employment decisions with the Insured Organization; creates a work environment with the Insured Organization that interferes with an Employee’s performance, or creates an intimidating, hostile, or offensive working environment; or
 2. Conduct of a non-sexual nature, which creates a work environment that interferes with an Employee’s performance, or creates an intimidating, hostile, or offensive working environment.
- G. “Human Resources Department” means the Office of Human Resources for the Archdiocese of Newark located at 171 Clifton Avenue, Newark, NJ.
- H. “Insured” means the organizations and individuals identified in the section [I. Who Is Insured](#).
- I. “Insured Organization” means the entity on file with the Program.
- J. “Related Claims” means all Claims based upon, directly or indirectly arising from, or in any way involving, the same facts, circumstances, situations, transactions, or events; and all Claims based upon a series of continuous or related facts, circumstances, situations, transactions, or events.

- K.** “Retaliation” means any unlawful or abusive treatment of an Employee on account of such person’s: exercise or attempted exercise of any rights protected by law; refusing to violate any law; having assisted or testified with a proceeding or investigation regarding alleged violations of law; disclosing or threatening to disclose to a superior or to any governmental agency any alleged violations of law; or filing any claim against an Insured Organization under any “whistle blower” statute.
- L.** “Workplace Tort” means, with respect to an Employee, employment-related humiliation; defamation (libel and slander); or false light or public disclosure of private facts.
- M.** “Wrongful Employment Decision” means, with respect to an Employee, wrongful discipline; wrongful failure to promote; or wrongful deprivation of career opportunity.
- N.** “Wrongful Employment Practice” means any actual or alleged Wrongful Termination; Discrimination; Harassment; Retaliation; Workplace Tort; or Wrongful Employment Decision.
- O.** “Wrongful Termination” means, with respect to an Employee, the actual or constructive termination of an employment relationship in a manner which is against the law or in breach of an implied agreement to continue employment.

13.8: INSURANCE PROGRAM CONTACTS

The listing of contacts on the reverse is to be used for any questions relating to insurance program coverage, risk management concerns, and to report claims. Please keep this contact sheet in a convenient place for reference.

It is important that all claims be reported within **24 hours** of when they occur. **DO NOT** delay reporting a claim while trying to gather additional information. Supplemental information can be provided to the carrier as it becomes available.

NOTE: The definition of a ‘claim’ includes any demands for damages, including a verbal demand for damages, as well as any incident that could likely lead to a claim. This would include demands for both damage to the property of others, as well as any injury (or alleged injury) sustained by an individual.

If you have any questions regarding how or when to report a claim, please feel free to contact any individual listed under the Program Administration portion of the Contact Sheet.

PROGRAM ADMINISTRATION

Archdiocese of Newark Risk Management & Insurance Services Fax: 973-497-4313
 171 Clifton Avenue
 Newark, NJ 07104-0500

		TELEPHONE	E-MAIL
Joseph Frank	Executive Director	973-497-4041	frankjoe@rcan.org
Donna M. Wrobel	Assistant Director	973-497-4044	wrobeldo@rcan.org

Diannah P. Hedgebeth	Account Service Manager	973-497-4040	hedgebdi@rcan.org
Lucia Lopez	Operations Supervisor	973-497-4045	lopezluc@rcan.org

Please contact Diannah Hedgebeth for all auto enrollments, insurance certificate requests (except for Student Accident) and other general inquiries.

INSURANCE PROGRAM - CLAIMS CONTACTS

REPORT CLAIMS WITHIN 24 HOURS TO:

AUTOMOBILE	Administrator	Claim Reports	Fax
INCLUDES ANY AUTOMOBILE INCIDENT CAUSING PHYSICAL DAMAGE TO YOUR VEHICLE OR THE VEHICLE OF OTHERS, BODILY INJURY	PMA Corporate Processing Center P.O. Box 5231 Janesville, WI 53547-5231	1-888-523-2479	1-888-329-2721

GENERAL LIABILITY	Administrator	Claim Reports	Fax
INCLUDES DAMAGE TO PROPERTY OF OTHERS (EXCLUDING AUTOS); INJURY TO OTHERS ON YOUR PREMISES (OTHER THAN EMPLOYEE INJURIES)	Broadspire Connell Corporate Center III 300 Connell Dr., Suite 4100 Berkeley Heights, NJ 07922-0608	1-800-753-6737	1-866-225-0044
Branch Telephone: 908-508-4800			

PROPERTY DAMAGE BOILER & MACHINERY	Administrator	Claim Reports	Fax
INCLUDES DAMAGE TO PROPERTY YOU OWN AND DAMAGE TO YOUR BOILER AND MACHINERY EQUIPMENT	Crawford & Company 55 Broadway, 10 th Floor New York, NY 10006	1-212-824-4873 or 1-866-641-8258	1-212-824-4891
Emergency Response Service: 1-212-824-4873			

WORKERS' COMPENSATION	Administrator	Claim Reports	Fax
INCLUDES ANY EMPLOYEE INJURY SUSTAINED WHILE IN THE COURSE OF EMPLOYMENT	PMA Corporate Processing Center P.O. Box 5231 Janesville, WI 53547-5231	1-866-924-6587	1-888-329-2721

STUDENT ACCIDENT	Administrator	Claim Reports	Fax
INCLUDES INJURY TO STUDENTS WHILE AT SCHOOL, PARTICIPATING IN SCHOOL SPONSORED AND SUPERVISED EVENTS, ATTENDING RELIGIOUS EDUCATION CLASSES, ETC.	Bollinger 101 JFK Parkway Short Hills, NJ 07078	1-800-526-1379 or 1-973-467-0444	1-973-921-2876 Attn: Laura Kajor
	Proof of Insurance requests for Student Accident Insurance:	Alyssa Norman 1-800-526-1379 ext. 8013 Alyssa_Norman@ajg.com	

BOILER INSPECTIONS	Inspection Company	To Schedule Inspections
WHEN BOILER CERTIFICATE IS NEARING EXPIRATION, IF AN INSPECTION HAS NOT BEEN COMPLETED, CONTACT COMPANY TO SCHEDULE AN INSPECTION	Boiler & Property Consulting, LLC (B&PC)	Manny Regateiro 1-770-614-3111 or 1-855-827-2552

VOLUNTEER ACCIDENT	To Report a Claim
INCLUDES INJURY TO VOLUNTEERS WHILE PARTICIPATING IN A PARISH/SCHOOL SPONSORED AND SUPERVISED ACTIVITY.	Contact: Donna Wrobel 1-973-497-4044 wrobeldo@rcan.org

TENANT-USER	To Report a Claim
CLAIMS ARISING OUT OF EVENTS COVERED UNDER THE TENANT-USER PROGRAM.	Contact: Donna Wrobel 1-973-497-4044 wrobeldo@rcan.org

13.9: USE OF PARISH FACILITIES

Following is a list of instructions to be followed when renting parish or school facilities to organizations for their own personal use/event (i.e. one which is not going to be sponsored by the parish or school).

1. Rent only to non-profit organizations whose philosophy and purpose are known to be compatible with the philosophy and purpose of the Catholic Church. If any prospective renter is an unknown entity, request to be furnished with further information on the background of the organization in question. Renting to organizations that are profit-making endangers the tax exempt status of your property. The Finance Office may review and make specific arrangements in particular cases.
2. For every event not sponsored by the parish, the attached "Contract for Use of Parish Facilities" should be completed and signed by both the Parish and the User. This *rental agreement* should only be used in cases of temporary occupancy (i.e. one day event or once a week) and not in the case of more permanent or total occupancy of a facility. Such occupancy by another party would require a more formal *lease agreement*, and the attached "Contract for Use" would not be applicable or appropriate. Specific restrictions of use regarding such items as security, parking, food preparation, etc., should be clearly set forth in paragraph 4 of the contract.
3. In accordance with the contract, the user is to provide a certificate of insurance evidencing the required coverage and naming the parish as an "additional insured". In lieu of the user providing their own certificate, they may purchase the TENANT USER INSURANCE coverage offered by the Archdiocese. This would be the only acceptable substitute for providing their own evidence of insurance coverage. **All certificates, as well as the contracts, should be kept on file at the parish so that they may be easily available and accessible for review if necessary.**

4. Modifications should not be made to the existing contract without prior approval of the Archdiocese. This is for the protection of both the parish and the Archdiocese.

Any questions with regard to these instructions should be directed to the Risk Management Department of the Archdiocese, telephone number (973) 497-4044.

CONTRACT FOR USE OF PARISH FACILITIES

This CONTRACT is made on _____, 20_____, by and between:

PARISH:

Parish Representative: _____

and

USER:

User Representative: _____

The **PARISH** and **USER** hereby agree as follows:

1. The **PARISH** agrees to allow the **USER** to have the use of the facilities described in this Contract under the terms and conditions set forth below:

FACILITIES:

DATE(S): _____

TIME: _____

PURPOSE: _____

2. The **USER** shall pay to the **PARISH** the sum of \$ _____ for the use of the facilities. This sum shall be paid as follows:

Deposit paid on execution of this Contract: \$ _____

Balance due and payable on or before _____: \$ _____

TOTAL: \$ _____

3. The following additional fees are also due and payable on or before _____, 20____.

_____ \$ _____

_____ \$ _____

_____ \$ _____

4. The following specific provisions shall apply:

5. In the event the **USER** desires to cancel this Contract, notice shall be given to the **PARISH** in writing not less than _____ days prior to the scheduled use. Upon receipt of such notice, the **PARISH** will return the deposit, less a cancellation fee of \$ _____. In the event cancellation occurs after this date, the **USER** shall not be entitled to return of any portion of the deposit, and shall be required to reimburse the **PARISH** for any expenses incurred by the **PARISH** in connection with this Contract and the cancellation thereof.
6. The **USER** shall comply with all State statutes and regulations, and all municipal ordinances and regulations regarding public assemblies and the use of the **PARISH** facilities.
7. The **PARISH** shall make arrangements to provide an appropriate maintenance or custodial staff required for the use of the facilities. The fee for these services, if any, is set forth in paragraph 3.
8. This Contract is made solely for the purposes set forth in paragraph 1. The **USER** shall not use the facilities for any other purpose unless the **PARISH** expressly agrees. The **USER** shall not assign this Contract without the written consent of the **PARISH**. All

PARISH regulations concerning the facilities and their use shall be observed by the **USER**.

9. The **USER** shall make appropriate arrangements to provide for security and safety of the facilities and all persons using the facilities. The **USER** shall advise the **PARISH** of the arrangements made at least one week prior to the scheduled use. If the **PARISH** determines that additional provision for security and safety is required, it shall so notify the **USER** and the **USER** shall provide the additional security.
10. The **USER** shall indemnify and hold the **PARISH** harmless against any and all claims for liability and all damage to the facilities. The **USER** shall provide insurance coverage naming the **PARISH** as an additional insured, with limits of not less than \$1 million for liability and property damage. The **USER** shall also maintain Worker's Compensation insurance as required by law. A Certificate of Insurance evidencing these insurance coverages shall be provided to the **PARISH** prior to use of facilities.
11. Use of the facilities is subject to the needs of the **PARISH** in unforeseen circumstances. In the event the **PARISH** deems it necessary to cancel this Contract, all deposit monies paid shall be returned to the **USER** and the **USER** shall have no other claim against the **PARISH** or the Archdiocese of Newark.

IN WITNESS WHEREOF, the parties have executed this Contract on the date written above.

PARISH

By:

USER

INSTRUCTIONS FOR USE OF LICENSE FOR USE OF PARISH PARKING AREA

This License for Use of Parish Parking Area should be utilized when you are renting spaces to individuals for use on a regular basis over a period of time. This License includes the basic information which should be included. In addition to this document, please refer to the document entitled “Rules & Regulations to Consider”, which provides other items which you may want to include when allowing individuals to rent/use your parking area.

When using this License, please note the following:

Paragraph 1, Restrictions:

If you are going to include any Rules and Regulations, you should indicate: “Please refer to Exhibit A – Rules and Regulations for Use of Parking Space(s), which is attached hereto and made a part of this License for Use”. Violation of the Rules and Regulations attached hereto as Exhibit A shall subject User’s vehicle to removal from the Parking Lot and/or termination of this License.”

If you are **not** going to include any Rules and Regulations, you should indicate: “No additional restrictions apply. All restrictions are addressed in other sections of this License.”

Paragraph 5:

In this paragraph you should include items such as the specific space number or area of the parking lot where User is to park, if applicable; a requirement for contact and vehicle information and that such information should be kept current; any other items you would want to include that are not already addressed elsewhere.

Start this section by indicating, “In addition to the Rules and Regulations attached hereto as Exhibit A, the following provisions shall apply”.

RULES AND REGULATIONS TO CONSIDER

Listed below are some items that you may want to consider as respects the use of your parking lot under the License Agreement. If you are going to have Rules and Regulations, then you should Label them as “Exhibit A – Rules and Regulation for Use of Parking Space(s)”.

The first paragraph of the Rules and Regulations should be as follows:

“These Rules and Regulations govern the use of the parking space(s) licensed by _____ as User to Parish under that certain License Agreement executed between the parties. Parish reserves the right to modify and/or adopt such other reasonable rules and regulations for the use of the parking space(s) by User as it deems necessary.”

After this paragraph, you can utilize any or all of the suggestions below. Also, if there is any other requirement the Parish may need/want to have the User adhere to, this can also be included here.

1. Parking hours – list days and hours if you are not allowing 24 hour a day use 7 days a week.
2. Cars must be parked entirely within the lines painted on the parking lot.
3. All directional signs and arrows must be observed.
4. Parking is permitted only in the space (or area, if there is not an assigned space, but there is only an area of the lot you want utilized) designated by Parish for User to park his/her vehicle.
5. If Parish provides parking stickers or any other device or form of identification, User must display it as requested by Parish, and it may not be obliterated or defaced. The parking identification sticker and/or device is to be used only for User's vehicle and is not transferable.
6. Loss or theft of the parking sticker and/or device must be reported to the Parish immediately. Any parking sticker and/or device reported lost or stolen and found on any unauthorized vehicle will be confiscated, and the illegal holder will be subject to prosecution.
7. User must provide Parish, and update as necessary, contact information including telephone number(s) at which User can be contacted in case of emergency which requires the removal of User's vehicle from the designated parking space/area.
8. User must remove his/her automobile, upon request by Parish, within three (or whatever timeframe you feel is appropriate) hours of receiving a request.
9. The parking space(s) provided to User is for the express purpose of parking on vehicle per space. The parking space may not be used for any other purpose including, without limitation, washing, waxing, cleaning or servicing the User's automobile.

LICENSE FOR USE OF PARISH PARKING AREA

This LICENSE is made on _____, 20__, by and between:

PARISH: _____

Parish Representative: _____

and

USER: _____

User Representative: _____

The **PARISH** and **USER** hereby agree as follows:

1. The **PARISH** agrees to allow the **USER** to use the parish parking area described in this License, subject to the terms and conditions set forth below:

PURPOSE: _____

RESTRICTIONS:

The **USER** shall pay to the **PARISH** the sum of \$ _____ for this License to use of the parish parking area. This sum shall be paid as follows:

\$ _____ on the first day of each and every month during the term of this License.

4. Prior to beginning use of the parish parking area under this License, the **USER** shall pay a security deposit to the parish in the amount of \$_____. This security deposit shall be refunded to the **USER**, without interest, upon completion of this License, provided there has been no damage to any property of the **PARISH** caused by the **USER** or any other person resulting from the use of the parish parking area by the **USER**.

5. The following specific provisions shall apply:

6. In the event the **USER** desires to cancel this License, notice shall be given to the **PARISH** in writing at least thirty days prior to the effective date of cancellation.

7. The **USER** is fully familiar with the parish parking area and accepts this License and the parking area in an “as is” condition, without any representations by the **PARISH** as to its condition. The **USER** shall comply with all State statutes and regulations, and all municipal ordinances and regulations regarding use of the parish parking area. The **USER** shall protect the property of the **PARISH** and shall repair any damage resulting from its use of the parish parking area.

8. The **PARISH** shall have no responsibility to provide security against theft or vandalism or to provide for snow removal within any specified time period. The **USER** assumes all risk of liability, damage, theft or access to vehicles.

9. This License is made solely for the purposes set forth in paragraph 1. The **USER** shall not use the facilities for any other purpose unless the **PARISH** expressly agrees. The **USER** shall not assign this License without the written consent of the **PARISH**. All **PARISH** regulations concerning the parish parking area and its use shall be observed by the **USER**.

10. The **PARISH** shall not be liable to any party, including **USER**, for anything arising from use of the parish parking area by **USER**. This includes anything resulting, in whole or in part, from the negligence of the **PARISH** or any of its employees or agents, or as a result of the elements, or anything else beyond the control of the **PARISH**. **USER** specifically waives any right of recovery against the **PARISH** or any of its employees, agents or self-insurance administrators.

11. The **USER** shall indemnify and hold the **PARISH** harmless against any and all claims for liability, personal injury or property damage resulting from **USER**'s use of the parish parking area. This includes claims arising in any driveway or sidewalk used for access to the parish parking area. The User agrees to defend, indemnify and hold harmless Parish from any and all claims, actions and proceeding for death, personal injury or property damage which may be brought or asserted by or on behalf of any person, firm or corporation arising from or in connection with User's use of the place(s) in the Parking Lot, irrespective of the act, omission or neglect of any person, firm or corporation, as well as all costs, expenses and liabilities incurred in connection with any such claim, action or proceeding brought thereon (including without limitation attorney fees) unless such act, omission or neglect is determined to have been caused by the willful conduct of Parish.

12. The User is required to park and lock his/her vehicle. All responsibility for damage to or theft of vehicles is assumed by the User.

13. The **USER** shall maintain automobile liability coverage on the vehicle to be parked in the space(s), and shall provide evidence of such insurance coverage to Parish upon execution of this agreement and at such subsequent times as Parish may request.

14. Use of the parish parking area is subject to the needs of the **PARISH** in unforeseen circumstances. In the event the **PARISH** deems it necessary to cancel or temporarily suspend this License, **USER** will have no further responsibility to make payments to the **PARISH** under the License except for arrearages. If **USER** has made payments covering the period beyond the cancellation, or a period during which this License is suspended, a prorata adjustment of payments made by the **USER** shall be made. The **USER** shall have no other claim against the **PARISH** or the Archdiocese of Newark.

15. **USER** agrees that its use of the parish parking area is exclusively the result of this License, and it shall acquire no claim or interest in the parish parking area, whether by adverse possession or otherwise, as a result of its use of the parish parking area pursuant to this License.

16. **USER** represents that representative signing this License has full authority to bind **USER** to the obligations set forth in this License.

IN WITNESS WHEREOF, the parties have executed this LICENSE on the date written above.

PARISH

USER

By:

By:

Witness:

Witness:

APPENDIX A: CLAIM REPORTING FORM

ARCHDIOCESE OF NEWARK
171 Clifton Avenue
Newark, NJ

**INCIDENT/CLAIM REPORT
FOR INJURY OR PROPERTY DAMAGE/THEFT**

LOCATION INFORMATION:

Location Name & Address: _____

Location Contact Name & Telephone Number: _____

ACCIDENT INFORMATION:

Name and Contact Information of person involved in the bodily injury or property damage (If the property damage/theft is to your location's property and not a third party, please indicate below):

Name: _____
Address: _____
Phone Number: _____

If this involves an injury, is the individual injured an employee? Yes _____ No _____

Date and Time of Incident: _____

Location of Injury/Property Damage (be as specific as possible): _____

Describe, in as much detail as possible, what occurred (attach additional sheets if necessary): _____

Describe how/why the incident occurred in as much detail as possible (attach additional sheets if necessary): _____

Were the police, ambulance or other first responders called to the scene? Yes _____ No _____

Were there any witnesses? Yes _____ No _____ (If yes, attach page with name, address and phone number of each witness)

Include any additional details/information below (attach additional sheets if necessary): _____

Name of Person Completing Report: _____ Date _____

All claims are subject to the terms and conditions of the insurance policy, and this document serves only as a guide to assist you in gathering the necessary information to assist the insurance carrier evaluate the loss.

ARCHDIOCESE OF NEWARK
171 Clifton Avenue
ACCIDENTS
Newark, NJ

INCIDENT/CLAIM REPORT
FOR AUTOMOBILE

ACCIDENT INFORMATION:

Date and Time of Incident:

Owner of Vehicle Insured by the Archdiocese: _____

Address: _____

Phone Number: _____

Driver's Name and Address, if different than Owner: _____

Make, Model and Year of Vehicle involved

Name & Address of any Occupants in Vehicle (attach additional sheets if necessary): _____

Driver of Other Vehicle Involved _____

Address: _____

Make, Model and Year of Vehicle involved _____

Insurance Company Name _____ Policy Number _____

Name & Address of any Occupants in Vehicle (attach additional sheets if necessary): _____

Owner of Other Vehicle Involved: _____

Address: _____

Location of Accident (be as specific as possible): _____

Describe, in as much detail as possible, what occurred (attach additional sheets if necessary): _____

Describe how/why the incident occurred in as much detail as possible (attach additional sheets if necessary):

Was anyone injured as a result of this accident: Yes _____ No _____

If Yes, name of each injured party, and nature of injury (attach additional sheets if necessary): _____

Were the police, ambulance or other first responders called to the scene? Yes _____ No _____

Were there any witnesses? Yes _____ No _____ (If yes, list name, address and phone number of each witness below)

Include any additional details/information below (attach additional sheets if necessary):

Name of Person Completing Report: _____ Date _____

All claims are subject to the terms and conditions of the insurance policy, and this document serves only as a guide to assist you in gathering the necessary information to assist the insurance carrier evaluate the loss.

APPENDIX B: SAMPLE CERTIFICATE OF LIABILITY INSURANCE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER INSURANCE BROKER NAME AND ADDRESS	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	PRODUCER CONTACT INFO SHOULD BE IN THIS AREA FAX (A/C, No):
INSURED NAME AND ADDRESS OF INSURED ENTITY	INSURER(S) AFFORDING COVERAGE	
	INSURER A: INSURANCE COMPANY	NAIC # XXXX
	INSURER B: INSURANCE COMPANY	XXXX
	INSURER C:	
	INSURER D:	
	INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		1234567	xx/xx/xxxx	xx/xx/xxxx	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ \$xxx MED EXP (Any one person) \$ \$xxx PERSONAL & ADV INJURY \$ \$xxx GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COM/PROP AGG \$ \$xxx \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		8912345	xx/xx/xxxx	xx/xx/xxxx	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Parish/School is included as additional insured. THIS SECTION WILL TYPICALLY INCLUDE WHAT THE INSURED ENTITY'S NATURE OF BUSINESS IS WITH THE PARISH/SCHOOL, I.E., RENTAL OF FACILITIES FOR A PARTY; LEASE OF PREMISES; SNOW-PLOWING SERVICES, ETC. IT MAY ALSO INCLUDE THE BEGINNING AND END DATES OF THAT RELATIONSHIP.

CERTIFICATE HOLDER Parish/School Name Street Address City/State/Zip Code	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--

ACORD 25 (2010/05)

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APPENDIX C: TENANT USER LIABILITY INSURANCE APPLICATION

ARCHDIOCESE OF NEWARK TENANT USER LIABILITY INSURANCE APPLICATION

INTENT OF THIS PROGRAM: To provide coverage for events or activities held at PARISH/ARCHDIOCESAN facilities that are **not** sponsored by the Parish or other Archdiocesan entity. This application and insurance supplements the **mandatory** Contract for Use of Parish Facilities executed by the parties when Parish/Archdiocesan facilities are utilized for non-sponsored events.

COVERAGE PROVIDED: Owners, Landlords and Tenants liability insurance including Host Liquor Liability.

LIMIT OF COVERAGE: \$1,000,000 per occurrence for Bodily Injury and Property Damage.

EXCLUSIONS: In addition to the standard General Liability exclusions, the following exclusions shall apply.

- | | |
|--|--|
| <ul style="list-style-type: none"> • Asbestos • Circus/Carnivals • Injury to any Performers • Mechanically Operated Amusement Devices • Rock Band Events/Rap Concerts and Concert’s Promoters | <ul style="list-style-type: none"> • Athletic Participation/Sporting Events • Fireworks Displays • Liquor Liability (sale and/or distribution) • Pollution Liability • Band members performing at a dance |
|--|--|

DEDUCTIBLE: Property - \$250
Liability - \$0

PREMIUM COST: 500 participants or less - \$100
Over 500 participants - call 973-497-4040

NOTIFICATION OF AN EVENT MUST REACH THE ARCHDIOCESAN CENTER AT LEAST 72 HOURS IN ADVANCE OF EVENT

Please complete all of the following information:

Name of Parish or Institution	Street Address	City	Zip Code
Name of Sponsoring Organization or Individual Requesting Coverage	Street Address	City	Zip Code
Contact Person for Sponsoring Organization/Individual	Telephone Number of Contact Person		
Date of Event: _____			
Time of Event: _____ to _____		Type of Event – BE VERY SPECIFIC (Examples: Graduation Party, Birthday Party, Wedding Reception, Dance, Reunion, Dance Recital, etc.)	
Is Liquor Being Served? <input type="checkbox"/> Yes <input type="checkbox"/> No	Approximate Number of Participants : _____		
Is Food Being Served? <input type="checkbox"/> Yes <input type="checkbox"/> No			

COMPLETE AND RETURN THIS FORM WITH PAYMENT TO:
 Archdiocesan Tenant User Insurance
 171 Clifton Avenue
 P.O. Box 9500
 Newark, New Jersey 07104

Please contact Diannah Hedgebeth at 973-497-4040 if you have questions or need assistance.

I am an authorized representative of the sponsoring organization/individual. I certify that I have read and understand the Contract for Use of Parish Facilities and any other information provided to me regarding this rental. . I additionally certify that the information provided in this application is true and correct to the best of my knowledge.

Print Name

Signature

PLEASE SIGN AND MAKE TWO COPIES. MAIL ORIGINAL WITH PAYMENT. PROVIDE ONE COPY TO TENANT USER, AND RETAIN ONE COPY FOR YOUR RECORDS. COPY OF THIS FORM IS PROOF OF ENROLLMENT. ORIGINAL POLICY IS ON FILE AT ARCHDIOCESAN CENTER

APPENDIX A: ARCHDIOCESAN LEGAL COUNSEL CONTACT LIST

**CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN**
5 Becker Farm Road
Roseland, New Jersey 07068
(973) 994-1700 - Phone
(973) 994-1744 - Fax

<u>TYPE OF CONCERN</u>	<u>CONTACT INFORMATION</u>	<u>EXTENSION</u>
Estates, Trusts, Bequests, Corporate, Banking Matters Personal Injury Matters	Donald F. Miceli, Esq.	511
	Secretary – Sue	508
	Stephen R. Danek, Esq.	589
Litigation, Personnel and Employment Matters	Secretary – Virginia	595
	Charles M. Carella, Esq.	561
	Secretary – Virginia	595
Extremely Sensitive Matters	Christopher H. Westrick, Esq.	517
	Secretary – Sue	508
	Charles C. Carella, Esq.	501
	Secretary – Michele	502
General Inquiries/Concerns	Charles M. Carella, Esq.	561
	Secretary – Virginia	595
	Christopher H. Westrick, Esq.	517
	Secretary – Sue	508
Contracts, Leases, Purchases and Sales of Real Property	Charles M. Carella, Esq.	561
	Secretary – Virginia	595
	Megan Natale, Esq.	514
	Secretary – Meagen	586
	James T. Byers, Esq.	576
	Secretary – Nancy	550
	Donald F. Miceli, Esq.	511
	Secretary – Sue	508

If at any time the above contacts cannot be reached, you may contact Charles M. Carella, Esq. After hours, night and weekend emergencies may be directed to Charles M. Carella, Esq., at his home number (973) 235-0405 or his cell number (973) 202-5441. He can also be contacted through email at chuck9896@aol.com or cmcarella@carellabyrne.com.

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APPENDIX B: APPLICATION FOR PARISH CAPITAL CAMPAIGN

Date: ___/___/___

Archdiocese of Newark

Application For Parish Capital Campaign

Please Note: This application to proceed with a parish capital campaign should be completed by the pastor and submitted to Deacon Robert A. Baker, Sr., Director of Capital Campaigns, Office of Development, 171 Clifton Ave. P.O. Box 9577 Newark, NJ 07104. Deacon Baker will forward the application to the Pre Consultants Team. Upon approval, the Pre Consultants Team will forward this application to the Board of Consultants with their approval and or recommendations.

PARISH INFORMATION

- 1. Parish Name & Number: _____
- 2. City/Town: _____
- 3. Pastor: _____
- 4.a. Number of Registered Families: _____
- 4.b. Number of Envelope Users: _____
- 5. a. Offertory Income (most recent completed fiscal year): \$ _____
- 5. b. Offertory for week preceding date of this application : \$ _____
- 6. a. Archbishops Annual Appeal Goal : \$ _____
- 6.b. Amount Pledged: \$ _____
- 6.c. Number of Gifts: _____

PROJECT INFORMATION

- 1. Please Describe the project to be funded:

- 2. What is the total estimated cost of the project: \$ _____

3. How much of this amount would be funded by the proposed campaign?

\$ _____ Percentage of total _____%

4. What other sources (Archdiocese, savings, commercial banks) would contribute to the costs?

5. When do you propose to conduct the campaign?

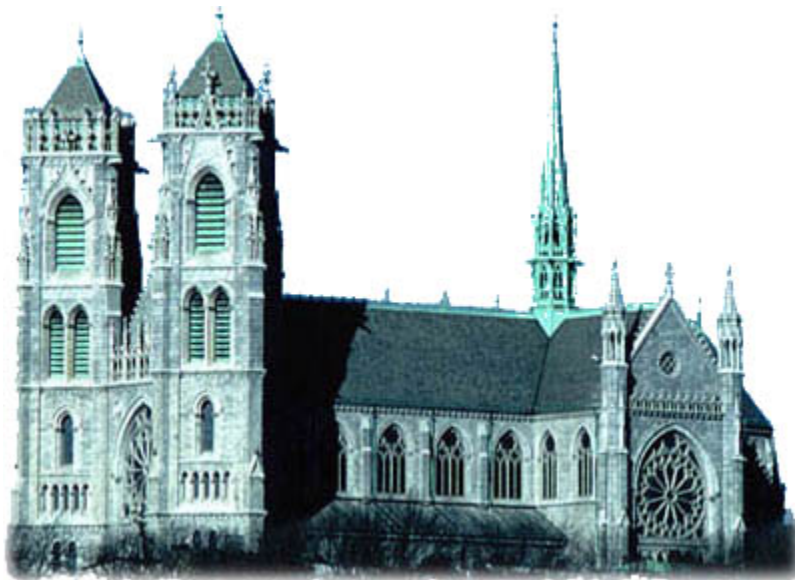
(*Month*)

(*Year*)

6. What prior experience do you, staff or lay have in conducting a parish capital campaign? Include the goal and actual collected amount.

APPENDIX C: ECCLESIASTICAL PATRIMONY

ARCHDIOCESE OF NEWARK



GUIDELINES CONCERNING THE HANDLING OF ECCLESIASTICAL PARISH PATRIMONY

**Office of Property Management Administration
Architectural History & Church Patrimony**

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INTRODUCTION

Over the last 40 years, a significant part of the Patrimony of the Archdiocese has been lost due to a lack of appreciation of the value of the ecclesiastical, artistic, and cultural heritage of the Archdiocese. Additional artifacts may have been lost during mergers in the past. These losses have lessened the heritage of the Archdiocese and the People of Newark.

Sometimes, these alienations have taken place in the course of a renovation of a Church. In many instances, they have been given away or sold for a fraction of their value. On occasion, individuals approach pastors and ask to purchase currently unused liturgical items and/or furniture. With all good intentions a pastor may mistakenly sell artifacts he deems no longer useful for a small part of their actual value and thereby deprive the parish and the Archdiocese of valuable historical and artistic artifacts.

Furnishings in rectories and convents should not be ignored. In particular, aged buildings often have excellent furniture that may be over a century old. In many instances, these furnishings, while not of contemporary taste, have appreciated significantly in value in the antique market. They include, among other things, furniture, statues, paintings, prints, crystal, and silverware. In many instances, these items have already been dispersed.

An all too often forgotten area of Archdiocesan patrimony is parish and institutional records. These documents can vary greatly in their subject matter. From sacramental ledgers, real estate deeds and church bulletins, to certificates of establishment for long extant parish organizations. Though minimal in their monetary value, their importance to the historical legacy of the Archdiocese can be priceless.

All pastors and administrators have the responsibility to protect and conserve the historical and artistic patrimony of the Archdiocese of Newark. The “patrimony” includes the Church building as well as the liturgical objects such as but not limited to chalices, ciboria, monstrances, statues, and furniture (Church, rectory, convent, and school) that are the property of the parish. It also includes vestments that are of historical value. Similarly, rectories, convents, schools, other parish building, and institutions of the Archdiocese, and their contents, are included in the historic and artistic patrimony. As the *New Energies Project* unfolds, it is necessary to ensure that the remaining Patrimony is safeguarded.

I. THE PROPER HANDLING OF SACRED & PROFANE OBJECTS

A. SACRED OBJECTS BELONGING TO A PARISH

Within thirty (30) days of the announcement of a parish closure, an inventory of sacred objects will be conducted by three people. The team will include the Patrimony Project Manager who will label, inventory, and photograph each sacred object; the Pastor or Administrator of the parish; and a member of the Patrimony Committee or designee. The Vicar General and Moderator of the Curia, the Director of the Office of Divine Worship, the Patrimony Committee Chairman or designee, will be the final authority on those items that are considered sacred. Each sacred item will be labeled with a red label having both the parish number and a sequence number and with a second label containing a security

barcode. All items are to be photographed. No objects that are part of the patrimony may be sold or given to any person or institution without the written permission of the Patrimony Committee. The Patrimony Project Manager, Troy Simmons, can be contacted at 973-497-4116 or at simmontr@rcan.org.

All sacred items are to remain in the church until after the final Mass unless the objects are part of the final ceremony of transfer. So as to avoid any misunderstandings, the pastor/administrator should have already completed an inventory of his personal property.

After the final Mass and as soon as possible, but no later than the Friday following the last Mass, all key entries to all perimeter access points of the facilities are to be re-cored. Two sets of keys are to be issued: one to the Executive Director of Properties Management and one to the Patrimony Project Manager. The Patrimony Project Manager and a representative from the Archdiocesan Department of Security will then meet with the Pastor/Administrator to review the above noted inventory. Upon the conclusion of a satisfactory review of the inventory list, all three individuals are to sign and date the official Inventory list. A copy of the Inventory list will be maintained in the Office of Church Patrimony, the Office of Risk Management, Insurance Services and Business Administration and the rectory office of the receiving parish. At this point, the pastor/administrator's responsibility for the inventory terminates. In the event that the entire inventory of patrimony items is to be stored in a central location, security and environmental control must be considered and determined by the individual value of items within the inventory. Considerations should take into account such things as anti-theft, fire suppression, and CCTV systems. Written authorization from the Vicar General and Moderator of the Curia must be obtained prior to removal or transfer of any inventoried item. All sacred objects that are not the personal property of the parish priest will be disposed of in the following manner:

1. In the event that a closure of a parish closure is part of a merger process, the Pastor/Administrator of the newly merged Parishes will be allowed to request sacred items for use for a period that is not to exceed two (2) weeks. The removal must be approved by the Vicar General and Moderator of the Curia and the Patrimony Project Manager. Any transfer of items must be completed within the first four (4) weeks. All costs related to the removal will be the responsibility of the parish receiving the various sacred objects. The Patrimony Project Manager, in concert with the Patrimony Committee, reserves the right to withhold or remove from the available inventory any items deemed to be of artistic and/or historical importance to the Archdiocese of Newark.
2. For a two (2) week period immediately following the period reserved for the newly merged Parish, all other Pastors of the Archdiocese will be allowed to remove, at the expense of their Parish, any remaining sacred objects from the closed parish. The removal must be coordinated with the Vicar General and Moderator of the Curia and the Patrimony Project Manager and be completed within a two (2) week period. All costs related to the removal will be the responsibility of the parish that is taking the sacred objects. The Patrimony Project Manager, in concert with the Patrimony Committee, reserves the right to withhold or remove from the available inventory

any items deemed to be of artistic and/or historical importance to the Archdiocese of Newark.

3. For a sixty (60) day period beginning thirty (30) days after the parish closure, the Office of Property Management Administration will aggressively market any remaining sacred objects to bona fide resellers, bona fide re-users and salvage firms. Blessed objects must be secularized before they can be sold. Members of the Church Patrimony Committee will verify the credentials of all potential purchasers prior to the conclusion of any transaction. Archdiocesan Legal counsel will provide appropriate documentation for any salvagers to ensure that only proper salvage criteria are followed. The criteria will be provided by the Church Patrimony Committee. The Patrimony Project Manager, in concert with the Patrimony Committee, reserves the right to withhold or remove from the available inventory any items deemed to be of artistic and/or historical importance to the Archdiocese of Newark.
4. Any sacred goods inventory remaining in the parish after ninety (90) days will be reviewed by the Vicar General and Moderator of the Curia, the Patrimony Project Manager and members of the Church Patrimony Committee. They will decide whether to destroy those objects on site, sell them in bulk for resale or salvage, or put them in storage for re-sale. If they are stored for re-sale the Office of Property Management Administration will continue to market them. The entire storage inventory and marketing plan for all sacred items will be reviewed quarterly by the members of the Church Patrimony Committee, the Executive Director of Property Management Administration and the Patrimony Project Manager.

B. PERSONAL PROPERTY – NON-SACRED OBJECTS; NON-OFFICE EQUIPMENT

Immediately following each sacred goods inventory process, the pastor/administrator, Patrimony Project Manager and a representative of the Archdiocesan Office of Security will be joined by a person knowledgeable in art and antiquities and will inventory all of the personal property of the parish (except office equipment, which will be inventoried as part of the financial closing process and Sacred items). The contact for Property Management Administration is Steve Belloise, at 973-497-4118. The contact for Church Patrimony is Troy Simmons at 973-497-4116.

Only items that are expected by the inventory team to have a market value of \$450 or greater will be inventoried. Each item will be marked with a green tag indicating its sequence number and parish number and a sticker containing a barcode. A representative from the Office of Property Management Administration will also photograph each item and record its description. Those items identified by the art and antiquities person as worthy of auction will be marked separately with an orange tag including parish number and sequence number, inventoried, assigned a barcode sticker and photographed. The Office of Property Management Administration in conjunction with the Patrimony Committee will make arrangements to have those items removed from the property promptly and establish procedures for their assignment to auctioneers for sale. Archdiocesan Legal counsel will provide appropriate documentation between the Archdiocese and the auction house.

Valuable antiquities will be sold by reputable auctioneers who will identify the source of the items as part of their advertising. Those auctions will be advertised in the Parish bulletins of both the closing Parish and the welcoming Parish.

The Office of Property Management Administration will be responsible for the sale of all green-tagged items (those over \$450 in value and not sent to auction). The method of disposition will be established on a case-by-case basis with the approval of the Executive Director of Properties Management Administration. The remaining personal property of the parish may be sold or given away by the Pastor/Administrator at his discretion. Records of any sales will be kept by the Pastor, and the proceeds of those sales will be deposited in the parish operating account. The Office of Property Management Administration will liquidate any remaining items for salvage. The Patrimony Project Manager, in concert with the Patrimony Committee, reserves the right to withhold or remove from the available inventory any items deemed to be of artistic and/or historical importance to the Archdiocese.

C. PROPERTY MANAGEMENT AND REAL ESTATE ISSUES

As we move forward with the consolidation process, this section will be handled by a Property Management Administration Team with advice from the Pastor/Administrator and staff to provide a process that is as seamless as possible. The staff in the Office of Property Management Administration is available to assist each of you during this process. Key contacts are as follows:

Contacts

Reverend Monsignor Robert Wister, Church Patrimony Committee
973- 275-2032, wisterro@shu.edu

Steve Belloise, Executive Director-Office of Property Management Administration
973-497-4118, belloist@rcan.org

Troy Simmons, Patrimony Project Manager
973-497-4116, simmontr@rcan.org

Kevin Dunne, Real Estate Manager
973-497-4121, dunnekev@rcan.org

II. PARISH ARCHIVES

The following information details procedures for placing parish records in the Archdiocesan Archives in the event of a parish closing. These instructions should enable you and your staff to accomplish the transfer of records from parish to the archives with a minimum of difficulty and uncertainty. Moreover, you will actively contribute towards preserving the historical memory of the parish.

Please remember that parish records are the property of the Archdiocese of Newark and may only be placed with a repository

designated by Archdiocesan authorities.

The Archives staff can offer you assistance at every stage of this task and stands ready to provide whatever help you may require in order to facilitate this process. We will be available for consultation regarding the records themselves and logistics of packing and moving. If necessary, we will make onsite visits to confer with parish staff on the best method of completing this undertaking. If questions remain, please contact the Archivist or Associate Archivist whose contact information is noted at the end of this document.

A. THE RECORDS

As you can see from the accompanying outline, the Archives acquires a comprehensive range of parish records. These extend from such vital documents as sacramental records, marriage envelopes and census records to the administrative, financial, property, and organizational records as well as memorabilia, parish publications and photographs. Some of these records are essential; all are important in documenting the history of the parish and its community. Every parish will not have all the records enumerated in the outline, but please send what you have.

None of the records should be considered worthless or uninteresting. They were created for a purpose, and it is the Archives' mission to document that purpose whether it be sacramental, pastoral, or administrative.

Sacramental records and supporting documents are the parish vital records. These records document the sacramental life of the parish. In considering sacramental records for transfer to the Archives, we ask that you send all **pre-1930** records including Baptism, marriage, First Communion, Confirmation, sick call registers as well as death and burial records. In addition we also ask you to provide the marriage envelopes and any other supporting documents. Those who require sacramental records from your parish can be accommodated as Archives staff can issue certificates for sacramental and official reasons. The destination of **post-1930** sacramental records will be decided in a different manner. The Regional Bishop/Vicar will address this issue on a parish-by-parish basis. Records will come either to the Archives or to the welcoming parish. If these records do come to the Archives, they are to be transferred in the same manner as pre-1930 records. No access other than for official purposes will be granted until the records are more than seventy (70) years old.

In addition to sacramental records the administrative, financial, organizational and historical records, including parish bulletins and other publications, provide complete documentation of parish life. Correspondence, minutes of meetings, reports, financial records, photographs, property records and all the other types of material listed in the accompanying outline ensure that the history of the parish can be reconstructed. So please be inclusive rather than exclusive in this process. ***Err on the side of too much rather than too little. Do not purge records of "boring" or "uninteresting" material. This is a decision that will be made by the archivists. When in doubt include it or consult with the Archivist.***

Note: Before sending financial records and human resource records to the Archives, please check with Archdiocesan Finance and Human Resources Departments.

B. PROCEDURES FOR PACKING AND TRANSFERRING RECORDS

The following guidelines will expedite the packing and transfer of records. Additional advantages include enhanced access to records and greater ease of records management.

Sacramental Records

Each volume of sacramental records must be identified. Identifiers should include the parish, the sacrament, and the span dates of each volume. Such information can be penciled on the flyleaf or on a clean slip of paper inserted into the volume. Marriage envelopes should be boxed with identifying labels including parish, dates, and other information necessary to provide easy access.

Administrative, Financial, Organizational and Other Records

When packing these records use the boxes supplied. ***As you place records in the boxes, respect the order – or disorder – of your files. Pack records according to your own filing system. Once again, please do not attempt to cull from your files “uninteresting” items.*** Records should be transferred as you have created and maintained them. Once records have been packed in boxes prepare an inventory for each box. Use your folder titles in creating the inventory and enclose a copy in each box. Label all boxes with the name of the parish, contents, and dates of records enclosed. ***If you enclose photographs, please try to identify the photos by date, event or subject.*** What happens to the records when they arrive at the Archives? They are accessioned, which means in archival parlance that they are registered as having been acquired by the Archives. Eventually they will be appraised for historical, legal, fiscal and administrative value. Records will then be arranged and described, catalogued and, where appropriate, made available for research. The Archives has an access policy ensuring that confidential and sensitive material do not become available for research until such time as sensitivity is no longer an issue. In some cases records will remain confidential and will be available only to those with a need and right to see them. Also bear in mind that there is a canonical component that affects access and use policies.

Relics

For disposition of any relics that do not get transferred to the welcoming parish, contact the Archives.

Records Management

All records do not have permanent value. By applying accepted records management procedures and retention schedules, the Archives staff will determine the ultimate disposition of records. Many of the record types enumerated in the outline are of permanent value. Others will be disposed of according to retention schedules. Rather than add this step to the transferal process, we ask that you send your files intact to the Archives where staff will make these decisions based on appraisal, retention practices and, where necessary, further consultation. These procedures will be applied uniformly, and no records of permanent value will be destroyed.

Consultation with Archivist

The Archivists on staff at the Archdiocesan Archives are a resource for you to use. If you or any of your staff have questions about records, the transfer process or related questions, please feel free to contact us. If you wish an onsite visit, that can be arranged as well. This is going to be a busy and trying time, and we in the Archives will provide whatever assistance we can in order to make this process easier for you.

C. ARCHIVES/RECORDS

Records to be sent to Archives:

1. Administrative Records

- Annual Reports
- Appointments, Canonical
- Articles of Incorporation
- Census Records
- Correspondence, Routine
- Correspondence, Official (may include policy administrative matters, diocesan directives, etc.)
- History File (may include historical sketches, clippings, etc.)
- Inventories (filing system)
- Inventories (property)
- Personal Papers: Pastors/Parochial Vicars (may include correspondence, homilies, notes, diaries, etc.)
- Volunteer Files

2. Boards, Commissions, Councils and Committees

- Constitutions/By-laws of all parish organizations, boards, councils and committees.
- Finance Council
 - a. Agendas*
 - b. Minutes*
 - c. Correspondence*
 - d. Member lists*
 - e. Reports (annual and financial)*
- Pastoral Council
 - a. Agendas*
 - b. Minutes*
 - c. Correspondence*
 - d. Member lists*
 - e. Reports (annual and financial)*
- Other organizations
 - a. Agendas*
 - b. Minutes*
 - c. Correspondence*
 - d. Member lists*

e. *Reports (annual and financial)*

3. **Financial Records**

(Please check with Finance before sending these records to the Archives.)

- Audit Reports
- Accounts Payable (includes paid bills)
- Accounts Receivable
- Bank Deposits
- Charitable Gaming Records
- Charitable Gaming Permits
- Check Registers/stubs
- Contributions/Donations
- General Ledger
- Journal Entries
- Payroll Journal
- Tax Exemption (parish)
- Tax Forms

4. **Memorabilia/Historical**

- Pamphlets
- Programs
- Scrapbooks
- Photographs
- Parish Histories
- Recordings/oral histories
- Contents of time capsules

5. **Personnel Records**

(Please check with Human Resources before sending these records to Archives.)

- Employee files
- Immigration and Naturalization I-9
- Performance Evaluations
- Short-term disability
- Time cards?
- Worker's Compensation payments
- W-4

6. **Property Records**

- Architectural Drawings/Specifications
- Construction Files
- Deeds
- Leases

7. **Publications**

- Bulletins (including old pulpit announcements)
- Parish Directory
- Parish History

8. **Sacramental Records**

- All **pre-1930** sacramental registers (including sick call, death and burial)
- Marriage envelopes
- All other sacramental supporting documents
- Destination of **post-1930** registers to be determined by Regional Bishop/Vicar

D. GUIDELINES FOR TRANSFER OF RECORDS TO ARCHIVES

1. **Pack Records in Boxes**

- Boxes will be supplied
- Respect original order (or disorder) of records
- Do not try to separate “important” from “unimportant” records
- Prepare inventory for each box and enclose in the box
- Label boxes: parish, contents, dates of records
- Try to identify subjects of photographs: people, events, dates, etc.
- Identify each volume of sacramental records

2. **Contact Archdiocesan Archivist**

- At any point in process, please contact Archdiocesan Archivist.
- The Archivist will provide help, guidance, instruction or consultation, and serve as a general resource for any archives/records related issues.
- The Archivist will make onsite visits on request.

ARCHDIOCESAN ARCHIVES & RECORDS MANAGEMENT

Alan Delozier, Director & Archivist, Seton Hall University
 973-275-2378
 e-mail: delozial@shu.edu

Reverend Monsignor Francis Seymour, Archdiocesan Archivist
 973-761-9126
 e-mail: seymourfr@shu.edu

Troy Simmons, Patrimony Project Manager
 973-497-4116
 e-mail: simmontr@rcan.org

APPENDIX D: NEW JERSEY SMOKE – FREE AIR ACT SMOKING PROHIBITIONS IN RECTORIES/CONVENTS/SCHOOL GROUNDS

MEMORANDUM

TO: Pastors, Administrators and School Principals

FROM: Reverend Monsignor Robert E. Emery, J.C.L.
Vicar General, Moderator and Chancellor

DATE: September 11, 2006

RE: **New Jersey Smoke-Free Air Act: Smoking Prohibitions in Rectories/Convents and on School Grounds**

I want to share with you some information that we have received regarding New Jersey law as it pertains to smoking prohibitions.

In essence, the Act prohibits smoking in any indoor public place or workplace. It also prohibits smoking in any building or on the grounds of any public or nonpublic elementary or secondary school.

There are two (2) issues of concern as the Act relates to Archdiocesan parishes and schools. The first pertains to the effect that the Act will have on rectories and convents, specifically, whether smoking will be prohibited in such areas or whether rectories and convents would be considered private residences and thus exempt from the Act.

Under N.J.S.A. 26:3D-59d, “private homes, private residences and private automobiles” are exempt from the smoking restrictions of the Act. Rectories and convents are generally deemed private residences and thus, smoking is permitted unless the rectory or convent is open to the public or used in whole or in part as a workplace of the parish or diocese. The regulations further state, in pertinent part:

(a) A rectory or convent is a private residence at which smoking is permitted for the purpose of the exemption the Act affords private residences pursuant to N.J.S.A. 26:3D-59d, unless the rectory or convent is:

1. Used in whole or in part as a workplace of the parish or diocese by employees or Volunteers of the parish or diocese other than those who reside there (for example, for the performance of clerical work in an office area); or
2. Generally accessible to the public (for example, for meeting or counseling purposes).

Thus, pursuant to the language in the statute and regulations, smoking is permitted in rectories and convents as long as the facility is not generally open to the public, and there are

no employees or volunteers of the parish or archdiocese present on the property other than those who reside there.

As matters stand, smoking will be prohibited in any rectory or convent having an office, receptionist area or other employees within the building. The Department of Health and Senior Services has stated that smoking regulations are established to “protect workers and the public from exposure to lingering secondhand smoke in establishments that would otherwise be subject to the Act, regardless of whether workers and the public would be on the premises when smoking would occur...” Accordingly, if there are any employees present at the rectories or convents, other than those who reside there, smoking will be prohibited even though no one smokes during work hours. The second issue pertains to the metes (boundaries) and bounds of the term “school grounds,” as defined under the Act. As mentioned above, the Act prohibits smoking in any building or on the grounds of any public or nonpublic elementary or secondary school, regardless of whether the area is indoors or outdoors.

The term “school grounds” is given a broad meaning by the Act in an attempt to protect students from exposure to secondhand smoke. The regulations define “school grounds” with respect to public and nonpublic schools as follows:

1. Land, portions of land, structures, buildings and vehicles, owned and operated or used for the provision of academic or extracurricular programs sponsored by a school or a community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops;
2. Athletic stadiums, swimming pools, any associated structures or related equipment tied to such facilities including, but not limited to, grandstands and night field lights, green houses, garages, facilities used for non-instructional or non-educational purposes, and any structure, building or facility used solely for school administration;
3. Playgrounds and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land; and
4. Certain faculty or administrator residences on school grounds as provided in N.J.A.C. 8:6-8.1(b).

As the regulations are currently written, smoking is prohibited, both inside and outside, at bingos taking place on “school grounds.” If bingo is taking place in a church that is located on “land, portions of land, structures or buildings” containing a school, or if the land or buildings are used for academic or extracurricular programs, smoking will be prohibited on the property, even if the smoking will take place when students are not present. However, an individual is permitted to smoke in his/her private vehicle. Thus, participants at bingo could take smoking breaks in their cars.