

EMPLOYEE SALARY CONTINUATION BENEFITS PROGRAM

*Designed exclusively
for
Lay and Clergy Employees
of
The Episcopal Diocese of Los Angeles*



PURPOSE

To provide permanent, full-time (20 hours or more a week) lay and clergy employees a Salary Continuation Benefits Program intended to benefit those individuals whose employment within the Diocese of Los Angeles is discontinued for reasons beyond their control.

ELIGIBILITY

Salary Continuation Benefits (unemployment) are payable to lay and clergy employees who work 20 hours or more per week on a permanent basis after six months of employment and who qualify for benefits for the reasons described below. Premiums are charged from the eligible date of hire.

BENEFITS

The amount of Salary Continuation Benefit for eligible employees will be determined by length of service and annual base salary. Eligible employees will earn one week of Salary Continuation Benefits for every calendar month employed (starting with their date of employment) to a **maximum of 26 weeks**. Each eligible employee will be entitled to a **weekly benefit amount equal to 45% of their average weekly salary** for the actual period of employment **up to 26 weeks** immediately preceding separation of employment, to a maximum weekly benefit of \$872.09.

The effective date of the claim is the first Sunday after the employees last day of work. The first week after the effective date of the claim is considered a waiting period and benefits will not be paid for that week.

CLAIMS ADMINISTRATION

Determination of claimant's eligibility and approval of payment of benefits are the responsibility of a third party Claims' Administrator, appointed by the Corporation of the Diocese which serves as Trustee for the Salary Continuation Benefits Program. The Claims Administrator is responsible for determining eligibility for benefits at the time a claim is first presented by the employee. Eligibility for benefits will cease when claimant gains employment.

Eligibility for continuing weekly benefits is determined by a monthly audit conducted by the Claims Administrator. If the claimant does not respond to the Claims Administrator's request for an updated employment status within 2 business days, benefits will be suspended. In order to be eligible for benefits, the claimant must be able and available for full-time work each week. The claimant must also be conducting a search for full-time work each week.

Eligibility determinations may be appealed by either the employee or employer with 15 days of such determination being communicated in writing to both parties. Such appeals will be referred to an impartial Arbitrator, experienced in unemployment

benefits practices and procedures, who will hear testimony by both parties in order to reach a final decision.

A detailed explanation of Claims Procedures:

1. **QUALIFICATION** – eligible employees may qualify for weekly Salary Continuation Benefits if they
 - A. Quit for a job-related cause because of:
 1. Treat of safety in the workplace
 2. Reduction in working hours of 20% or more
 3. Work –related stress if substantiated by medical documentation
 4. Proven discrimination in the workplace based on that individual’s age, genetic information/characteristics, marital status, medical condition, mental or physical disability, national origin and ancestry, pregnancy or perceived pregnancy, race, color, religion, sex, gender/transgender identity or expression, sexual stereotypes, sexual orientation, military and veteran status
 5. Proven sexual harassment provided the individual has taken reasonable steps to preserve the working relationship
 6. Required resignation because of change in clergy leadership
 7. Completion of non-renewable fixed-term
 - B. Were improperly discharged, provided:
 1. Discharged is without sufficient documented warning (at least one verbal and one written warning, except for acts of gross misconduct
 2. Discharged is solely based on employee’s unavoidable absence or tardiness. Unavoidable absence or tardiness includes:
 - a. Death in the immediate family
 - b. Unlawful detainment
 - c. Hospitalization for treatment of an emergency or life threatening condition
 - d. Due to summons to serve jury duty or a court subpoena
 3. The employee is not offered a similar or same position at similar or same rate of pay upon returning from authorized leave of absence
 - C. Were laid off for lack of work resulting from
 1. Reduction in force
 2. Elimination of position
 3. Completion of non-renewable fixed term contract.

2. **DISQUALIFICATION** – Claimant will be denied weekly Salary Continuation Benefits should one or more of the following conditions occur:
- A. Discharged for gross misconduct, such as deliberate disregard for the well being of employer and/or employees.
 - B. Discharged for misconduct after documented warnings (at least one verbal and one written warning).
 - C. Job abandonment, defined as unreported absence of three (3) or more days
 - D. Failure to comply with employer’s wishes that employee seek professional treatment for substance abuse
 - E. Employee willfully made a false statement or representation, with actual knowledge of the falsity, or withheld a material fact in completing employment application or in filing a claim for Salary Continuation Benefits
 - F. Voluntary quit without work-related cause
 - G. Voluntary retirement
 - H. Temporary lack of work due to established vacation, holiday or school recess periods, provided that reasonable assurance of re-employment is given prior to said period of temporary lack of work.
 - I. Individual becomes unable to work due to physical or mental illness or injury unrelated to his/her job
 - J. Employee’s failure to respond to documented warnings (at least one verbal and one written warning, except for acts of gross misconduct) that employee behavior or job performance is not acceptable, as determined by the employer
 - K. Temporary (less than a month) lay-off caused by employer’s shortage of funds.

2. **FILLING A CLAIM**

- A. Separated employee may file a claim for Salary continuation Benefits by completing a Salary Continuation Benefits Claim Form within 30 days of the official date of separation from the employer
 - 1. Claim Forms can be obtained by calling the Missioner for Human Resources of the Diocese at 213-482-2040, ext. 250.
 - 2. Completed forms must be submitted to the Office of the Missioner for Human Resources at the following address and postmarked within 30 days of separation:
Canon Anilin Pulido Collado
840 Echo Park Avenue
Los Angeles, CA 90026
E-mail: humanresources@ladiocese.org
Fax: 213-225-1807

3. The Claims Administrator will render a benefits decision within 12 working days of receipt of the claim form

4. FILLING AN APPEAL

- A. Disputed benefits decision may be appealed by either party within 15 days of the date indicated on the notice of decision.
 1. Such appeals must be submitted in writing by the appellant to the Claims Administrator at the above address
 2. Upon receipt of the appeal a Notice of Hearing will be issued to the claimant and employer by an Arbitrator
 - a) Attendance at the hearing at the time and date indicated on the Notice of Hearing is mandatory
 3. The decision of the Arbitrator is final