PERSONNEL POLICIES

Approved by Session

\_\_\_\_\_\_\_, \_\_\_\_

\_\_\_\_\_\_\_ PRESBYTERIAN CHURCH

\_\_\_\_\_\_\_, Arizona

TABLE OF CONTENTS

1. MISSION
2. INTRODUCTION
3. AT-WILL STATEMENT
4. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT
5. PROCESS OF EMPLOYMENT
6. EMPLOYMENT CLASSIFICATIONS
7. Full-Time
8. Part-Time
9. Temporary
10. EMPLOYMENT CATEGORIES
11. WORK DAYS AND BENEFITS
12. Work Days
13. Holidays
14. Vacations
15. Study Leave
16. Sick Leave
17. Leave of Absence without Pay
18. Compensation
19. Social Security
20. Pension
21. Health Insurance
22. Worker's Compensation Insurance
23. EMPLOYMENT DEVELOPMENT
24. Attendance at Seminars, Conferences, and Meetings
25. Performance Reviews
26. Compensation Reviews
27. Sabbatical Leave
28. WORK PRACTICES AND RULES
29. Use of Personal Property
30. Work Area
31. Weapons Policy
32. Smoking Policy
33. Drug and Alcohol Policy
34. Harassment
35. Sexual Misconduct
36. Grievances
37. RESIGNATIONS AND TERMINATIONS
38. Dissolution of the Pastoral Relationship
39. Resignation by Employee
40. Termination by the Church
41. References

I. MISSION

The function and mission of this Church is to provide for the Worship of God, our Creator, and to proclaim the Word of Jesus Christ, our Savior. An active congregation has many interests and spiritual needs that generate a wide variety of activities. However, it is the responsibility of each staff member or volunteer who participates in such activity to assure that his/her service contributes directly to the worship and mission of this Church.

II. INTRODUCTION

These policies cover all staff except term contract employees who are governed by provisions of their contracts, and ministerial staff as applicable. Those clergy serving in called positions are governed by the provisions of the Book of Order of the Presbyterian Church (U.S.A.). The provisions set forth in these policies shall not be deemed an employment contract. While \_\_\_\_\_\_\_ Presbyterian Church is not covered by the Fair Labor Standards Act, employees who meet the criteria under FLSA are covered.

These policies were adopted by the Session of \_\_\_\_\_\_\_ Presbyterian Church at the \_\_\_\_\_, \_\_\_\_ Session meeting. These policies supersede any and all other Personnel Policies, written and unwritten, prior to this date.

III. AT-WILL STATEMENT

Your employment by \_\_\_\_\_\_\_ Presbyterian Church may be terminated at any time by you or by \_\_\_\_\_\_\_ Presbyterian Church, with or without cause, for any reason or for no reason. Employees have no right to continued employment or a permanent career, despite years of service, good work, good reviews, past practices, any verbal assurances to the contrary or for any other reason.

Although these policies make mention of certain specific activities or conduct which may result in dismissal, such mention provides only a guideline and does not warrant, imply or promise the employee any right to a determination for cause or just cause before a termination of employment may occur. Employment remains at-will at all times.

IV. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

\_\_\_\_\_\_\_ Presbyterian Church (U.S.A.) provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws. \_\_\_\_\_\_\_ Presbyterian Church complies with applicable state and local laws governing non-discrimination in employment. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

\_\_\_\_\_\_\_ Presbyterian Church expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, disability, or veteran status. Improper interference with the ability to \_\_\_\_\_\_\_ Presbyterian Church employees to perform their expected job duties is absolutely not tolerated.

V. PROCESS OF EMPLOYMENT

A written position description that accurately reflects the job functions will be developed by one of the following: a) Pastor Nominating Committee, or b) the Personnel Committee, or c) the Pastor and Session, depending on the position to be filled. The final job description must be approved by the Session.

Position descriptions will be reviewed and rewritten as necessary in consultation with the new staff member approximately six months following employment. Revised position descriptions must be approved by the session.

The Equal Employment Opportunity policy of the church shall be followed in consideration of applicants for interviews and employment.

Personnel records will be kept in a secure location at the church. Personnel files will be retained for 10 years from the last day of employment, and subsequently destroyed.

Care shall be taken during the interviews to see that the privacy of the individual is protected. All questions shall be job-related.

The Head of Staff and the Personnel Committee, and any additional members of the congregation, at the discretion of the Session, will comprise a job specific Search Committee. The Search Committee's recommendation shall be submitted to the Session. The Session shall make the final approval on any offer of employment.

VI. EMPLOYMENT CLASSIFICATIONS

\_\_\_\_\_\_\_ Presbyterian Church has set up four categories of employment: full-time, part-time, temporary and volunteer.

1. Full-time - An employee who is regularly scheduled for a work week of 40 hours. Employees who regularly work 30 hours or more are eligible for full time benefits as provided herein. Ordained clergy also are full time employees, but their hours of work may vary from a regular schedule since their ministry requires their availability on call as needed.
2. Part-time - An employee who is regularly scheduled for a work week of less than 30 hours. This employee is eligible for partial church benefits as provided herein based upon regularly scheduled work week.
3. Temporary/Contract - An individual who full time or part-time on a short-term basis and scheduled to work as needed. This employee is not eligible for church benefits, except those mandated by Arizona and Federal laws.
4. Volunteer - A volunteer is an individual in a non-paid position who donates time and effort to accomplish certain essential Church functions. A volunteer is not eligible for any Church benefits, but is subject to all the provisions of Section X.

VII. EMPLOYMENT CATEGORIES

The Fair Labor Standards Act defines the minimum wage, maximum hours and "exempt" and “non-exempt” employees. Within the employment classifications, \_\_\_\_\_\_\_ Presbyterian Church recognizes three categories of employees: exempt, non-exempt, and called.

"Non-exempt" under the act refers to a job for which the employer must pay at least the minimum wage for the position and overtime wages at time and half for hours worked in excess of 40 hours per week

"Exempt" employee is not paid any overtime for hours worked in excess of the weekly hours for which the person is employed.

"Called" positions are guided by their terms of Call from the Presbytery.

VIII. WORKDAYS AND BENEFITS

1. Work Days:

The Church Office shall be open and staffed five days each week (Monday-Friday). The Session shall determine the hours the Church Office is to be open. Absences and tardiness are detrimental to the operation of the church. Whenever it is necessary to be absent from work for illness or some other reason, employees are required to advise their supervisor in advance, or in the morning of the day of the absence. Excessive tardiness or absence may result in reprimand or dismissal.

1. Holidays:

The following paid holidays will be observed:

New Year's Day

Martin Luther King Jr. Day

Easter Monday

Memorial Day

Independence Day

Labor Day

Thanksgiving Day and Friday after

Christmas Day and December 26

In the event a holiday falls on Sunday, the Church Office will be closed on the following Monday. If the holiday falls on a Saturday, the Church Office will be closed on the preceding Friday.

Employees who are regularly scheduled for less that 40 hours per week, will receive pro-rated Holiday pay based upon their regularly scheduled work week hours. Contractors/Temporary individuals are not eligible for holiday pay.

Employees will not receive holiday pay when in long-term leave without pay status.

1. Vacation:

Full-time employees are entitled to an annual paid vacation accrued at 10 days per calendar year based upon your date of hire. With each year of service an additional day will be added up to twenty-two (22) days. Contractors/Temporary individuals and part-time employees who work less than 20 hours per week are not eligible to earn or be paid for vacation benefits.

|  |  |  |  |
| --- | --- | --- | --- |
| Years of Service | Vacation accrual day/year | Vacation accrual hrs/hours worked | Vacation cumulative cap (days) |
| 0-1 | 10 | 0.03846 |  |
| 1-2 | 11 | 0.04231 | 21 |
| 2-3 | 12 | 0.04615 | 23 |
| 3-4 | 13 | 0.05000 | 25 |
| 4-5 | 14 | 0.05385 | 27 |
| 5-6 | 15 | 0.05769 | 29 |
| 6-7 | 16 | 0.06154 | 31 |
| 7-8 | 17 | 0.06538 | 33 |
| 8-9 | 18 | 0.06923 | 35 |
| 9-10 | 19 | 0.07308 | 37 |
| 10-11 | 20 | 0.07692 | 39 |
| 11-12 | 21 | 0.08077 | 41 |
| 12-13 | 22 (Max) | 0.08462 | 43 |
| 13+ | 22 (Max) | 0.08462 | 44 (Max) |

Vacation leave does not accrue for time spent on a leave without pay. All vacations shall be taken at a time agreeable with the employee's supervisor and should be scheduled in advance. Carryover of unused vacation time is limited to the total allowable accrual for the prior calendar year (see chart).

Vacation for the ordained Presbyterian clergy is defined in their individual Terms of Call. A vacation allowance of four weeks is defined as 20 working days of which only four can be Sundays. These clergy shall inform the Session, in advance, of vacation. Vacation time in excess of 14 days shall be taken only with prior approval of Session. Any exceptions to the above must be approved by action of the Session and so noted in the minutes of their meeting.

1. Study Leave:

Study leave for the ordained Presbyterian clergy is defined in their individual Terms of Call, and as defined in the Book of Order. A study leave of two weeks is defined as ten working days of which only two can be Sundays. The pastoral staff will consult with the Session, as to the nature and timing of proposed study leave time, prior to the taking of such leave. Any exceptions to the above must be approved by action of the Session and so noted in the minutes of a Session meeting.

1. Sick Leave:

Sick leave will accrue for all employees and temporary hires, except Contractors, at a rate of 0.03864 hours per hour worked based upon the date of hire.

Full time employees will accrue 80 hours (10 days) of sick leave each calendar year, cumulative up to 120 days. All other eligible employees will accrue based upon the pro-rated amount stated above.

The accrued sick leave may be used by the employee when ill, injured or for physician's appointments. Accrued sick leave may also be used for illness or injury in the employee's immediate family which renders the employee unable to perform his/her duties. Employee's immediate family is defined as spouse, parent, step parent, parent-in-law, child, step child, brother, sister, and grandparent. Sick leave may not be used for vacation nor be paid in lieu of time off. At the time of termination (either voluntary or involuntary) of employment an employee shall have no claim for pay in lieu of unused sick leave.

Sick leave does not accrue for time spent on a leave without pay.

The church reserves the right to require a physician's statement verifying illness or injury which renders the employee unable to work.

1. Jury duty leave:

The church will pay full-time and part- time employees for hours spent on required jury service during their regularly scheduled work hours. If you are a Full-time/Part-time employee who is summoned to Witness or Jury Duty, an employee shall present the summons to his/her immediate supervisor within 3 days. Employees shall be entitled to their usual compensation.

IPC will continue to pay your salary for up to ten work days. If more than ten days are required, the employee will need to use PTO or take unpaid leave. If released early, the employee is expected to return to work. Upon completion of service, a proof of service must be provided to your supervisor. The documentation will be added to the employee’s personnel file.

1. Bereavement leave:

In case of death in the immediate family (spouse, parent, step parent, parent-in-law, child, step child, brother, sister, and grandparent), up to a maximum of three days are allowed. If the death occurs outside the state of Arizona, a maximum of five days will be granted with pay. Days taken beyond the above maximum shall be charged, at the employee's option, to sick leave, vacation leave or leave-without-pay. Contractors/Temporary individuals are not eligible for bereavement pay. Bereavement leave is to be arranged with the employee's supervisor.

1. Leaves of Absence Without Pay:

Unpaid leave may be granted to full-time and part-time employees for the following reasons: to care for the employee's child after birth, or placement for adoption or foster care; for a serious health condition that makes the employee unable to perform the employee's job; to care for someone in the employee's immediate family who has a serious health condition. Employee's immediate family is defined as spouse, parent, step-parent, parent-in-law, child, step-child, brother, sister, and grandparent.

The church reserves the right to require a physician's statement verifying illness or injury which renders the employee unable to work.

Accrued vacation and sick leave must be used in conjunction with any unpaid leave. A leave of absence without pay may be, but will not exceed, a maximum of twelve weeks per year, not necessarily consecutive. Periods of unpaid leave require authorization by the Session.

Health insurance will not be paid by the employer for any leave of absence without pay that exceeds four weeks, but these payments may be made by the employee in accordance with the terms of the applicable plans.

1. Compensation:

All staff, other than clergy, will receive their salary every two weeks. Clergy will be paid twice a month, generally on the 15th and 30th. It is the policy of \_\_\_\_\_\_\_ Presbyterian Church not to grant payroll advances.

1. Social Security:

All employees, other than exempted clergy, are covered by the Federal Old Age and Survivors Benefits Act (Social Security). All employees other than exempted clergy shall contribute through payroll deductions from their salary toward payment of the employee's share of the tax.

1. Pension:

Ordained Presbyterian clergy are covered under the Pension Plan of the Presbyterian Church (U.S.A.), with the church paying the full dues.

All non-ordained fulltime employees are eligible to participate in the elective Retirement Savings Plan (Administered by Fidelity in association with PCUSA) with the church matching up to 25% of the employee’s contribution. All non-ordained fulltime employees hired prior to 2012 will be guided by the pension policy in effect at the time of their hire.

1. Health Insurance:

Health insurance for ordained Presbyterian clergy is covered through the Pension Plan of the Presbyterian Church (U.S.A.)

Full-time employees shall be eligible for enrollment in the group health insurance program provided by the church as per the terms of the existing plan. The church may elect to pay all or a part of the premium for employee coverage.

1. Worker's Compensation Insurance:

All employees shall be covered by the Worker's Compensation Law of Arizona while working on church premises and during travel on behalf of the church.

IX. EMPLOYEE DEVELOPMENT

1. Attendance at Seminars, Conferences and Meetings:

Attendance by pastors at conferences, seminars and meetings away from the church shall be discussed in advance and approved by the Personnel Committee and the Session.

The church may authorize attendance at seminars, conferences and meetings for other employees. The church may allocate funds for other employees to attend seminars, conferences and meetings. Authorization for this attendance and/or funding for both non-exempt and exempt employees must be approved in advance by the Session. Upon return, a report to Session will be submitted.

1. Performance Reviews:

Every employee shall have a periodic performance review, at least once annually, with the participation of the employee, supervisor and/or personnel committee member. This review may be used to evaluate an employee's compensation level. A copy of the review shall be submitted to the Personnel Committee and supervisor.

1. Compensation Reviews:

Compensation for all ordained staff members is the responsibility of the congregation with the approval of the presbytery.

The Session Personnel Committee shall conduct an annual compensation review for each member of the staff prior to the development of the annual budget. The Personnel Committee is responsible for recommending all salary increases to the Session. Salary levels shall be maintained so that they are consistent internally, responsive to changes in the cost of living, and in keeping with the church's compensation standards. Salary scales for non-exempt staff shall be in keeping with the provisions of federal and state laws covering minimum wages.

1. Sabbatical Leave:

For called members of the pastoral staff, a sabbatical leave of up to three months will be offered with eligibility beginning within the seventh year of service. The pastor and the Session will develop a clear plan about when the sabbatical will be taken, what the pastor will do with the time, and the expectations upon return. Study leave will not be given on a sabbatical year.

X. WORK PRACTICES AND RULES

1. Use of Personal Property:

Insofar as possible, Immanuel Church will provide all the equipment and materials each staff member needs to do his/her job. Whenever an employee chooses to use personally-owned property in the performance of church business, it should be understood that IPC assumes no liability for the loss or damage of such items. Any storage of personal property on Church property during non-business hours shall be arranged only after consultation with the Administrative Assistant and approval by the Head of Staff.

1. Work Area:

A clean and orderly work area is a reflection of the quality workmanship inherent in each employee. All business and personal items in an employee's work area must be appropriate for a professional church office environment and image. If any item causes a disruption in the workplace, the item shall be removed. The church expects each individual to leave his or her particular work area in a neat condition at the end of the workday. This daily cleanup minimizes fire hazards, enables employees to safeguard church and personal equipment and promotes general office aesthetics.

1. Weapons Policy:

\_\_\_\_\_\_\_ Presbyterian Church is a weapons free environment. Weapons are prohibited on the church premises.

1. Smoking and Vaping Policy:

\_\_\_\_\_\_\_ Presbyterian Church is a Tobacco and Vaping-Free environment. Use of tobacco and vaping products is prohibited on the church premises.

1. Drug and Alcohol Policy:

It is the policy of \_\_\_\_\_\_\_ Presbyterian Church that the (1) unlawful manufacture, distribution, dispensation, possession or use of drugs or alcohol are prohibited in the workplace and (2) the use of alcohol and/or drugs by any employee is prohibited if such use adversely affects job performance or the work environment, including while conducting church business on or off church premises or at a church activity during work or non-work hours or operating a church vehicle or a personal vehicle used for church business. rugs mean any substance considered unlawful under the Control Substances Act (21 United States Code Section 812). The use of medically prescribed marijuana is prohibited on church premises.

1. Harassment:

\_\_\_\_\_\_\_ Presbyterian Church believes that employees are entitled to work in an environment free of harassment based on the employee's, and their relatives’, friends’, and associates’ race, skin color, religion, gender, sexual orientation, national origin, age, or disability. Harassment is when someone treats you in a way that makes one feel embarrassed, uncomfortable, or unsafe.

Harassment is a form of inappropriate conduct that undermines the employment relationship. No \_\_\_\_\_\_\_ Presbyterian Church employee will be subjected to ethnic slurs or other verbal or physical conduct relating to the employee's national origin, surname, skin color, gender, sex or age. Behavior that amounts to harassment will result in disciplinary action, up to and including dismissal.

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward the employee because of the employee's race, skin color, religion, gender, national origin, age or disability, or that of the employee's relatives, friends or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with the employee's work performance; or (3) otherwise adversely affects the employee's employment opportunities. Harassment in the workplace is illegal.

If the employee experiences or witnesses harassment in the workplace, it should be immediately reported to their supervisor. If their supervisor is the person who is harassing the employee, the employee may approach the Head of Staff or the Personnel Committee. If the matter is still not resolved, the employee may appeal to the Session in writing, to the Clerk of Session, within 10 days from the date of the Personnel Committee's written decision. The Session will discuss the matter at its next regular meeting and notify the employee in writing of its decision within 10 days of its meeting. All allegations of harassment will be quickly investigated. To the extent possible, the employee's confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, the employee will be informed of the outcome of that investigation.

\_\_\_\_\_\_\_ Presbyterian Church will permit no employment-based retaliation against anyone who brings a complaint of harassment or who speaks as a witness in the investigation of a complaint of harassment.

Supplemental training is available through the Church office.

1. Sexual Misconduct:

\_\_\_\_\_\_\_ Presbyterian Church believes that employees are entitled to work in an environment free of sexual harassment. Sexual harassment is a form of misconduct that undermines· the employment relationship. No church employee, either male or female, should be subjected verbally or physically to unsolicited and unwelcome sexual overtures or conduct.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that debilitates morale and, therefore, interferes with work effectiveness.

All allegations will be taken seriously, investigated and appropriate corrective or disciplinary action taken as warranted. Behavior that amounts to sexual harassment may result in disciplinary action, up to and including dismissal.

This policy is based on the current Sexual Misconduct Policy adopted by the General Assembly of PCUSA and as that policy may be amended.

The scope of this policy is not limited to the church building. It includes all contacts in carrying out this congregation's responsibilities and relationships with employees, volunteers, and others. \_\_\_\_\_\_\_ Presbyterian Church will permit no employment-based retaliation against anyone who brings a complaint of sexual harassment or who speaks as a witness in the investigation of a complaint of sexual harassment.

All employees and volunteers will review the "Presbytery de Cristo Policy and Procedure on Sexual Misconduct." Signed acknowledgement forms will be maintained in the church office.

Volunteers are defined as Elders, Deacons, Staff, Sunday School teachers, and those who regularly interact with church community in the various ministries of the church.

Supplemental training is available through the Church office.

1. Grievances:

Any problems arising from employment or conditions of employment are to be directed to the employee's immediate supervisor or head of staff. In those cases where the solution to a problem has not been worked out in discussion with the pastor, the employee may appeal to the Personnel Committee. If the matter is still not resolved, the employee may appeal to the Session in writing. If these steps fail to provide an acceptable remedy, the employee may file a written complaint with the appropriate Presbytery committee. The Presbytery committee becomes the mediator between the pastor, Session and the employee, and will work out a solution acceptable to all parties involved.

1. RESIGNATIONS AND TERMINATION
2. Dissolution of the Pastoral Relationship:

For the dissolution of an ordained Presbyterian clergy pastoral relationship, see the Form of Government, Book of Order, G-14 .06.

1. Resignation by Employee:

Employees that resign for any reason are expected to give 10 work days written notice. An exit interview will be conducted by the Head of Staff and representative from Personnel committee. The employee will be paid through the effective date of resignation that is accepted by the church and for accrued vacation pay at their hourly rate. The church may elect to accept a resignation any time during the 10 working days and will pay the balance of the 10 work days and accrued vacation pay at the employee's hourly rate. All church property and keys must be returned at the time of the exit interview. The final paycheck will be paid at or before the effective time of termination.

1. Termination by the Church:

Upon termination, employees must return all church supplies and equipment, keys, and any other materials that are church property.

If a physician certifies that an employee is disabled and that he/she cannot return to their usual job functions, with reasonable accommodation, because of medical reasons, that employee may be terminated if he/she has not returned to work by the end of the leave period, provided that a leave of absence with or without pay was previously granted.

1. Employment Verification:

It is the policy of this church to provide the following information in response to inquiries concerning current and former employees: dates of employment, position(s) held and confirmation of final wage rate. Any other information provided will be within the current employee law regulations.

1. Composition of the Personnel Committee
2. The Personnel Committee shall be composed of two session members and four members-at-large who shall be nominated by a sub-committee of the Pastor, the Clerk of Session, and the chair of the Nominating committee. These nominees will be confirmed by the Session. The committee shall be divided into three classes with two members serving in each class.