

# ST. LUKE PRESBYTERIAN CHURCH

## HUMAN RESOURCES POLICIES

Revised January, 2010



**TABLE OF CONTENTS  
HUMAN RESOURCES POLICIES  
ST. LUKE PRESBYTERIAN CHURCH**

|  |           |
|--|-----------|
| <b>1. Introduction</b>   | <b>1</b>  |
| <b>2. Development and Administration of Human Resources Policies</b> | <b>1</b>  |
| <b>3. Employment</b>   | <b>1</b>  |
| <b>4. Wages and Salaries</b>   | <b>2</b>  |
| <b>5. Working Hours</b>  | <b>4</b>  |
| <b>6. Overtime</b>   | <b>5</b>  |
| <b>7. Holidays</b>   | <b>5</b>  |
| <b>8. Paid Time Off - (PTO)</b>                                      | <b>5</b>  |
| <b>9. Leaves of Absence with Pay</b>                                 | <b>6</b>  |
| <b>10. Leaves of Absence without Pay</b>                             | <b>8</b>  |
| <b>11. Health and Welfare</b>  | <b>9</b>  |
| <b>12. Termination of Service</b>                                    | <b>11</b> |
| <b>13. Staff Supervision and Support</b>                             | <b>12</b> |
| <b>14. Affirmative Action Statement</b>                              | <b>13</b> |
| <b>15. Sexual Harassment and Other Types of Harassment</b>           | <b>14</b> |
| <b>16. Conflict Of Interest</b>                                      | <b>15</b> |
| <b>17. Security and Confidentiality Of Church Records</b>            | <b>15</b> |
| <b>18. Church Office Computers</b>                                   | <b>15</b> |
| <b>19. Solicitation or Distribution</b>                              | <b>15</b> |
| <b>20. Ban on Firearms in Building</b>                               | <b>16</b> |

**ACKNOWLEDGMENTS**

The following church members contributed significantly of their time and energy to the original drafting of this document from April 1, 2002 through May 31, 2003:

Human Resources Focus Group

Wally Faster, member  
Judy Leatham, member  
Kristi McNamara, member  
Harding Van Schaack, chair

Session Representative

Tracie Bell, HR  
Cory Zanin, HR

The Human Resources Focus Group (HRFG) recommends that these policies be reviewed every three years by the HRFG and the Session.

# **ST. LUKE PRESBYTERIAN CHURCH HUMAN RESOURCES POLICIES**

## **1. Introduction**

- a. This manual presents the existing human resources policies and procedures established by the Session. The study and development of personnel practices is continuous and subject to changing conditions; therefore this manual will be revised whenever appropriate. All employees of the church will be notified of any changes to these policies that affect their conditions of employment and will be promptly given a copy of these policies upon issuance or revision. These policies do not constitute a contract of employment.
- b. Some state and federal employment laws may not apply to churches. It is the intent of the Session of St. Luke Presbyterian Church however, to provide policies and procedures for effective human resources management which meet the spirit of the appropriate laws and which promote understanding and smooth working relationships on the part of all staff.
- c. In these Human Resources Policies, the term “staff” used alone means both lay and pastoral staff. The terms “lay staff” and “pastoral staff” are also used to refer to that subset of staff, respectively. The term “pastor” when used alone includes: ordained and non-ordained pastors and installed & non-installed pastors. The adjectives “ordained”, “non-ordained”, “installed”, and “non-installed” before pastor refers to that subset of pastors at St. Luke Presbyterian Church who are ordained, non-ordained, installed, and non-installed, respectively. The term “non-installed” includes “interim/temporary” pastors.
- d. Any questions regarding these Human Resources Policies should be addressed to the employee’s supervisor or the senior pastor.

## **2. Development and Administration of Human Resources Policies**

- a. The session of the church gives final approval to human resources policies after study and recommendations by the Human Resources Focus Group.
- b. The Human Resources Focus Group is responsible for drafting, reviewing, recommending, publishing, and providing support & consultation for the implementation of the human resources policies.
- c. The pastors are responsible for implementing and administering the human resources policies.
- d. A decision of the Session on the interpretation or application of these policies shall be final and binding on all employees. All previous policies, to the extent that they are inconsistent with this document, are hereby revoked.
- e. Any exceptions to these human resources policies must be approved by the Human Resources Focus Group and the Session of the church.

## **3. Employment**

- a. The Session is the employer of the staff by recommendation of the Human Resources Focus Group and the pastors, except where other procedures are required by the Book of Order, Presbyterian Church (U.S.A.).
- b. The Church promotes equal employment opportunities for all qualified persons regarding hiring, assignment, promotion, compensation, benefits, or other conditions of employment without regard to: race; creed; color; national origin; gender; sexual orientation; age; marital status; religious affiliation (except where religious affiliation is a legitimate occupational qualification);

or physical, mental, or medical disability unrelated to the ability to engage in job-related functions.

- c. The church's Affirmative Action Statement is set forth under its own heading in Section 14.
- d. The church's policy on sexual harassment and on other types of harassment is set forth under its own heading in Section 15.
- e. The church recognizes that alcoholism and other drug dependencies are a significant problem with a potential for causing severe harm to the employees of the church. Employees are expected to perform their jobs efficiently, safely, and in a professional, business-like manner. Therefore, it is the church's intent to provide a drug-free, healthful, safe, and secure work environment.
- f. Employment of staff will be on an "at will" basis except for pastors. "At will" employment means that either the employee or the Session may terminate employment at any time for any reason by the giving of appropriate notice as discussed in Section 12.
- g. Employees hired on a part-time basis (less than 40 hours per week) will be subject to the same general conditions and terms of employment contained in these policies as a full-time employee.
- h. In the event that it is necessary to provide for continuity of service when a vacancy occurs in a staff position before the position can be filled on a permanent basis, the church may fill the position with an interim, temporary employee. Interim employees filling lay staff positions may apply for and be considered for filling the position on a regular basis. The Session will determine on a case by case basis whether or not an interim employee filling a pastor position may apply for and be considered for filling the positions on a regular basis.
- i. Employment of ordained pastors is a mixture of responsibilities between the church, the Presbytery, and the pastor member (who in some regards may be considered to be self-employed). Services to be performed by pastors and some conditions of their employment are agreed to in the "terms of call". The terms of call will also include any deviations from the human resources programs and policies outlined herein; otherwise, these programs and policies are meant to apply to the employment of pastors for St. Luke Presbyterian Church.
- j. All staff positions will be described in a position description which shall be reviewed as part of the annual wage and salary review for staff (see Section 4). Position descriptions will be made available to employees upon their first day of employment and upon promotion to a new position.
- k. Nepotism - No person may be employed in a position that is under the direct supervision of an immediate family member (spouse, partner, parent, parent-in-law, child, grandchild, brother, sister, or grandparent), member of the same household, or where the family or household member, by virtue of the position held in the church, has authority to influence the employee's wage or salary, promotion, or other aspects of employment.
- l. Hiring of Church Members - In order to minimize the potential for relationship and confidentiality problems, it is the policy of the church to prefer to hire only non-members and /or persons un-related to members of the church, for lay staff positions, particularly for the position of Bookkeeper. Exceptions to this policy must be approved by the Human Resources Focus Group.

#### **4. Wages and Salaries**

- a. The wage or salary for lay staff is the amount of compensation paid to an employee for the work performed. Wages and salaries for lay staff are established annually, ordinarily effective January 1st of each year, by the Session upon the recommendation of the Human Resources Focus Group. However, a change in wage or salary for a new lay employee may be made upon the completion of a six month review period (see Section 13. C.) or at any other time upon the recommendation and approval of the Human Resources Focus Group and the Session. Wages are paid on a bi-weekly basis to “non-exempt” office and custodial positions, and salaries are paid on a semi-monthly basis to “exempt” music positions. Required deductions are taken for federal and state income taxes and for social security tax from all lay staff.
- b. Salaries for installed pastoral staff are also established annually, ordinarily effective January 1st of each year, upon the recommendation of the Human Resources Focus Group, upon review by the Session, and finally upon approval by the congregation in its annual meeting. Salaries for non-installed pastors are recommended by the Human Resources Focus Group and approved by the Session. Salaries are paid to pastors on a semi-monthly basis with any mutually agreed upon deductions. Ordained pastors are responsible for paying their own income and social security taxes, however the Session may agree with ordained pastors to have some taxes withheld for them.
- c. In addition to the salary component of a pastor’s compensation, a pastor is eligible to designate a portion of his/her compensation as a housing allowance. The housing allowance is designed to pay all costs relating to providing, furnishing, and maintaining a home because the church does not provide a manse (i.e. house owned by the church and provided rent-free to the pastor during the period of employment) to its pastors. The housing allowance is limited to the fair rental value of the home, including furnishing and appurtenances such as a garage and the cost of utilities in accordance with the “Clergy Housing Allowance Clarification Act of 2002”. The responsibility for accurate estimate of the housing allowance, and thereby payment of the correct taxes, rests solely with the pastor and not with the church.
- d. In addition to the salary component of a pastor’s compensation, a pastor is also eligible to designate a portion of his/her compensation as a social security offset. Because pastors are designated by the IRS as self-employed for purposes of Social Security (FICA), they must pay the full amount of the Self-Employment Tax. The purpose of this social security offset is to inform the congregation of this additional tax burden. The social security offset is, however, taxable. Because the social security offset is not included in the compensation of pension dues and is thereby excluded in the calculation of pension benefits under the Benefits Plan of the Presbyterian Church (U.S.A.), the church gives the pastor the right to designate or not to designate a portion of his/her salary as a social security offset.
- e. The church will provide an educational (or study) allowance to pastors to enhance their professional competency. The educational allowance is provided each year and may accumulate over a three year period. Any continuing educational allowance that is not used within the requisite time period is lost and is not collectable by the pastor (see Section 9. B) The actual amount of the allowance will be established via the annual budget process. However, \$2,000 per year should be considered a guideline.

- f. The church will pay an automobile expense allowance at the prevailing approved IRS rate to pastors to cover the expenses associated with the use of their private automobile in the course of fulfilling church responsibilities such as visiting church members in hospitals, nursing homes, and their own homes. The automobile expense allowance also covers attendance at meetings of the Presbytery, its committees, and councils. Payment of the automobile expense allowance is subject to the pastor submitting an expense report or voucher to the church as evidence of the actual expense incurred by the pastor.
- g. In addition to the automobile expense allowance, the church will pay for other professional expenses such as books subject to the pastor submitting an expense report or voucher to the church as evidence of the actual expense incurred by the pastor. The actual amount of for professional expenses will be established via the annual budget process. However, \$500 per year should be considered a guideline.

**5. Working Hours**

- a. Hours of operation for the church office are set by the pastors and session. Regular working hours for the lay staff, most of whom are part-time, are set by the pastors or supervisor depending on the needs of the church.
  - i. Where applicable, lunch periods are unpaid.
  - ii. Hours of work and paid time off for non-exempt staff are recorded through time sheets to the Bookkeeper.
  - iii. Lay staff scheduled to work 20 hours per week or more are eligible for supplemental employee benefits. (See following paragraphs re each benefit program.) Persons scheduled to work fewer than 20 hours per week are not eligible for benefits.
- b. The scheduled average hours worked per week and the scheduled days worked per week for lay staff positions. Last update April 2008.

| <b>Job Classification</b> | <b>Staff</b> | <b>Average Hours Worked per Week</b> | <b>Average Days Worked per Week</b> |
|---------------------------|--------------|--------------------------------------|-------------------------------------|
| Accompanist               | 1            | 5.0-6.0                              | 2.0                                 |
| Bookkeeper                | 1            | 10.0                                 | 2.0                                 |
| Secretary                 | 1            | 28                                   | 4.0                                 |
| Custodian                 | 1            | 20                                   | 3.0 (can vary)                      |
| Custodian (Sunday)        | 2            | 1.5 or 2.0                           | 1.0                                 |
| Director of Music         | 1            | 15                                   | 2.0                                 |
| Nursery Attendant         | 1            | 3.0                                  | 1.0                                 |
| <b>Total PT Staff</b>     | <b>8</b>     |                                      |                                     |

- c. The Human Resources Focus Group will independently update this Section 4. B. when there is a change in the job classification, scheduled average hours worked per week, or scheduled days worked per week.

- d. Working hours for pastors are flexible, and the time they spend on activities outside of the office such as evening meetings, sermon preparation, home visits, and time in quiet contemplation and prayer on behalf of the congregation should all be considered part of the pastor's "normal work week."

**6. Overtime**

- a. Overtime shall be paid to "non-exempt" staff at 1 1/2 times the hourly rate of pay for hours worked in excess of 40 hours in a work week. The work week is Monday through Sunday. Hours worked up to and including 40 hours per work week shall be paid at the regular hourly rate of pay.
- b. Compensatory time off within the same or immediately following pay period can be substituted on an hour-for-hour basis for overtime hours with the mutual consent of the supervisor and the employee.
- c. Musicians and pastors are "exempt" employees and do not receive overtime pay for hours worked over 40 hours per week.

**7. Holidays**

- a. The following 11 days are recognized as paid holidays when they fall on scheduled work days:

|   |                            |
|---|----------------------------|
| New Year's Day                              | Independence Day           |
| Martin Luther King Jr. Day                  | Labor Day                  |
| Presidents Day                              | Thanksgiving Day           |
| Easter Monday                               | Day after Thanksgiving Day |
| Memorial Day                                | Christmas Day              |
| Floating Holiday (see restriction C. below) |                            |

- b. When holidays fall on Saturday or Sunday, the preceding Friday or following Monday, respectively, will be allowed as a holiday.
- c. Staff members who are scheduled to work 20 hours or more per week may elect 1 floating holiday upon giving at least two weeks notice to the employee's supervisor.
- d. Holiday pay is the pay an employee would have earned had he/she worked on that day.
- e. A holiday falling within the period of an employee's PTO is credited as a holiday and not counted as a day of PTO.
- f. Holidays will apply in accordance with an employee's regular work schedule. When a holiday falls on a part-time employee's work day, the employee will receive the day off with pay; and when the holiday falls on a part-time employee's day off, the employee will observe the holiday on such day without pay.

**8. Paid Time Off - (PTO)**

- a. Paid Time Off includes all vacation days, sick days and personal days, which are combined and accumulated into one time bank. All staff is encouraged to use their PTO,

in the calendar year. Ideally, PTO should be taken in blocks of time whenever possible, but may be used in hourly or full-day increments.

b. Practice for Staff:

- i. Paid Time off is granted to staff who are scheduled to work 20 hours or more per week.
- ii. PTO is paid, during the calendar year, from January through December and is credited each January 1st.
- iii. PTO is available during the first year of employment without a waiting period and is available for use at any time during the year. In the first year of service, PTO will be pro-rated based on hire date.
- iv. Pastoral Staff will be eligible for a total of 40 days of PTO per calendar year, based on a 7 day work week.
- v. Non-pastoral staff will be eligible for PTO based on years of service as follows:

| <b>Years of Service</b> | <b>Total Number of PTO Days Earned per Year</b> |
|-------------------------|---|
| 1 to 4 years            | 22 days   |
| 5 to 14 years           | 27 days   |
| years and over          | 32 days   |

- vi. A maximum of 14 days of unused PTO may be carried forward, into the next calendar year.
- vii. In the event of unscheduled absence, notify your supervisor or St. Luke office.

**9. Leaves of Absence with Pay**

- a. Bereavement Leave - An employee may be granted up to four days leave with pay at the time of death of a member of the immediate family. Immediate family will normally be interpreted as spouse or partner, child, parent, grandparent, sibling, or similar relative of the employee's spouse/partner.
- b. Education (or Study) Leave - Continuing education benefiting the employee and the church shall be encouraged. Employees are to submit plans for continuation education to their supervisor or to the Session (for pastors) for consideration
  - i. Education leave of two weeks per year with pay/allowance is provided to pastors to attend events of an educational nature which will aid in the enhancement of pastoral competence and for professional development. Education leave may be accumulated over a period of three years to a maximum of six weeks. Any time taken for education leave will be scheduled considering the needs of other pastors, other members of the staff, and the congregation. The pastor's educational plan must be submitted to the Session for approval before the leave is taken. There is no cash compensation in lieu of not taking education leave by the pastor (see Section 4. F.).

- ii. Educational leave with pay is provided to lay staff to attend seminars, PC or software application training sessions, and similar events up to one week per year. Request for education leave should be submitted to the supervisor at least one month before the date of leave. Approval by the supervisor is required for each specific education leave.
- c. Jury Duty - Time off for jury duty shall be allowed. For up to two weeks per year, the church will pay the difference between the employee's normal wage or salary less whatever pay the employee receives for jury duty.
- d. Parental Leave - Staff members scheduled to work 20 hours or more per week will be eligible for leaves of absence for family reasons. Family leaves are available in three forms; maternity leave (see i. and ii. Below), parental leave with pay (see 2. below) and family leave without pay (see Section 10. a.). In addition to the indicated allowed leave, employees may use their available PTO.
  - i. Childbirth - PTO will be provided for up to two weeks, regardless of an employee's actual PTO balance, for childbirth for female employees. PTO for childbirth shall be in addition to the above PTO provisions and not charged against an employee's PTO balance.
  - ii. Parental leave with pay for a period of four weeks shall be allowed upon the birth, adoption, or placement of a child from foster care. Parental leave is available to female and male employees. Parental leave should normally be requested of the supervisor at least 30 days in advance of the expected arrival of the child. The request should specify the amount of leave time desired, which may include time before and/or after the expected birth or adoption of the child. Upon completion of the parental leave, the employee will be entitled to return to the employee's position. The position will not be filled during the parental leave except on a temporary basis. Parental leave may be combined with Childbirth Leave for a total of 6 weeks PTO.
- e. Staff members eligible for a travel allowance will not receive travel allowance for the period of a parental leave of absence.
- f. Upon exhaustion of PTO, an employee who is unable to return to work due to medical reasons will be placed on an unpaid personal/medical leave of absence (see Section 10. c.).
- g. Sabbatical Leave
  - i. A pastor will be eligible to take a sabbatical leave upon the completion of every five years of service to the church. The duration of the sabbatical leave is three months. The purpose of sabbatical leave for pastors is to nourish the pastor's spiritual and professional growth and to enhance the ministry of the church. The schedule and content of a sabbatical leave must be approved in advance by the Session. Time taken for a sabbatical leave will be scheduled considering the needs of other pastors, other members of the staff, and the congregation. Following the completion

of a sabbatical leave, the pastor must submit a written report concerning the sabbatical leave to the Session.

- ii. Sabbatical leave for a pastor will not be taken concurrently or consecutively with another pastor's sabbatical leave, and only one pastor can take a sabbatical leave in any given church year. A pastor must continue to serve the congregation for at least twelve months following the last day of a sabbatical leave. The period of sabbatical leave does not get credited to the five years of service requirement for taking subsequent sabbatical leaves of absence. Sabbatical leave may not be accumulated and cannot be combined with PTO.

#### **10. Leaves of Absence without Pay**

- a. Family Leave - Staff members scheduled to work 20 hours or more per week will be eligible for leaves of absence for parental reasons. Parental leaves are available in two forms; Family Leave without pay (see i. below) and Parental Leave with pay (see Section 9. e.).
  - i. Family leave without pay, not to exceed twelve weeks during a calendar year, shall be allowed for birth, adoption, placement of a child from foster care, or to care for a dependent who has a serious health condition. A "dependent" for this purpose is the employee's spouse, partner, child, or parent with a serious health condition. Family leave must be completed within 12 months of the birth, adoption, or placement of a child from foster care. Family leave can also be taken due to the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position. The request for Family Leave should specify the amount of leave time desired and be given as soon as practical. Upon completion of the family leave, the employee will be entitled to return to the employee's position. The position will not be filled during the family leave except on a temporary basis.
  - ii. The church does not require that an employee use his/her PTO leave benefits concurrently with the Family Leave, but the employee may choose to use such benefits accordingly. Family leave may also be taken concurrently with Parental Leave.
  - iii. Any wage or salary increase for which the employee became eligible during the family leave will be effective upon the employee's return to active employment.
  - iv. Staff members eligible for a travel allowance will not receive travel allowance for the period of a family leave of absence.
  - v. The interpretation of this section 10. on Family Leave shall be in accordance with the Family and Medical Leave Act of 1993 and D.O.L. regulations.
- b. Military Leave - Time off for U.S. Military Reserve duty up to two weeks annually for training or called up for active duty as required by law shall be allowed. In addition, the church will follow the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) which provides employees called up to military duty, whether voluntary or involuntary, in all branches of the uniformed services, including the reserves and

National Guard, with a variety of rights including: the right to take employment leave, continuation of certain benefits during military leave and certain job restoration rights upon completion of the military leave.

- c. Personal/Medical Leave - Requests for leaves of absence for reasons other than in Section 9 or Section 10. A&B. are considered to be personal/medical leaves of absence without pay and will be considered on an individual basis by the supervisor. Personal/medical leave should normally be requested of the supervisor at least 30 days in advance and specify the amount of leave time desired.
  - i. Any wage or salary increase for which the employee became eligible during the personal/medical leave will be effective upon the employee's return to active employment.
  - ii. Time in service for PTO benefits will not accrue during a Personal/Medical Leave.
  - iii. No Personal/Medical Leave, for any reason, will be granted for a period of time greater than one calendar year.

#### **11. Health and Welfare**

- a. Workers' Compensation - The church carries Workers' Compensation Insurance for all employees and pastors according to the provisions of MN State Law. Accidents occurring on duty or an illness which may be of occupational origin should be reported immediately to the church secretary or one of the pastors.
- b. Medical Benefits - Medical coverage is provided to ordained pastors through The Benefits Plan of the Presbyterian Church (U.S.A.) and may be provided to other lay staff members who are scheduled to work 20 hours (i.e. Presbytery Benefits Plan requirement) or more per week.
- c. Optional Dental Plan - Optional dental coverage is made available under the Benefits Plan of the Presbyterian Church (U.S.A.) to ordained pastor staff covered by the Benefits Plan and their eligible dependents that voluntarily elect coverage and pay the required premium (i.e. dues). The church pays 50% of the required premium for single or family coverage, and the pastor pays the other 50% of the required premium. The pastor may elect to pay the employee's share of the premium through pre-tax deductions of the insurance premium through the tax-advantaged Flexible Benefits Plan for St. Luke Presbyterian Church (see 9.D. below). Coverage under the optional dental plan may be provided to other lay staff members who are scheduled to work 20 (i.e. Presbytery Benefits Plan requirement) hours or more per week.
- d. Flexible Benefit Plan for St. Luke Presbyterian Church - The church offers to its eligible employees scheduled to work 20 hours or more per week a tax-advantaged Flexible Benefit Plan providing for: health care reimbursement, dependent care reimbursement, and pre-tax payment of any required employee's insurance premiums. The Flexible Benefits Plan allows eligible employees to elect to have a portion of their pay set aside (before any taxes have been deducted) to be applied to the payment of their share of the cost of health and dependent care expenses. The Plan also allows eligible

employees to deduct from their pay before taxes their share of the premiums for certain employer-sponsored benefit plans. This process is called a “salary reduction”, and it reduces the federal and state income taxes and social security taxes (FICA) paid by such employees. Details of this plan are available in the document entitled “Health Flexible Spending Plan for St. Luke Presbyterian Church.”

- e. Short-term Disability Benefits/Pay
  - i. Short-term disability pay equal to 60% of the normal rate of pay will be available to all staff members scheduled to work 20 hours or more per week.
  - ii. Short-term disability is defined as absence due to a disabling physical or mental illness or injury (other than work related) of 90 days or less. Verification of disability by a medical provider is required.
  - iii. Short-term disability pay will not begin until two weeks of PTO have been used.
- f. Social Security - All staff members must participate in Social Security from the beginning of employment. The employee’s share is withheld from the wages and salaries of lay staff. Ordained pastors are considered self-employed for Social Security purposes and are responsible for the payment of their self-employed contributions which represent the full tax.
- g. Pension Plan - Ordained pastors must also be participants in The Benefits Plan of the Presbyterian Church (U.S.A) which is a self-funded program of the Presbytery Church (U.S.A.). The program is supported by the collection of dues from each church, and the dues rate or percentage is established by the General Assembly upon the recommendation of the Board of Pensions. The dues rate is a given percentage of each covered employee’s “effective salary” as that term is defined by The Benefits Plan of the Presbyterian Church (U.S.A.). Retirement plan participation may be provided to other lay staff members scheduled to work 20 hours (i.e. Presbytery Benefits Plan requirement) or more per week.
- h. Death & Long Term Disability Benefits - The Benefits Plan of the Presbyterian Church (U.S.A.) provides death and disability benefits to ordained pastors who are Currently Protected Members in the Benefits Plan.
  - i. Upon the death of a Currently Protected Member with Death and Disability Plan coverage, The Benefits Plan of the Presbyterian Church (U.S.A.) pays a Salary Continuation Benefit, a Lump Sum Death Benefit, a Children’s Educational Benefit, and a Living Needs Benefit.
  - ii. A Currently Protected Member with Death and Disability Plan coverage who becomes disabled prior to attaining age 70 and who receives approval by the Board of Pension of the Currently Protected Member’s disability application will receive a Disability Benefit as set forth in The Benefits Plan of the Presbyterian Church (U.S.A.).

- i. Unemployment Insurance - Church employees are excluded from unemployment compensation insurance pursuant to Minnesota Statutes Section 268.04, Subd. 12 (a) and (b)
- j. With regard to B. Medical, C. Optional Dental G. Pension Plan, and H. Death & Long Term Disability Benefits:
  - i. If one lay staff member is enrolled in the Benefits Plan, all lay staff members within the same employment classification (i.e. exempt or nonexempt) must be enrolled in the Benefits Plan.
  - ii. All questions regarding eligibility benefit levels or other issues shall be determined solely by reference to the provisions of The Benefits Plan of the Presbyterian Church (U.S.A.).
  - iii. Words capitalized in Section 11 Health and Welfare are defined terms in The Benefits Plan of the Presbyterian Church (U.S.A.), and pastors should refer to the plan document to understand those terms.
  - iv. A Summary Plan Description of The Benefits Plan of the Presbyterian Church is available in the church office and can be requested from the Board of Pensions of the Presbyterian Church (U.S.A) 2000 Market Street, Philadelphia, PA 19103-329998. The phone number is: 1-800-773-7752. Web Address is: <http://www.pcusa.pensions.org>.

**12. Termination of Service**

- a. Voluntary Resignation - An employee is expected to give at least 30 days written notice of resignation to their supervisor. The notice should state the reason for termination as well as the last day of employment. Upon receipt of a resignation, the supervisor should arrange for an exit interview with the employee and place in such employee’s personnel file the resignation notice and a summary of the exit interview. Any accrued PTO will be paid with the final check and prorated based on actual days of service during the calendar year of the termination.
- b. Reduction In Force - A reduction in staff may occur because of the discontinuance of a position or program, a retrenchment in budget, or for other circumstances arising out of no fault of the employee. A decision to have a reduction in force is at the sole discretion of the Session of the church. The church will give at least 30 days notice in writing to the affected employee(s) of the reduction in force. A severance allowance will be given to an employee affected by a reduction in force according to the employee’s length of service with the church as follows:

|                                   |             |
|-----------------------------------|-------------|
| Up through 4 years of service     | 2 weeks pay |
| 5 year through 9 years of service | 3 weeks pay |
| 10 or more years of service       | 4 weeks pay |

The severance allowance is payable regardless of the fact that the affected employee finds employment during the time from the termination of employment to the payment dates of severance pay. The severance allowance will be given to the employee in accordance with the employee’s normal payroll cycle over the weeks of pay determined by the above schedule. Lump sum severance allowance will not be allowed. Any

accrued PTO will be paid with the final check of severance allowance and prorated based on actual days of service during the calendar year of the termination.

- c. Involuntary Termination/Discharge - Occasionally, an employee's work performance or behavior is unsatisfactory. If this arises, normally the employee's supervisor will meet with the employee in an effort to improve the unsatisfactory work performance or behavior.
  - i. The church reserves the right to determine whether disciplinary action should occur and the nature and extent of the discipline to be imposed. The processes or steps may involve verbal warning(s), written warning(s), suspension, or involuntary termination/discharge, all in the sole discretion of the church. The church reserves the right to bypass one or more of the processes or steps set forth above.
  - ii. While it is not possible to list every type of behavior or work performance that might be deemed unsatisfactory, the following list includes examples of work performance or behavior that may result in discipline up to and including involuntary termination/discharge: insubordination, neglect in the care and use of church property, unexcused absence and/or tardiness, moral turpitude, violation of human resources policies, falsification of records, reporting to work under the influence of alcohol or drugs, threatening violence in the workplace, sexual harassment or other type of harassment, possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the work place, and unsatisfactory work performance. These examples are for illustration purposes only and shall not be considered as comprehensive or limiting the church's right to administer discipline in its sole discretion.
  - iii. Discharge - The supervisor, pastor, or Session shall give the employee at least 30 days written notice of involuntary termination/discharge, or pay in lieu of notice, but reserves the right to require immediate termination of service for just cause as determined solely by the church in its sole discretion. Any accrued PTO will be paid with the final check and prorated based on actual days of service during the calendar year of the termination.

### **13. Staff Supervision and Support**

- a. The pastors, as the administrators of the Church's program, will supervise the work of the lay staff.
  - i. The pastors will meet periodically with each member of the lay staff to review progress toward the accomplishment of annual goals and other issues related to job performance and employee satisfaction. The pastors may delegate some portions of their annual performance review to a focus group working under their direction.
  - ii. Annually, every lay employee shall have a formal performance review with the participation of the employee, supervisor, and pastor. The pastor will regularly inform the Human Resources Focus Group of their appraisal of staff job performance and will ask the Human Resources Focus Group's help in the resolution of staff problems, if needed.

- iii. Upon completion of six months of service, a new lay employee will have a formal job performance review in which his/her job performance is reviewed by his/her supervisor or by the pastor.
- b. The Session is the supervisor of the pastors.
  - i. Annually, a pastor will have a formal job performance review. The Session will share with the pastors concerns related to their job performances and those of the other members of the staff under their supervision. The Session may delegate some portions of its annual performance review to a focus group working under the direction of the Session, and in this case a report of this review will be submitted annually to the Session.
  - ii. Upon completion of six months of service, a new pastor will have a formal job performance review in which his/her job performance is reviewed by the church. A report of this review will be submitted promptly to the Session. The Session may delegate some portions of its six month review to a focus group working with the Session
- c. The Human Resources Focus Group serves as a support system for the staff.
  - i. All members of the staff will have access to the Human Resources Focus Group through an assigned member of the focus group for each staff member. Lay staff are expected to share any concerns or problems about their jobs or the church with the pastors before they are shared with the Human Resources Focus Group member. However, if the concern or problem for a lay staff member is with the pastor, the issue need be taken only to the Human Resources Focus Group member assigned to the employee.
  - ii. In those cases where an employee's problem is not satisfactorily resolved by the pastor or the Human Resources Focus Group member assigned to the employee, the employee may appeal to the chair of the Human Resources Focus Group. If the matter is still not resolved to the employee's satisfaction, the employee may appeal to the Clerk of Session in writing. The Clerk of Session will respond to the employee in writing within 60 days of receiving the employee's written appeal. The decision of the Clerk of Session shall be final and binding on the employee.

**14. Affirmative Action Statement**

- a. In determining its witness to the world, the church is bound by the Gospel to liberation, reconciliation and healing, and to call all persons to the more abundant life in Christ.
- b. In the modern world one of the implications of such a mission is to remove discriminatory practices that deny individuals the opportunity to achieve their highest employment potential. Therefore, it is the policy of St. Luke Presbyterian Church to provide equal employment opportunity for all qualified persons, to prohibit discrimination in employment because of: race; creed; color; national origin; gender; sexual orientation; age; marital status; religious affiliation (except where religious affiliation is a legitimate occupational qualification); or physical, mental, or medical

disability unrelated to the ability to engage in job-related functions, and to promote the full realization of such opportunity through a positive and continuing program of affirmative action.

- c. Affirmative action is the execution of procedures designed to eliminate both conscious and unconscious discriminatory employment practices in order to ensure equal employment opportunity.

#### **15. Sexual Harassment and Other Types of Harassment**

- a. In furtherance of the mission of the church in the world, St. Luke Presbyterian Church is committed to providing and maintaining an environment free from all forms of harassment or intimidation. All church members, volunteers, and staff are to maintain the integrity of the pastoral, employment, and professional relationships at all times. Harassment is a violation of that pastoral, employment, and professional relationships.
- b. Sexual harassment of any or by any staff member will not be tolerated or condoned. Sexual harassment is defined as any unwelcome sexual advance, proposition, flirtation, contact, action, comment, suggestion or joke; requests for sexual favors; verbal abuse of a sexual nature; graphic verbal comments about an individual's body, sexually degrading words; display in the workplace of sexually suggestive objects or pictures; promises or threats concerning conditions of employment in return for sexual favors; or conduct which creates an intimidating, hostile or offensive work environment.
  - i. Occurrences of perceived sexual harassment must be reported immediately to the employee's supervisor or a pastor. If the pastor is the alleged offending party, then the incident should be reported directly to a member of the Human Resources Focus Group. All reports of such incidents through the employee's supervisor or through a pastor must be immediately brought to the Human Resources Focus Group who will investigate quickly, thoroughly and discreetly. The Human Resources Focus Group will promptly report its findings to the Session.
  - ii. The scope of this policy is not limited to the church buildings and includes all contacts in carrying out the church's responsibilities, functions, and relationships with volunteers and others.
  - iii. Substantiated sexual harassment will be cause for immediate discipline up to and including termination.
- c. Other types of harassment of any or by any staff member based upon: race; creed; color; national origin; gender; sexual orientation; age; marital status; religious affiliation (except where religious affiliation is a legitimate occupational qualification); or physical, mental, or medical disability unrelated to the ability to engage in job-related functions will not be tolerated or condoned. Other types of harassment are defined as verbal or physical conduct which is insulting or intimidating, has the effect of interfering with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. It is the responsibility of each employee to maintain an environment which is free from such harassment.

- i. It is the duty of each employee to report incidents which the employee believes to constitute harassment immediately to the employee's supervisor or a pastor. If the pastor is the alleged offending party, then the incident should be reported directly to a member of the Human Resources Focus Group. All reports of such incidents through the employee's supervisor or through a pastor must be immediately be brought to the Human Resources Focus Group who will investigate quickly, thoroughly and discreetly. The Human Resources Focus Group will promptly report its findings to the Session.
- ii. Substantiated harassment will be cause for immediate discipline up to and including termination.

#### **16. Conflict Of Interest**

- a. No employee shall accept any gift, gratuity, grant, service, or any special favor from any person or business which provides or receive goods or services to/from the church or which seeks to provide or receive goods or services to/from the church. However, minor courtesies such as luncheons, dinners, or similar arrangements in connection with business discussions may be received.
  - i. In addition, if an employee is called upon to participate in a decision in which the interests of the church conflict with the employee's personal interests, the employee should abstain from participating in the decision.
  - ii. An employee who holds another paid position should ensure that such outside employment will not interfere with the performance of the employee's duties or produce a conflict of interest in the pursuit of those duties.
  - iii. An employee shall avoid even the appearance of a conflict of interest in the performance of the employee's duties. If an employee discovers that the employee may be in a position of conflict of interest, the employee shall immediately report this potential conflict of interest to the employee's supervisor, the pastor, the Human Resources Focus Group, or the Session.

#### **17. Security and Confidentiality of Church Records**

It is the policy of the church that employees are required to protect organization records entrusted to them or accessible to them against unauthorized access, loss, or destruction. These records include all written and/or computerized information produced by or for the church.

#### **18. Church Office Computers**

Office computers are the property of the church and are for the exclusive use for church business. Employees shall not use church computers for conducting personal business, sending non-church related E-mails, or surfing the World Wide Web for other than church business.

#### **19. Solicitation or Distribution**

It is the policy of the church to ensure a productive work environment where employees may work without disruption. Therefore, employees may not advertise services, solicit another employee, or

collect from another employee while either employee is on “work time”. “Work time” is defined as all time on the job excluding meal periods, break times, and time before or after work.

## **20. Ban on Firearms in Building**

It is the policy of the church to ban firearms from the building at all times. This total ban applies to employees while acting in the course and scope of their employment. Minnesota law defines a “firearm” as “a gun that discharges shot or a projectile by means of an explosive, a gas or compressed air; or a device designed to be used as a weapon, from which is expelled a projectile by the force of any explosion or force of combustion.”