

PERSONNEL MANUAL

PRESBYTERY OF UTAH

Adopted by the Presbytery of Utah - 18 May 2001

Revised October 17, 2003

Mission Statement: The Presbytery of Utah is called to inspire and equip its congregations of Reformed Believers to worship, grow in faith, and do ministry in Christ=s name.

This Personnel Manual is prepared in conformance with the Book of Order, Section G-9.0404b. It was taken from the Personnel Policy of the Synod of the Rocky Mountains and has been modified for use in the Presbytery of Utah.

TABLE OF CONTENTS

I. Theology of Employment..... 5

II. Scope and Application of These Policies7

III. Principles for the Administration of the Personnel Policies and Practices 9

 A. Equal Employment Opportunity..... 9

 B. Compensation..... 9

 C. Reimbursement of Expenses..... 9

 D. Career Development 9

 E. Benefits..... 9

 F. Working Conditions 9

 G. Grievances and Complaints..... 9

 H. Communication 10

 I. Sexual Misconduct..... 10

IV. Personnel Policies..... 11

 A. Employment Categories, Terminology and Procedures 11

 B. Term of Service 11

 C. Position Description and Validation..... 12

 D. Recruitment and Selection 12

 E. Introductory Employment Period..... 13

 F. Terms of Call and Employment..... 13

 G. Salary Administration 13

 H. Career Opportunities..... 15

 I. Performance Review and Evaluation 16

 J. Separation Policies and Procedures22

K.	Complaints and Grievances	26
L.	Benefits	27
M.	Permanent Part-time Employees.....	30
N.	Temporary Employees	31
O.	Interim Staff Positions.....	31
P.	Staff History Record.....	32

This page left blank on purpose.

||

I. Theology of Employment

The Presbytery of Utah, a governing body of the Presbyterian Church (U.S.A.) is a community of faith called into being by God's grace in Jesus Christ. As such it is a "community of people known by its conviction as well as by its actions."

B This community of faith celebrates creation as an ongoing phenomenon of God in the world. It acknowledges the sovereignty of God over the world and the lordship of Jesus Christ over the Church.

B This community of faith is made up of people called by God into a covenant relationship. Here gifts are recognized and used for the purposes of God. This community of faith values the contributions of all its employees.

B This community of faith is a servant community. It offers its life for the world.

B This community of faith is an interdependent community within which particular responsibilities are accepted and acted upon.

This church is living testimony that the "God who creates life, frees those in bondage, forgives sin, reconciles brokenness, makes all things new, is still at work in the world." (G-3.0300)

Implicit in Christian theology are certain basic assumptions about persons which should be taken into account in the Church's employment practices if the Church is to be faithful to its best insight.

Without such faithfulness the Church will distort its witness. Through faithfulness the Church will make life together in work more meaningful, productive, and rewarding.

The basic assumptions are inherent in the central teachings of the Christian faith regarding the nature of persons. They are benchmarks which can guide the Church in its employment practices.

Persons are created in the image of God. God is the creator; therefore the creativity of those made in God's image must be recognized and protected. A failure to allow this creativity denies God's creation and the continual creativity through persons.

The Christian Gospel sets people free from bondage to assume responsibility for themselves. This means that in the acceptance of this freedom a person finds worth and dignity. To deny the opportunity for the exercise of this freedom is to deny the worth and dignity of the individual.

A contractual agreement is the proper expression of a mutually-agreed-upon functional order in relationships. Employment is such an agreement in which two parties agree to function together in a certain way to achieve an agreed-upon objective or purpose.

As an employer the Church must recognize and incorporate into its particular personnel system these basic assumptions of faith or it risks the possibility of being unfaithful to its own witness.

This page left blank on purpose.

II. Scope and Application of These Policies

The following policies are established by the Presbytery with regard to all staff which it employs, and are advisory policy guidelines for its subsidiary agencies. They are designed to be consistent with all applicable provisions of the Form of Government, with the "Personnel Policies for Agencies and Guidelines for Governing Bodies of the Presbyterian Church (U.S.A.)", and with the Personnel Policy of the Synod of the Rocky Mountains.

The Presbytery is free to amend, modify and change these policies at any time, and will keep employees informed of all such amendments, modifications, and changes.

This page left blank on purpose.

111. Principles for the Administration of the Personnel Policies and Practices

A. Equal Employment Opportunity

To enable the Presbytery to implement equal employment opportunity in accordance with the guidelines established by the General Assembly Council and the Synod of the Rocky Mountains.

B. Compensation

To administer a process of compensation wherein the individual employee's compensation is determined on the basis of a system of job evaluation and classification, equitable salary scales, and increments determined in light of economic factors and an annual performance review and evaluation. Such a process will include interpretation of the salary program to employees and participation of employees in describing their responsibilities.

C. Reimbursement of Expenses

To administer a process wherein authorized expenses incurred by employees in the performance of their work assignments are reimbursed in an adequate and uniform manner, utilizing a voucher system.

D. Career Development

To administer a process of career development which will afford employees the opportunity to acquire new skills and knowledge and/or refresh old skills and knowledge, consonant with the needs of the Presbytery and their own goals and objectives. Employees may receive assistance through financial grants and needed time away from the job to participate in employer conducted or approved training programs. The process of staff development will be an integral part of their annual performance review and evaluation.

E. Benefits

To provide benefits to regular employees for medical services and insurance, pension coverage, regular vacations, and regular and special leaves.

F. Working Conditions

To establish and administer a process wherein the employee is assured of equitable working hours, necessary equipment to perform tasks, and working conditions which provide for the safety, security and quality of work life compatible with the goals and financial capacity of the Presbytery.

G. Grievances and Complaints

To administer a process that will ensure all employees a fair and equitable opportunity, including the right to choose a peer advocate, for the hearing and resolution of misunderstandings and grievances that may arise in the administration of the total personnel system.

H. Communication

To communicate to all employees the personnel policies and procedures pertinent to their employment, including identification of the offices, persons, or committees involved in the administration and oversight of the system.

I. Sexual Misconduct

To maintain a workplace free of any form of sexual harassment or sexual intimidation from any Presbytery employee, including supervisors, or from non-employee work contacts. Any form of sexual harassment is unacceptable behavior within the workplace and is subject to appropriate disciplinary action. Sexual misconduct is covered in a separate Presbytery policy paper.

IV. Personnel Policies

A. Employment Categories, Terminology, and Procedures

1. Employer

The legal corporate employer of all Presbytery staff personnel is the Presbytery of Utah of the Presbyterian Church (USA), a legal corporation in the State of Utah.

2. Categories of Employment

In accordance with the Fair Labor Standards Act there are exempt and non-exempt positions.

Non-exempt: Persons employed in non-exempt positions shall be paid overtime wages for hours worked in excess of 40 hours a week. Overtime pay is at the rate of one-and-a-half times the hourly rate. Non-exempt positions are support staff.

Exempt: Persons employed in exempt positions are not paid overtime wages for hours worked in excess of 40 hours a week.

Ministers of the Word and Sacrament: In accordance with federal and state statutes and Church policy, all ordained Ministers of the Word and Sacrament are considered self-employed persons (exempt) engaged in the exercise of their ministry, and are not subject to withholding for certain taxes, nor are they covered under Unemployment Insurance. They are, however, included in all other policies which apply to "employees".

Professional (exempt) Staff: All exempt staff shall be elected to office in accordance with the Form of Government. An interim Executive may not be considered for the installed position in which he/she is currently serving as Interim.

B. Term of Service



1. For elected staff

Presbytery exempt staff persons shall be elected for three-year (Stated Clerk, Treasurer) and five-year (Executive Presbyter) terms as long as annual and comprehensive reviews and evaluations are satisfactory.

Exempt staff persons may be employed for particular terms under special circumstances, or to perform special services on a short-term basis. The Presbytery staff shall recommend to the Personnel Committee when and under what circumstance persons shall be so employed for special services and limited terms.

2 For non-exempt staff

Non-exempt staff shall serve for an indefinite period.

C. Position Description and Validation

1. Within the Presbytery of Utah, the Executive Presbyter, the Stated Clerk, and the Treasurer operate in a collegial manner.
2. The Executive Presbyter provides primary leadership for developing vision and coordination of Presbytery activities, and shall guide and integrate the policies, programs and decisions of the Presbytery. He/She serves as the Head of Staff of the Presbytery office.
3. The Stated Clerk serves as the ecclesiastical officer of the Presbytery. He/She has the responsibility to record the transactions of the Presbytery, keep its rules of membership and attendance, and furnish extracts of them as required.
4. The Treasurer serves as the financial officer of the Presbytery. He/She has the responsibility to keep adequate books and records to reflect all financial transactions and to report those transactions as required.
5. The Administrative Assistant/Bookkeeper is responsible for the day-to-day operation of the Presbytery office and provides general support to the Executive Presbyter, Stated Clerk, Treasurer, and Moderators.
6. The Recording Clerk is responsible to attend meetings of the Presbytery of Utah and to accurately record the proceedings of those meetings.
7. Every employee shall have a position description approved by the Personnel Committee and subject to review and revision at the time of the annual performance review and evaluation.
8. New exempt positions and substantive changes in the position descriptions of exempt positions must be validated by the Presbytery in consultation with the Synod. New non-exempt positions shall be proposed by the Executive Presbyter, and validated by the Personnel Committee and by the Presbytery. Changes in non-exempt position descriptions are validated by the Personnel Committee.

D. Recruitment and Selection

1. The Presbytery of Utah and all agencies of the Presbyterian Church (USA) are equal opportunity employers, hiring without regard to race, ethnic origin, sex, marital status, age, or disabilities. In positions where knowledge and belief in Presbyterian doctrine are essential to optimum job performance all agencies and the Presbytery hold and exercise the legal right to stipulate Presbyterian church membership as a necessary qualification.
2. All applicants, regardless of religious background, are considered for all other types of positions. Persons will be hired, employed and treated during employment without regard to race, ethnic origin, sex, marital status, age, disabilities, or religion in accordance with Revised Order #4, HEW Guidelines for institutions of our type, 1965 Civil Rights Bill Title #7, and/or other guidelines pertinent to operational missions of the Presbytery of Utah. Selection of new employees shall be made on the basis of such factors as ability, aptitude, experience, training, education, character, personality and physical ability. The Presbyterian Church (USA) Affirmative Action Program assures that minorities and women receive equitable treatment in employment, retention and promotion.
3. Professional staff (exempt) shall be elected by the Presbytery in accordance with the provisions of the Form of Government of the Presbyterian Church (USA) and the Administrative Manual of the Presbytery of Utah.
4. Selection of the Administrative Assistant/Bookkeeper shall be made by the Executive Presbyter in consultation with the Personnel Committee.
5. Selection of non-exempt (secretarial and clerical) employees shall be made by the administrative assistant in consultation with the Executive Presbyter.
6. To affirm and facilitate equal opportunity for all employees and employment candidates, care will be exercised in the employment and assignment of persons who are direct relatives of people in the Presbytery's employ. Such people should not be automatically denied employment or fair treatment in the full spirit of these policies. However, individuals shall not be hired by or through the involvement of direct relatives, and they shall not be assigned to a position where a direct relative is in a position to influence the employee's salary, promotion or other aspects of personnel practice.

E. Introductory Employment Period

The first three months of employment of non-exempt personnel are an introductory period, giving the employee and his/her supervisor an opportunity to evaluate motivation and qualifications for the position under actual working conditions. Prior to regular employment, a performance appraisal is prepared and discussed with the employee by his/her supervisor. When all requirements for regular employment are completed satisfactorily, regular employment shall begin with the next pay period.

A non-exempt employee is not eligible for participation in the Benefits Plan of the Presbyterian Church (USA) until after three months of employment.

F. Terms of Call and Employment

All exempt staff shall be provided with a written "call". In compliance with the Form of Government, the call of a minister shall be submitted to the minister's presbytery for approval.

All staff other than ministers shall be provided with a written memorandum of understanding of employment which shall include titles of position(s), average work hours per week, status and benefit. This memorandum shall be entered into the employee's personnel file.

Revised 17 October 2003

G. Salary Administration

The Presbytery is committed to salary administration principles which enable the Presbytery to establish salary ranges for each staff position in a consistent and objective manner; to provide a basis for determining equitable salary adjustments; and to enable Presbytery staff personnel to have realistic salary expectations.

1. Manse Allowance

The Internal Revenue Service provides that a minister can exclude from gross income for income tax purposes any housing allowance paid as part of his/ her compensation to the extent that he/she used it for renting or providing a home.

In order to satisfy the requirement of the Internal Revenue Service relative to the housing or manse allowance for ordained ministers, it is understood that 35% of the total amount of compensation paid to an ordained minister is designated as a manse or housing allowance.

If, however, the amount actually being spent for housing, or the fair rental value as a furnished house plus utilities, is greater than 35%, then the employee may request the Presbytery to designate a larger percentage of his/her compensation as a housing allowance.

If the amount which is designated for manse allowance is not fully used, it is the recipient's responsibility to report the balance to the Internal Revenue Service as taxable income.

2. Moving Expense

When a person is originally elected or moved at the request of the Presbytery, moving expense payment shall cover household goods not in excess of 12,000 pounds. It shall include the cost of the initial move, storage in transit (not in excess of two months), and moving expense from warehouse to home. The employee shall also be reimbursed for the cost of moving members of the immediate family.

3. Travel Expense

Staff members shall keep a daily record of approved travel and entertainment expenses incurred in the performance of their work and shall report such expenses as directed by the Treasurer of the Presbytery for approval and reimbursement.

4. Overtime

Non-exempt workers, except part-time workers, work 40 hours per week. A one-half hour lunch time, which is not part of the 40 hours, and appropriate breaks shall be a part of the regular work day. When overtime is required, compensation will be at one-and-a-half times the regular hourly rate. Through employee request, the Executive Presbyter may grant compensatory time in lieu of overtime pay.

5. Honoraria

Honoraria received in connection with official work are retained by the recipient. When a member of the Presbytery staff serves as a supply preacher within the Presbytery (vacancy or vacation), the church or churches ordinarily will reimburse the Presbytery staff travel account for the expenses incurred by the staff person. This includes mileage at the current Presbytery rate as well as actual cost of meals and lodging when such costs are incurred.

6. Deferred Income

If the employee wishes, that portion of salary allowed by the IRS may be placed in a tax sheltered or deferred income annuity policy or fund.

7. Conflict of Interest

No employee shall accept any gift, gratuity, grant service or any special favor from any person or persons, or businesses which provide or receive goods and services or which seek to provide or receive goods and services to or from the Presbytery. However, minor courtesies such as luncheons, dinners, or similar arrangements in connection with business discussions may be received.

An employee shall avoid even the appearance of conflict of interest, special interest, or any other inappropriate conduct.

If an employee discovers that he or she may be in a position of conflict of interest, he or she shall immediately report this conflict to his or her supervisor. This does not apply to honoraria as described in Section IV.G.5.

H. Career Opportunities

1. Career Development

All employees will be given an annual opportunity to review and determine their short and long-term career goals and objectives as a part of the Church's Affirmative Action Program. Such an opportunity will include at least the following:

- a. A sharing of the employee's career goals and objectives as appropriate and his/her career goals and objectives as an employee of the Presbytery.
- b. A sharing of the Presbytery's goals and objectives within the context of the total mission of the Presbyterian Church (USA).
- c. A review and analysis of the employee's skills and knowledge in light of his/her current work assignment and of the goals and objectives of the Presbytery and the employee.

- d. An analysis of the employee's potential career opportunities within the structure of the Presbyterian Church (USA) and the Presbytery.
- e. An agreement by the employee and the Presbytery concerning short and long-term goals and objectives.
- f. The development of a projected program to help the employee develop new skills and knowledge or refresh old skills and knowledge, which would be helpful in achieving the agreed-upon objectives.

2. Annual Study Leave for Exempt Staff

Unless stated differently in the call of a Minister of Word and Sacrament, up to two weeks of annual study leave with pay may be granted within the following guidelines:

- a. Study leave is not additional vacation but may be taken in conjunction with vacation.
- b. Study leave is not automatic but is directly related to career goals and objectives as well as the development of skills that are useful to the Presbytery. It is to be reported at the annual review.
- c. Satisfactory provision must be made to cover the employee's work.
- d. Study leave, if granted, must be used within the period designated.

3. Extended Study Leave for Exempt Staff

In order to enable employees with specific needs or opportunities to give extended study to subject areas which will contribute to the work of the Presbytery as well as their own technical or professional development, an extended study leave with pay may be granted by the Presbytery within the following guidelines:

- a. The employee must have completed two years of continuous service with the Presbytery.
- b. Ordinarily five years must have elapsed from the time of any previous extended study leave, and at least one year from any previous two weeks' study leave.
- c. A detailed written plan of study and clearly identified goals with end products clearly set forth must be approved by the Presbytery's Personnel Committee long enough in advance to be covered by the Presbytery's budget and staffing plans.
- d. The maximum length of extended study leave will be four months. This may be taken in conjunction with earned vacation within a particular year, but may not be combined with two weeks of study leave.
- e. The ongoing work of the particular position and the total Presbytery mission and function will be primary factors in the considering and granting of extended study leave.

4. Study Leave for Non-exempt Staff

It is anticipated that most study needs of non-exempt staff can be met through means other than extended leave. Under special circumstances, when it can be demonstrated to be for the good of the employer as well as for the employee, study leave for non-exempt staff may be approved in line with annual provisions for exempt staff.

I. Performance Review and Evaluation

The Presbytery of Utah has instituted a procedure for performance and review of all personnel employed by the Presbytery. The primary purpose of a performance review and evaluation is to improve the effectiveness of personnel in the discharge of the responsibilities assigned to them. Such procedure will help to establish and communicate organizational program objectives and individual work objectives; clarify and define individual responsibilities; change policies and procedures as necessary to achieve increased effectiveness; seek to understand employee morale

and attitudes out of concern for staff members as persons and in the interest of most effective organizational results; in order to provide constructive support for them, to strengthen partnerships, to plan appropriately for the future, and to provide opportunity for each person to realize full potential through regular review and evaluation of performance

1. General Guidelines for Review/Evaluation

The process of review and evaluation is essential to the well-being of the Presbytery. It is an expectation of employees and a responsibility of the Presbytery to provide such a process. Persons who conduct reviews should be trained in review and evaluation. Review and evaluation is for development and encouragement of employees and should not be used against persons. When the process is punitive, it is ineffective and not helpful.

a. The process includes three elements:

- (1) An objective measure of performance based on the performance review.
- (2) An evaluation of returned Performance Appraisals for the individual.
- (3) An evaluation of the role of the individual in the position (role review).

b. Reasons for the process

- (1) To help a person grow and develop professionally and spiritually in the position.
- (2) To provide feedback, support, enrichment and improvement for employees.
- (3)) To achieve the mission and goals of the Presbytery of Utah through the work of the staff.

c. General principles

- (1) Leadership and management styles, and structures and systems of accountability, affect how evaluation and review are accomplished.
- (2) Review/evaluation should be conducted separately from salary review.
- (3) The process needs to be open, objective and free from any kind of prejudice.
- (4) The Synod of the Rocky Mountains should be involved in the review/evaluation of the Executive Presbyter.
- (5)) Training is essential for those conducting reviews and evaluations.
- (6) A poor process is worse than no process at all.

2. Who is to be Reviewed and Evaluated

All persons employed by the Presbytery of Utah are to be reviewed and evaluated. This includes all exempt and non-exempt staff; i.e., the Executive Presbyter, paid officers, and support staff. No employed person is outside the process

3. Who Conducts the Review and Evaluation

Care needs to be exercised in establishing the role of the Personnel Committee for the review/evaluation process. The committee is the supervisor of the Presbytery employees, specifically the Executive Presbyter and the Stated Clerk/Treasurer. For other employees, daily supervision by a committee is very awkward. The Executive Presbyter and the Stated Clerk are responsible for supervision of other employees. The committee reviews/evaluates that supervision.

a. Executive Presbyter

The Executive Presbyter is reviewed and evaluated by the Personnel Committee, with the participation of the Synod of the Rocky Mountains. The moderator of the committee takes the initiative in leadership of this evaluation.

b. Stated Clerk/Treasurer

The Stated Clerk/Treasurer is reviewed and evaluated by the Personnel Committee.

c. Support Staff

Support staff are reviewed/evaluated by the Personnel Committee, with input as relevant by the Executive Presbyter and the Stated Clerk.

4. Types and Frequency of Reviews and Evaluations

a. Initial Reviews/Evaluations

These are done after three months of employment. They are to set an initial course and check on the general tone of how the initial period of employment is going. For support staff this is at the end of their orientation period. Planning at this stage is to complete the first year.

b. Annual Reviews/Evaluations

These are conducted in the late winter and reported to the Spring meeting of the Council, to allow time to make recommendations regarding salary increases for the preliminary budget at the Spring Presbytery meeting. They should be done on a regular basis. No matter when a hire takes place, the employee should be included in the next round of review/ evaluations.

Revised 17 October 2003

Members of the Personnel Committee may have had little contact with employees to be reviewed. It is a good idea to provide a social time around the review/evaluation schedule for informal contact between the committee and employees.

c. Major Reviews/Evaluations

These reviews are of a major nature in that they are periodic and explore more in depth the evaluation of the role and the person's fit and the effectiveness of the person in the particular role. These major review/ evaluations should be conducted every five years for the Executive Presbyter and every three years for the Stated Clerk/Treasurer.

Revised 17 October 2003

5. A General Outline of Annual and Major Reviews/Evaluations

a. Annual Review/Evaluation (All Staff)

(1) The staff person prepares the following and submits it to the Moderator of the Personnel Committee at least four weeks before the Annual Review/Evaluation.

(a) Previous year's work

- List of significant accomplishments.
- Self-evaluation of position description and work plan or objectives.
- List of continuing education experiences for past year.
- Issues to discuss with committee.

(b) Next period

- Work plan or objectives.
- Proposed changes in position description, if any.

- Proposed continuing education.

- (2) Two months prior to the Review/Evaluation meeting, the Committee identifies Presbytery and Synod personnel who have worked with and can evaluate the staff person=s work. (Up to half of those personnel can be identified by the staff person.) Performance Appraisals are sent out to those personnel with a request to perform the evaluation and return the Appraisal by a certain date.
- (3) The Moderator of the Personnel Committee and/or a Committee member designee:
 - (a) Reviews/evaluates the staff person's material, reviews input from the Performance Appraisals for the staff person, and produces a written report of the staff person's performance.
 - (b) Provides a copy of the staff person's material/report to each member of the Personnel Committee no later than a week prior to the Review/Evaluation Meeting.
- (4) The Review/Evaluation Meeting
 - (a) Committee prepares before staff person's arrival:
 - Supervisor gives summary of her/his input on the staff person.
 - Committee discusses staff person and supervisor's input and agrees on what will be discussed with the staff person.
 - (b) Committee, Supervisor, and Staff Person:

- Staff asked to highlight any accomplishment and issues they want to discuss with the committee.
 - Committee shares what they want to discuss.
 - A verbal summary of the Performance Appraisals is presented to the staff person.
 - Any necessary negotiations take place.
- (c) Staff person is given opportunity to meet with committee in absence of supervisor, if desired.
- (d) Committee may meet with staff person absent:
- Discusses any issues necessary.
 - Concurs in the staff person=s and supervisor=s agreements or suggests adjustments.
- (e) Staff person and committee meet:
- Necessary matters are discussed.
 - Agreement is reached on what will be included in the committee=s report.
- (f) Reporting:
- Committee gives the report to the staff person for signing the concurrence or list of exceptions. A copy of the report is placed in the staff person=s personnel file. The report is to be considered Restricted and Confidential and available only to the Personnel

Committee Moderator, the employee's supervisor and the Executive
Presbyter.

- A report is made to the Presbytery that the review/evaluation
was completed in accordance with policy and guideline
requirements.

b. Major Review/Evaluation (exempt staff)

(1) The staff person prepares similar materials as in the annual
review/evaluation. In addition, the following are submitted:

(a) List of significant accomplishments since the last major
review/ evaluation (annual reviews may be used).

(b) Evaluation of self in the role of this position (evaluate compatibility,
attitude, reaction of others, values, fitness for position, openness,
etc.). What growth has occurred spiritually and professionally?

(c) What adjustments do you see for the future of your work?

(2) Performance Appraisals, as in Paragraph IV.1.5.a.(2), are sent out two
months in advance of the staff appraisal. For this more in-depth
review/evaluation, approximately twice as many Performance Appraisals
will be sent out as were sent out under the annual review.

(3) The Moderator of the Personnel Committee and/or a Personnel Committee
designee:

(a) Reviews all material, writes a report and discusses it with the staff
person.

- (b) Collects feedback from key persons in the Presbytery (and Synod, if applicable) by use of Performance Appraisals and compiles a report. (Unless these are signed, they are disregarded.)

(4) The Review/Evaluation Meeting

The flow of the meeting is similar to the Annual Review/ Evaluation with the following additions and/ or exceptions:

- (a) The time allotted for the process should be about double that of an annual review/evaluation.
- (b) Any significant issues about role need to be discussed and decisions made.
- (c) The Committee gives the written report to the staff person for signing the concurrence or list of exceptions. A copy of the report is placed in the staff person=s personnel file. The report is to be considered Restricted and Confidential and available only to the Personnel Committee Moderator, the employee's supervisor and the Executive Presbyter.
- {d) If the major review/ evaluation is for a person whose term is ending, a decision needs to be made regarding what the committee will recommend regarding re-election.

(5) Reporting

A report is made to Presbytery that the review/ evaluation was completed in accordance with policy and guideline requirements. Any actions required by Presbytery, for instance extension of the term of the position, will be in the form of a motion for Presbytery action.

J. Separation Policies and Procedures

It is the policy of the Presbytery to give continuous employment to both its exempt and non-exempt personnel. However, conditions may arise that dictate the separation of an employee.

The term "separation" shall refer to any and all terminations of the relationship between an employee, exempt or non-exempt, and the Presbytery.

1. Principles

- d. All conditions for separation shall be compatible with the provisions of the Form of Government and the Rules of Discipline of the Presbyterian Church (USA).
- e. All matters regarding staff separation shall be made in writing by the Executive Presbyter, who shall provide copies with his/her comments and recommendations to all members of the Personnel Committee and to the Moderator of Presbytery. Copies of comments and recommendations and records of all proceedings shall also be provided to the person being separated.
- f. The separation process shall be considered incomplete until the appropriate council, or committee, of the hiring body acts upon it.
- g. Immediate discharge for cause shall be made on the basis of substantial evidence. However, the discharge process will not be completed without providing the staff person with the opportunity to be heard and to present evidence at every step of the termination proceedings. At the final stage of hearing in the Presbytery the person being separated shall be informed of his/her right to appeal in accordance with the Rules of Discipline.

Revised 17 October 2003
- h. The record of all proceedings regarding an involuntary separation shall be treated with strict confidentiality.
- 1. Separation practices in this Presbytery will be free of discrimination because of race, ethnic origin, sex, marital status, age, disabilities or ordination status.
- J. Provision for an exit interview will be established for each employee at the time of separation.

- k. When separation of staff, other than discharge for cause or conduct, is initiated by the Presbytery, the Presbytery should assist the person being separated in making an adjustment to the situation.

2. Reasons for Separation

a. Voluntary Resignation

- (1) All regular non-exempt employees will give two week's written notice. Normally the employee will leave the position within three months after notice is given, unless special arrangements have been made with the Executive Presbyter and the Personnel Committee.
- (2) The Executive Presbyter submits his/her resignation to the Moderator of the Personnel Committee, with copies to the other members of that committee and to the Moderator of the Presbytery. The resignations cannot be considered final until acted upon by the Presbytery. This requirement therefore requires a timely submission.
- (3) Other exempt employees submit resignations to the Presbytery Executive with copies to all members of the Personnel Committee and the Moderator of the Presbytery. These resignations also cannot be considered final until acted upon by the Presbytery.
- (4) Non-exempt staff persons submit resignations to the Executive Presbyter with copies to all members of the Personnel Committee. These resignations are effective on a date set by the Executive Presbyter and previously reported to the Personnel Committee.
- (5) **No** severance pay is due upon resignation; however, all personnel will be paid the cash equivalent of their accrued but unused vacation at the effective date of separation.

b. Reduction in Force

Separation because of discontinuation of programs or projects, retrenchment in budget, or other circumstances arising out of no fault of the employee is at the discretion of the Presbytery.

- (1) Notice of separation to exempt employees will come through the Executive Presbyter. Notice or pay in lieu of notice will be granted, as follows. Should re-employment occur before the expiration of the notice period, salary payment will continue only until the actual date of re-employment.

<u>Years of Service</u>	<u>Notice or Pay, months</u>
Less than 3	3
At least 3, but less than 6	5
At least 6	6

- (2) Notice of separation to non-exempt employees will come from the Executive Presbyter after consultation with the Personnel Committee. When notice or pay in lieu of notice is given to non-exempt staff, severance allowance will be given in relation to the length of continued service with the Presbytery as follows:

<u>Years of Service</u>	<u>Weeks of Severance Allowance</u>
Less than 1	2
At least 1, but less than 3	4
At least 3, but less than 5	6
5 years and over	8, and a week=s salary for each year over 5 years, to a maximum of 12 weeks.

- (3) In addition to severance pay as prescribed above, all personnel will be paid the cash equivalent of their accrued but unused vacation at the effective date of separation.

c. Separation for Cause

The Form of Government provides for separation of exempt staff after a comprehensive performance review and evaluation and upon a vote by secret ballot of the hiring body. The following procedures apply unless contradicted by the Form of Government as it may be periodically amended.

- 1) At the time of a regularly scheduled performance review and evaluation, any employee whose performance is deemed unsatisfactory shall be advised in writing of the details of his/her unsatisfactory performance and how he/she might improve performance to a satisfactory level. This report shall be initiated by the supervisor or Personnel Committee and shall be forwarded to the Executive Presbyter, all members of the Personnel Committee, and the Moderator of the Presbytery. The Executive Presbyter, after consulting with the Presbytery's Personnel Committee, shall arrange a conference with the reporting supervisor or Personnel Committee and the staff person concerned, at which the report and reasons and supporting details shall be discussed until a full understanding of the circumstances is given to the staff person concerned. A period of time (three months?) will normally be given for the person to improve his/her performance, and it will be clearly indicated that separation will occur if the required improvement is not achieved. The Executive Presbyter will report to the Moderator of the Presbytery and the members of the Personnel Committee, if applicable, what was communicated to the staff person at the conference. If the Executive Presbyter is being evaluated, his or her responsibilities as outlined in this section shall be carried out by the Moderator of the Personnel

Committee. (Establish a plan of action with progressive steps set out in the procedure.)

- (2) Three months after the conference regarding an unsatisfactory performance, a progress interview will be arranged at the time previously determined by the Executive Presbyter, or in a case concerning the Executive Presbyter's evaluation, the Moderator of the Personnel Committee. The objective of this interview is agreement as to what the staff person has done to make his/her performance satisfactory. The Executive Presbyter or Moderator of the Personnel Committee will provide the staff person a letter, with copies to all concerned, setting forth what was agreed upon at the progress interview.
- (3) If the person's performance is determined to be insufficiently improved, the staff person will be discharged for continued unsatisfactory performance.

In the case of elected staff, the recommendation for discharge must be initiated by the Personnel Committee and sent to the Presbytery with consultation of the Executive Presbyter as appropriate. Upon affirmative action by the Presbytery, discharge for unsatisfactory performance is effected.

In the case of non-exempt staff personnel, the recommendation for discharge is initiated by the Executive Presbyter and, upon affirmative action by the Personnel Committee, it is effected.

- (4) Severance pay is allowed and will be paid as follows. Staff persons discharged for unsatisfactory performance will also receive the cash equivalent of their unused earned vacation as of the effective date of separation.

<u>Years of Service</u>	<u>Weeks of Severance Allowance</u>
Less than 1	2
At least 1, but less than 3	4
At least 3, but less than 5	6
5 years and over	8, and a week=s salary for each year over 5 years, to a maximum of 12 weeks.

d. Dismissal for Illegal, Unethical, or Immoral Conduct

This extraordinary separation, depending upon the nature of the case, may involve immediate involuntary separation upon the recommendation of the Executive Presbyter in consultation with the Personnel Committee and the Moderator of the Presbytery. Such drastic action is normally taken when a staff person commits immoral or unethical acts that require removal from office immediately. The first step in this process is suspension. The concurrence of the following persons is required in the case of elected staff: the Executive Presbyter, the Moderator of the Personnel Committee and the Moderator of the Presbytery.

The Personnel Committee will investigate the facts that led to the suspension. It will notify the person of the right to appear before the committee, with peer advocate if the individual desires in order to provide the committee with facts and to defend his/her position. The committee will determine whether or not the suspended person shall be discharged.

No severance pay is allowed; however, staff persons discharged for illegal, unethical, or immoral conduct will receive the cash equivalent of their unused earned vacation as of the effective date of separation.

K. Complaints and Grievances

In order to deal promptly and fairly with all complaints or grievances, the following steps will be taken:

1. Informal Procedure

Before filing a formal written grievance, two preliminary steps will be taken.

- a. The complaining party must first discuss his/her complaint with the immediate supervisor.
- b. If not satisfied with the supervisor's action, the complaining party shall take the complaint to the Executive Presbyter for solution, in consultation with all parties involved.

2. Formal Procedure

If informal efforts to resolve a grievance have failed, a formal grievance may be filed in writing to the Moderator of the Personnel Committee. A copy of the written statement of grievance shall be provided to the person's supervisor and the Executive Presbyter concurrently.

The Presbytery shall establish a special committee to investigate the grievances in consultation with all parties concerned and shall recommend to Presbytery its findings for Presbytery's vote and written decision, which shall be provided to the concerned persons.

3. Right of Advocacy

The complainant may have a peer advocate of his/her choice to represent him/her at every step of the formal process.

4. Records

A written record of all decisions reached at every hearing of a complaint or grievance shall be kept in a file separate from the employee's history file. The record shall indicate whether the complainant has accepted or rejected the decision presented to him/her.

L. Benefits

1. Pension

All full-time employees, including non-ordained personnel, who have completed an introductory period are enrolled in the Benefits Plan of the Presbyterian Church (USA). Dues shall be paid by the Presbytery at the requisite percentages.

2. Social Security

All ordained ministers are urged to participate in Social Security on a self-employed basis and to pay the required dues and their income tax. The Presbytery will pay the employer's share of the dues required of staff persons as prescribed by law.

3. Retirement

The Presbyterian Benefits Plan is designed to make retirement at age 65 possible with full benefits in relation to accrued pension credits. Those who work beyond 65 will continue to accrue additional pension credits. (See the provisions of the Presbyterian Pension and Benefits Plan for further information.)

4. Death in Service Benefits

Upon the death of an employee during service, the Presbytery will continue salary until the end of the month following the month of death, recognizing that the Presbyterian Benefits Plan makes additional provision of salary continuation.

Should the employee be 65 or older, the Presbytery will provide an amount which, when added to the amount allowed by the Presbyterian Pension Plan, will be equal to, but not exceed, the amount paid by the Pension Plan to the surviving spouse and/or minor children when the employee dies under the age of 65.

5. Travel Accident Insurance

Travel Accident Insurance is covered under Worker=s Compensation.

Revised 17 October 2003

6. Worker's Compensation

Employees of Presbytery are covered by the Worker's Compensation Insurance Policy for accident or injury sustained on the job.

7. Insurance

Employees who are members of the Presbyterian Benefits Plan are covered by the medical provisions of that plan.

8. Vacation

- a. Vacations with pay are authorized for all regular employees for rest, refreshment, and relaxation. Vacations are not cumulative and must be used within the calendar year, except when special provision has been made by the Personnel Committee.
- b. The Executive Presbyter and full-time exempt program staff are entitled to one month (22 working days) vacation per year.
- c. All other staff shall be granted vacations depending upon length of service, computed by calendar year according to the following schedule: (Part time employees see Paragraph IV.M.2.e.)

Revised 17 October 2003

Vacation Earned each Calendar Year

Service Under One Year		<u>Service Over One Year</u>	
No. of Months	No. of Days	No. of Years	No. of Weeks
<u>Employed</u>	Vacation	<u>Employed</u>	<u>Vacation</u>
3		1 to 4	2
4	2	5 to 14	3
5	3	Over 14	4
6	4		
7	5		
8	6		
9	7		
10	8		
11	9		
12	10		

- d. When a holiday occurs during the vacation period, it may be added to the vacation period.

9. Holidays

The Executive Presbyter shall annually establish a holiday schedule, with the minimum number of holidays being nine (9). When a holiday occurs during an employee's vacation or sick leave, the employee will be granted an offsetting day off. This schedule of holidays shall be kept in the Presbytery office.

Revised 17 October 2003

10. Sick Leave

Presbytery shall provide sick leave with full pay to all employees who cannot perform scheduled work because of personal, non-work-related illness or injury. No specific number of sick-leave hours are accrued, but the maximum paid sick leave is 1,000 working hours in a 12-month period. The Executive Presbyter, in conjunction with the Personnel Committee, will decide how much paid sick leave will be allowed on a case-by-case basis. Factors taken into account include, but are not limited to, the staff member's performance record, sick-leave history, and length of service, as well as business considerations.

11. Parental Leave

In addition to other benefits, a Presbytery employee is entitled to parental leave in the period immediately preceding and following the arrival (birth, adoption, or guardianship) of a child.

- a. A woman who has been employed by the Presbytery one year or more may apply for up to three months' maternity leave. Paternity leave of up to two weeks may be

granted. Requests for maternity and paternity leave will be made via the immediate supervisor to the Executive Presbyter.

- b. The employee will be compensated according to the following schedule:

<u>Years of Employment</u>	<u>Paid leave</u>
<1	none
1-2	1 week
>2	2 weeks

Any approved leave beyond the time indicated in the above schedule will be leave without pay.

- c. The employee should normally apply for the leave at least one month in advance of the expected arrival of the child, specifying the amount of leave time desired.
- d. Benefit coverage (except vacation accrual) and service credit will continue during the entire leave, with the cost of benefits paid by the Presbytery.
- e. If both parents are on the Presbytery payroll, only one parental leave can be granted. However, leave may be shared by the two parents.
- f. Upon completion of parental leave, the employee will be entitled to return to his or her position. The position will not be filled during the leave except on a temporary basis. If the Presbytery deems it necessary for business reasons, properly documented to the appropriate administrator, the Presbytery may offer a different but comparable position to the employee returning from the parental leave, which the employee will be free to accept or decline without prejudice. If the position left by the employee has ceased to exist, a comparable position will be offered to the employee at the same or greater salary.
- g. Any salary increase action for which the employee may become eligible in the course of the leave will be effective on return to employment.

12. Leave Without Pay

With the approval of the Personnel Committee and on recommendation by the Executive Presbyter, leave without pay may be granted to employees where normal leave privileges do not apply and where the circumstances do not call for a severance of the employment relationship.

13. Leave of Absence With Pay

Leaves of absence, with pay, are provided under the following circumstances with approval by the Executive Presbyter (in the case of the Executive Presbyter, leaves of absence, with pay, are approved by the Moderator of the Personnel Committee):

B for a regular training period of the U.S. Armed Forces (up to two weeks annually)

B for marriage of an employee who has been with the Presbytery for one year or longer (up to three days)

B for personal or family emergencies or for other personal business which cannot be cared for outside of working hours (granted on a daily case-by-case basis by the person's supervisor)

B for jury duty (up to two weeks annually; in exceptional cases the Executive Presbyter may grant additional leave of absence with pay for jury duty)

14. Disability

Disability is considered to be temporary separation due to physical or mental inability to function on the job. The decision to grant leave shall be made by the Moderator of the Personnel Committee in consultation **with** the Executive Presbyter. It shall be based upon the findings of a physician, or physicians.

M. Permanent Part-time Employees

1. Part-time employees are those who are employed to work less than the full weekly schedule. Their hiring must be coordinated by the Executive Presbyter and the Personnel Committee.
2. Part-time employees, employed at least 20 hours a week, are eligible for the following:

Revised 17 October 2003

 - a. Holiday pay if the holiday falls on one of the regularly scheduled workdays for that part-time employee.
 - b. Jury duty pay (up to two weeks' leave annually).
 - c. Salary increase.
 - d. Regular pay up to 40 hours and time-and-a-half pay over 40 hours in any work week for non-exempt employees.
 - e. Vacation and sick pay in proportion to hours worked each week.
 - f. Worker's Compensation, if provided for, by and in accordance with the law of the state.
 - g. Social Security participation.
 - h. Severance allowance in proportion to hours worked each week.
 - i. Job-sharing is permissible and such opportunities may be explored in consultation with the Moderator of the Personnel Committee and the Executive Presbyter.

N. Temporary Employees

1. Temporary employees may be employed at the initiative of the Administrative Assistant with the approval of the Executive Presbyter.
2. They are generally employed for a period of less than three months. They are not paid for holidays, sick leave or other leaves, do not earn vacation leave during their temporary employment, and are not eligible for severance allowance.
3. They are not eligible for the Benefits Plan or other health benefit entitlements. If they work more than the normal weekly work schedule, they will be paid at the regular rate for hours up to 40 per week, and time-and-a-half for above 40 hours in the case of non-exempt employees. If a temporary employee joins the regular staff, his/her temporary employment is not considered as credited service in computing entitlements to vacation and other benefits.

0. Interim Staff Positions

1. General Provisions

To provide continuity of Administrative and/or Program services in the Presbytery, interim exempt staff may be appointed by the Presbytery and non-exempt staff may be appointed by the Executive Presbyter with concurrence of the Personnel Committee to fill vacant approved (validated) positions, to serve until the position is filled (or abolished).

This policy is applicable to all positions whether filled by full-time, part-time, ordained or non-ordained personnel.

2. Position Description

A position description shall be prepared by Personnel Committee. It shall clearly identify the kinds of accomplishments and administrative/programmatic leadership desired during the interim period and related to the position to be filled. The accountability of the position shall be clearly defined and be consistent with the accountability provisions of the Form of Government.

3. Selection

The selection and hiring of an interim shall be in accordance with the provisions of the Form of Government and/or the policy and practice of the Presbytery.

4. Compensation

Compensation shall be in accordance with the Presbytery's compensation plan.

5. Benefits

Housing: Housing or a housing allowance shall be provided if the appointment requires relocation. Since the position is of a temporary, short-term nature, the person employed shall be encouraged to seek and secure temporary living quarters.

Pension: When the person is in the Pension Plan, benefits will be according to the Pension Board's formula.

Vacation and Continuing Education: Vacation and continuing education benefits may be granted in accordance with existing provisions for regular employees.

6. AAEO

The Affirmative Action Equal Employment Opportunity Program established by the General Assembly shall be followed in the employment of persons for interim positions.

7. Review of Work

The Presbytery shall provide for a review of the interim staff person's work on a scheduled basis. The review may be conducted on the basis of regular accountability reports to the Council.

8. Termination

Termination for cause shall be as provided for in the Presbytery personnel policy, including consultation with the interim employee's employer, if one exists.

9. Special Provisions

Interims presently retired under provisions of the Presbyterian Pension and Benefits Plan and Social Security and desiring to continue to receive their pension benefits should consult **with** the Board of Pensions regarding the applicable post-retirement service rules as they affect compensation and other entitlements.

P. Staff History Record

A History Record for all regular Presbytery staff will be kept in the files of the Personnel Committee. It will include:

1. name, address, and phone number
2. benefit-related information
3. Social Security number
4. educational background, degrees
5. work experience prior to Presbytery employment and during the term of service with the Presbytery salary statistics and classification changes.