

PERSONNEL GUIDELINES

PRESBYTERY OF LAKE ERIE

Introduction

These guidelines are based on a commitment to the best use of God's gift through the Presbytery's staff, in order to develop and maintain positive, cooperative and mutually responsible working relationships among the Presbytery's staff, officers, and churches that will advance the Presbytery's purpose and goals.

These guidelines shall be developed and amended by the Administrative Committee of Presbytery and approved by action of the Presbytery on recommendation of Council. These guidelines are subject to the provisions of The Constitution of the Presbyterian Church (USA). This document is designed to provide guidance to Presbytery. Nothing herein is intended to constitute an employment contract or an offer of an employment contract, express or implied, and nothing herein may in any way be deemed by any person, including the Presbytery or any employee, to create any legally binding rights to continuing employment or benefits or to specific terms or conditions of employment. It is not a part of any contract between the Presbytery and its employees. It is only a set of guidelines for personnel practices and the Presbytery reserves the right to modify them at any time.

The Presbytery shall be guided by the policies of the General Assembly and any laws of the Federal Government, Commonwealth of Pennsylvania, or City of Erie that may apply to the Presbytery as an employer.

Hiring Process

The Presbytery is an Equal Opportunity Employer. The Presbytery will recruit, hire, train, and promote all persons in all job classifications without regard to race, creed, color, national origin, veteran status, use of a service animal, sexual orientation, sex, age, marital status, religious affiliation except when after careful study, religious affiliation is determined to be either a bona fide occupational qualification or contrary to the specific nature of the work of the Presbytery, or physical, mental, or medical disability unrelated to the ability to engage in activities involved with the job.

Ordained staff shall be hired using the procedures of The Constitution of the Presbyterian Church (USA). All other persons shall be hired subject to the following:

- a. Completion of an application for employment
- b. Any appropriate background checks
- c. Providing any requested documentation and/or references

Employment Classifications

The paid staff of the Presbytery is comprised of the following employment classifications:

- a. **Regular, exempt** – Employees are not paid overtime wages for working in excess of forty (40) hours per week.
- b. **Regular, non-exempt** – Employees are paid overtime wages, at a rate of one and one-half times their hourly rate for hours worked in excess of forty (40) hours per week.
- c. **Part-time** – Employees who work no more than twenty (20) hours per week. Benefits for this classification will be negotiated at the time of employment.

Probationary Period

The first ninety (90) days of employment for all newly hired employees shall be probationary. At the end of the first thirty (30) and sixty (60) days of employment, the employee will be evaluated and counseled by their immediate supervisor regarding the employee's job performance to date. At the end of the probationary period, the moderator of the Administrative Committee shall send the employee a letter stating why their probationary period was or was not successfully completed.

Work Schedule

The work schedule for each employee will be determined at the time of employment as the needs of the Presbytery are varied and may be subject to change. The Administrative Committee will establish a weekly work schedule and, whenever possible, will accommodate each individual's personal commitments and the needs of the Presbytery.

Benefits

In general, benefits will be individually negotiated with each employee.

- a. **Social Security** – All employees, except ordained clergy, participate in the Federal Insurance Contribution Act (FICA), including Medicare. The employee's share of the tax, as determined by the Federal Government, is withheld from their wages.
- b. **Pension and Health Insurance** – Full-time teaching and ruling elders and other employees, as approved by the Administrative Committee, may be enrolled in the Presbyterian Pension and Benefits Plan.
- c. **Vacation time** – The Presbytery will provide to employees, paid annual vacation upon one year's employment with the Presbytery. Accrual of vacation will commence upon the date of employment for each employee and will be based, on an annual basis, upon each individual's hiring anniversary date with the Presbytery. Vacation time will increase with the number of years employed by the Presbytery as follows:

1 year = 2 equivalent work weeks

3 years = 3 equivalent work weeks

5 years or more = 4 equivalent work weeks

An equivalent work week is the number of hours that an employee is regularly scheduled to work per week.

Employees may use their vacation time providing their absence does not unduly provide a hardship to the Presbytery. Scheduled absences must be approved a minimum of two weeks in

advance. It is the policy of the Presbytery to encourage each employee to utilize allotted vacation time during each individual's employment year. A maximum of one equivalent work week will be allowed to be carried over from one year to the next. All other accrued vacation time will be forfeited on the employee's anniversary date. Unused vacation time will be compensated in the event employment is terminated.

- d. **Sick leave** – The Presbytery will provide up to two equivalent work weeks each employment year to each staff person to be utilized for purposes of addressing health needs. Compensation will be based upon the employee's wage rate at the time sick leave is utilized. Sick leave may be utilized at the discretion of the employee and is granted for sickness of the individual employee, his or her spouse/partner, children, or other immediate family members. Sick leave can also be used for health needs, e.g. dental or medical appointments. Each employee of the Presbytery should notify the office each day they will be absent from work due to illness, whenever possible. Sick leave may be accumulated up to a maximum of twelve (12) equivalent work weeks and may be carried over from one employment year to the next. At no time will compensation for any unused sick leave be made to an employee who is leaving employment. If requested by their supervisor, the employee will provide documentation from their treating physician explaining their absence. In the event of an employee's disability, decisions regarding compensation will be determined on a case-by-case basis by the Administrative Committee.
- e. **Paid holidays** – The Presbytery office will be closed for the following holidays: New Year's Day, Martin Luther King's Birthday, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, and New Year's Eve. Employees regularly scheduled to work on these days will be paid for the number of hours they normally would have worked at their regular rate of pay.
- f. **Personal leave** – The Presbytery will allow each full-time employee up to two, non-accruing, personal days per year.
- g. **Paid leave of absence** – The Presbytery will allow time off with pay for the following situations:
 - jury duty
 - three days for the death of an immediate family member (mother, father, sister, brother, spouse/partner, children, in-laws, grandparent, and grandchildren)
 - study leave as approved by the Administrative Committee
 - additional time off for any of the above reasons as approved by the Administrative Committee
- h. **Unpaid leave of absence** – Subject to approval, the Administrative Committee will allow time off without pay for up to six months, subject to renewal once, for personal reasons including but not limited to convalescence, extended parental leave, family responsibilities, and the like. An employee on unpaid leave ceases to be eligible for holiday pay or accrual of sick days or vacation days. Medical benefits will not be paid during unpaid leaves.
- i. **Military leave** – Employees absent on their annual two-week reserve or National Guard duty shall be considered on an excused leave of absence and may elect one of the following options related to their pay:

- The employee may take their vacation and retain their military pay.
- The employee may surrender their military pay to the Presbytery, receive their regular salary and take their vacation at a later date.
- The employee may take unpaid leave and retain their military pay.

An employee called up to active duty is allowed an unpaid leave of absence to meet his/her military responsibilities. Upon honorable discharge from active duty, the employee will be allowed ninety days to apply for reinstatement to his/her former job. The employee will be reinstated to the same job formerly held, with the same duties, same level of pay, benefits and seniority had he/she not been on active military duty. Employee benefits will not accumulate during the leave. The employee will be given a consolidated Omnibus Budget Reconciliation Act notice for election to continue insurances during the leave.

Performance Reviews

Each performance review should be a positive and interactive process whereby both the Administrative Committee and the individual being reviewed receive information, in writing, about his or her success in meeting the responsibilities of the job, and the Presbytery can learn about its strengths and weaknesses as an employer of that employee. In general, the goal of the Administrative Committee is to conduct a performance review of each employee annually. Written reviews shall be permanently stored in the employee's personnel file.

Harassment Policy

The rights of all employees must be respected. All employees of the Presbytery must understand its position on harassment. By definition, harassment is any unwanted attention or action prohibited by law by someone in the workplace that creates an intimidating, hostile, or offensive work environment. The procedure for reporting and dealing with this very sensitive issue is as follows:

- a. If a person's behavior makes an employee uncomfortable, the employee should feel free to immediately advise the person that, in the employee's opinion, the behavior is inappropriate and that the employee would like it stopped.
- b. If the employee is not comfortable discussing the issue with the person, or if the person fails to respect an employee's request, the employee should report the incident to his or her supervisor. If, for whatever reason, the employee does not feel that the supervisor is a suitable person to whom to report the incident, the employee should contact the moderator of the Administrative Committee. In all instances, a prompt, thorough, and fair investigation will take place with the appropriate body of Presbytery, giving careful consideration to protect the rights and dignity of all people involved. The Presbytery will take those steps it feels necessary to resolve the problem, which may include verbal or written reprimand, suspension, or termination. No retaliation of any kind will occur because an employee has in good faith reported an incident of suspected harassment. The supervisor, or other person to whom the complaint was made, will

work to establish mutually agreed upon safeguards against retaliation while attempting to mediate any harassment complaint.

Alcohol and Drug Use

Any of the following actions may subject an employee to disciplinary action including immediate termination:

- a. Using, selling, purchasing, transferring, possessing, manufacturing, or storing an illegal drug or drug paraphernalia, or attempting or assisting another to do so, while in the course of employment or engaged in a Presbytery sponsored activity, on premises, in owned, leased, or rented vehicles, or on business.
- b. Working or reporting to work, conducting Presbytery business or being on premises or in a Presbytery-owned, leased, or rented vehicle while under the influence of an illegal drug, alcohol, or in an impaired condition.

Disciplinary Action

The Administrative Committee's corrective disciplinary procedure is intended to maintain satisfactory performance. The procedure also assures fair and uniform treatment for work rule violations and/or substandard performance. The usual process to be followed when disciplinary action is required will be a verbal warning by the supervisor giving a time limit for improvement. If necessary, this will be followed by a letter stating the problem and a time limit for improvement which must be acknowledged by the employee in writing. This letter will become part of the employee's personnel file. If warranted by problems that are still unresolved by the above actions, another letter will be sent to the employee notifying the employee of their suspension, with or without pay, or termination of employment.

Grievances

The purpose of the employee appeal procedure is to provide a means for employees to resolve their work place concerns with management. All employees of the Presbytery may file a grievance under this section. A grievance shall be determined as an alleged misapplication of Presbytery personnel guidelines. In order to qualify for processing, an appeal must be filed no later than thirty (30) calendar days after the date on which the aggrieved condition commenced. Any problems arising from employment or conditions of employment are to be directed to the General Presbyter. If the matter is not resolved, the employee may file a written complaint with the appropriate committee of Presbytery.

Separation Policy

Any employee of the Presbytery may resign by submitting a letter of resignation to the appropriate committee of Presbytery at least two weeks prior to the effective date of the resignation. At the time of the effective date of the resignation, the employee shall be able to use any accrued vacation or the employee shall be paid for all unused vacation. No employee shall be compensated for any unused sick leave at the time of resignation.

Discipline and/or discharge may result for many reasons including, but not limited to, inappropriate behavior and/or unsatisfactory performance. Inappropriate behavior is defined as including, but not limited to, misbehavior on the job, refusal to do work reasonably expected, wrongful use of or taking of Presbytery property, conviction of a felony, and violation of any policies or practices of the Presbytery. Unsatisfactory performance means failure of an employee to meet performance standard, to complete tasks in a timely, competent way, or to maintain an adequate attendance record. Uncooperative behavior or negative attitudes that affect the work or morale of others may result in termination.

An exit interview will be conducted by the Administrative Committee with the employee upon separation.

Confidentiality Policy

All personnel records shall be kept in a separate, locked file. Records shall be accessible to members of the Administrative Committee and for good cause, the Presbytery's legal counsel. Employees shall be permitted access to their own personnel records and may submit written changes to correct factual information or to note their disagreement with any material in their own records. The Presbytery shall not release any information from the personnel records to any outside sources without the employee's written permission unless legally required to do so, or unless necessary to defend the employer from a claim of wrongful or improper conduct made by the employee or another party against the employer.

Amendments

Changes to this policy shall require a two-thirds (2/3) vote of the Presbytery.

Revised and approved unanimously by the Administrative Committee at their meeting of March 15, 2018

First reading by the Presbytery at their stated meeting of April 24, 2018

Final passage by the Presbytery at their stated meeting of June 26, 2018