



Gathering Together, Nurturing Innovation, Strengthening Communities  
 Reuniéndonos Juntos, Animando Innovación, Fortaleciendo Comunidades  
 다같이 모이기 - 공동체를 강화하기 - 혁신을 키워나가기

# Synod of the Northeast Personnel Policies & Guidelines

Adopted by the Synod Mission & Ministries Commission  
 February 10, 2018

Sections edited from a sample document generously provided by the Synod of Mid-America

|  |          |
|--|----------|
| <b>I. MISSIONAL PURPOSE OF THE SYNOD.....</b>        | <b>3</b> |
| <b>II. OVERVIEW.....</b>                             | <b>3</b> |
| <b>III. PRINCIPLES OF ADMINISTRATION .....</b>       | <b>3</b> |
| A. EQUAL EMPLOYMENT OPPORTUNITY.....                 | 3        |
| B. COMPENSATION .....                                | 4        |
| C. REIMBURSEMENT OF EXPENSES .....                   | 4        |
| D. CAREER DEVELOPMENT/CONTINUING EDUCATION.....      | 4        |
| E. COMMUNICATION.....                                | 4        |
| F. QUALITY OF WORK LIFE .....                        | 5        |
| <b>IV. EMPLOYMENT DEFINITIONS AND POLICIES.....</b>  | <b>5</b> |
| A. DEFINITION OF TERMS.....                          | 5        |
| B. ELECTED STAFF .....                               | 5        |
| C. APPOINTED STAFF.....                              | 6        |
| D. CALLS FOR MINISTERS OF THE WORD & SACRAMENT ..... | 6        |
| E. AT-WILL EMPLOYMENT .....                          | 6        |
| F. MANAGERIAL RESPONSIBILITY .....                   | 6        |
| G. WORK REVIEW .....                                 | 6        |
| H. PERSONNEL RECORDS.....                            | 7        |
| I. CONFLICT OF INTEREST .....                        | 7        |
| J. RESIDENCY .....                                   | 8        |
| K. PRIVACY .....                                     | 8        |
| L. SCREENING/BACKGROUND CHECK.....                   | 8        |
| M. ANTI-NEPOTISM.....                                | 8        |
| N. NON-DISCLOSURE OF CONFIDENTIAL INFORMATION .....  | 8        |
| O. SEXUAL HARASSMENT/MISCONDUCT POLICY .....         | 9        |
| P. CHILD PROTECTION POLICY .....                     | 9        |
| <b>V. ECONOMIC POLICIES.....</b>                     | <b>9</b> |
| A. LEAVE BENEFITS.....                               | 9        |
| 1. <i>Holidays</i> .....                             | 9        |
| 2. <i>Paid Leave</i> .....                           | 9        |
| 3. <i>Sick Leave</i> .....                           | 10       |
| 4. <i>Jury Duty</i> .....                            | 10       |
| 5. <i>Bereavement Leave</i> .....                    | 10       |
| 6. <i>Family &amp; Other Personal Leave</i> .....    | 11       |
| 7. <i>Military Leave</i> .....                       | 11       |

|              |   |           |
|--------------|---|-----------|
| B.           | BENEFITS.....   | 11        |
| 1.           | <i>Social Security</i> .....  | 11        |
| 2.           | <i>Pension</i> .....  | 11        |
| 3.           | <i>Health Insurance</i> .....   | 12        |
| 4.           | <i>Section 125 Plans</i> .....  | 12        |
| 5.           | <i>Worker’s Compensation Insurance</i> .....  | 12        |
| 6.           | <i>On-the-Job Travel Accident Insurance</i> .....   | 12        |
| 7.           | <i>Off-the-Job Disability Benefits Insurance</i> .....  | 12        |
| 8.           | <i>Unemployment Insurance</i> .....   | 12        |
| C.           | CONTINUING EDUCATION AND TRAINING.....  | 13        |
| 1.           | <i>Continuing Education/Annual Study Leave for Exempt Staff</i> .....                                 | 13        |
| 2.           | <i>Training</i> .....   | 13        |
| 3.           | <i>Study Leave for Non-Exempt Employees</i> .....   | 13        |
| D.           | SABBATICAL LEAVE .....  | 13        |
| <b>VI.</b>   | <b>SEPARATION AND RETIREMENT PRACTICES .....</b>  | <b>14</b> |
| A.           | VOLUNTARY RESIGNATION .....   | 14        |
| B.           | DISMISSAL FOR CAUSE .....   | 14        |
| C.           | TERMINATION WITHOUT PREJUDICE.....  | 14        |
| D.           | SUSPENSION .....  | 15        |
| E.           | REDUCTION IN FORCE .....  | 15        |
| F.           | DEATH IN SERVICE.....   | 16        |
| G.           | EXIT INTERVIEW .....  | 16        |
| H.           | RETIREMENT .....  | 16        |
| I.           | RETURN OF PROPERTY .....  | 16        |
| <b>VII.</b>  | <b>GENERAL PROVISIONS FOR INTERIM SYNOD STAFF .....</b>   | <b>17</b> |
| <b>VIII.</b> | <b>STAFF WORKING RELATIONSHIPS .....</b>  | <b>18</b> |
|              | GRIEVANCE POLICY .....  | 18        |
| A.           | <i>Complaint Procedures</i> .....   | 18        |
| B.           | <i>Right of Advocacy</i> .....  | 19        |
| C.           | <i>Grievance Procedure for Job Applicants</i> .....   | 19        |
| D.           | <i>Written Record</i> .....   | 20        |
| <b>IX.</b>   | <b>LIFE-THREATENING ILLNESS POLICY .....</b>  | <b>20</b> |
| A.           | RIGHT TO CONTINUE WORK .....  | 20        |
| B.           | CONFIDENTIALITY .....   | 20        |
| C.           | COMPASSION AND UNDERSTANDING .....  | 21        |
| D.           | NEEDS .....   | 21        |
| E.           | PHYSICAL EXAMINATIONS .....   | 21        |
| F.           | DISCRIMINATION IN EMPLOYMENT OR PLACEMENT.....  | 21        |
| <b>X.</b>    | <b>DISABILITY PAY .....</b>   | <b>21</b> |
| <b>XI.</b>   | <b>POLICY REGARDING SUBSTANCE ABUSE AND OTHER DRUG-DEPENDENT SYNOD STAFF AND THEIR FAMILIES .....</b> | <b>22</b> |
| A.           | ALCOHOL OR CHEMICAL DEPENDENCY.....   | 22        |
| B.           | IMPLEMENTATION OF THIS POLICY .....   | 23        |
| <b>XII.</b>  | <b>GOVERNMENTAL INVESTIGATION.....</b>  | <b>23</b> |
| <b>XIII.</b> | <b>REVIEW AND AMENDMENT .....</b>   | <b>23</b> |
| <b>XIV.</b>  | <b>APPENDIX A: SEXUAL HARASSMENT &amp; MISCONDUCT POLICY .....</b>                                    | <b>24</b> |
| <b>XV.</b>   | <b>APPENDIX B: CHILD PROTECTION POLICY.....</b>   | <b>26</b> |

## **I. MISSIONAL PURPOSE OF THE SYNOD**

“We are a regional community of presbyteries and congregations learning to respond to God’s call to become agents of divine justice, transforming the Presbyterian Church (USA) in the Northeast into a community of hospitality and welcome for all.”

~ *A New Way Forward (adopted by Synod Assembly, October 2013)*

In keeping with the Missional Purpose as well as the foundational values and core principles of the New Way Forward, the Synod sets forth these Personnel Policies and Guidelines.

## **II. OVERVIEW**

This document provides general guidelines about Synod policies and procedures for staff. It is a guide to assist staff members in becoming familiar with some of the privileges as well as the obligations of employment. None of the policies or guidelines is intended to give rise to contractual rights or to be construed as a guarantee of employment for any specific period of time, or any specific type of work. The New Way Forward foundational values and core principles provide for unencumbered spaces to allow the creation of new and unexpected ways of being community and carrying out the vision and work of the Synod. Thus, these guidelines may be modified, amended, or revoked by the Synod at any time to reflect a change of direction within the New Way Forward.

The Synod will provide each staff member a copy of this document upon employment. The Synod expects all staff to abide by it and expects the highest standards of personal and professional ethics and behavior from all staff. Further, the Synod expects each staff member to display good judgment, diplomacy, and courtesy in their professional relationships with Commissioners of the Synod Assembly, Synod Mission & Ministries Commission members, staff, members of the community of the Synod of the Northeast, members of other synods, as well as the Office of the General Assembly, the Presbyterian Mission agency, and the general public.

## **III. PRINCIPLES OF ADMINISTRATION**

The Synod is guided by the following principles in the development and administration of these personnel policies and guidelines:

### **A. EQUAL EMPLOYMENT OPPORTUNITY**

The Synod believes in and welcomes “Unity in Diversity” as expressed in the Book of Order, PC(USA). To this end, the Synod will follow the spirit and intent of “Unity in Diversity,” as well as all federal, state, and local employment laws, and is committed to equal employment opportunity. The Synod Assembly, Synod Mission & Ministries Commission, and Synod Leader will not discriminate against any staff member or applicant in a manner that violates the law. The Synod commits to providing equal opportunity for all staff and applicants without regard to race, color, religion, national origin, sex, age, marital status, sexual orientation, disability, political affiliation, theological conviction, family responsibilities, or any other characteristic protected under the Book of Order or federal, state, or local law. Each person is evaluated on the basis of personal skill and merit.

The Synod's policy regarding equal employment opportunity applies to all aspects of employment, including recruitment, hiring, job assignments, promotions, working conditions, scheduling, benefits, wage and salary administration, disciplinary action, termination, and social, educational programs. The Synod Leader shall act as the responsible agent in the full implementation of the Equal Employment Opportunity policy.

The Synod is also committed to complying fully with disability discrimination laws, and ensuring that equal opportunity in employment exists for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. Reasonable accommodations will be available to all qualified disabled staff, upon request, so long as the potential accommodation does not create an undue hardship on the Synod. Staff who believe that they may require an accommodation should discuss these needs with the Synod Leader.

The Synod will not tolerate any form of unlawful discrimination. All staff are expected to cooperate fully in implementing this policy. If the Synod determines that a violation of this policy has occurred, it will take appropriate disciplinary action against the offending party, which can include counseling, warnings, suspension, and termination. Staff who report, in good faith, violations of this policy and staff who cooperate with investigations into alleged violations of this policy will not be subject to retaliation. Upon completion of the investigation, the Synod will inform the staff member who made the complaint of the results of the investigation.

## **B. COMPENSATION**

The Synod is committed to compensation practices that provide fair pay for the work performed; incentive for personal achievement and growth; equity of payment for positions of relative value; and flexibility to meet the many changes brought about by the New Way Forward that will affect the organization, functions, positions, and personnel over a period of time.

To this end, the Synod has established and administers a process of compensation wherein the individual employee's compensation is determined on the basis of a system of job evaluation and classification, uniform and equitable salary scales, and increments determined in light of economic factors and performance in the position.

## **C. REIMBURSEMENT OF EXPENSES**

The Synod has established and administers a process whereby authorized expenses incurred by staff in the performance of their work assignments are reimbursed in an adequate and uniform voucher-based system.

## **D. CAREER DEVELOPMENT/CONTINUING EDUCATION**

The Synod is committed to career development/continuing education that will afford staff the opportunity to acquire new skills/knowledge and/or refreshment of existing skills/knowledge that is consonant in some way with the needs of the Synod.

## **E. COMMUNICATION**

Staff shall be provided communications covering personnel policies and procedures pertinent to their employment, including identification of the officers, persons, or working group involved in the administration and oversight of the personnel system.

## F. QUALITY OF WORK LIFE

The Synod will assure staff equitable working hours, necessary equipment to perform tasks, humane treatment, clean, pleasant, and safe working conditions, etc. to the extent these are feasible within Synod goals and financial capacity.

## IV. EMPLOYMENT DEFINITIONS AND POLICIES

### A. DEFINITION OF TERMS

1. **Employer:** The legal corporate employer of all Synod staff is the Synod of the Northeast of the Presbyterian Church (USA), a corporation. An employee, whether elected, appointed, or otherwise employed, is hired, has his/her work directed by, has compensation and benefits provided by, and may be terminated by the Synod of the Northeast of the Presbyterian Church (USA).
2. **Full-Time Staff Member:** A full-time staff member regularly works at least 40 hours per week.
3. **Part-Time Staff Member:** A staff member who regularly works less than 40 hours per week but no less than 20 hours per week and is eligible for benefits.
4. **Temporary Employee:** A staff member who works less than twenty hours a week or who is employed intermittently is considered a temporary employee and is not eligible for benefits.
5. **Exempt Staff Member.** An exempt staff member is paid on a salary basis and meets the qualifications for exemption from the overtime requirements of the Fair Labor Standards Act (FLSA). Any exempt position may be full-time, part-time, or temporary.
6. **Non-Exempt Staff Member:** A non-exempt staff member is paid an hourly rate and does not meet the qualifications for exemption from the overtime requirements of the Fair Labor Standards Act (FLSA). For non-exempt staff, an accurate record of hours worked must be maintained. Persons employed in a non-exempt position will ordinarily work 40 hours a week. This includes one unpaid hour for lunch or an unpaid half-hour for lunch and two unpaid 15 minute breaks. Hours worked between thirty-five (35) and forty (40) hours will be compensated at a straight time hourly rate. Hours worked over forty (40) in one (1) week will be compensated at one and a half times the regular hourly rate. All staff are classified as Exempt or Non-Exempt in accordance with federal and state law and regulations. Each staff member is notified at the time of hire of his or her specific compensation category and exempt or non-exempt status.
7. **Ministers of the Word & Sacrament:** In accordance with Federal and State statutes and PC(USA) policy, all Ministers of the Word & Sacrament are considered “self-employed persons” engaged in the exercise of their ministry under provisions for Social Security. However, for income tax purposes, Ministers of the Word & Sacrament are not “self-employed persons.” As such, their eligible income will be reported on W-2 forms; they are not subject to withholding for taxes, and they are not covered under Unemployment Insurance. They are included in all other policies which apply to “exempt employees” except where excluded by federal or state law.

### B. ELECTED STAFF

Any elected staff shall be elected in accordance with provisions of the Book of Order and the Synod Bylaws/Standing Rules. When a vacancy occurs, the Synod Mission & Ministries Commission will form a Search Committee. The Search Committee shall be convened by the Commission Moderator and subsequently will elect its own Moderator and organize itself as it may determine. The Search Committee will conduct an open process before bringing a nomination to the Synod Assembly through the Synod Mission & Ministries Commission.

### **C. APPOINTED STAFF**

All other exempt staff will be appointed by the Synod Leader in consultation with the Synod Mission & Ministries Administrative Working Group. On a case-by-case basis, the Synod Leader and Administrative Working Group may decide that it is wise to form a Search Committee for a specific exempt position. Non-exempt staff are selected and appointed by the Synod Leader.

### **D. CALLS FOR MINISTERS OF THE WORD & SACRAMENT**

All exempt Synod staff who are Ministers of the Word & Sacrament will be provided with a written call stating the terms of employment. Such a call is to be prepared by the Synod Mission & Ministries Commission's Administrative Working Group with approval of the Synod Commission.

1. The call will state that employment continuation is subject to satisfactory annual performance and is subject to the provisions of these Synod Personnel Policies & Guidelines.
2. In compliance with the Book of Order, the call shall be submitted to the minister's presbytery for approval. Calls issued to all exempt Synod staff will be signed by the Stated Clerk with the exception of the calls for the Synod Leader and the Stated Clerk, which shall be signed by the Moderator of the Synod.
3. In accordance with the Book of Order, changes in the terms of call for a staff member who is a Minister of the Word & Sacrament must be approved by his/her presbytery.

### **E. AT-WILL EMPLOYMENT**

In the Synod of the Northeast, all employment is "at will," in accordance with New York State Statutes. Either the Synod or a staff member may terminate the employment relationship at any time for any reason, with or without cause or notice. Contracts and calls have no implied longevity; rather they state the compensation and benefits of a person hired to a position or an incumbent in a position. Benefits and compensation are reviewed annually. Persons are elected to a position of service and are separated according to policy and Synod Bylaws/Standing Rules. This Personnel Policy does not constitute a contract of employment.

### **F. MANAGERIAL RESPONSIBILITY**

The Synod Leader, as designated in the Standing Rules of the Synod of the Northeast, shall serve as Head of Staff with managerial responsibilities as outlined in this policy for all staff with the exception of the Stated Clerk, as specified in the Book of Order.

### **G. WORK REVIEW**

The work of each staff member is reviewed on an ongoing basis with his/her supervisor to provide a systematic means of evaluating performance. The work of the Synod Leader and Stated Clerk is reviewed by the Administrative Working Group and its Personnel Policy Advisors, along with the Leadership Team. New employees will serve a six-month probationary period with an initial review after three months.

The annual performance review is a formal opportunity for the supervisor and staff member to exchange ideas that will strengthen their working relationship; review and analyze the staff member's skills and knowledge in light of his/her current work assignment; identify areas of strength and excellence and where improvement is needed in the staff and supervisor; share the Synod's goals and priorities within the context of the broader mission and ministry of the Synod; and anticipate the Synod's needs in the coming year and how work assignments relate to those needs.

The purpose of the review is to encourage the exchange of ideas to create positive change within the Synod and the staff member. To that end, it is incumbent upon both parties to have an open and honest discussion concerning the staff member's performance. It is further incumbent upon the supervisor to clearly communicate any areas in which improvement is needed, the needs of the Synod, and what is expected of the staff member in contributing to the success of the Synod for the coming year. To ensure a holistic and reciprocal review process, an approach such as a 360 Review should be used.

Both supervisor and staff member should attempt to arrive at an understanding regarding the objectives for the coming year. This having been done, both parties should sign the performance review form, which will be kept as part of the staff member's personnel record and used as a guide during the year to monitor the staff member's progress relative to the agreed upon objectives.

A review of salaries and position descriptions will be an integral part of annual performance reviews. A request for a salary review may be considered when justified by significant changes in job requirements and when recommended and approved by the Synod Leader.

When a review has resulted in a rating of unsatisfactory performance, an employee may be placed on probation for a period from three to six months, after which time another performance review will be conducted. During the period of probation, specific work priorities to meet the identified areas of improvement will be developed as a basis for subsequent review. If the subsequent review results in a second unsatisfactory rating, the employee may be separated from employment.

## **H. PERSONNEL RECORDS**

Personnel records are the property of the Synod. Access to the information they contain is restricted and confidential. A personnel file will be kept for each staff member and should include the staff member's job application, a copy of the letter of employment and position description, performance reviews, disciplinary records, records of salary increases, and any other relevant personnel information. It is the responsibility of each staff member to promptly notify his or her supervisor in writing of any changes in personnel data, including personal mailing addresses, telephone numbers, names of dependents, and individuals to be contacted in the event of an emergency.

## **I. CONFLICT OF INTEREST**

Possible conflicts of interest have been identified to help govern decision making among Synod staff and others in leadership within the Synod.

No Synod staff person shall accept any gift, gratuity, grant, service, or any special favor from any person(s) or business(es) which provide goods or services to the Synod.

If a Synod staff member is called to participate in a church Council decision in which the interests of the Synod conflict with the interests of that Council, the Synod staff member will abstain from participating in the Council's decision.

If a Synod staff member is called to participate in a Synod decision in which the interests of the Synod conflict with his or her personal interests, the Synod staff member will abstain from participating in the decision.



All Synod staff shall avoid even the appearance of conflict of interest, special interest, or any other inappropriate conduct. If a Synod staff member discovers that s/he may be in a position of conflict of interest, s/he will immediately report this conflict to his/her supervisor.

#### **J. RESIDENCY**

Exempt and non-exempt staff, who for *bona fide* occupational reasons are to be members of the Presbyterian Church (USA) will be either a member of a PC(USA) congregation within the Synod or a member of a presbytery within the Synod as appropriate to their ecclesial status.

#### **K. PRIVACY**

The Synod will establish procedures necessary to guarantee the confidentiality of medical and employment records, in accordance with applicable law.

#### **L. SCREENING/BACKGROUND CHECK**

For persons being considered for hiring, the Synod is duly authorized to conduct a screening or background check in key areas, including sexual and financial misconduct. Such a procedure may serve as a contingency prior to the final calling of any new employee. The screening or background check should be consistent with the personnel needs of the Synod and subject to the Synod Mission & Ministries Commission's approval of an explicit program for use in consultation with the Synod's legal counsel and insurance provider.

#### **M. ANTI-NEPOTISM**

To affirm and facilitate equal opportunity for all employees and employment candidates, employment of persons who are direct relatives or household partners of Synod staff members will not be permitted.

#### **N. NON-DISCLOSURE OF CONFIDENTIAL INFORMATION**

Any information that a staff member learns about the Synod, or its stakeholders, as a result of working for the Synod that is not otherwise publicly available constitutes confidential information. Staff may not disclose confidential information to anyone who is not employed by the Synod or to other persons employed by the Synod who do not need to know such information to assist in rendering services.

The protection of privileged and confidential information is vital to the success of the Synod. The disclosure, distribution, electronic transmission, or copying of the Synod's confidential information is prohibited. Such information includes, but is not limited to the following examples:

- Compensation data
- Program and financial information, including information related to donors, and pending projects and proposals

Any staff member who discloses confidential Synod information will be subject to disciplinary action (including possible separation), even if he or she does not actually benefit from the disclosure of such information. Confidentiality of said information extends past the time of employment as the need to safeguard this information continues.

Discussions involving sensitive information should always be held in confidential settings to safeguard the confidentiality of the information.



## **O. SEXUAL HARASSMENT/MISCONDUCT POLICY**

All staff members must abide by the Synod's Sexual Harassment/Misconduct Policy. See Appendix A.

## **P. CHILD PROTECTION POLICY**

All staff members must abide by the Synod's Child Protection Policy. See Appendix B.

## **V. ECONOMIC POLICIES**

The Synod provides a competitive package of benefits to all full-time and part-time staff. Pension and medical benefits are available through the Presbyterian Board of Pensions.

### **A. LEAVE BENEFITS**

#### **1. Holidays**

- New Year's Day
- Martin Luther King Jr. Birthday
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- The Day After Thanksgiving
- Christmas Eve
- Christmas Day

Full-time staff (those who regularly work 40 hours per week) receive one (1) paid day off for each full day of holiday time. Holiday benefits for part-time staff will be pro-rated in accordance with the hours regularly worked by the staff member. Staff wishing to take religious holidays may substitute a religious holiday for one of those listed above, with advance approval from the Synod Leader.

Temporary staff are ineligible for holiday leave benefits. In those years when Independence Day, Christmas Eve, Christmas Day, or New Year's Day fall on Saturday or Sunday, the Synod Leader will designate the workday that will replace the weekend holiday.

#### **2. Paid Leave**

Paid leave (formerly called vacation and personal days) is provided for all full- and part-time employees for rest, refreshment, and relaxation. Staff will be urged to take the paid leave to which they are entitled not only for the personal benefits it provides, but also for the sake of their work-effectiveness and health. For that reason, paid leave is not cumulative, but must be used within the calendar year. However, an employee may request to carry over a maximum of five (5) days of paid leave which must be used by the end of February of the following year.

Unless otherwise noted in an employment agreement, during the first 90 days of employment full- and part-time staff will not earn paid leave benefits. During the remaining nine months of the first-year employment, a full-time non-exempt staff member will earn two weeks (10 days) of paid leave.

Full-time exempt employees are entitled to twenty-five (25) days paid leave per year.

Full-time non-exempt employees are entitled to annual paid leave computed on January 1<sup>st</sup> of each year varying with length of their service with the Synod according to the following schedule:

| Number of Years Completed | Number of <b>Paid Leave</b> days |
|---------------------------|----------------------------------|
| 1                         | 10                               |
| 2                         | 11                               |
| 3                         | 12                               |
| 4                         | 15                               |
| 5                         | 16                               |
| 6                         | 17                               |
| 7                         | 18                               |
| 8                         | 19                               |
| 9                         | 20                               |
| 10                        | 21                               |
| 11+                       | 22                               |

Paid leave entitlement during the first year of employment with the Synod will be pro-rated according to length of service as of January 1<sup>st</sup>.

**3. Sick Leave**

Up to ten working days of sick leave each calendar year, cumulative up to 120 days, is provided for regular full-time Synod staff. Sick leave entitlement during the first year of employment will be pro-rated according to length of employment. Service with the Synod of the Northeast or other Presbyterian Church (USA) councils of the church above the session will be included in computing entitlement to sick leave. At the time of termination of employment, either voluntary or involuntary, an employee shall have no claim for pay in lieu of unused sick leave.

Sick leave benefits are earned on a prorated basis for full-time staff beginning at first day of employment. Part-time staff receives prorated sick leave benefits. Temporary staff is not eligible for paid sick leave benefits.

If a staff member’s illness or injury requires a consecutive absence of three (3) days or more, physician documentation may be required.

**4. Jury Duty**

The difference between jury duty pay and the normal salary will be provided as paid leave for jury duty up to two weeks annually. Leaves for extended periods for jury duty will be treated on a case-by-case basis.

**5. Bereavement Leave**

Up to three days annually of paid leave will be provided for the death of a member of the immediate family including parents, siblings, spouse or life partner, children, grandparents, or guardians. If a staff member wishes to take time off due to the death of a family member not listed above, the staff member should notify the Synod Leader immediately. A staff member may use with the Synod Leader’s approval, available paid leave for additional time off as necessary and in accordance with operating needs.

## **6. Family & Other Personal Leave**

For parental leave related to the birth or adoption of a child, for persons employed by the Synod for at least a year, a leave of 12 weeks at full pay is provided. Application must be made and approved by the Synod Leader six weeks before the leave begins. Parental leaves cannot be concurrent. Upon return, every effort will be made to place the employee in a position with like status, if it is not possible to hold open the identical position. Pension dues, annuity contributions, and health insurance will be paid by the Synod during the period of the parental leave.

*Other Personal Reasons Requiring Leave:* For other personal reasons such as extended parental leave or family responsibilities beyond those provided above, extended leaves may be granted at the discretion of the Synod Leader and the Synod Mission & Ministries Commission's Administrative Working Group.

## **7. Military Leave**

The difference between military pay and the normal salary will be provided as a paid leave for an employee participating in a regular military training period of the United States Armed Forces for up to two weeks annually.

Employees called to active military duty or to reserve or national guard training or who volunteer for the same will be granted a military leave of absence without pay for the period of military service, in accordance with applicable federal and state laws.

Accrued paid leave may be used for this leave if the employee chooses. Military orders should be presented to the Synod Leader and arrangements for leave made as early as possible before a departure. Employees are required to give advance notice of their service obligations to the Synod unless military necessity makes this impossible. An employee's eligibility for reinstatement after military duty or training is completed is determined in accordance with applicable federal and state law.

## **B. BENEFITS**

The Synod shall provide employee benefits consistent with federal and state law and with the Board of Pensions' Pension and Major Medical provisions as applied to specific employee groups.

### **1. Social Security**

All full-time Synod staff who are not Ministers of the Word & Sacrament are covered by the Federal Old Age and Survivors Benefits Act (Social Security). The employee's share of the tax is withheld from the wages of all Synod staff who are not Ministers of the Word & Sacrament. Staff members who are Ministers of the Word & Sacrament are considered "self-employed," which means that FICA taxes are not withheld nor paid for them. However, for these Synod staff members, an amount equivalent to the employer's share of FICA tax will be paid to them beyond their regular salary.

### **2. Pension**

All regular full-time and part-time employees, working a minimum of twenty hours per week, shall be covered under the Presbyterian Pension Plan for which dues are paid by the Synod as the employing agency. The most recent edition of The Benefits Plan of the Presbyterian Church (USA) is the controlling document to describe the provisions of the plan.

**3. Health Insurance**

Health insurance will be provided for all regular full-time employees and part-time employees working twenty or more hours per week in accordance with provisions of the Presbyterian Pension and Benefit Plan, with other specified supplemental benefits provided by the Synod.

For those participating in the benefit plan of the Board of Pensions of the Presbyterian Church (USA), and who have been employed for at least two years, after the member has paid their deductible and any spouse/dependent deductible(s), the Synod will then reimburse the employee for the co-insurance portion not covered by the Board of Pensions up to 20%. For persons employed for less than two years, employee contributions may be required for medical, dental, basic life and disability income benefits.

**4. Section 125 Plans**

All regular full-time and part-time employees may designate a portion of their pre-tax salary to be deposited into Synod-sponsored Section 125 Plan accounts to pay for certain eligible medical and dependent care expenses, including medical deductibles and co-payments. Eligible employees are encouraged to contact the Synod's Section 125 Plan Administrator for further information and guidance on the Plan's requirements and restrictions.

**5. Worker's Compensation Insurance**

All employees of the Synod are covered by the Workers' Compensation Law of the State of New York, which provides for benefits in case of an on-the-job accident. Employees suffering a work-related injury should report that injury to the Synod Administrator as soon as possible.

**6. On-the-Job Travel Accident Insurance**

All employees and volunteers on Synod business are covered with Travel Accident Insurance in the amount of \$100,000.

**7. Off-the-Job Disability Benefits Insurance**

All employees are covered by the off-the-job disability benefits program of New York State, which provides temporary cash benefits to replace part of the wages lost due to injuries or illness that do not arise out of and in the course of employment. This provision becomes effective after using all accumulated sick leave and after a further unpaid waiting period of seven calendar days. Disability benefits for permanent and total disability are provided by the Benefits Plan provided through the Board of Pensions of the Presbyterian Church (USA) after a 90-day waiting period. The most recent edition of The Benefits Plan of the Presbyterian Church (USA) is the controlling document in matters concerning disability benefits.

**8. Unemployment Insurance**

Synod employees are eligible for unemployment insurance benefits in accordance with state law.

## **C. CONTINUING EDUCATION AND TRAINING**

### **1. Continuing Education/Annual Study Leave for Exempt Staff**

Up to two weeks of continuing education/annual study leave with pay may be granted to exempt staff within the following guidelines:

Study leave is not additional vacation, but may be taken in conjunction with paid leave. It should relate to the development of skills that are useful to the Synod and is granted in discussion with the Synod Leader when clearly identified targets have been agreed upon. Satisfactory provision must be made to cover the employee's work during his/her absence. In keeping with the New Way Forward and the idea of learning communities within the Synod, exempt staff will share what the staff member experienced or learned with each other.

Continuing education/annual study leave may be cumulative from year to year for up to three years and up to a maximum of six weeks. This time expires at the end of three years if it has not been used by an employee. Funds are available and included in a staff person's job description. They may also be cumulative for a period of up to three years at which time the funds expire.

### **2. Training**

Non-exempt staff members will be assisted in developing skills and knowledge that will enhance their ability to meet the staffing needs of the Synod and their particular work responsibilities. Assistance may be provided in the form of on-the-job training, time away from work to attend other training classes, and/or partial tuition refunds. The Synod Leader has discretion to carry over career development funds for an individual from one year to the next for a period of up to three years, consistent with the staff member's and the Synod's goals and objectives. A staff member must have completed at least six months continual service with the Synod to be eligible for such assistance.

### **3. Study Leave for Non-Exempt Employees**

The Synod expects that most study needs of non-exempt staff can be met through in-service study programs and evening classes. When it can be demonstrated to be for the benefit of the Synod, as well as for the employee, the Synod Leader may approve study leaves, or in lieu of same, class charges or tuition payment for non-exempt staff in line with provisions for exempt staff.

## **D. SABBATICAL LEAVE**

In order to enable exempt employees with special needs or opportunities to give extended study to subject areas that will contribute to the work of the Synod as well as to their own professional development, an extended study leave, with pay, may be granted within the following criteria guidelines:

1. The employee must have completed five years of continuous service with the Synod.
2. At least five years must have elapsed from the time of any previous extended study leave, and at least one year from any previous two-week study leave.
3. A detailed written plan of study, with clearly identified goals and with end products, such as written reports, clearly set forth, must be approved by the Synod Leader (or the Convener of the Synod Mission & Ministries Commission's Administrative Working Group in the case of the Synod Leader or Stated Clerk) long enough in advance of the leave to be covered by the Synod's budget and staffing plans.

4. The length of the extended study leave may be up to three months, though in conjunction with earned vacation, may be up to a maximum of four months. An extended study leave may not be combined with a "two-week study leave" since an employee is not eligible for both types of leave in the same year.
5. The ongoing work of the particular position and the total Synod's functions will be primary factors in considering the granting of extended study leave.

## **VI. SEPARATION AND RETIREMENT PRACTICES**

The term "separation" refers to any and all terminations of the relationship between an employee, exempt or non-exempt, and the Synod of the Northeast Presbyterian Church (USA).

### **A. VOLUNTARY RESIGNATION**

Voluntary separation by resignation may take place at any time. The Synod requests that staff members give two weeks written notice for non-exempt employees or a one-month notice for exempt employees. Employees who give the requested notice will be paid the cash equivalent of their unused earned vacation at the date of separation. No severance allowance will be provided. At the discretion of the Synod Leader, the period of written notice required to receive vacation pay may be waived.

### **B. DISMISSAL FOR CAUSE**

Dismissal for cause generally takes place by written notice from the Synod Leader and the Convener of the Synod Mission & Ministries Commission's Administrative Working Group, giving specific reasons for termination. Notice will generally be given or pay in lieu of notice of up to one month for the exempt employees or up to two weeks for non-exempt employees who are dismissed. Employees who are dismissed will receive the cash equivalent of their unused earned vacation. No severance allowance will be paid.

Causes for dismissal may include, but are not limited to unsatisfactory performance; insubordination, including but not limited to, refusal to do any work that the employee is capable of doing and falls within his/her position description; neglect in the care and use of Synod property and funds; unexcused absence; repeated tardiness; illegal conduct; failure to observe Synod policies; and/or dishonest or unethical conduct.

Discharge of a staff member is always considered to be an action of last resort taken after remedial measures, including probation, have been proven ineffective, or when the staff person's conduct is such as to preclude further employment.

### **C. TERMINATION WITHOUT PREJUDICE**

A staff member's employment may be terminated by the employer for reasons other than those enumerated under "dismissal for cause." Termination without prejudice will be upon the recommendation of the Synod Leader and agreement of the Convener of the Synod Mission and Ministries Commission Administrative Working Group. Employees terminated without prejudice will be entitled to notice and severance as provided for termination.

## D. SUSPENSION

If unacceptable behavior (e.g., insubordination, harassment of other employees, or apparent involvement in dishonest or unethical acts) requires absence from the work place, the Synod Leader may suspend an employee (other than any exempt staff), in accordance with Synod procedure, pending verification and evaluation of the circumstances. Suspended employees will receive pay during the investigation process. The Convener of the Synod Mission & Ministries Commission's Administrative Working Group shall be immediately informed of such a suspension.

Consultation between the staff person and Synod Leader in the case of non-exempt staff or the Convener of the Synod Mission & Ministries Commission's Administrative Working Group and Moderator of the Synod Mission & Ministries Commission in the case of exempt Synod staff should precede suspension. Notice of the reason for the suspension must be given to the employee in writing.

Suspension without pay may be invoked, in accordance with Synod procedure, in circumstances where an offense has been clearly established requiring disciplinary action but not warranting immediate dismissal. Such suspensions will be considered warnings to the employee that repetition will subject the employee to dismissal. Suspension without pay may be for a period of up to two weeks.

The employee shall be notified in writing of his or her right to make use of the complaint procedure as outlined in these policy guidelines, and shall be given the right to defend his or her position with or without an advocate but at the employees own expense.

## E. REDUCTION IN FORCE

Separation because of the discontinuation of a project or retrenchment in budget, or for other circumstances arising out of no fault of the staff person, is at the discretion of the Synod of the Northeast Presbyterian Church (USA). Written notice of this separation will come from the Synod Leader and the Convener of the Synod Mission & Ministries Commission's Administrative Working Group.

If the position is reinstated within a period of one year, the individual who was previously employed in that position will be given first opportunity for employment in that position.

In case of termination under provisions for "reduction in force," in addition to the period of notice, a person is eligible to receive a severance allowance up to an amount contingent upon the length of continuous service with the Synod.

The number of weeks of the severance allowance from two to twelve weeks is contingent upon the full years of eligible council of the church service:

| Years of Service  | Weeks of Severance Allowance                        |
|-------------------|---|
| Less than 1       | 2   |
| 1 but less than 4 | 4   |
| 4 but less than 5 | 6   |
| 5                 | 8   |
| More than 5       | +1 week per year over 5<br>to a maximum of 12 weeks |

Payment of these severance allowances will end for any employee terminated under provisions for "termination without cause" and "reduction of force" as of the date the person begins subsequent employment.



## **F. DEATH IN SERVICE**

In the event of the death of a member of either the exempt or the non-exempt staff, the salary of that person will be continued to the spouse, dependent, or estate for one month from the date on which the death occurs, and the difference between the current salary at death and the Board of Pension year-continuation of salary benefit will be paid by the Synod for one year. Additional death benefits are also provided through the Presbyterian Pension and Benefits Plan.

## **G. EXIT INTERVIEW**

Prior to a staff member's actual departure, for any reason, an exit interview may be conducted. The exit interview is a personnel process wherein the staff person who is being separated sits down with Synod Leader and/or the Synod Mission & Ministries Commission's Administrative Working Group Convener to review the reasons that occasioned the separation.

This interview, initiated by the separated exempt or non-exempt employee, the Synod Leader, or the Synod Mission & Ministries Commission's Administrative Working Group Convener will demonstrate to the staff person the Synod's support and concern for the employee as a person; obtain information which the Synod can use to keep staff morale high and improve employee-employer relations and communication; and obtain information that will influence the efforts of the Synod to keep the number of separations at a minimum. Frankness and a free flow of information should be encouraged.

## **H. RETIREMENT**

The Board of Pensions benefits plan is designed to make retirement possible at age 65 with full benefits in relation to accrued pension credits. Those who work beyond age 65 will continue to accrue additional pension credits. Subject to normal performance standards, Synod staff members who desire to work beyond age 65 may do so.

Synod staff who wish to plan for a gradual transition to retirement are encouraged to explore with the Synod Leader possibilities for alternative responsibilities, part-time, special project assignments, or other arrangements which would be beneficial to the staff person and the Synod.

A Synod staff person may retire early, but with a reduction in benefits as provided by the Board of Pensions of the Presbyterian Church (USA).

## **I. RETURN OF PROPERTY**

Staff members are responsible for Synod equipment, property, and work products that may be issued to them and/or are in their possession or control, including but not limited to:

- Credit cards
- Identification badges
- Office/building keys
- Office/building security passes
- Computers, travel/flash drives, electronic/voicemail codes
- Intellectual property (e.g. written materials, work products)

In the event of separation from employment, or immediately upon request by the Synod Leader, staff members must return all Synod property that is in their possession or control. Where permitted by applicable law(s), the Synod may withhold from the staff member's final paycheck the cost of any property, including intellectual property, which is not returned when required. The Synod also may take any action deemed appropriate to recover or protect its property.

## **VII. GENERAL PROVISIONS FOR INTERIM SYNOD STAFF**

To provide continuity of services provided by exempt Synod staff, interim Synod staff may be appointed to fill vacant, or approved positions, or to serve until the position is either filled or eliminated. This policy is applicable to all positions whether filled by full-time, part-time, exempt or non-exempt personnel.

The Synod Mission & Ministries Commission's Administrative Working Group will prepare a position description. It should clearly identify the kinds of accomplishments and Synod staff leadership desired during the interim period. The selection, hiring, and accountability of the position should be clearly defined and be consistent with the accountability provisions of these Synod Personnel Policies & Guidelines, the Synod Bylaws/Standing Rules and the *Book of Order*.

Compensation should be according to the salary administration provisions of the Synod. Housing or a housing allowance will be provided if the appointment requires relocation. Since the position is of a temporary, short-term nature, the person employed should be encouraged to seek and secure temporary living quarters.

Ordinarily, an interim staff person will be enrolled in the Presbyterian Pension and Benefits Plan, and benefits will be according to the Pension Board's formula. If an interim staff person is a member of a Formula of Agreement Denomination (United Church of Christ, Reformed Church in America, and Evangelical Lutheran Church in America), he or she will be enrolled in the pension and benefits plan of that church.

Vacation and continuing education benefits may be granted in accordance with existing provisions for regular Synod staff.

The Equal Opportunity Plan established by the Synod shall be followed in the employment of persons for interim Synod staff positions.

The Synod Mission & Ministries Commission will appoint any exempt staff in consultation with its Administrative Working Group. A person to serve as an interim Synod Leader would, however, need to be nominated and approved by the Synod Mission & Ministries Commission or the Synod Assembly depending upon when the nomination falls in the calendar year.

The Synod will provide for a review of an interim staff person's work on a scheduled basis. The review may be conducted on the basis of regular accountability reports to the Synod Mission & Ministries Commission's Administrative Working Group.

Termination for cause shall be as provided for in the Synod Personnel Policies & Guidelines.

Because of the many unique circumstances under which interim Synod staff might be hired, special provisions may become applicable beyond the normal provisions for other Synod staff.

Interim staff persons presently retired under provisions of the Board of Pensions' 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 entitlement.

Reasonable and clearly defined moving expenses for personal effects should be provided for in any agreement with an interim, but without providing for moving all domestic goods for the relatively short period of time for which an interim is contracted to serve.

## **VIII. STAFF WORKING RELATIONSHIPS**

Under the New Way Forward, the Synod aims to maintain within the staff, positive working relationships that affirm each staff member; affirm the importance of his/her/their contribution to the work being done; encourage mutual respect of staff members and supervisors; provide prompt answers to questions; minimize misunderstandings, and seek resolution of any differences that may arise as quickly as possible. Open communication, in which issues and concerns that affect working relationships may be addressed appropriately and in a timely manner, is of the utmost importance.

To facilitate this culture of open communication, the Synod Leader is expected to maintain an open door to staff members; to encourage communication; give prompt response to their suggestions; and to provide active assistance in dealing with concerns or complaints.

If an issue arises for which a staff member requires input from an objective source outside of the staff structure, the Synod Mission & Ministries Commission Moderator or Administrative Working Group Convener will be available to staff members to discuss a concern, to check information, clarify personnel policies, or obtain guidance. Together, the staff member and Commission leadership representative will discuss available options with a goal of timely resolution and restoration of positive relationships. The Synod will provide, through its Mediation Network, under the guidance of the Stated Clerk, an ombudsperson to offer support to staff and leadership in seeking options for resolution of the matter. These resources do not function as part of management. All recommendations and reports emerging from such conversations will be presented to the Synod Leadership Team. All management decisions, including implementation of any recommendation, reside with the Synod Leader, with support from the Synod Leadership Team and Administrative Working Group.

### **GRIEVANCE POLICY**

In a case in which a staff member has sought input from within staff and appropriate Synod resources without satisfactory resolution, a complaint or grievance may be filed. In general, a complaint or grievance asserts an alleged violation of an approved personnel policy or practice, or of an applicable state or federal law not adequately dealt with in these policies or practices. In this case, the staff member may follow the complaint procedures described below.

#### **A. Complaint Procedures**

This procedure is in effect to bring complaints out in the open and to promote fair and timely settlements. A complaint does not include violations of *The Book of Order* which should be reported immediately to the Synod Stated Clerk. The following mandatory formal grievance procedure is established for the resolution of all claims, actions, disputes, and controversies arising from an individual's employment with the Synod of the Northeast Presbyterian Church (USA), or the termination of employment from this organization. The formal procedure for handling complaints is as follows:

1. Employees will first try to resolve a complaint through discussion directly with the person involved, the Synod Leader, and/or Commission Moderator or Administrative Working Group Convener as described in the section above before the issue becomes a formal complaint. If not satisfied with the results of these discussions, the staff member, must file a formal complaint through the Synod ombudsperson. Within one-week of the development of the formal complaint, the ombudsperson must submit a plan to address the complaint to the Synod Leadership Team. The **Leadership Team** will prepare a proposed response to address the complaint within two weeks. During the same time period, the ombudsperson will prepare a report, which may also include recommendations for addressing the complaint.
2. If not satisfied with the written proposal outlined in Step 1, the staff person must submit a written complaint or file a formal complaint and submit it to the Synod Missions & Ministries Commission's Administrative Working Group Convener within a one-week period after receipt of the proposal. The Synod Missions & Ministries Commission's Administrative Working Group Convener will investigate the situation as thoroughly as possible to arrive at a fair resolution of the complaint. A resolution will be submitted to the Synod Leadership team and the employee in writing no later than twenty-one (21) calendar days from the receipt of the complaint at Step 2.
3. Should the complaint remain unresolved to the satisfaction of any of the staff members directly affected by the complaint, he or she must within one-week of the decision in Step 2 submit a written appeal of the decision in Step 2 to the Synod Missions & Ministries Moderator who will consult with all appropriate individuals, review all pertinent facts, and issue a written decision no later than twenty-one (21) days of the complaint at Step 3.
4. Should the employee still not be satisfied having exhausted all of the above opportunities to resolve the complaint, the employee must submit the complaint in writing to the Synod Moderator within one-week of the Step 3 decision. The decision of the Synod Moderator will be communicated to the employee within twenty-one (21) working days.
5. An appeal from an unfavorable decision at Step 4 may be initiated by the employee by serving upon the Synod of the Northeast Presbyterian Church (USA) a notice in writing of the intent to proceed to unbinding mediation and, if necessary, binding arbitration within seven (7) business days of the decision by the Synod Moderator. The notice must include a copy of the complaints and appeals from Steps 1 to 4.
6. Mediation and, if necessary, Binding Arbitration will be conducted pursuant to the Mediation and Arbitration Agreement entered into between the employee and the Synod of the Northeast Presbyterian Church (USA).

**B. Right of Advocacy**

The complaining party may arrange to have an advocate with him/her at all steps of the formal process, at no expense to the Synod of the Northeast. Any person who is a member of the Presbyterian Church (USA) may serve as an advocate. The advocate is not necessarily a paid attorney-at-law, but a "friend" within the church system who may speak on behalf of the complaining party.

**C. Grievance Procedure for Job Applicants**

Applicants for employment who feel they have a grievance related to search or hiring processes will use the formal grievance procedure.

**D. Written Record**

A written record of all decisions arrived at in all meetings of the grievance process will be kept from the beginning of any informal complaint procedure to its conclusion in the Office of the Stated Clerk. All letters transmitting decisions of findings shall be signed by the Synod Leader and the Synod Mission & Ministries Commission’s Administrative Working Group Convener. Such letters will contain provision for the complaining party to indicate his/her acceptance or rejection of the decision.

For further guidance in pursuing a complaint, see the Rules of Discipline dealing with Complaints Procedures in the *Book of Order*. Informal and formal complaint procedures do not preclude a staff person's right or that of the Synod to pursue provision for disciplinary processes outlined in the *Book of Order*.

**IX. LIFE-THREATENING ILLNESS POLICY**

The Synod has an obligation to provide a safe work environment for all its staff members. Every precaution should be taken to ensure that the physical and emotional health and well-being of all staff persons are protected and reasonable accommodation is provided for a medically impaired staff member as long as the s/he is able to meet acceptable performance standards. This policy is based on the policy of the Presbyterian Church (USA).

The Synod acknowledges that some staff persons with life threatening illnesses, including but not limited to cancer, heart disease, multiple sclerosis, or AIDS may wish to continue to engage in as many of their normal activities as their medical condition will allow, including work. As long as these staff members are able to meet acceptable performance standards and medical evidence indicates that their conditions are not a threat to themselves or others, the Synod will be sensitive to these conditions and ensure that they are treated consistent with the treatment afforded other employees. The Administrative Working Group and its Personnel Policy Advisors will serve as a resource to staff to preserve and protect privacy and ensure the processes and policies outlined here are applied as is appropriate to each case. Consistent with this concern for Synod staff members with life threatening illness, the following policy is established for their continued employment. The Administrative Working Group and its Personnel Policy Advisors are designed to represent The Synod in the administration of these policies.

**A. RIGHT TO CONTINUE WORK**

Staff members with life-threatening illness should have the opportunity to continue working as long as they are able to continue to perform their job satisfactorily in the judgment of the Synod of the Northeast Presbyterian Church (USA), as long as the best available medical evidence indicates that their continuing employment does not present a health or safety threat to themselves or others, and as long as their illness does not present a health hazard to others.

**B. CONFIDENTIALITY**

The Synod will treat all medical information obtained from staff members with strict confidentiality. In the case of a person with a life-threatening illness, confidentiality of employee medical records in accordance with existing legal, medical, ethical, and management practices shall be maintained.

### **C. COMPASSION AND UNDERSTANDING**

Synod staff persons who are affected by any life-threatening illness, should be treated with compassion and understanding in their personal crisis. Reasonable efforts should be made to accommodate seriously ill persons by providing flexibility in work areas, hours, and assignments whenever possible or appropriate.

### **D. NEEDS**

Synod staff members should be sensitive to the needs of critically ill colleagues and recognize that continuing employment for a staff member with a life-threatening illness is often life-sustaining and can be physically, mentally, and spiritually beneficial. Appropriate accommodations for affected staff may be developed in consultation with the Synod Leader and/or the Administrative Working Group.

### **E. PHYSICAL EXAMINATIONS**

No required physical examination shall be used to disqualify a person with a life-threatening disease for employment, unless such examination reveals factors that would result in a threat to the safety or health of that person or others.

### **F. DISCRIMINATION IN EMPLOYMENT OR PLACEMENT**

Persons with a life-threatening disease will not be discriminated against in selection for employment, placement, or promotion as long as they are qualified to meet the requirements of the position for which they are being considered.

## **X. DISABILITY PAY**

Disability is the inability to perform the duties that the position description requires because of illness, accident, or infirmity unrelated to any Workers Compensation claim. The Synod of the Northeast will provide disability benefits to Synod staff members who are covered under the Benefits Plan of the Presbyterian Church (USA), supplemental to the coverage provided by the Board of Pensions, on the following basis.

- A. Any illness, other than minor illnesses that are of a few days duration, shall be deemed a disability illness only after documented by a physician. The disability contract will begin the day the disability is documented by a physician.
- B. In case of a disability, the staff member will use accumulated sick leave. In the event that sufficient sick leave has not accumulated to cover the 90 -day period between the documentation of the disability and the beginning of the Board of Pensions' compensation, the Synod will extend a monthly disability grant in order to compensate the staff member at 100% of salary.
- C. Beginning the 91<sup>st</sup> day of the period during which the staff person is disabled, a disability monthly grant equal to a percentage of the monthly Effective Salary that makes the salary whole, but is in no case greater than 40% of Effective Salary, will be paid to the staff member by the Synod in order to bridge the gap between employment salary and disability remuneration by the Board of Pensions. This grant, intended to fill the gap between the Board of Pensions' grant and the employee's Effective Salary at the time of the disability, will continue until the documented disability ends, or for a total of twelve months from the date of the continuing disability, whichever comes first.



- D. Before twelve months of disability payments have been completed, if it is anticipated that the staff member will continue further on disability, the Synod Mission & Ministries Commission's Administrative Working Group will review the circumstances with the employee. At the end of twelve months the Synod may, at the Administrative Working Group's recommendation, continue the disability grant for a specific period of convalescent time; or, if a full disability is declared by the Board of Pensions, the Synod may sever its fiduciary relationship with the employee, so that s/he may go on full disability through the auspices of the Board of Pensions, but without any additional grant from the Synod.
- E. Proceeds from any disability insurance policy purchased by the Synod, auxiliary to the Board of Pensions' disability grant, and remitted directly to the employee by the insurance company, will be used by the employee to reimburse the Synod for any expense incurred by the Synod in order to maintain the employee's salary at 100% and to help cover costs of hiring temporary or substitute workers during the disability period.

## **XI. POLICY REGARDING SUBSTANCE ABUSE AND OTHER DRUG-DEPENDENT SYNOD STAFF AND THEIR FAMILIES**

This policy recognizes that alcoholism and drug dependency are illnesses or behavioral disorders which are treatable, and as such they should not be approached by punitive action, but rather in a pastoral manner. The Synod seeks to enlist the support and cooperation of the entire council of the church in a pastoral approach to this problem.

The purpose of this policy is to ensure that any Synod staff member or his/her family members having such problems will receive the same careful consideration and offer of treatment that is presently extended to a Synod staff member or her/his family members having any other illness or behavioral disorder.

### **A. ALCOHOL OR CHEMICAL DEPENDENCY**

The goal of this policy is to assist the Synod staff person or family member having trouble with alcohol or chemical dependency to remove alcohol and other drug dependency as a source of trouble. It is most important that the Synod Mission & Ministries Commission's Administrative Working Group be knowledgeable and sensitive to a person's need for help with alcohol and other drug dependency problems.

No staff person with alcohol and other drug dependency will have his/her job security jeopardized because of a request for diagnosis and treatment, or for seeking and accepting treatment. It is most important that the person recovering from alcohol and other drug dependency has equal job opportunity following successful treatment. However, a staff member's continued refusal to seek help and treatment, or continued failure to respond to treatment, will be handled in the same way that similar refusals or treatment failures are handled for other illnesses which affect job performance.

When Synod staff members go for treatment of their dependency, they should be granted leave according to policy.

The role and importance of confidentiality apply to alcohol and other drug dependency and its treatment.

The Synod expects that through this policy employees who suspect that they may have such a problem, even in its early stages, will be encouraged to seek evaluation and, when indicated, follow through with prescribed treatment.



## **B. IMPLEMENTATION OF THIS POLICY**

Synod staff members in need of evaluation and treatment should work directly with the Board of Pensions in seeking this assistance. Costs related to treatment will be planned in cooperation with the Board of Pensions.

## **XII. GOVERNMENTAL INVESTIGATION**

In the event of an inquiry by the police, FBI, or other governmental investigational agency or official concerning the work of the Synod, its activities, records, or personnel, or in the event any Synod staff person is sought to be queried by such governmental agency, the following will be the policy in this area.

All such inquiries will be referred to the Synod Leader.

No information or documents of any kind will be released until the Synod Leader has consulted an attorney in matters regarding governmental investigations.

The Synod Leader may release information or documents following the consultation and permission described above.

## **XIII. REVIEW AND AMENDMENT**

These Personnel Policies & Guidelines will be reviewed on a systematic basis at least once every three years by the Synod Mission & Ministries Commission's Administrative Working Group. In conjunction with this review, any amendments being recommended to the Synod Assembly will be reported through the Synod Mission & Ministries Commission in accordance with provisions of the *Book of Order* and the Bylaws/Standing Rules of the Synod.

## XIV. APPENDIX A

# Synod of the Northeast Sexual Harassment & Misconduct Policy

Adopted by the Synod Mission & Ministries Commission

September 17, 2016

In determining its own witness to the world and its service to humanity, the Church of Jesus Christ is bound by the Gospel mandate to "announce good news to the poor, to proclaim release for prisoners and recovery of sight for the blind, to let the broken victims go free, to proclaim the year of the Lord's favor." Thus, it sounds the note of liberation, reconciliation, and healing, and calls all persons to the more abundant life of Christ. All persons, regardless of sexual orientation or gender, must be afforded equal respect under the gospel. Therefore, it is the policy of the Synod to provide all Synod staff and volunteers a sexual and gender-based harassment-free environment.

Sexual harassment/misconduct is defined as unwelcome behavior that ridicules, demeans, insults, and/or impedes a person's employment performance or volunteer service because of the person's gender and/or sexual orientation. Behavior which violates this policy includes but is not limited to:

- Punishing or threatening to punish a person for rejecting sexual attention, requests, and/or demands
- Coercing or attempting to coerce a person into a sexual and/or dating relationship
- Using spiritual or appointed authority to coerce or attempt to coerce, persuade, or mislead a person to enter into sexual behavior
- Basing or influencing employment decisions or volunteer service on a person's rejection or acceptance of sexual behavior
- Making unwelcome sexual jokes, comments, suggestions, or innuendoes
- Unwelcome touching, standing close to, or blocking of path
- Unwelcome prolonged or suggestive staring
- Displaying sexual visuals, visuals that insult, degrade, and/or exploit the sexuality of men or women
- Creating a hostile, offensive, or intimidating work/volunteer environment

Sexual harassment and gender-based harassment are forms of sexual discrimination and a violation of Title VII of the 1964 Civil Rights Act, as amended in 1972, and state fair employment laws. It is a violation of Synod and denominational AA/EEO policies.

Responsibilities of the Synod as Employer and Provider of spaces for volunteer work within the Synod are:

- To encourage employees and volunteers to set a personal example of avoiding sexual or gender-based harassment
- To monitor the workplace and all Synod gatherings to ensure sexual and gender-based harassment are not occurring
- To explain to all employees at the time they are hired that sexual or gender-based harassment will not be tolerated
- To take actions to stop all sexual and gender-based harassment, i.e. tell the staff person or volunteer doing sexual and/or gender-based harassment to stop, contact the Synod Leader for assistance

### **Preliminary Complaint Procedure**

Encourage reporting of all situations to the Synod Leader. If the alleged person involved in the misconduct is the Synod Leader, then the staff person or volunteer is encouraged to go to the Stated Clerk no matter the degree of seriousness.

Follow-up with a staff person or volunteer who received sexual and/or gender-based harassment/misconduct to ensure that this behavior has stopped and that she/he did not receive any retaliation or reprisal.

Provide several options for complaint procedure including, but not limited to the informal and formal complaint procedures described above.

All inquiries will be handled with discretion and with response within two weeks. Steps will be taken to protect the alleged recipient from reprisal actions.

It is expected that most complaints can be satisfactorily resolved through this informal process.

If sexual harassment is alleged, the Synod Leader shall inform the Synod's legal counsel as soon as possible.

### **Formal Complaint Process**

If informal efforts to resolve a complaint have failed or if the nature of the alleged act warrants, a formal complaint may be pursued by employees as outlined in the provisions for "formal grievance" provided in the Personnel Policies & Guidelines section under "Grievance Policy."

Volunteers who cannot avail themselves of the Personnel Practices grievance process may file a disciplinary complaint as outlined in the Book of Order Rules of Discipline. In cases in which the alleged perpetrator is a teaching elder, such a complaint is filed with the stated clerk of the presbytery of which the teaching elder is a member. In all other cases, the complaint is filed with the clerk of session of the congregation of which the alleged perpetrator is a member.

### **Training and Compliance with the Policy**

The Synod will provide boundaries training to employees and volunteers once every three years. On an annual basis all employees and volunteers will read this policy and sign a form which acknowledges the policy and states that the signer is in compliance.

## XV. APPENDIX B

# Synod of the Northeast Child Protection Policy

Adopted by the Synod Mission & Ministries Commission

June 4, 2016

### **STATEMENT OF PURPOSE**

The Synod of the Northeast seeks to provide a safe and secure environment in which children and youth can develop spiritually and are protected from inappropriate treatment of any kind. Our intent is to protect children and youth during all Synod events or activities, to educate staff and volunteers concerning pertinent issues, and to protect staff, volunteers, and the Synod itself from false allegations of abuse and maltreatment.

### **BASIC POLICY FOR COMPENSATED STAFF AND VOLUNTEERS**

The following guidelines apply to all individuals who work with children or youth at any Synod event or activity. For the purpose of this policy the terms “child,” “children,” or “youth” include all persons under the age of eighteen (18).

#### **Two Adult Rule**

At any Synod event or activity with children or youth, there will be no fewer than two unrelated adults present. In providing transportation of any sort, the same rule will apply. For overnight activities and activities that include housing, there should be at least one adult of each gender, where appropriate.

#### **Open Door Policy**

All rooms set aside for children or youth must have a door with a clear window in it, through which the room is visible. Otherwise, the door to the room shall remain open.

#### **Counseling Policy**

No counseling shall take place under the auspices of the Synod at any of its events. Staff members and volunteers are expected to avoid to the greatest extent possible any situation in which they would be alone and out of sight of others with a single child or youth.

#### **Age of Volunteers**

Persons who work with children or youth should be at least 18 years of age. We recognize that there may be times when it is necessary or desirable for babysitters (paid or volunteer) who are themselves under the age of 18 to assist in caring for children during events or activities. In this case, the person must be at least 13 years old, must be under the supervision of an adult, and must never be left alone with children.

#### **Discipline Policy**

It is the policy of the Synod not to administer corporal punishment. There should be no spanking, grabbing, hitting, or other physical discipline of children. Volunteers should consult with Synod staff members if assistance is needed with disciplinary issues.

## **SELECTION OF VOLUNTEERS**

All persons desiring to work with children or youth at Synod events or activities will be screened. The screening includes the following:

### **Six Month Rule**

No volunteer will be considered for any position involving contact with minors until s/he has been involved with the Synod for a minimum of 6 months. This time of interaction between our leadership and the applicant allows for better evaluation and suitability of the applicant for working with children or youth.

### **Written Application**

All persons who wish to work with children or youth will complete a written application to be supplied by the Synod. The application requests basic information from the applicant and inquires about previous experience with children, church affiliation, reference and employment information, as well as the disclosure of any previous criminal convictions. The application forms will be maintained in confidence in the Synod office.

### **Personal Interview**

Upon completion of the application, a face-to-face interview may be scheduled with the applicant to discuss his/her suitability for working with children or youth.

### **Reference Checks**

Before working with children or youth, at least two of the applicant's references will be checked. These references should be of an institutional nature as opposed to personal or family references.

### **Criminal Background Checks**

A criminal background check is required for all volunteers seeking to work with children or youth at Synod events or activities. A disqualifying offense that will prevent an individual from working with children or youth will be determined by the Synod Leader or Stated Clerk on a case-by-case basis in light of the surrounding circumstances. Convictions for an offense involving children and/or for offenses involving violence, dishonesty, illegal substances, indecency, and any conduct contrary to our mission will preclude someone from being permitted to work with children. Failure to disclose a criminal conviction on the application will also disqualify the applicant.

## **DEFINITIONS OF CHILD ABUSE**

For the purposes of this policy, "child abuse" is any action (or lack of action) that endangers or harms a child's physical, psychological, or emotional health and development. Child abuse may include the following:

**Physical Abuse** – any physical injury to a child that is not accidental. This can include hitting, beating, shaking, burns, or biting.

**Emotional Abuse** – emotional injury takes place when a child is not nurtured or provided with love and security. This can include threatening, yelling, constant criticism, belittling, bullying, or constant teasing.

**Sexual Abuse** – any sexual activity between an adult and child or between a child and another child at least four years older than the victim. This can include fondling, exhibitionism, intercourse, or pornography.

**Neglect** – depriving a child of his/her essential needs. This can include lack of provision of food, water, shelter, or medical care.

## **REPORTING SUSPECTED ABUSE**

Volunteers may become aware of abuse or neglect of children or youth under their care at a Synod event or activity. If the volunteer suspects abuse or neglect, s/he should report it immediately to the Synod Leader or Stated Clerk for further action, including reporting to authorities as may be mandated by state law.

If an incident of abuse or neglect is alleged to have occurred at a Synod event or activity, the following procedures shall be followed:

1. The parent or guardian of the child or youth will be notified.
2. The person alleged to be the perpetrator of abuse or neglect will be placed on leave from working with children, pending an investigation, and instructed to remain away from the premises during the investigation.
3. Civil authorities will be notified. The Synod will comply with state requirements regarding mandatory reporting of abuse.
4. The Synod's insurance company will be notified, and an incident report will be filed. Any documents received related to the incident or allegations will be forwarded immediately to the insurance company.
5. The Synod Leader will be the spokesperson to the media concerning incidents of abuse or neglect. We will seek the advice of legal counsel before responding to media inquiries or releasing information to the Synod community. All other representatives from the Synod should refrain from speaking to the media.
6. A pastoral visit will be arranged for those who desire it.
7. Any person who is not found to be innocent of the alleged abuse or misconduct will be removed from working with children or youth.

## **TRAINING**

The Synod will provide periodic Child Protection Policy training to insure that all members of the Synod staff and all volunteers serving youth and children are fully informed concerning the Policy guidelines.