

PERSONNEL POLICIES

Winnebago Presbytery

Revised May 11, 2010

INTRODUCTION: These policies do not constitute a contract. Their terms are implemented in accordance with the Constitution of the Presbyterian Church (USA) including its provisions for Administrative Staff (G-9.0700). Calls to ministers of Word and Sacrament may only be changed in consultation with the incumbent's presbytery.

These policies may be withdrawn or changed at any time and without notice by action of the Presbytery upon recommendation of the Personnel Committee. Presbytery's interpretation or application of these policies shall be final and binding on all employees. All previous policies and procedures, to the extent that they are inconsistent with this document, are hereby revoked.

All non-ordained, non-exempt employees are "at will" employees. Employees may resign their employment at any time and for any reason, and the Presbytery reserves the same right regarding the discontinuation of an individual's employment.

THEOLOGY OF EMPLOYMENT: The Winnebago Presbytery, a governing body of the Presbyterian Church (USA), is a community of faith called into being by God's grace in Jesus Christ, "...known by its convictions as well as by its actions." (G-2.0100b)

The work of the Presbytery of Winnebago is to be understood as being defined within the context of the Constitution of the Presbyterian Church (USA), which consists of the Book of Confessions and the Book of Order, and within the definition of its own mission.

The Presbytery's personnel system is designed to reflect the continuing mission concerns of the Presbytery, including program and budgetary decisions.

SCOPE AND APPLICATION OF THE PERSONNEL POLICIES: The personnel policies are established by the Presbytery with regard to all staff which it employs. The Presbytery commends these policies to its congregations. It is the intent of these policies to conform, where necessary, to the requirements of applicable state laws. In the event that these policies conflict with applicable state law, state law shall prevail.

DEVELOPMENT AND ADMINISTRATION OF PERSONNEL POLICIES AND PROCEDURES: The Presbytery is responsible to provide for:

Equal Employment Opportunity: To provide for a plan to implement equal opportunity employment consistent with the principles of inclusiveness of the Presbyterian Church (USA).

Compensation: To develop and administer a process of job classification and compensation.

Reimbursement of Expenses: To develop and administer a process for the reimbursement of employee related expenses.

Continuing Education/Extended Study Leave/Sabbatical: To develop and administer a process of continuing education compatible with the needs of the Presbytery and the career goals of the employee.

Benefits: To provide employee benefits compatible with the goals and financial capacity of the Presbytery.

Employee Concerns and Problems: To establish and administer a procedure for resolving job related problems.

Distribution: To provide to each employee a copy of the Presbytery's personnel policies.

1. **BASIC POLICIES**

1.1 Inclusiveness: The Presbytery is an equal opportunity employer. (**Appendix A - Plan for Equal Employment Opportunity.**)

1.2 Drug and Alcohol Dependency: The Presbytery recognizes that alcoholism and other drug dependencies are addictions and serious illnesses (DMS-IV) and a significant problem with severe effects to the employee and the Presbytery. Employees are expected to perform their jobs efficiently, safely and in a professional business-like manner. Therefore, it is the Presbytery's intent to provide a drug-free, healthful, safe and secure work environment.

1.3 Sexual Harassment:

1.3.1 The Presbytery strongly condemns discrimination based upon sex, including sexual harassment. Such conduct will not be tolerated in any form, by any person.

1.3.2 All sexual harassing conduct in the workplace, whether committed by supervisory or non-supervisory personnel, is prohibited. Such conduct includes:

- a. Inappropriate touching, making unwelcome sexual advances, requests for sexual favors or other verbal or physical contact of a sexual nature, a condition of an employee's obtaining employment or their continuing said employment; or
- b. Making submission to or rejection of such conduct the basis for employment decisions affecting the employee; or
- c. Creating an intimidating, hostile or offensive work environment by such conduct. This prohibited conduct includes, but is not limited

to, unwelcome sexual flirtations; advances or propositions; verbal abuse of a sexual nature; graphic/verbal comments about an individual's body; sexually degrading words; and the display in the workplace of sexually suggestive objects or pictures.

- 1.3.3 Employees who believe that they have been the subjects of sexual harassment should report the alleged act immediately to their supervisor. If they do not feel comfortable talking to that individual, they may speak with any executive or administrative staff person, or the chair of the Personnel Committee. (**Appendix E** – Addressing Employee Concerns)
- 1.3.4 Any supervisor, agent, or other employee who has been found by the Presbytery, after appropriate investigation, to have sexually harassed another employee, will be subject to appropriate sanctions depending upon the circumstances, from a warning in his or her personnel file up to and including termination.

1.4 **Other Types of Harassment:**

- 1.4.1 The Presbytery prohibits harassment in any form by its employees based on factors of race, color, religion, national origin, sexual orientation, age or disability.
- 1.4.2 Harassment is defined as verbal or physical conduct which is insulting or intimidating, has the effect of interfering with an individual's work performance, or creates an intimidating, hostile or offensive work environment.
- 1.4.3 It shall be the responsibility of each employee to maintain an environment which is free from such harassment and to report incidents of conduct which he or she believes to constitute such harassment.
- 1.4.4 Employees who believe they have been the subjects of harassment described in Section 1.4.2 should report the alleged act immediately to their supervisor. If they do not feel comfortable talking to that individual, they may speak with any executive or administrative staff person, or the chair of the Personnel Committee.
- 1.4.5 Any supervisor, agent, or other employee who has been found by the Presbytery, after appropriate investigation, to have harassed another employee, will be subject to appropriate sanctions, depending upon the circumstances, from a warning in his or her personnel file up to and including termination.

1.5. Conflict of Interest:

- 1.5.1 No employee shall accept any gift, gratuity, grant service, or any special favor from any person or persons or businesses which provide or receive goods and services or which seek to provide or receive goods and services from the Presbytery. However, minor courtesies such as luncheons, dinners or similar arrangements in connection with business discussions may be received.
- 1.5.2 In addition, if any employee is called upon to participate in a decision in which the interests of the Presbytery conflict with his or her personal interests, the employee should abstain from participating in the decision.
- 1.5.3 Employees who hold other paid positions should ensure that such outside employment will not interfere with the performance of their duties or produce a conflict of interest in the pursuit of those duties. Any question regarding this should be reviewed with their supervisor.
- 1.5.4 All employees shall avoid even the appearance of conflict of interest, special interest, or any other inappropriate conduct. If an employee discovers that he or she may be in a position of conflict, he or she shall immediately report this conflict to his or her supervisor.

1.6 Nepotism:

No person may be employed in a position that is under the direct supervision of an immediate family member (spouse, parent, parent-in-law, child, grandchild, brother, sister, grandparent) or a member of the same household or where the family or household member, by virtue of the position held in the Presbytery, has authority to influence the employee's salary, promotion, or other aspects of employment. This applies both to original employment and changes in employment by promotion, demotion, transfer, or reorganization.

1.7 Solicitation or Distribution:

- 1.7.1 It is the policy of the Presbytery to ensure productive work environments where employees and program operations may function without disruption.
- 1.7.2 Employees may not advertise services, solicit another employee, or collect from another employee while either employee is on work time. "Work time" is defined as all time on the job other than before and after work, at meal periods, and during break times.

1.8 Security of Presbytery Records and Confidentiality:

- 1.8.1. It is the policy of the Presbytery that employees are required to protect organization records entrusted to them or accessible to them against unauthorized access, loss, or destruction. These records include all written or computerized information produced by or for the Presbytery.
- 1.8.2 Employees may be assigned records or computer accounts identified by their personal names; however, the documents and information produced or stored in these and all records and accounts remain the property of the Presbytery.
- 1.8.3 It is the responsibility of all employees to respect and protect information of a confidential nature.

1.9 Computer Use

- 1.9.1 The Presbytery provides computer resources for presbytery use. Any personal use of these resources must be limited, within reason, and must not interfere with normal presbytery activities or an employee's ability to meet job expectations.
- 1.9.2 The Presbytery's computer resources may not be used for any purpose which violates the law.
- 1.9.3 The Presbytery's computer resources may not be used to transmit, receive, or store any communication or other information where the information or its transmission or distribution could be considered sexually explicit, profane, threatening, or otherwise offensive.
- 1.9.4 All employees are to be vigilant about security when using public and private network connections.
- 1.9.5 All software to be used on WP computers must be purchased and/or acquired with appropriate licenses.
- 1.9.6 The Presbytery reserves the right to monitor any and all activity, communications or transmissions involving WP computer resources.
- 1.9.7 Violation of this policy may result in disciplinary action up to and including termination.

2. EMPLOYMENT CATEGORIES AND TERMS

- 2.1 Executive Staff: Executive staff are elected by the Presbytery in accordance with provisions of the Form of Government (G-9.0700ff and G11.0303) and/or in accordance with guidelines adopted by the Presbytery. In addition

to an annual personnel review, there shall be a comprehensive review at least every five years.

2.2 Program Staff: Program staff may be hired by the Executive Presbyter and the Personnel Committee. An annual personnel review shall be conducted.

2.3 Administrative Staff: Administrative staff may be hired by the Executive Presbyter and the Personnel Committee. There shall be an annual personnel review.

2.4 Support Staff: Support staff may be hired by the Executive Presbyter and administrative staff. There shall be an annual personnel review.

2.5 Interim Employment:

2.5.1 It is the policy of the Presbytery to provide continuity of administrative and/or program services when a vacancy occurs in an executive position by appointing an interim person, if necessary and appropriate, to serve until the position is filled or abolished. This policy is applicable to all positions whether full or part-time. Interim positions will be appointed by Executive Presbyter and Personnel Committee, or in the case of the Executive Presbyter position, Personnel Committee.

2.5.2 Interim employees temporarily filling executive or administrative positions are not eligible to apply for, or be considered for the position on a regular basis, except by a two-thirds vote of the Presbytery, provided the original search process was conducted in full compliance with the provisions of G-90704 (G-9.0706).

2.5.3 Interim employees temporarily filling program or support positions may apply for and be considered for the position on a regular basis.

3. POSITION DESCRIPTIONS

All positions will be described in a position description, which shall be reviewed periodically.

4. WORKING HOURS

The Presbytery observes a forty (40) hour work week.

5. SALARY ADMINISTRATION (Appendix B - Administrative Procedure: Salary Administration.)

5.1 Salaries for executive staff positions will be considered on the basis of uniform factoring provided by the General Assembly. Initial placement within a salary range should reflect a judgment of the qualifications and experience

of the person relative to the position requirements. An employee will normally start at a salary no higher than the mid-point of the range for which he or she is employed.

- 5.2 Wages for administrative support and program positions will be determined on the basis of a classification system that is consistent with systems used in areas where the person is employed.
- 5.3 Salary ranges and wage scales will be reviewed annually.
- 5.4 Ordinarily, any salary adjustments will be effective January 1st of each year. Changes in the terms of call for a Minister of the Word and Sacrament will be approved by the Presbytery.
- 5.5 The Presbytery seeks to equalize, as nearly as possible, the compensation of ordained clergy and non-ordained executive staff necessitated by the advantages tax law provides in exempting housing allowances from the taxable income of clergy. For each eligible staff person, the Presbytery may purchase a non-forfeitable annuity, using an amount comparable to the tax saving represented by the housing allowance modified by the social security payments made on behalf of non-ordained employees.
- 5.6 All honoraria received, having to do directly with the work of the Presbytery, shall be turned in to the Presbytery. Honoraria received for services not related to the position description may be retained by the staff person. (**Appendix C** - Administrative Procedure: Remuneration for Special Services.)
- 5.7 **Appendix D - Employee Personal Public Witness**

6. **BENEFITS**

Regular full time and part time employees who work twenty or more hours a week are eligible for benefits.

- 6.1 Social Security: The employee's share is withheld from the wages of non-ordained staff. Ministers of Word and Sacrament are considered self-employed for social security purposes and are responsible for the payment of their self-employment contributions.
- 6.2 Pension: All eligible administrative support employees are to be enrolled as of their starting date in the Benefits Plan of the Presbyterian Church (U.S.A.). Dues shall be paid by the Presbytery at the required percentage. Questions regarding eligibility, benefit levels, or other issues shall be determined solely by reference to the provisions of the Benefits Plan. Exception to this mandatory participation can be made only after consultation with the Executive Presbyter and the filing of a written waiver with the Board of Pensions.

- 6.3. Health Insurance and Disability Benefits: Major medical coverage and disability benefits are provided to eligible employees by the Benefits Plan of the Presbyterian Church (U.S.A.). Questions regarding eligibility, benefit levels, or other issues shall be determined solely by reference to the provisions of the Benefits Plan.
- 6.4 Workers' Compensation Insurance is provided to all employees according to the provisions of State law.
- 6.5 On the Job Travel Accident Insurance: It will be provided for all employees.
- 6.6 Unemployment Insurance: Presbytery employees are excluded from unemployment compensation insurance pursuant to Wisconsin statutes.
- 6.7 Moving Expenses: Employees who have been designated by the Personnel Committee as eligible for moving expenses shall be reimbursed on the following basis:
- 6.7.1 Moving expenses will be negotiated at the time of employment. Presbytery, through its Personnel Committee, will establish a maximum amount.
- 6.7.2 House hunting expenses (travel, lodging, meals) will be paid to the transfer site for the employee and spouse for one round trip covering a period not to exceed three days. In unusual circumstances, additional time may be made available upon authorization by the Personnel Committee.
- 6.8 Housing Loans: Executive, administrative and program staff may be given assistance in the purchase of a home through a loan by the Synod.
- 6.9 Holidays:
- 6.9.1 There shall be eleven paid holidays per year: New Year's Day, Martin Luther King, Jr. Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, the Day after Thanksgiving, Christmas Day, and two other days to be designated by the Executive Presbyter and reported to the Personnel Committee at the beginning of each year.
- 6.9.2 When a holiday falls on a Saturday or Sunday, it will be observed as holiday on the nearest Friday or Monday, respectively.

7. VACATION WITH PAY

- 7.1 A vacation with pay is provided for all regular employees. Vacations are not cumulative; earned vacation days not used in the calendar year will be

forfeited; except when special provision has been made by the Executive Presbyter, or the Personnel Committee in the case of the Executive Presbyter.

7.2 Full time executive staff are entitled to an annual vacation. Minister members follow the Presbytery adopted policy:

ordained one year – 14 years	4 weeks
ordained 15-24 years	5 weeks
ordained 25 + years	6 weeks

Full time non-clergy, executive staff vacation will be negotiated at the time of employment.

Full time administrative, program, and support staff are entitled to an annual vacation computed according to the following:

employment less than one year	2 weeks, pro-rated
one year – four years	2 weeks
five years – nine years	3 weeks
ten years – twenty-four years	4 weeks
25 + years	5 weeks

Full time support staff may not take vacation time during the first three months of their employment.

Unless otherwise stated in the position description, part-time employees shall receive the same number of vacation weeks as full time employees.

7.3 Specific vacation dates shall be determined in advance in consultation with the employee's supervisor.

8. LEAVE WITH PAY

8.1 Military Leave: Time off for Military Reserve duty as required by law shall be allowed.

8.2 Marriage: Up to three days shall be granted to an employee who has been employed by the Presbytery for at least one year.

8.3 Jury Duty: Time off for jury service shall be allowed. For up to a maximum of two weeks per year the Presbytery will pay the difference between the individual's normal and customary pay less whatever the individual receives for jury duty.

8.4 Parental Leave:

- 8.4.1 Parental Leave should normally be requested of the supervisor, and approved by the Executive Presbyter, as least one month in advance of the expected arrival of the child. The request should specify the amount of leave time desired, which may include time before or after the expected birth or adoption of the child. If both parents are on the Presbytery payroll, only one parental leave may be granted. However, leave may be shared by the two parents.
- 8.4.2 Maternity Leave – an eight-week minimum beginning when deemed appropriate by the employee’s physician, no later than at birth.
- 8.4.3. Paternity leave – a two-week minimum following the birth of the child.
- 8.4.4. Adoptive Leave – a two-week minimum following the placement of the child.
- 8.4.5. Employee’s salary, pension and insurance benefits continue during the leave. Professional reimbursements and continuing education are not available during parental leave.
- 8.4.6. Upon completion of parental leave, the employee will be entitled to return to his or her position, if not eliminated due to a reduction in force, in which case the provisions of Section 15 would apply. The position will not be filled during the leave except on a temporary basis.

8.5 Health and Medical Leave: Employees are entitled to ten working days of sick leave each calendar year, cumulative up to ninety days. 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.

8.6 Emergency Leave: A maximum of five days per year shall be allowed for emergency leave arising out of the death of an immediate member of the family. In the event of serious illness or other emergency related to an immediate member of the family, such leave may be allowed by the Executive Presbyter.

9. **LEAVE WITHOUT PAY**

Employees may be granted leave without pay. Benefits defined in Section 6 may be continued at the employee’s own expense, but paid leave benefits, e.g. vacation, sick leave or holidays, will not accrue during this period. The leave is subject to the approval of the Personnel Committee upon recommendation of the Executive Presbyter.

10. CONTINUING EDUCATION

- 10.1 Continuing education benefiting the employee and the Presbytery shall be encouraged. Employees are to submit plans for continuing education to their supervisor for consideration. Such leave is solely at the discretion of the Executive Presbyter or in the case of the Executive Presbyter, the Personnel Committee.
- 10.2 Annual continuing education leave with pay and assistance for expenses for continuing education may be granted by the Executive Presbyter according to the following schedule: for executive, administrative, and program staff, up to two weeks; for support staff up to one week. With the approval of the Executive Presbyter, continuing education leave with pay and assistance for expenses may be accumulated to six weeks for executive, administrative, and program staff, and up to three weeks for support staff. In the case of the Executive Presbyter, approval shall be by the Personnel Committee.
- 10.3 At the time of termination of employment (either voluntary or involuntary), an employee shall have no claim for pay in lieu of unused continuing education time/money.

11. EXTENDED STUDY LEAVE/SABBATICAL

- 11.1 Staff persons interested in pursuing annual or extended continuing education shall submit, through their immediate supervisor, a written request at least 30 days prior to the anticipated leave. This request shall clearly state the intended plan for study, its duration (typically three months) and any requested funding. It will indicate how it will be of mutual benefit to the applicant and to the Presbytery, noting specific relationships to the responsibilities enumerated within the applicant's position description. Enhancing the incumbent's ability to function in their assigned areas of responsibility is the primary benefit to the Presbytery. The Executive Presbyter shall submit his/her request to the Personnel Committee. Approval is solely at the discretion of the Executive Presbyter, or for the Executive Presbyter, the Personnel Committee.
- 11.2 Each year 1.5% of total budgeted staff salaries will be included in the Operations budget and transferred to the Sabbatical Personnel Fund to cover costs of replacement staffing during an employee's extended study leave.
- 11.3 Following completion of the study leave, the staff person shall submit to the Executive Presbyter and their immediate supervisor, a written report. This report shall describe the primary learnings, evaluate any events that were attended, and indicate how the learning may be applicable to future work. A copy shall be placed in the staff person's personnel file. It is expected that the employee will serve at least one year in the present position upon

returning from extended study leave/sabbatical. If an employee resigns within the first six months after returning, 50% of the amount spent from his/her continuing education funds are to be returned to the Presbytery.

11.4 At the time of termination of employment (either voluntary or involuntary), an employee shall have no claim for pay in lieu of unused extended Study Leave/Sabbatical time/money.

12. PROCEDURES FOR ADDRESSING EMPLOYEE CONCERNS AND PROBLEMS

The Presbytery shall provide a procedure for attempting to resolve job related problems. (**Appendix F-** Administrative Procedures – Addressing Employee Concerns)

13. SEPARATIONS FROM EMPLOYMENT

Employment separations: It is the policy of the Presbytery of Winnebago that employment relationships are “at will” and may be terminated at any time with or without cause by the employee or the Presbytery //(except as otherwise required by state law.)

Terminations may occur for many reasons including voluntary resignation, dismissal, termination without prejudice, reduction in force or position elimination, or retirement.

All decisions regarding termination of employment will be made without discrimination on the basis of race, color, national origin, gender, age, marital status, sexual orientation, creed, disability, or religious affiliation (except where a category is determined to be a bona fide occupational qualification).

14. UNSATISFACTORY PERFORMANCE AND INVOLUNTARY TERMINATION

14.1 Occasionally, an employee’s behavior or work performance is unsatisfactory. When this arises, normally the employee’s supervisor will meet with the employee in an effort to improve the unsatisfactory behavior or performance. However, the Presbytery reserves the sole right to determine whether disciplinary action should occur and the nature and extent of the discipline to be imposed. This process may include verbal warning(s), written warning(s), suspension or termination, all in the sole discretion of the Presbytery. In this connection, the Presbytery reserves the right to bypass one or more of the options set forth above. While it is not possible to list every type of behavior that might be deemed a problem, the following list includes examples of behavior which may result in discipline up to and including termination:

unsatisfactory performance, insubordination, neglect in the care and use of Presbytery property and funds, unexcused absence and/or repeated tardiness, moral turpitude, inappropriate use of internet or email, violation of Presbytery personnel policies, falsification of timekeeping records, reporting to work under the influence of alcohol or drugs, threatening violence in the workplace , sexual or other unlawful harassment, possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace.

The examples cited above are for illustration only and shall not be considered as comprehensive or limiting the Presbytery's right to administer discipline in its sole discretion.

- 14.2 In the event of involuntary separation, the Executive Presbyter, in consultation with and upon approval of the Personnel Committee, will terminate any administrative, program or support staff employee. Notification of termination will be thirty calendar days for administrative and program staff and fourteen calendar days for support staff. Pay in lieu of notice may be given.
- 14.3 In the event of the involuntary separation of the executive staff of the Presbytery, the implementation of the procedures contained in G-9.0700 will lodge with the Personnel Committee. Notification of termination will be ninety calendar days, or until other employment is secured, whichever is shorter. Pay in lieu of notice may be given.

15. REDUCTION IN FORCE

- 15.1 Reduction in force, because of the discontinuance of a project or retrenchment in budget or for other circumstances arising out of no fault of the employee, is at the sole discretion of the Presbytery.
- 15.2 Written notice of such reduction will come from the Presbytery Moderator after consultation with the Personnel Committee. At least six months notice shall be given. Should re-employment take place before the expiration of the notice period, salary payment will continue, offset by any pay received by the employee during this period.
- 15.3 When notice is given, severance allowance will be given in relation to length of service with the Presbytery as follows:

less than one year of service	two weeks
one year but less than four	four weeks
four years but less than five	six weeks
five or more years	eight weeks plus a week's salary for each year over five to a maximum of twelve weeks

15.4 Pay in lieu of six-month notice may be given if so determined by the Presbytery. Normally severance allowance will not be granted to an employee who receives pay in lieu of six months notice. Vacation time accrued shall be honored with time or pay at the time of severance.

16. VOLUNTARY TERMINATION OF EMPLOYMENT

16.1 Employees wishing to terminate their employment with the Presbytery should submit a written resignation to their supervisor, indicating the reason for terminating employment as well as the last day he or she expects to work.

16.2 A minimum of thirty calendar days notice is requested of executive, administrative and program staff, and fourteen calendar days notice of support staff.

16.3 Upon receipt of a resignation, the Executive Presbyter should arrange for an exit interview with the employee, placing in that person's file the resignation letter and a summary of the exit interview.

16.4 In the instance of the resignation of the Executive Presbyter, the resignation letter shall be submitted to the Presbytery Moderator, with a copy to the chairperson of the Personnel Committee. The Personnel Committee in consultation with the Presbytery Moderator, is responsible for the exit interview.

16.5 If notice is given, pay will be granted for accrued vacation time.

17. DISABILITY

Disability is considered to be a temporary separation due to mental or physical inability to function on the job. The decision to recommend a disability leave shall be made by the Personnel Committee in consultation with the Executive Presbyter and the Board of Pensions. It shall be based upon the recommendation of a physician, or physicians, and subject to approval by the Presbytery.