



PERSONNEL POLICIES
PRESBYTERY OF GIDDINGS-LOVEJOY

PRESBYTERIAN CHURCH (U.S.A.)

Adopted 2001

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THE PRESBYTERY OF GIDDINGS-LOVEJOY
PRESBYTERIAN CHURCH (U.S.A.)

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PERSONNEL POLICIES FOR
THE PRESBYTERY OF GIDDINGS-LOVEJOY
PRESBYTERIAN CHURCH (U.S.A.)

This proposed personnel policy statement is based on the requirements of the Form of Government of the *Book of Order*, in particular sections G-4.0400 and G-9.0104 pertaining to inclusiveness and diversity; G-9.0400 pertaining to the principles of administration; G-11.0000 pertaining to the role of the Presbytery, G-12.0302 pertaining to interaction with the Synod; and G-13.0201b pertaining to equal opportunity.

01.00 **A THEOLOGY OF EMPLOYMENT**

The Presbyterian Church (U.S.A.) is a community of faith called into being by God's grace in Jesus Christ. As such it is "a community of people known by its convictions as well as by its actions." (Form of Government, G-2.0100b)

- This community of faith celebrates creation as an ongoing phenomenon of God in the world. It acknowledges the sovereignty of God over the world and the Lordship of Jesus Christ over the Church.
- This community of faith is made up of people called by God into a covenant relationship. Here gifts are recognized and used for the purposes of God. This community of faith values the contributions of all its employees.
- This community of faith is a servant community. It offers its life for the world.
- This community of faith is an interdependent community within which particular responsibilities are accepted and acted upon.

This Church is living testimony that the "God who creates life, frees those in bondage, forgives sin, reconciles a brokenness, makes all things new, is still at work in the world." (G-3.033a (2))

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

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

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

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

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

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

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

02.00 **SCOPE AND APPLICATION OF THESE PERSONNEL POLICIES**

The following are established as personnel policies of the Presbytery of Giddings-Lovejoy, of the Presbyterian Church (U.S.A.) with regard to all staff which the Presbytery employs. These policies are designed to be consistent with all applicable provisions of the Form of Government and the personnel policy guidelines adopted by the General Assembly.

These policies express, among other things, the rights and obligations of employers and employees.

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

03.0 **THE COMMITMENTS UNDERLYING THESE PERSONNEL POLICIES**

These personnel policies are based on commitments by the employer and the employees:

- the employer will recognize and affirm the full potential of each employee and develop, support and use the full range of human resource potential
- employees will devote their interest and energy to their work and the goals of the organization

These commitments reflect an open partnership in which objectives are shared and in which employer and employee acknowledge their responsibilities to each other.

03.01 **EMPLOYER RESPONSIBILITIES**

- a. To be faithful to the purpose of the organization.
- b. To provide opportunity for employee participation in the development and administration of the personnel system, allowing adequate time during regular working hours for such participation.

03.01 EMPLOYER RESPONSIBILITIES (continued)

- c. To assure that policies and administration of the personnel system are consonant with the rights of employees.
- d. To provide equal opportunity for all employees in all aspects of every phase of the personnel system and to have an affirmative action program.
- e. To provide adequate and equitable compensation to employees.
- f. To assist employees in meeting their career goals and objectives in a manner consistent with the interest of the employer.
- g. To conduct regular performance reviews and evaluations for all employees which relate their work objectives to objectives of the employer and which give employees an opportunity to participate in evaluation of their own performance.
- h. To provide equitable benefits and working conditions for the general welfare and well-being of all employees.
- i. To establish and maintain open communication with employees on matters concerning their welfare and the employer's interests.
- j. To establish and administer a process which provides for the hearing and resolution of complaints and grievances.
- k. To provide a work place that is safe and secure.

03.02 EMPLOYEE RESPONSIBILITIES

- a. To give their best possible performance in their assigned functions.
- b. To understand their role and function in the context of the goals of the organization.
- c. To participate in committees or groups as requested in furtherance of the goals of the organization.
- d. To take initiative so that employee opinion is presented to any appropriate forum dealing with the personnel system.
- e. To make suggestions on the improvement of operations.
- g. To act in accordance with the employer's rules and regulations.

03.03 **COMMON RESPONSIBILITIES**

The partnership style of employer/employee relationships is dependent upon acceptance of the necessity of employer and employee to be responsible to each other in the exercise of their respective responsibilities. The Presbytery encourages a collaborative environment with all employees

04.00 **PRINCIPLES FOR THE DEVELOPMENT AND ADMINISTRATION OF PERSONNEL POLICIES AND PROCESS**

The following principles will guide in the development and administration of all personnel policies and processes:

04.01 **Equal Employment Opportunity**

To establish and administer a process that will enable the development and implementation of an equal employment opportunity plan that will insure that all recruitment, employment, promotion, and all policies and processes regarding compensation, benefits, transfers, training opportunities and separation practices are administered without discrimination in the areas of race, color, national origin, sex, age, marital status, sexual orientation, creed, religious affiliation (except where religious affiliation is determined to be a bona fide occupational qualification), or physical or mental disability unrelated to the requirements of the work involved.

04.02 **Compensation**

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

04.03 **Reimbursement of Expenses**

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

04.04 **Career Development**

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

04.05 **Benefits**

To assist in meeting the needs of employees for medical services and insurance, pension coverage, regular vacations, regular and special leaves, etc., consonant with the goals and financial capacity of the employer.

04.06 **Quality of Work Life**

To establish and sustain a process that assures the employee of equitable working hours, necessary equipment to perform tasks, humane treatment, clean, pleasant and safe working conditions, etc., to the extent these are feasible within the goals and financial capacity of the employer.

04.07 **Complaints and Grievances**

To establish and administer a process that will insure all employees a fair and equitable opportunity for quick resolution of work problems, including the right to choose an advocate, and for the hearing and resolution of misunderstandings and complaints that may arise in the administration of the personnel system.

04.075 **Abusive or Harassing Situation**

When an **exempt or** non-exempt staff employee encounters what she/he considers an abusive or harassing situation, while working with presbyters and/or public, she/he is encouraged to implement the following procedure:

1. Exit the situation in the most practical, respectful, and timely way possible.
2. Report the incident to the supervisor, detailing the incident.
3. Immediate attention will be paid by the supervisor which will include one or more of the following:
 - a. discussion in greater detail and decision upon what action is to be taken by the supervisor or the employee.
 - b. referral of the matter to the Executive Presbyter for further deliberation and/or action.
 - c. referral of the matter to the Chair of Personnel and Office Management Committee for intervention or report to Presbytery.

04.08 **Communication**

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

05.00 **PERSONNEL POLICIES**

05.01 **Determination of Personnel Guidelines and Policy**

Personnel policies are determined by the Mission Council and the Presbytery upon recommendation by the Personnel and Office Management Committee.

06.00 **EMPLOYMENT CATEGORIES, TERMINOLOGY AND PROCEDURES**

06.01 **Employer**

The legal corporate employer of all Presbytery staff is the Presbytery of Giddings-Lovejoy, Inc., a legal corporation in the State of Missouri.

06.02 **Nonexempt and Exempt Categories**

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

Persons employed in non-exempt positions will be paid overtime wages for hours worked in excess of the normal work schedule. If the normal work schedule is less than 40 hours a week, compensatory time off may be given in lieu of overtime pay up to 40 hours a week. For all hours in a week more than 40, pay is at the rate of one-and-a-half times the regular rate and compensatory time off for hours worked in excess of 40 hours a week is not allowed.

Those persons employed in exempt positions are not paid overtime wages for hours worked in excess of the normal work schedule but are expected to manage their schedules to provide them with a minimum of one day off each week.

06.03 **Ministers of the Word**

In accordance with federal and state statutes and Church policy all Ministers of the Word employed by Assembly agencies, synods, presbyteries, and sessions are considered self-employed persons engaged in the exercise of their ministry and are not subject to withholding for certain taxes. They are, however, included in all other policies which apply to “employees: except where excluded by federal or state law.

06.4 **Work Week**

The normal work week will be Monday through Friday from 8:30 a.m. to 4:30 p.m. There will be a one hour meal break provided during these hours. Ordinarily, these hours will be maintained on a year round basis.

07.00 **COMPREHENSIVE PERSONNEL PLAN**

07.01 **Elements of the Plan**

Structure and organization: Provide an organization chart which displays Presbytery officers, committees, and commissions and identify those which require extensive services from administrative staff.

Staff Rationale: Provide a statement of mission goals and directions for each major sub unit. For each position provide a statement of the purpose or function of the position and an explanation of the way in which the function relates to similar or related function performed by other administrative units.

Staff Roster: Provide an updated list of all existing and proposed exempt positions giving titles; number of exempt and non-exempt staff reporting to each position; factoring points; salary range; name and other summary personnel data of incumbents in each filled position and identify any vacant positions. Indicate current proportions of women and racial ethnic persons.

Personnel Action Plan: Set forth specific goals for the training of staff, and Affirmative Action Equal Employment opportunity goals for the employment, promotion and development of women and racial ethnic persons.

Presbytery Mission Programs: Describe the scope/number and kind of mission programs and projects and the administrative staff assistance required.

Demographic Information: Provide relevant demographic information which the governing body believes is significant to its staffing requirements. Such information may include: number of churches, communicant members, ministers, geographical area, particular social class, and political class, economic conditions which influence the governing body, composition of the population in terms of racial ethnic persons, education and age.

07.02 **Validation of Positions**

Approval of the Comprehensive Personnel Plan constitutes validation of all positions listed in the Plan.

07.03 **Authorization to Fill Position**

Authorization to fill positions in the personnel plan will be based upon the recommendation of the Personnel Committee of the Presbytery or other appropriate unit.

The Executive Presbyter and the Personnel and Office Management Committee should insure that the position description is properly prepared and approved and should insure that it is in compliance with the Presbytery's Comprehensive Personnel Plan, and meets the criteria of the Affirmative Action Equal Employment opportunity guidelines. Positions should meet the requirements of the Dismantling Racism and Privilege guidelines adopted by the presbytery.

07.04 **POSITION DESCRIPTIONS**

A position description will be developed for each staff position.

08.00 **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION**

08.01 **Equal Employment Opportunity**

It is the policy of the Presbyterian Church (U.S.A.) that in all of its governing bodies it will not discriminate in employment policy and practices and will promote quality of opportunity in all aspects of employment. The Presbytery of Giddings-Lovejoy is guided by the mandate of the Form of Government and the various policies of the General Assembly, and will be in compliance with the Equal Pay Act of 1963, Title VII of the Civil Rights Acts of 1964, the Age Discrimination in Employment Act of 1967, [Equal Employment Act of 1972] and related laws and executive orders of state and local authority.

All employment policies and practices will be administered without discrimination based on race, color, sexual orientation, creed, religious affiliation (except where religious affiliation is determined to be a bona fide occupational qualification), national origin, sex, age, marital status, physical or mental disability unrelated to the requirements of the work involved.

08.02 **Affirmative Action**

The Presbytery will adopt an affirmative action plan and will periodically analyze all of its employment practices and the results of its actions to insure that the goals of its Equal Opportunity Employment and Affirmative Action plans are being met and that actions can be designed to remedy deficiencies.

09.00 **RECRUITMENT AND SELECTION**

09.01 **Church-wide Advertising**

So that staff openings of the Presbytery of Giddings-Lovejoy may be made known throughout the Church, advertisement of vacancies in exempt positions will be included in appropriate publications of the Presbyterian Church (U.S.A.) as well as other publications as may be designated by the Personnel and Office Management Committee.

09.02 **Internal Posting**

Notices of vacancies in exempt positions will be mailed to the synod and the sessions of the Presbytery. This mailing will be simultaneous with church-wide advertising and extend long enough to enable response from interested employee applicants.

Notice of vacancies in non-exempt positions will be posted for the information of local, non-exempt Church employees and should continue for at least two weeks to permit first access to the vacancy by interested employee applicants.

09.03 **Internal Transfers**

The Presbytery may fill a vacant position within the organization by internal transfer without church-wide advertising in order to:

1. Meet special needs of the Presbytery.
2. To improve the fit of persons to the demand of jobs.
3. To provide for promotion.
4. To secure maximum utilization of employee skills, and
5. To promote affirmative action equal employment opportunity.

09.04 **Nomination of Executive Presbyter**

The Executive Presbyter shall be nominated by the Mission Council in accordance with the Form of Government. Adequate publicity must be given to the position opening throughout the denomination and intensive efforts made to secure candidates from among racial ethnic minorities and women. Every effort must be made to insure that persons who wish to recommend candidates for these positions have ample opportunity to place names in candidacy.

09.05 **Elected Staff**

In keeping with affirmative action equal employment opportunity goals, first consideration for filling positions shall be given to current staff with special emphasis upon the possibility of advancing women and racial ethnic persons.

09.06 **Appointed Exempt and Nonexempt Staff**

Appointed exempt and non-exempt staffs are selected by the Executive Presbyter and/or her/his designee in accordance with the agency or governing body procedures. First consideration should take current employees church-wide. The recruiting process should take advantage of agency, synod and presbytery personnel staff services in advertising, screening and verifying qualifications of candidates from within and outside the Church. Efforts should be made to actively recruit racial ethnic persons and women for positions where affirmative action goals call for such action.

10.00 **CALLS**

10.01 **Call for Ministers of the Word**

All staff who are Ministers of the Word shall be provided with a written call stating the terms of employment in compliance with the Form of Government. All written calls will contain wording that will indicate the intent of the employer to honor the terms of a call except in case of a failure of the employee to perform satisfactorily or in the case of a change in structure or function (in which case adequate notice and assistance in relocation will be given).

11.00 **OTHER EMPLOYMENT PRACTICES**

11.01 **Probationary Employment**

The first three months of employment of full-time non-exempt personnel are considered a probationary or a trial period giving the employee and the supervisor an opportunity to evaluate interest and qualifications for the position under actual working conditions.

11.02 **Performance Review for Probationary Employees**

Prior to the completion of this probationary period, a performance appraisal is prepared and discussed with the employee by her/his supervisor. When all requirements of regular employment are completed satisfactorily, regular employment will begin with the next pay period.

11.03 **Conflict of Interest**

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

In addition, if an employee is called upon to participate in a decision in which the interest of the employer conflicts with her/his personal interests, the employee should abstain from participating in the decision.

Full-time employees who hold other paid positions should satisfy themselves that such employment will not interfere with the performance of their duties or produce a conflict of interest in the pursuit of those duties. Outside employment of exempt staff requires advance approval by the Personnel and Office Management Committee.

All employees shall avoid even the appearance of conflict of interest, special interest or any other inappropriate conduct. If an employee discovers that she/he may be in a position of conflict of interest, she/he shall immediately report this conflict to her/his supervisor.

11.04 **Honoraria**

Ordinarily Presbytery personnel will not retain honoraria for any services rendered as a part of their normal job function. Any exception to this policy will need the approval of a staff person's immediate supervisor.

12.00 **SALARY ADMINISTRATION**

12.01 **Philosophy and Principles**

The Church is committed to salary administration which will provide: fair pay for the work performed; incentive for personal achievement and growth; and flexibility to meet changes in organization, functions, positions and personnel over a period of time. The Presbytery, through the Personnel Office Management, will periodically evaluate the adequacy of staff salaries using the best objective data available.

12.02 **Salary review and increments**

All individual salaries will be reviewed annually and will also be reviewed when there are changes in duties or responsibilities which call for a change in position classification. Individual salary changes will be made based on performance, on considerations of relative equity within the organization, on position in salary range and on appropriate career progression relative to these factors. Length of service alone is not considered a valid reason for an increase. Decisions on increases in salary will be based on recommendations from Personnel Office Management Committee to the Mission Council.

12.03 **Staff Salaries, Minister of the Word**

In accordance with Form of Government changes in terms of the call of a staff member who is a Minister of the Word must be reported to the Presbytery.

12.04 **Availability of Salary Information**

Employees are entitled to information on salary ranges of comparable positions

12.05 **Housing Allowance**

The Internal Revenue Code provides that an ordained minister may exclude from her/his gross income for tax purposes, if it is designated in advance; any housing allowance paid as part of her/his compensation when that allowance is used for:

1. Renting a home.
2. Purchasing a home, including down payment, mortgage, legal fees, fees for searching title, installment payments, interest, taxes, fire and home liability insurance premiums, repairs, etc.
3. Running expenses of a home other than costs for food and domestic help, such as

utilities, house furnishings, attached garage, sidewalks, front and backyards.

The Internal Revenue Service has placed limitations on these provisions by ruling that an ordained minister may exclude from her/his gross income “only an amount equal to the fair rental value of the home plus the cost of utilities” or can exclude “the amount of compensation used for (1) furnishings, running expenses and real estate taxes to the extent they do not exceed the fair rental value and (2) utilities.”

If the total amount designated for housing allowance is not fully used for housing it is the employee’s responsibility to report the balance to the Internal Revenue Service as “taxable income.”

13.00 **CAREER OPPORTUNITIES**

13.01 **Career Development**

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

- a. A sharing of the employee’s total career goals and objectives, and her/his career goals and objectives as an employee of the Presbytery.
- b. A sharing of the Presbytery’s goals and objectives within the context of the total mission of the Presbyterian Church (U.S.A.)
- c. A review and analysis of the employee’s skills and knowledge in light of her/his current work assignment, and the Presbytery and employee’s goals and objectives.
- d. An analysis of the employee’s potential career opportunities within the structure of the Presbyterian Church (U.S.A.) and the Presbytery.
- e. An agreement by the employee and the Presbytery concerning short-term and long-term goals and objectives.
- f. A development of a projected program to help the employee develop new skills and knowledge, or reflect old skills and knowledge which would be helpful in achieving the agreed upon objectives.

13.02 **Annual Study Leave for Exempt Staff**

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

- a. It is not additional vacation, although, it may be taken in conjunction with vacation.
- b. It is granted only when the employee and the supervisor have agreed on the appropriate timing of the leave and upon clearly identified goals which are related

to the needs of the individual and the employer.

- c. A report on learnings in relation to agreed goals must be reviewed with the supervisor within one month after the completion of the leave.
- d. Annual study leave may be cumulative from year to year for up to three years. The total accumulation of annual study leave will be no more than six weeks.
- e. Pay in lieu of this leave will not be provided.

13.03 **Study Leave for Non-Exempt Staff**

When it can be demonstrated to be for the benefit of the Presbytery Office as well as for the employee, study leave for non-exempt staff may be approved within the following guidelines:

- a. Study leave is provided for the achievement of the career goals and objectives of the employee, as well as for the proven benefit of the Presbytery and its Office. The non-exempt employee, the team leader, or the related program staff may propose study leave for the employee. The Executive Presbyter and the Associate Executive Staff meeting as part of the Leadership Forum will approve proposed events. Events which enrich the employee's ability to effectively serve within the Presbyterian system as part of the Presbytery staff are encouraged.
- b. Report back to Presbytery and its office of learnings from study leave will be included in each employee's annual review process.
- c. Non-exempt staff will be eligible for study leave with pay, following two consecutive years of employment in a Presbyterian governing body.
- d. Study leave shall be scheduled in consultation with the related program staff and the team leader.
- e. Annual study leave of five days per year may be cumulative up to ten days. The total accumulations of annual study leave will be no more than six weeks and will be approved carryover if it is part of the staff person's career goals and objectives.
- f. Pay in lieu of this leave will not be provided.

13.04 **Extended Study Leave for Exempt Staff**

To enable exempt employees to give extended study to subjects which will contribute to the work of their employers and to their own technical or professional development, an extended study leave, with pay, may be granted within the following guidelines:

- a. The employee must have completed five years of credited service.
- b. At least five years must have elapsed since any previous extended study leave, and at least one year since any previous two-week study leave.

- c. A detailed written plan of study with clearly identified goals and expected end-products must be approved by the Personnel and Office Management Committee long enough in advance so that budget and staffing needs may be met.
- d. The maximum length of extended study leave will be four (4) months. It may be taken in conjunction with earned vacation within a particular year but may not be combined with annual study leave since an employee is not eligible for both types of leave in the same year.
- e. The ongoing work of the particular position and the total functions of the organization will be primary factors in considering the granting of extended study leave.

14.00 **PERFORMANCE REVIEWS**

14.01 **Annual Performance Review**

An annual performance review and evaluation will be conducted for both exempt and non-exempt staff.

Among other things, the annual review will help to determine the merit increase the employee may receive.

14.02 **Comprehensive Review**

A comprehensive review and evaluation will be conducted for exempt staff at least every five years. The comprehensive review/evaluation of the Executive Presbyter and other staff with the authority to employ personnel will be in accordance with the Form of Government and will include an EEO review.

15.00 **SEPARATION PRACTICES**

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

15.01 **Voluntary Resignation**

A voluntary choice of separation freely made by the employee may take place after one month’s written notice for exempt employees or two week’s written notice for non-exempt employees. All such employees will receive pay for vacation earned to the date of resignation. The value of vacation days taken but not earned will be deducted from the final pay. Vacation pay is forfeited if notice is not given.

15.02 **Termination Without Prejudice**

An employee’s employment may be terminated by the employer for reasons other than those enumerated under Dismissal for Cause in paragraph 15.03 below. Termination

without prejudice will be upon the recommendation of the supervisor with the written approval of the Executive Presbyter.

Employees terminated without prejudice will be entitled to notice, severance allowances and outplacement assistance as outlined and limited in paragraph 15.05b and paragraph 15.05c below.

15.03 **Dismissal for Cause**

Dismissal for cause may take place by written notice from the Executive Presbyter in accordance with Presbytery personnel procedures, giving specific reasons for termination.

Notice must be given or pay in lieu of notice of one month for exempt employees or two weeks for non-exempt employees. No severance allowance will be paid but employees who are dismissed will receive the cash equivalent of their unused earned vacation. The value of vacation days taken but not earned will be deducted from the final pay.

The reasons for dismissal for cause shall include but not be limited to:

- unsatisfactory performance
- insubordination in the line of assigned duties
- neglect in the care and use of Presbyterian Church (U.S.A.) property and funds
- repeated, unexcused absence and/or repeated absences or tardiness
- illegal, dishonest or unethical conduct
- repeated failure to observe employer policies

Discharge of an employee is always considered to be an action of last resort taken after remedial measures have been proven ineffective or when the employee's conduct is such as to preclude further employment. Written documentation is required prior to recommendation for dismissal unless immediate dismissal is considered to be necessary for the safety of persons or property. Dismissal is subject to the complaint procedure as outlined in these policy guidelines. All dismissals of employees of the Presbytery will be reviewed by the Personnel and Office Management Committee for concurrence.

15.04 **Suspension**

If unacceptable behavior (e.g., insubordination, harassment of other employees, apparent involvement in dishonest or unethical acts, etc.) requires absence from the work place the supervisor of that employee may suspend the employee, in accordance with personnel procedures, pending verification and evaluation of the circumstances. Suspended employees will receive pay during the investigation process.

Suspension without pay may be invoked by a supervisor, in accordance with personnel procedures, in circumstances where an offense had been clearly established requiring disciplinary action but not warranting dismissal. Such a suspension shall be considered to be a warning to the employee that repetition would subject the employee to dismissal. Suspension without pay may be for a period of up to two weeks.

Consultation between the employee and the immediate supervisor should precede suspension. Notice of the reason for the suspension must be given to the employee in writing.

The employee shall be notified in writing of her or his right to use the complaint procedure as outlined in these policy guidelines and shall have the right to defend her/his position with or without an advocate. If the employee decides to use an advocate it will be at the employee's expense.

15.05 **Reduction of Force**

15.05a **Reduction of Regular Staff**

If the Presbytery, because of a fundamental change in long-range objectives, organizational changes, or a serious change in financial outlook, is required to make a reduction in work force, the decisions and procedures by which staff members will be released will be fairly and consistently applied to all staff of the agency. Written notice will be issued by the highest administrative officer of coordinating body involved to all regular staff announcing the reduction and reasons for it.

The policies and procedures outlined below apply to an action involving major reductions in staff.

Reduction of force will be accomplished in a manner that permits retention of quality staff and overall organizational effectiveness. Staff members of outstanding performance, exceptional qualifications, ability and potential value to the organization should be the last to be affected by a reduction in force, giving appropriate consideration to affirmative action commitments and the Age Discrimination in Employment Act of 1967. The steps in the termination process will be as follows:

- a. A moratorium on the hiring of new staff in the affected organization.
- b. Affirmative Action and age discrimination analysis.
- c. Employee performance and qualification analysis.
- d. Planning for placement of displaced staff within the Presbyterian Church (U.S.A.)
- e. Formal notice of Termination from the Executive Presbyter.
- f. Completion of termination procedures and work force reduction severance and benefits allowance.

If a position or similar position calling for similar qualifications is reinstated within a period of two years, the individual who was previously employed in the position will be given first opportunity for employment in that position.

15.05b **Out Placement Assistance (Reduction of Force or Termination without Prejudice)**

Each terminated employee will be offered personal assistance, career planning guidance and help in locating employment elsewhere. These services will be provided on an individual, group or consultant basis. Immediately upon receipt of the formal termination notice, affected staff will be advised of the availability of these services.

15.05c **Schedule of Allowance and Assistance (Reduction in Force or Termination Without Prejudice)**

Two month's notice will be given to exempt employees and one month's notice will be given to non-exempt employees. The employer may choose to grant pay in lieu of notice for any and all of the notice period.

If during the notice period the employee secures employment elsewhere

- (1) the obligation of the employer with regard to the remainder of the notice period is forfeited and
- (2) the obligation of the employer with regard to the severance allowance continues in force.

A severance allowance will be given in relation to the length of continuous service with the Presbytery or its predecessors as follows:

<u>Years of Service</u>	<u>Weeks of Severance Allowance</u>
Less than 1	1
1, but less than 4	3
4, but less than 5	4
5 years and over	6
10 years and over	9

Notice for clergy will be consistent with current Committee on Ministry standards.

Payment of severance will be achieved in one of the following two ways as determined by the employer after consultation with the employee:

- 1. Lump sum payment - The total amount of the salary due as severance will be paid in not more that two (2) payments. The payment of payments shall be completed within two (2) months of the employee's last day of work.
- 2. Continued salary - The employee's salary will be continued on the regular schedule through the severance period.

The employer's share of the employee's pension and other benefit payments will continue to be paid by the employer during the severance period if payment of severance is on the basis of continued salary noted in # 2 above. Pension and other benefit payments will be continued if the severance allowance is made in one or two lump sum payments. No additional vacation entitlement will accrue during the severance period.

Absolutely no severance allowance shall exceed the limits listed here.

15.06 **Termination of Ministers of the Word**

All conditions for separation shall be compatible with the provisions of the Form of Government and the Rules of Discipline of the Presbyterian Church (U.S.A.).

15.07 **Death in Service**

In the event of the death of either an exempt or non-exempt employee, the salary of that person will be continued to the spouse or dependent for up to four (4) weeks from the date of which the death occurs at the discretion of the presbytery.

Death benefits are also provided through the pension and benefits plans of the Presbyterian Church (U.S.A.).

15.08 **Retirement**

The Presbyterian Church (U.S.A.) pension and benefit's plans are designed to make possible retirement at age sixty-five (65) [Board of Pensions] with full benefits in relation to accrued pension credits. Those who work beyond age sixty-five (65) will continue to accrue additional pension credits. (See the provisions of the Presbyterian pension plans for further information.)

15.08a **Early Retirement**

An employee may retire earlier than age sixty-five (65) but with discounted retirement benefits. Pensions of the Board of Pensions are discounted when retirement begins before age sixty-five (65); see the provisions of the Presbyterian Church (U.S.A.) pension plans.

15.08b **Transition to Retirement**

Employees who wish to plan for a gradual transition to retirement are encouraged to explore with the Executive Presbyter possibilities for alternative responsibilities, part-time responsibilities, special project assignments, or other arrangements which would be beneficial to the employee and the employer.

16.00 **Complaint Procedure**

The Presbyterian Church (U.S.A.) aims to maintain with its staff good working relationships that affirm the importance of each individual and of her/his contribution to the work being done, encourage mutual respect of employee and supervisor, provide prompt answers to questions, minimize misunderstandings, and seek resolution of differences as quickly as possible.

It is the Church's policy to facilitate the development of open, orderly channels of communication among all levels of the organization. Employees are encouraged to take initiative in seeking answers to their questions or solutions to their work-related problems through immediate discussion with their supervisors. In doing so, they are assured by these policies of freedom from reprisal. Supervisors are expected to maintain an open door to employees responsible to them; to encourage communication with them and to give prompt attention to their suggestions; and to provide active assistance in dealing with their concerns or complaints.

While the supervisor is the normal avenue through which an employee raises concerns, other channels are available to employees to discuss a concern with someone outside the immediate working situation, to check information, clarify personnel policies, or obtain guidance. An employee who feels discriminated against on the basis of race, color, national origin, sex, age, marital status, sexual orientation, creed, religious affiliation (except where religious qualification), physical or mental disability may contact the chairperson of the Personnel and Office Management Committee.

16.01 **Grievance Process**

For the purpose of this policy a complaint or grievance is an alleged violation of an approved personnel policy or practice of an applicable state, federal or municipal law not adequately dealt within these policies or practices. In order to deal promptly and fairly with all complaints or grievances the following steps are to be taken:

a. **Preliminary Complaint Procedure**

Prior to filing a formal, written grievance, several steps are to be taken:

- The complaining party must first discuss her/his problem with her/his immediate supervisor.
- If not satisfied with the supervisor's action, the complaining party is to approach the Executive Presbyter, who will seek to resolve the issue in consultation with all parties involved.

b. **Formal Grievance Procedure**

If informal efforts to resolve a grievance have failed, a formal grievance may be filed by submitting a written statement to the chairperson of the Personnel and Office Management Committee, with a copy to the Executive Presbyter and the person's supervisor (s). Formal grievances must be filed within forty-five (45) days of the alleged grievance.

- The Chairperson of Personnel and Office Management Committee shall call a meeting of the committee, which shall review the grievance with all parties concerned. It shall make a determination of the grievance.
- If the complainant is dissatisfied with the decision of the Personnel and Office Management Committee, the person may file an appeal within 15 days to the

Mission Council of the Presbytery. The Mission Council of the Presbytery in consultation with all parties concerned shall make the final determination. It shall supply all parties concerned with its decision in writing.

c. Right of Advocacy

It is understood that the complaining party may arrange to have an advocate with her/him at all steps in the formal process.

d. Written Records

A written record of all decisions reached in all meetings shall be kept. Letters of decision from the Personnel and Office Management Committee shall contain provision for the complaining party to indicate his/her acceptance or rejection of the decision.

17.00 **BENEFITS**

17.01 **Social Security**

All personnel 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 staff who are not Ministers of the Word. Staff who are Ministers of the Word are considered self-employed and Social Security taxes are not withheld nor paid for them.

17.02 **Pension**

All full-time employees are enrolled in the Presbyterian Church (U.S.A.) pension plans for which dues are paid by the Presbytery.

17.03 **Health Insurance**

Subject to meeting the eligibility requirements of the carrier, Major Medical protection is provided to participants in the program of the Board of Pensions.

17.04 **Vacation**

A vacation with pay is provided for all permanent employees for rest, refreshment, relaxation, and health and work effectiveness.

In the first year of employment vacation time will be prorated depending on the month in which employment took place. Full-time exempt employees are entitled to one full month (twenty-two working days) vacation per year.

Full-time non-exempt employees are entitled to an annual paid vacation computed on January 1 of each year with ten (10) days' vacation granted (for one (1) year of credited service) and with one (1) day added for each additional year of service up to twenty-two (22) days.

In the twenty-sixth (26th) year of credited service and annually thereafter exempt and non-exempt employees will be granted twenty-seven (27) days' annual vacation.

Employees will be encouraged to take their full vacation each year, but will be allowed to carry over vacation time from one year to another. The maximum total cumulative carryover of vacation time allowance is ten (10) days and any carryover of vacation days requires the special approval of the supervisor, the Executive Presbyter, and where applicable, the Personnel and Office Management Committee.

17.05 **Holidays**

The holidays for the staff of the Presbytery are:

New Year's Day
Martin Luther King, Jr.'s Birthday
Good Friday
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Day After Thanksgiving
Christmas Eve
Christmas Day
*One Floating Holiday

A total of eleven (11) days

* One floating holiday to be designated by the Personnel and Office Management Committee by December of the preceding year.

When a holiday falls on a Saturday or Sunday, it will be observed as a Holiday on the nearest Friday or Monday respectively. When a holiday occurs during an employee's vacation or sick leave, the employee will be granted an offsetting day off.

17.06 **Cell Phone Reimbursement**

The Presbytery recognizes that certain positions may require the use of a cell phone. Cell phone usage will be reimbursed at a percentage of usage in compliance with IRS guidelines for reimbursable expenses. The percentage will be clarified with the Business Manager each year. Reimbursement for cell phone usage will be applied to the professional expense line item of impacted employees in compliance with budgeted amounts.

17.07 **Sick Leave**

Permanent employees are entitled to earn up to twelve (12) working days per year of sick leave for cases of actual personal illness or for employees' doctor or dental appointments. It may be granted for one-half days or several days, or hourly, as needed, all to be charged to the total sick leave to which the employee is entitled.

One (1) working day is given for each month of full-time employment with a maximum accumulation of ninety (90) days. Should it be necessary for an employee to be absent beyond the days accrued, arrangements should be made under the provisions of leaves of absence or medical disability below.

At the time of termination of employment (either voluntary or involuntary), an employee shall have no claim or pay in lieu of unused sick leave.

17.08 **Worker's Compensation Insurance**

All employees shall be covered by worker's compensation insurance, in accordance with the law of the state of Missouri, to provide for benefits in case of an on-the-job accident.

17.09 **Off-the-job Disability Benefits Insurance**

All employees shall be covered by a plan which is in conformity with the Missouri Off-the-Job Disability Benefits Program, which provides temporary cash benefits to replace in part wages lost due to loss of time because of injuries or illness that do not arise out of or in the course of employment. This becomes effective after using all accumulated sick leave.

17.10 **Leaves of Absence**

God created us to be in relationship with one another, to care for one another, and to participate in families. We are required to honor our father and mother, and to care for our children and kin. Thus provision is made when an employee needs to be absent from work in order to care for self, family, or community.

These guidelines shall apply to all leaves of absence:

1. Study leave shall not be used for leaves of absence;
2. Re-entry from maternity, paternity, adoptive, family, or medical leave may be scheduled on a full-time or part-time basis as agreed upon by the employee and the Personnel Committee in consultation with the supervisor, with medical approval when appropriate;
3. If an employee initiates dissolution within one year following family, maternity, paternity, or adoption leave, any unused vacation time shall be credited against the leave taken;
4. Should an employee experience a miscarriage or still birth, she/he shall be given the maternity/paternity leave she/he would have received had the pregnancy been carried to term with no complications.

17.10A - Leave of Absence with Pay

Leaves of absence, with pay, are provided under the following circumstances:

a. **Military Service** - For regular training period with the U.S. Armed Forces (up to two (2) weeks annually). Employees who serve in the Military Reserves shall ordinarily settle on all details regarding their military requirements in a Mobilization Agreement as part of their annual terms of call. These details should include the annual two-week training period and what compensation the presbytery will provide during that time. The employee shall not take a cut in salary for those two weeks. If the military reimbursement is less than the employee's salary, the presbytery will make up the difference in pay.

b. **Jury Duty** - For jury duty (up to two (2) weeks annually); in exceptional cases the Executive Presbyter may grant additional leave of absence with pay for jury duty;

c. **Marriage** - For marriage of employee who has one (1) or more years of credited service with the agency (up to three (3) days);

d. **Family Leave** - When an employee needs to take extended leave due to the needs of a family member, the supervisor and Personnel Committee shall be consulted as soon as possible. Situations that may fall under this heading include, but are not limited to, an extended hospitalization/rehabilitation, the need to place a family member in long term care, and the need to take care of family matters in the event of death. Family leave shall be up to six (6) weeks in length, during which time the employee shall receive full effective salary and full Pension dues. If additional leave is required, the employee shall negotiate for such leave with the Personnel Committee after consultation with the supervisor. An employee may lengthen the period of family leave at his or her discretion by using accrued sick days and/or vacation;

e. **Bereavement** - In case of death in the immediate family (husband, wife, parent, child, brother, sister, grandparent) the employee will receive full pay for absence from the day of death up to and including day after burial. This leave should not exceed four (4) working days. The Executive Presbyter shall authorize additional days in exceptional circumstances. Time lost to attend a funeral locally may be counted as personal or family leave to be arranged in consultation with an employee's supervisor or the Executive Presbyter;

f. **Voting** - Adequate time off for voting where election hours and work schedules would work a hardship on employees;

g. **Maternity** - When an employee becomes pregnant, the supervisor shall be consulted within twelve (12) weeks of a physician's confirmation of the pregnancy. Maternity leave should ordinarily begin with the physician's certification that the employee can no longer perform her duties and end when she is medically released by her physician to return to her professional duties. This is ordinarily an eight (8) week period, during which the employee shall receive full

effective salary and full Pension dues.

In the event of medical complications, the Personnel Committee shall be consulted and the employee shall make arrangements for additional leave under the terms of Medically Certified Disability (17.13). An employee may lengthen the period of maternity leave at her discretion by using accrued sick days and/or vacation;

h. Paternity - If an employee's spouse becomes pregnant, the employee shall notify his supervisor within twelve (12) weeks of a physician's confirmation of the pregnancy. A request for paternity leave shall be made no later than a month before the requested leave is to begin. Paternity leave may be up to three (3) weeks in length, during which time the employee shall receive full effective salary and full Pension dues. If additional leave is necessary, the Personnel Committee shall be consulted and it shall be arranged under the terms of the Family Leave paragraph of this section for up to an additional three (3) weeks. An employee may lengthen the period of paternity leave at his discretion by using accrued sick leave and/or vacation;

i. Adoption - Recognizing that the adoption of a child requires as much of a transition as the birth of a child, an employee who is adopting shall be granted leave commensurate with maternity or paternity leave above. The time of the leave begins when the child is placed in the employee/parent's hand. If additional leave is necessary, the Personnel Committee shall be consulted and it shall be arranged under the terms of the Family Leave paragraph of this section. A pastor may lengthen the period of adoption leave at his or her discretion by using accrued sick days and/or vacation.

17.10B - Leave of Absence Without Pay

Leave of absence without pay is provided under the following conditions with the approval of the Personnel and Office Management Committee in consultation with the supervisor:

a. Maternity - For maternity leave or upon adoption of a child, up to six (6) months for women employed by the Presbytery for at least one (1) year;

b. Paternity - Paternity leave, upon adoption of a child, or in the case of miscarriage, up to two (2) weeks for men employed by the presbytery for at least one (1) year, provided that such leave takes place within sixty (60) days of event;

c. Military Service - For obligatory, military service of an employee who has been with the Presbytery for three (3) months. Upon return every effort will be made to place the employee in a position with like seniority and status and salary;

d. Personal - For personal reasons, such as family responsibilities, *unpaid* leave may be granted at the discretion of the Executive Presbyter in consultation with the Personnel and Office Management Committee.

17.11 **Medical Disability**

Medical disability as used herein refers to any absence from work on account of a disabling sickness or injury, whether temporary or chronic.

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Any member of staff, full or part-time, who has worked for the Presbytery for a period of one year may be provided full salary and benefits for not more than 30 calendar days, to include utilization of accrued sick leave. If the disability exceeds 30 calendar days, or the employee's accrued sick leave is more, the employee may request, through the Executive Presbyter to the Personnel and Office Management Committee, for an extension of this arrangement for a period not to exceed a total of 90 calendar days. Certification from the treating physician as to the disability and its duration may be requested, as well as certification of readiness to return to work. If it appears that the disability will exceed 90 calendar days, the employee may submit a request through the Executive Presbyter to the Personnel and Office Management Committee for placement on unpaid leave.

17.12 **Personal Leave**

Each staff member is allotted three days paid personal leave annually, which days may not be accrued. These days are to be approved by their supervisor.

17.13 **Relocation Assistance Policy**

To protect against the full brunt of economic loss, the Presbyterian Church (U.S.A.) endeavors to assist exempt employees, whether new or required to move by transfer, with moving expenses.

The church will reimburse new or relocated employees for certain expenses. The reimbursement policies are based on IRS conditions for deductible expenses.

17.14 **Second Mortgage Loans**

Employees who, either by virtue of new employment or by transfer, are moving into the presbytery, may be given assistance in the purchase of a home through the loan of money. Such a loan shall be given to the employee upon recommendation of the Personnel and Office Management Committee and with approval of the Financial Management Committee.

Loans are permitted only to the extent that funds are necessary to complete the down payment required on a home, and in order to keep Church funds liquid for essential programs, it is expected that the employee will use all means to provide financing before such assistance.

17.15 **Personal Loans**

Personal loans for other than second mortgages or swing loans are not available to employees.

17.16 **Vacation Pay Advance**

Employees may arrange to receive before they leave on vacation an advance payment of any salary which will become payable during their absence on vacation.

17.17 **Voluntary Group Annuity Plan**

A voluntary group annuity plan may be made available to employees who wish to participate. Employees may request a salary reduction in a specified amount in accordance with regulations to purchase a tax-sheltered non-forfeitable annuity, with certain resulting tax benefits.

18.00 **INTERIM STAFF PERSONS**

18.01 **General Provisions**

- a. To provide continuity of administrative and/or program services in the Presbytery, interim staff may be appointed to fill a vacancy in an approved (validated) position, to serve until the position is filled (or abolished).
- b. This policy is applicable to all positions whether filled by full-time, part-time, ordained or non-ordained personnel.

18.02 **Position Description**

A position description will be prepared clearly identifying the kinds of accomplishments and administrative/programmatic leadership desired during the interim period. The accountability of the position should be clearly defined and be consistent with the accountability provisions of the Form of Government.

18.03 **Selection**

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

18.04 **Compensation**

Compensation should be according to the compensation plan of the employing body and will be determined in the terms of call of the interim

18.05 **Benefits**

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

Pension: Where the person is covered by one of the Church's pension plans,

pension benefits will be according to the particular plan's formula.

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

18.06 **AAEEO**

The Affirmative Action Equal Employment Opportunity Program established by the Presbyterian Church (U.S.A.) and its agencies and governing bodies shall be followed in the employment of persons for interim positions.

18.07 **Review of Work**

The employing body should provide for a review of the interim staff person's work on a scheduled basis. The review may be conducted on the basis of regular accountability reports to the appropriate unit of the Presbytery.

18.08 **Termination**

Termination for cause shall be provided for in the agency or governing body's personnel policies, including consultation with the interim employee's permanent employer if there is one.

18.09 **Special Provisions**

Interims presently retired under provisions of the Presbyterian Church (U.S.A.) pension plans and Social Security and desiring to continue to receive their pension benefits should consult with the Board of Pension regarding the applicable post-retirement service rules as they affect compensation and other entitlements.

Because of the temporary nature of interim service, special consideration should be given in the case of interims, who must be separated from their immediate family who are unable to relocate. Arrangements for travel or other expenses for a reasonable number of visits with the family should be part of the agreement.

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 the domestic goods for the relatively short period of time an interim is employed.

Second mortgage or swing loans are not available to employees occupying interim positions.

19.00 **PART-TIME EMPLOYEES**

Part-time employees are those who are employed to work for less than the full weekly schedule. If they are not temporary employees and are employed at least twenty (20) hours a week they are eligible for the following:

1. Holiday pay, if the holiday falls on one of the regularly scheduled working days for that part-time employee.
2. Jury duty pay (up to two (2) weeks' leave annually).
3. Salary increases.
4. Regular pay up to forty (40) hours; time-and-a-half pay over forty (40) hours in any work week for non-exempt employees.
5. Vacation and sick pay in proportion to hours worked each week.
6. Worker's Compensation if provided for by and in accordance with the law of the state in which employed.
7. Social Security participation.
8. Severance allowance in proportion to hours worked each week.
9. Participation in the Presbyterian Church (U.S.A.) pension plans to the extent permitted for part-time employees by the plan.

If a part-time employee is later placed on a full-time basis, prorated credited service will be given from the first day of her/his part-time employment for purpose of sick leave, vacation and other benefits.

20.00 **BENEFITS FOR TEMPORARY EMPLOYEES**

Those employed for a short period, usually less than three months, are not paid for holidays, sick leave, or other leaves, and do not earn vacation leave during their temporary employment. They are not eligible for the pension plans or other health benefit's entitlements. If they work more than the normal weekly work schedule, they will be paid at the regular rate for hours up to forty (40) per week, and time-and-a-half for above forty (40) hours in the case of non-exempt employees. If a temporary employee joins the regular staff, her/his temporary employment is not considered as credited service in computing entitlements to vacation and other benefits.

21.01 **DRUG AND ALCOHOL POLICY**

Employees are a valuable resource and their health and safety is therefore a serious concern to Presbytery.

The Presbytery will not tolerate any alcohol or drug use that imperils the health and well-being of its employees or the people we serve. Except as a bona fide cooking ingredient or for the sacrament of the Lord's Supper, no alcohol is permitted in the Presbytery office. A drug-free work place means alcohol or controlled substances as defined by Federal Law or in any applicable Missouri law.

The use of illegal drugs and abuse of alcohol, on or off duty, is inconsistent with Christian, law-abiding behavior expected of all citizens. Employees who use illegal drugs or abuse drugs or alcohol, on or off duty, tend to be less productive, less reliable and prone to greater absenteeism. Ultimately, they threaten their own safety and that of their co-workers and those we serve.

Furthermore, employees have the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs. Also, alcohol and drug abuse inflicts a terrible toll on the health and well being of employees and their families. The Presbytery is therefore committed to maintaining a safe and healthy workplace.

1. Authorized Use of Prescribed Medicine and Other Controlled Substances

Employees may maintain prescription drugs on the Presbytery's premises provided the following conditions have been met:

- a. The drugs have been prescribed by a doctor for the person in possession of the drugs; and
- b. When use of the prescribed drug can affect or interfere with the employee's ability to perform the employee's job, the employee will notify the employee's supervisor.

Any prescription drugs not meeting the above requirements shall be considered an "illegal drug" and/or "controlled substance" under this Policy.

2. Condition of Employment

Compliance with the Presbytery Substance Abuse Policy is a condition of employment. Failure or refusal of an employee to cooperate fully, sign any required document or submit to any inspection constitutes insubordination and will result in termination of employment.

3. Conviction or Probation under a Criminal Drug Law

Employees must notify their immediate supervisor within 5 days of any conviction or entry of a guilty plea under any criminal drug statute, law, regulation or ordinance. Failure to report a conviction or guilty plea will result in termination of employment.

4. Testing for Illegal Drugs

- a. Whenever the Presbytery reasonably suspects that an employee's work performance, or on-the-job behavior, may be or may have been affected in any way by alcohol or drugs, or that an employee has otherwise violated this Policy, or at any other time in the discretion of the Presbytery, the Presbytery may require the employee to provide a breath, saliva, hair, urine, and/or blood sample for alcohol and drug testing. Prospective employees who have received an offer of employment may be required to

submit to drug testing. An offer of employment by the Presbytery is conditioned on the prospective employee testing negative for drugs and alcohol. All employees injured on the job may be required to submit to drug and alcohol testing. An employee who tests positive for alcohol, illegal drugs or controlled substances as a result of such test will be in violation of this Policy.

- b. Applicants and employees subject to testing must sign, prior to testing, an approval form consenting to the testing and consenting to the release of the test results to the Presbytery. Test results will be kept confidential to the maximum extent possible.

5. Prohibitions under the Drug Policy

Subject to the preceding section regarding the Authorized Use of Prescription Medicines and Other Controlled Substances, the following acts are violations of this policy:

- a. Use, possession, distribution or being under the influence of illegal drugs, controlled substances, alcohol or drug paraphernalia while in the offices of the organization or during working hours;
- b. Storing illegal drugs, controlled substances, alcohol or drug paraphernalia in a desk or other repository in the offices of the organization;
- c. Use, possession, distribution or being under the influence of illegal drugs or controlled substances outside the office that adversely affects an employee's performance, the safety of an employee, co-worker or the overall operations of the Presbytery, including, but not limited to, selling or providing illegal drugs or controlled substances to another employee;
- d. Switching or adulterating any sample submitted for testing;
- e. Refusing to consent to testing, refusing to proceed without delay to a designated testing facility or refusing to submit any sample for testing when requested by the Presbytery;
- f. Refusing an inspection when requested by the Presbytery;
- g. Conviction or entry of a guilty plea under any criminal drug or alcohol statute, law, regulation or ordinance;
- h. Failing to notify the Presbytery of any conviction or plea of guilty under any criminal drug statute, law, regulation or ordinance within 5 days of the conviction or disposition resulting in incarceration or probation;
- i. Failing to report by the employee to the employee's supervisor the use of a prescribed drug which may alter the employee's behavior or physical or mental ability;
- j. Refusing to sign a statement agreeing to abide by the Presbytery Substance Abuse Policy;
- k. Refusing to complete a medical questionnaire and consent form prior to testing; and
- l. Testing positive for the presence of alcohol, illegal drugs or unauthorized prescription medications, or otherwise violating the Presbytery Substance Abuse Policy.

6. Consequences for Violation of this Policy

Any employee who violates this policy will be subject to discipline up to and including immediate discharge from employment. In the sole discretion of the Presbytery, an employee who has violated this policy by failing a controlled substance and/or alcohol test may be allowed one chance to complete a program of rehabilitation approved by the Presbytery and to be paid by the employee or any applicable insurance coverage.

Additionally, if any employee voluntarily comes forward to the Presbytery to seek rehabilitation prior to a request by the Presbytery to be tested or before the employee engages in conduct that would have given the Presbytery cause to request testing, the employee will not be discharged for admitting to a drug and/or alcohol problem and seeking rehabilitation but instead may be allowed one chance to complete a program of rehabilitation. This exception shall be applied on a one-time basis so that a person who has voluntarily come forward to seek rehabilitation who then receives a subsequent positive drug and/or alcohol test result may not have another opportunity for rehabilitation. An employee who admits controlled substance or improper alcohol use after being requested to take a test shall be considered to have tested positive for purposes of this policy.

21.02 CHILD ABUSE REPORTING

All employees are required to comply with State laws regarding child abuse and neglect reporting. Missouri law requires any minister, clergy person, or other person serving in a similar capacity for any religious organization who is responsible for or who has supervisory authority over one who is responsible for the care, custody, and control of a child or who has access to a child, to report reasonably suspected incidents of child abuse or neglect. The complete sections of the Missouri Revised Statutes §§ 352.400 and 210.115 are available in the business office. All employees who work with children should be familiar with these codes, and mandatory reporters must have a verified understanding of these codes.

21.03 FRAUD POLICY

1. Background

The Presbytery fraud policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against the Presbytery. It is the intent of the Presbytery to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

2. Scope of Policy

This policy applies to any irregularity, or suspected irregularity, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies and/or other parties with a business

relationship with the Presbytery.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the Presbytery.

3. **Administration**

The Executive Presbyter is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed annually and revised as needed by the Personnel Committee for approval by Presbytery.

4. **Policy**

a. The Executive Presbyter is responsible for the detection and prevention of fraud, misappropriation, and other irregularities. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility and be alert for any indication or irregularity.

b. Any irregularity that is detected or suspected must be reported immediately to the Executive Presbyter who coordinates all investigations with legal counsel and other affected areas, both internal and external.

5. **Actions Constituting Fraud**

Misappropriation and other fiscal irregularities refer to, but are not limited to:

- a. Any dishonest or fraudulent act
- b. Misappropriation of funds, securities, supplies, or other assets
- c. Impropriety in the handling or reporting of money or financial transactions
- d. Profiteering as a result of insider knowledge of Presbytery activities
- e. Disclosing confidential and proprietary information to outside parties
- f. Accepting or seeking anything of material value from contractors, vendors, or persons providing services/material to the Presbytery.
Exception: Gifts less than \$100.00 in value
- g. Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment; and/or
- h. Any similar or related irregularity

6. **Other Irregularities**

Irregularities concerning an employee's moral, ethical or behavioral conduct should be resolved by departmental management. If there are any questions as to whether an action constitutes fraud, employees may contact the Executive Presbyter for guidance.

7. Confidentiality

The Executive Presbyter treats all information received confidentially. Any employee who suspects dishonest or fraudulent activity will notify the Executive Presbyter immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act.

Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the Presbytery from potential civil liability.

8. Reporting Procedures

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.

An employee who discovers or suspects fraudulent activity will contact the Executive Presbyter immediately. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, the individual's attorney or representative, or any other inquirer should be directed to the Executive Presbyter. No information concerning the status of an investigation will be given out. The proper response to any inquiry is: "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.

The reporting individual should be informed of the following:

- a. Do not contact the suspected individual in an effort to determine facts or demand restitution.
- b. Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Executive Presbyter.

21.04 VIOLENCE IN THE WORKPLACE PREVENTION

1. Zero Tolerance

- a. The Presbytery has a policy of zero tolerance for violence. If an employee engages in any violence in the workplace, or threaten violence in the workplace, the employee's employment will be terminated immediately for cause. No talk of violence or joking about violence will be tolerated.
- b. "Violence" includes physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. It is the intent of this policy to ensure that no one associated with this business, including employees and

visitors, ever feels threatened by any employee's actions or conduct.

2. All Weapons Banned

- a. The Presbytery specifically prohibits the possession of weapons by any employee while on Presbytery property. This ban includes keeping or transporting a weapon in a vehicle in a parking area, whether public or private. Employees are also prohibited from carrying a weapon while performing services off the Presbytery's business premises. This ban expressly includes all guns, whether the employee has a valid permit to carry the weapon or not.
- b. Weapons include guns, knives, explosives, and other items with the potential to inflict harm. Appropriate disciplinary action, up to and including termination, will be taken against any employee who violates this policy.

3. Inspections

- a. Desks, telephones, and computers are the property of the Presbytery. The Presbytery reserves the right to enter or inspect the employee's work area including, but not limited to, desks and computer storage disks, with or without notice.
- b. The fax, copier, and mail systems, including e-mail, are intended for business use. Personal business should not be conducted through these systems. Under conditions approved by the Personnel Committee, telephone conversations may be monitored and voice mail messages may be retrieved in the process of monitoring employee communication.
- c. Any private conversations overheard during such monitoring, or private messages retrieved, that constitute threats against other individuals can and will be used as the basis for termination for cause.

4. Reporting Violence

- a. It is everyone's business to prevent violence in the workplace. Employees can help by reporting what they see in the workplace that could indicate that a co-worker is in trouble. Employees may be in a better position than management to know what is happening with co-workers.
- b. Employees are encouraged to report any incident that may involve a violation of any of the Presbytery's policies that are designed to provide a comfortable workplace environment. Concerns may be presented to the supervisor of the employee making the report. All reports will be investigated and information will be kept confidential. Employees are encouraged to communicate to their supervisor suggestions to improve the safety and security of the Presbytery's work environment.

21.05 POLICY FOR USE OF COMPUTER NETWORK AND INTERNET ACCESS

1. Purpose -- Giddings-Lovejoy's computer network services and worldwide Internet access are granted to the employees as a business tool for the purpose of

promoting and advancing church programs and mission. Guidelines for use of this technology have been developed to enhance office productivity and to protect the integrity of Giddings-Lovejoy Presbytery work product and files and congregational data. Employees have a key role in protecting the Presbytery and themselves personally when utilizing church computers. Misuse of the Presbytery computers or the Internet can have serious and expensive consequences.

2. Internet Use By Minors—Children and teens that are granted Internet access by employees through the Presbytery computer system are required to be supervised by those who grant access. Independent and unsupervised use of Internet resources by minors requires parental consent.
3. Personal Use—Some personal Internet use by employees is acceptable, limited to a few minutes per day. Acceptable use includes: limited e-mail, limited research, and review of personal pension or retirement portfolios. Personal use is subject to the same regulations as business use.
4. Ownership and Monitoring—All computer hardware, software and information created, sent or received are the property of Giddings-Lovejoy Presbytery. Giddings-Lovejoy Presbytery reserves the right to catalog, monitor, audit and review all computer, network and Internet activity (including e-mail), without notice, including, but not limited to, data stored, sites visited, duration of use and data transmitted and may disclose information regarding the employee's use of the service to satisfy existing laws. Audit trails of computer and Internet usage may not be modified by users and may be deleted only by the system administrator. All deleted or erased files are subject to the same regulations. If the employee accidentally visits a prohibited Internet site, the employee is to notify the system administrator in writing.
5. Computer Network Non-Acceptable Use—(Specifically prohibited usage includes but is not limited to):
 - a. Intentional disruption of our computer system or the system of another organization
 - b. Unauthorized remote access of our system or authorized remote access of our system without a secure connection
 - c. Circumventing user authentication or security of any host, network or account
 - d. Sharing passwords or sharing the use of an employee's account with others without authorization by the employee's supervisor
 - e. Using ineffective passwords, for example passwords containing less than six characters or passwords containing obvious information such as birth dates, social security numbers, nicknames, the employee's initials, the employee's license plate, names of family members or pets.
 - f. Creating works for sale, private day-trading, or any use for personal profit
 - g. Dissemination of employee or member or financial information without authorization
 - h. Hacking, cracking, snooping or gaining access to

- unauthorized data, programs or folders
 - i. Loading unauthorized software to individual workstations or the server
 - j. Modifying or deleting audit trail information.
 - k. Copying, saving or re-distributing copyrighted materials like music, photographs, software, cartoons, art, videos or copyrighted written compositions, without permission
- 6. Internet Non-Acceptable Use (Specifically prohibited usage includes but is not limited to):
 - a. Game playing
 - b. Viewing, uploading or downloading sexually explicit materials
 - c. Violating copyright laws including downloading copyrighted software (except shareware or trial-version software) without written permission (piracy)
 - d. Visiting or participating in chat-rooms not related to church business
 - e. Not giving credit for copyrighted works during legitimate re-distribution
 - f. Violating any policies of the Presbytery Internet Service Provider (ISP)
 - g. Gambling, job searching by non-ordained staff, or building non-Giddings-Lovejoy Presbytery web pages
 - h. Non-church related browsing or surfing, except as noted in acceptable use above
 - i. Forging e-mail headers, spamming, bulk-mailing non church related messages, or bombing any site
 - j. Harassment in any form, including via e-mail
 - k. Forwarding any e-mail without the author's permission
 - l. Creating communications which are offensive, purposely misleading, vulgar, abusive, unprofessional, discriminatory or threatening
 - m. Sending anonymous communications
 - n. Propagating chain letters, or pyramid schemes, even to willing recipients
 - o. Knowingly creating, sending or receiving viruses, bombs, Trojan horses, macros, worms, droppers or any other malicious or disruptive programs
 - p. Subscription to non-authorized services
 - q. Accessing web sites that outline or detail how to perform illegal activity
 - r. Any illegal use
- 6. No Expectation of Privacy. All computerized information and e-mail or voice mail messages, including information obtained with the use of the Presbytery's Internet access, are considered Presbytery records. Giddings-Lovejoy Presbytery reserves the right to access, inspect and disclose all computerized information, internet use, and messages sent or received over its electronic mail or voice mail systems.
- 7. Employees should not attempt to gain access to another employee's file of computerized information, e-mail messages, or voice mail messages without permission.

However, the Presbytery reserves the right to intercept, review, copy, delete and/or disclose computerized information, Internet use or messages in an employee's e-mail or voice mail files regardless of any system security procedures such as passwords and message delete functions.

21.06 **COMPUTER SOFTWARE POLICY**

1. All employees shall use software only in accordance with its license agreement. Unless otherwise provided in the license, any duplication of copyrighted software, except for backup and archival purposes, is a violation of the law.
2. The Presbytery will use all software in accordance with the applicable license agreements. No employee will make any unauthorized copies of any software under any circumstances. Anyone found copying software other than for backup purposes is subject to termination. The Presbytery will not tolerate the use of any unauthorized copies of software in the office.
3. No employee shall give the Presbytery software to any outsiders, including parishioners or family members. No employee shall install any software on the Presbytery computers except the software provided by the Presbytery for installation. No employee shall establish a password or encryption protection on a Presbytery computer without authorization from the Presbytery or without providing such password or the key to such encryption to the Presbytery.
4. Any employee who determines that there may be a purposeful or accidental violation of the above software policy within the Presbytery shall notify their supervisor.
5. Any violation of this policy will result in disciplinary action up to and including termination of employment.

21.07 **DRIVING POLICY**

1. Some employees are required to drive an automobile in order to perform the functions of their job. For some employees, driving will be a larger part of their job than for others. The Presbytery wants to assure that its employees exercise reasonable care when operating a vehicle while performing duties for the Presbytery.
2. Unsafe drivers pose a safety risk to the public, other employees, and themselves. Additionally, employees who operate their vehicles in an unsafe manner while performing their duties for the Presbytery pose a financial risk to the Presbytery. The purpose of this policy is to reduce and alleviate any safety and financial risks posed by the Presbytery employees employed in "driving positions."
3. For the purpose of this Policy, an employee is considered to have a "driving position" if the employee is required to drive a vehicle (either company or personal) as a part of the employee's job (other than traveling to/from work). This would include traveling to/from meetings, running errands on behalf of the

Presbytery, visiting parishioners, or any other job function that requires an employee to travel outside of the office using a personal or company automobile. This Driving Policy applies to all employees who have a “driving position” with the Presbytery, as the term is defined herein.

4. When operating a vehicle during the course and scope of employment with the Presbytery, all employees are expected to use reasonable care and abide by all applicable federal, state and local laws. All employees having a “driving position” are responsible for reporting the following incidents to the Presbytery not later than the first full workday following the incident (hereinafter referred to as “reportable incidents”):
 - a. The employee’s driving privileges are revoked or suspended for any reason;
 - b. The employee is charged or convicted of driving while under the influence of alcohol or drugs;
 - c. The employee is involved in a motor vehicle accident while driving a company vehicle (should be reported immediately to the Presbytery);
 - d. The employee is involved in a motor vehicle accident while performing duties in the course and scope of the employee’s employment (should be reported immediately to the Presbytery);
 - e. The employee is involved in a motor vehicle accident in which the employee received a citation for violating one or more federal, state or local statutes or ordinances;
 - f. The employee’s car insurance (on the vehicle used for company business) has been cancelled or suspended for any reason; or
 - g. The employee has received three or more moving violations within a three-year period of time.

The Presbytery reserves the right to periodically check an employee’s driving record maintained by the State that issued the employee’s license to drive. Upon request, employees may be required to give written consent to allow the Presbytery to inspect the employee’s driving record, including all personal information contained therein. Any employee, who fails to cooperate with the Presbytery by providing the necessary consent to obtain the employee’s driving records, may be subject to discipline up to and including suspension of job responsibilities and/or termination.

5. If, in the sole discretion of the Presbytery, it is determined that an employee in a driving position creates a safety risk or financial risk to the Presbytery, then that employee may be removed from the employee’s driving position. If a non-driving position is available and the employee is qualified for that position, the employee may apply for a transfer to the non-driving job. If a non-driving job is not available, then the employee may be discharged.

22.0 Processes for Amendment and Revision

This *Personnel Policy Manual* will be reviewed annually by the Personnel Office Management Committee which will make recommendations to the Mission Council of the Presbytery. All changes will be approved by the presbytery. The Personnel Office and Management Committee upon adoption of any changes, in consultation with the Stated Clerk and Executive Presbyter of the Presbytery and with access to full services of the Presbytery Office and office staff, be empowered to edit, publish and continually update this manual.

EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I, the undersigned, hereby acknowledge receipt of my copy of the Giddings-Lovejoy Presbytery Employee Handbook.

I hereby understand and acknowledge that my employment relationship with Giddings-Lovejoy Presbytery is of an “at will” nature, which means that I may resign at any time and for any reason. Additionally, the Presbytery has the right to end my employment at any time with or without cause or notice.

I understand this handbook is not a contract for employment nor is it an offer of a contract for employment. Any oral or written promises I may have received to the contrary are hereby expressly disavowed and will not be relied upon by me. I understand that only the Personnel Office Management Committee has the right to enter into any agreement which is contrary to the contents of this handbook, and that any such agreement must be set forth in writing and be approved by the Executive Presbyter in consultation with the Personnel and Office Management Committee

I understand that this employee handbook and its policies supersede all prior oral and written communications, including previous versions of employee handbooks, and are subject to change or elimination at any time at the discretion of Giddings-Lovejoy Presbytery.

I acknowledge that I have reviewed this employee handbook, and I understand that my supervisor is available to answer any questions I may have about these policies and procedures.

Employee Signature: _____

Date: _____

Printed Employee Name: _____