

*THE PRESBYTERY OF SHEPPARDS
AND LAPSLEY*

PERSONNEL POLICY MANUAL

MANUAL ADOPTED
BY THE EXECUTIVE COUNCIL OF THE
PRESBYTERY OF
SHEPPARDS AND LAPSLEY
December 13, 2023

THIS IS NOT A CONTRACT
EXPRESS OR IMPLIED

About This Manual

THIS POLICY MANUAL GENERALLY DESCRIBES THE PERSONNEL POLICIES AND PROCEDURES THAT GOVERN THE EMPLOYMENT RELATIONSHIP BETWEEN THE PRESBYTERY OF SHEPPARDS AND LAPSLEY (“THE PRESBYTERY”) AND ITS EMPLOYEES. IT IS NOT A CONTRACT. THE POLICIES STATED IN THIS MANUAL ARE SUBJECT TO CHANGE AT THE SOLE DISCRETION OF EXECUTIVE COUNCIL. THESE POLICIES ARE NOT INTENDED TO BE ALL-INCLUSIVE. THERE MAY BE SITUATIONS THAT ARISE THAT ARE NOT COVERED, EITHER DIRECTLY OR INDIRECTLY, BY THESE POLICIES. IN SUCH INSTANCES, THE PRESBYTERY’S POLICY WILL BE DETERMINED ON A CASE-BY-CASE BASIS. THIS MANUAL SUPERSEDES AND REPLACES ALL PRIOR HANDBOOKS, POLICY MANUALS AND PERSONNEL POLICIES OF THE PRESBYTERY OF SHEPPARDS AND LAPSLEY. YOU MAY RECEIVE NOTICE THAT CHANGES HAVE BEEN MADE IN POLICIES FROM TIME TO TIME, AND THOSE UPDATES SHOULD BE KEPT WITH YOUR RECORDS. NO SUPERVISOR HAS THE AUTHORITY TO CHANGE, MODIFY, OR WAIVE ANY POLICY OR PROCEDURE CONTAINED IN THIS MANUAL. ONLY THE EXECUTIVE COUNCIL OF PRESBYTERY HAS THE AUTHORITY TO ENTER INTO A WRITTEN EMPLOYMENT CONTRACT. IF AT ANY TIME YOU HAVE QUESTIONS ABOUT THESE POLICIES, PLEASE CONTACT THE GENERAL PRESBYTER.

ACKNOWLEDGMENT

This is to certify that I have been informed and understand the Presbytery of Sheppards and Lapsley Personnel Policy Manual **IS NOT A BINDING CONTRACT**, either express or implied, but a set of guidelines. I understand that the Presbytery may modify any of the provisions of this manual at any time. I also understand that unless I am an ordained minister in a called position that, notwithstanding any of the provisions of this manual, **I AM EMPLOYED ON AN AT-WILL BASIS**. I also acknowledge that both Presbytery of Sheppards and Lapsley and I have the right to terminate the employment relationship at any time, with or without cause or notice. I recognize that changes in these policies will in no way alter the “at-will” nature of my employment. I acknowledge that I have received a copy of the Presbytery of Sheppards and Lapsley Personnel Policy Manual. I understand that it provides guidelines and summary information about the Presbytery's personnel policies, procedures, benefits, and rules of conduct. I also understand that it is my responsibility to read, understand, become familiar with, and comply with the standards that have been established.

Employee Signature

Employee Name (Printed) and Date

Introduction

The purpose of this manual is to set forth the personnel policies for the employees of the Presbytery of Sheppards and Lapsley (Presbytery). These policies have been developed to help each employee understand what is expected of them and what they may expect from the Presbytery. These policies have been recommended by the Personnel Committee and approved by the Executive Council in accordance with the Standing Rules of the Presbytery.

These policies are established to provide a system which ensures that all personnel relationships provide equal employment opportunities and implement the principles of the ***Book of Order*** of the Presbyterian Church (U.S.A.) in philosophy as well as in specific details.

Mission Statement

The mission of the Presbytery of Sheppards and Lapsley is to partner with and equip present and emerging PC(USA) faith communities in central Alabama to serve Christ and our neighbors.

I. General Policies and Practices

A. Employer Responsibilities

The Presbytery's responsibilities are to:

1. educate all employees on the substance of these personnel policies and the expectations for their performance;
2. provide adequate and equitable compensation and benefits to employees;
3. conduct regular performance reviews;
4. provide working conditions which are safe and secure;
5. establish and maintain open communication with employees on the development and administration of personnel policies; and,
6. establish and administer a grievance procedure.

The Presbytery acts through its various committees, including the Personnel Committee and the Executive Council. The General Presbyter, or their delegate(s) shall be responsible for implementing the policies contained in this Manual.

B. Employee Responsibilities

Each employee is expected to:

1. perform their assigned duties in a satisfactory manner;
2. participate in committees or groups as assigned;
3. take initiative so that employee's opinion is presented to any appropriate forum dealing with the personnel system;
4. make suggestions on the improvement of operations and/or the development and administration of personnel policies;
5. abide by the Presbytery's policies and procedures;
6. report any violations of the Equal Employment Opportunity policy; and,
7. cooperate with any investigation by Presbytery.

C. Equal Employment Opportunity

The Presbytery is an equal opportunity employer and does not discriminate based on race, color, national origin, sex (including pregnancy), age, marital status, disability, genetics or veteran status or any other status protected by law. We expect all employees to show respect and sensitivity toward all other employees, and to demonstrate a commitment to the Presbytery's equal opportunity objectives.

If you observe a violation of this policy, you are expected to report it immediately to the General Presbyter. If you do not believe you can approach the General Presbyter, report the conduct to any member of the Executive Council of Presbytery or the Presbytery's Personnel Committee. The Presbytery will promptly investigate any complaint and take appropriate preventive and/or corrective action.

In accordance with and to the extent required by federal and state law, the Presbytery will not take adverse action against an employee or applicant because an employee, in good faith:

- reports to management what the employee reasonably believes to be a violation of this or any other Presbytery policy and/or the workplace harassment policy, (see page 21.)
- participates in an investigation of an allegation involving this policy and/or the workplace harassment policy; or
- exercises their rights, if any, under applicable federal or state law related to workplace discrimination and/or harassment.

Violation of this policy may result in disciplinary action, up to and including termination.

D. Hiring Practices

1. Position availability will be announced through appropriate means.
2. All applicants for employment are required to submit a written application and/or a resume. The Personnel Committee, or its designee, will determine which applicant(s) are to be interviewed and by whom. No one may be employed without having been interviewed.
3. All non-exempt and contract personnel will be hired by the General Presbyter, or their designee, in consultation with the Personnel Committee and the Executive Council.
4. All staff positions for program and executive personnel, and the compensation levels for those positions, may be established only by action of the Presbytery upon recommendation of the Executive Council. A search process shall take place, openly conducted by the designated committee. The General Presbyter and Stated Clerk may be elected only by action of the Presbytery (G-3.0110). The hiring of other program or executive staff shall be by the Executive Council upon the recommendation of a search committee and the General Presbyter, or the recommendation of the Personnel Committee and the General Presbyter.
5. If the position is advertised, a statement shall be made that the Presbytery is an Equal Opportunity Employer.

E. Nepotism

Persons who are relatives or members of the same household of current employees of the Presbytery are not eligible for employment with the Presbytery.

F. Orientation

The Presbytery's orientation consists of instruction in the policy manual, an explanation of the organizational structure of the PC (USA) and, the Presbytery. This orientation is typically conducted by the employee's immediate supervisor.

G. Training Period

1. The first 90 days of employment are designated as a training period. This time is for determining whether a new employee is suitable to continue work at the Presbytery. It also provides the employee the opportunity to decide if working for the Presbytery and its ministries is desirable. The fact that the Presbytery utilizes a training period does not alter the at-will nature of employment.
2. Prior to the conclusion of the training period, a performance appraisal will typically be completed by the supervisor and discussed with the employee. If the results of the appraisal are satisfactory and no other compelling reasons to terminate the employment relationship present themselves, the employee shall become a regular employee. Failure to provide a performance appraisal does not alter the at-will nature of employment. Likewise, becoming a "regular" employee does not alter the at-will nature of employment.

H. Performance Reviews

1. Evaluation is a continuous process; however, formal evaluations will normally be conducted for all employees within the guidelines provided by the Personnel Committee.
2. A performance review will typically be completed for each employee after 90 days from the date of employment.
3. An employee's performance is typically reviewed at least once annually. Such performance may, however, be conducted on a more frequent basis depending on the circumstances. Written copies should be retained in the employee's personnel file. Performance expectations will be established annually for each employee by the supervisor and shared with the employee. These expectations will be based on the job descriptions and provide the basis for performance appraisals.
4. A performance review of the General Presbyter shall be conducted annually by the Personnel Committee. A performance review of the Treasurer shall be conducted by the Finance Committee in consultation with the General Presbyter. A performance review of the Administrative Assistant/Assistants to the Stated Clerk and the Stated Clerk and any other employee's position shall be conducted annually by the General Presbyter.

I. Personnel File

A complete personnel file is maintained on each employee. These files are confidential, with access generally limited to the General Presbyter and the moderator of the Personnel Committee. They may choose to share information from that file with direct supervisors and the Personnel Committee as is necessary. Employees may have access to their file in the presence of the General Presbyter or their designee. These files may be destroyed five years following separation from employment.

J. Access to Presbytery Property

It is important that the Presbytery have access at all times to Presbytery property, as well as

other records, documents, and files. As a result, Presbytery reserves the right to access employee offices, work stations, filing cabinets, desks, computers, computer files, voice mail, e-mail, and any other Presbytery property at its discretion, with or without advance notice or consent.

K. Electronic, Telephonic and Computer Usage

1. Presbytery provides electronic, telephonic, and computer system equipment (“systems”) for designated employees and volunteers to productively and accurately perform their assigned job duties. All are expected to use the systems in an appropriate, ethical, and lawful manner.
2. Presbytery’s systems are to be used in support of Presbytery business. While incidental personal use is permitted, such use must not interfere with an employee fulfilling their job responsibilities, interfere with other users’ access to resources, or be excessive.
3. Employees should not access information via another employee's computer unless permission is granted. Likewise, an employee should not allow their computer to be used by non-employees. Allowing friends, family or coworkers to use your computer, either locally or remotely, is not permitted.
4. All e-mail, voice mail, computer software, documents and files are the property of Presbytery, regardless of origination or author. Business-related information contained in the Presbytery’s computer system, including electronic mail, is considered confidential. Consequently, information contained within the system should be disclosed only to authorized employees. **Employees do not have a personal privacy right in any matter created, received, or sent through electronic or voice mail.** Employees should have no expectation of privacy regarding files and data residing on their assigned computer, disks, computer system, email or voice mail.
5. Computer, electronic, and voice mail systems may periodically be monitored to assure that these systems are being used for only business purposes. Computer files on any computer or terminal at any time, may be inspected with or without notice, at any time.

USE OF THIS SYSTEM CONSTITUTES YOUR CONSENT TO MONITORING.

II. Employment Categories, Terminology and Procedures

A. Term of Office

1. In accordance with the Form of Government, staff may be elected for a specific term or for an indefinite period, at the discretion of the Presbytery (G-3.0110) in accordance with the Standing Rules of the Presbytery.
2. Unless an employee is elected for a specific period or has a contract of employment, all employment is of an indefinite term. Unless there is a contract of employment, any employee elected or hired for an indefinite term is an **employee-at-will**. This means that either the employee or Presbytery may terminate the employment relationship at any time for any reason.

B. Position Descriptions

1. The Personnel Committee, in consultation with the General Presbyter, shall develop and maintain a position description for each staff member. These position descriptions shall normally be reviewed at least annually. Position descriptions shall be reviewed in

consultation with the appropriate committees and the General Presbyter.

2. Each position description will typically include the following sections: position title, position supervisor, purpose, knowledge requirements, preferred skills, function (duties), hours, and category (lay or clergy, exempt or non-exempt).
3. Changes in any position descriptions shall be approved by the Executive Council upon recommendation of the Personnel Committee. Any such changes shall be communicated to the affected employee, prior to such changes being implemented.
4. The Finance Committee will provide funding for all staff positions.

C. Definitions

1. Full-time employees: Employees who work 35 hours or more per week.
2. Part-time employees: Employees who are routinely scheduled to work fewer than 35 (usually 20 - 34) hours per week.
3. Temporary/Interim employees: Employees who are employed to work intermittently or for a short period of time.
4. Exempt employees: Executive, administrative and professionals are exempt from the maximum hour and minimum wage requirements of the Fair Labor Standards Act. Exempt employees receive a salary for all hours worked.
5. Non-exempt employees: Non-exempt employees (generally support staff) are paid an hourly rate of compensation and will be paid overtime pay at a rate of 1½ times their regular rate of pay for employment in excess of 40 hours in a workweek. Vacation, holiday and other time for which the employee is paid but does not actually work, will not count in determining whether the employee works 40 hours in a given week for overtime purposes.
6. Contract employees: Persons hired to perform specific tasks, subject to the terms of their contract.

D. Calls for Teaching Elders

Called positions. An ordained position in which a Teaching Elder/Minister of Word and Sacrament has received the terms of their call (G-20103) by a vote and action of the Presbytery. This relationship can only be dissolved by a vote and action of the Presbytery.

1. Calls and changes in terms of calls of Teaching Elders/Ministers of Word and Sacrament shall be implemented in compliance with the requirements of the ***Book of Order***.

E. Salary Administration

1. Salaries of Called and Installed positions (General Presbyter, Clerk, etc.) are recommended by the Personnel Committee and require approval by the Executive Council and the Presbytery. Salaries of lay positions ("not called" or voted on by Presbytery) are recommended by the Personnel Committee and require approval of the Executive Council.
2. All staff salary information of all positions in the Presbytery shall be available upon request and shall be printed in the Minutes of Presbytery.

3. Designation of housing allowances for ordained staff persons shall meet the requirements established by the Internal Revenue Code. and shall be determined annually by the Personnel Committee in consultation with the ordained staff members.
4. The Presbytery is required by law to withhold federal income, state income, and Social Security taxes for employees who are not ordained ministers.
5. Employees are paid twice a month.

F. Errors in Payment: If an employee finds an error in their paycheck, the employee should notify the Treasurer. Likewise, lost checks should be reported to the Treasurer immediately.

G. Payroll Deductions

1. An employee's various payroll deductions that are required by law, such as federal income tax, state income tax, Medicare, and Social Security taxes will be deducted. Any other deductions from an employee's paycheck must be authorized by that employee, in writing. Presbytery complies with applicable state and federal laws regarding the garnishment and assignment of wages.
2. Voluntary elections, such as 403(b) contributions, optional insurance, etc., will be deducted.
3. Any non-exempt employee who fails to return equipment, property or otherwise fails to reimburse the Presbytery for amounts owed, such sums will be deducted from the employee's final pay.
4. Each employee's paycheck stubs will itemize amounts that have been withheld. It is important that employees keep this information for tax purposes. If there are any questions about the deductions, the employee should speak with the Treasurer.

III. Benefits and Services

A. Social Security

Social Security taxes and Medicare taxes are deducted from the wages of non-ordained personnel at the rate established by law. This amount, plus an equal contribution from Presbytery, is paid to the federal government for employees to receive a Social Security pension retirement and Medicare.

B. Workers' Compensation

If an employee is injured on the job or contracts a certain occupational illness or injury they should report it immediately to their supervisor or the General Presbyter.

C. Major Medical, Death and Disability, and Pension Benefits

All non-exempt Presbytery staff members who work 20 hours per week or more are covered under the Benefits Plan of The Board of Pensions of the Presbyterian Church (U.S.A.), which provides the following core benefits: family major medical insurance, dental insurance, death and disability coverage, and pension, subject to the terms of the plans. Some exempt Presbytery Staff members who work 20 hours per week or more may be covered under the

Benefits Plan of The Board of Pensions of the Presbyterian Church (U.S.A.), as determined by the terms of their employment. Dues for participation in the Benefits Plan shall be paid by Presbytery.

D. Paid Vacation

1. Full-time exempt employees - number of days determined by action of the Presbytery.
2. Full-time, non-exempt employees will earn vacation time based on the following schedule:
 - Fewer than six months-- none
 - Six months to one year 5-- days
 - More than one year-- 10 days
 - More than five years-- 15 days
 - Over ten years -- 20 days

Employees are credited with vacation as of January 1 each year. However, it is earned monthly based on the schedule below and is predicated on the months/years of service as of January 1. Vacation taken and paid before it is earned should be classified as a pay advance and any advance pay will be deducted from the employee's final pay check (subject to applicable legal requirements).

Part-time employees working fewer than 30 hours per week (but at least 20 hours per week) earn vacation leave on a pro rata basis. This rate is derived by dividing the established work hours by 40 hours to determine the percentage of full-time rate they accrue. (Example: An employee is established to work 20 hours/week with seven years of service. Twenty divided by 40 equals .50 or 50%. 10 hours x 50% equals hours 5 hours. An employee with seven years service who works 20 hours per week accrues 5 hours of vacation leave per month.)

Years of Service with Presbytery	Maximum Number of Days That Can Be Earned	Monthly Accrual 40 Hours per week
6-12 months	5 days	3.333
1 – 5	10 days	6.666
5 – 10	15 days	10
Over 10	20 days	13.333

3. Carry-over of Vacation Days - Although employees are encouraged to take their full annual vacation, up to 10 days may be carried from one year to the next.
4. Employees may not use vacation after giving notice of resignation. Upon termination, an employee will receive up to three weeks (15 days) of accrued vacation. However, if (a) the employee has been employed for less than twelve months, or (b) gives less than two weeks' notice, or (c) the employee is terminated for any reason other than inadequate job performance or lack of work, the employee will not receive any accrued but unused

vacation.

5. Vacation requests - vacation requests will be submitted to the General Presbyter for approval. The General Presbyter will attempt to give employees the vacation time of their preference, but priority must first be given to the need to carry out the mission of the Presbytery and perform the work of God.
6. Vacation will be paid at the rate it was earned, even if the employee's rate changes.

E. Holidays

1. Presbytery Office will be closed to observe the following holidays:

New Year's Day
 Martin Luther King's Birthday
 Good Friday
 Easter
 Memorial Day
 Juneteenth
 Fourth of July
 Labor Day
 Thanksgiving (Wednesday, Thursday and Friday)
 Christmas Holidays (December 24th through January 1st)

2. When a holiday falls on a Saturday or Sunday, it will be observed on the preceding Friday or following Monday.
3. If an employee is required to work on a holiday, they will be given another day off in lieu of the holiday.

F. Paid Sick Leave

1. Employees will accrue sick leave at a rate of one day per month of service up to a maximum of 120 calendar days (which amount is intended to coincide with the waiting period for long-term disability under The Board of Pensions LTD insurance). Parenthetically, part-time employees will accrue sick leave proportionally, based on the number of hours worked per week - i.e., 20-hour work week = 1/2 day per month, 30-hour work week = 3/4 day per month.
2. Employees may use their accrued sick leave for days absent due to:
 - a. Personal illness or injury;
 - b. Medical, dental or optical treatment/or examination;
 - c. Illness of a family member, up to 8 days per year.
3. Requests - requests will be made to and approved by the employee's immediate supervisor.
4. Employees will not be compensated for any unused sick leave when their employment ends.
5. Employees cannot use more sick leave than they have accrued. Notwithstanding the Presbytery's willingness to provide sick leave, **attendance is important**. Even though an employee has unused sick leave available, excessive absences can lead to disciplinary

action.

6. The Presbytery may require a physician's statement for any more than three (3) days and reserves the right to request a physician's statement in all cases.

G. Family Leave - All full-time employees may be granted up to 12 weeks leave of absence without pay during any 12-month period. The grounds on which this leave may be granted include but are not limited to the following: to accommodate the birth, foster placement, or adoption of a child; to provide care to an ill or disabled family member; to heal following a loss or tragic event.

Schedule for a "family leave" must be an agreement between employee and their immediate supervisor, with final permission (as to specific dates) given by the General Presbyter. Request to be made to General Presbyter.

H. New Parent Leave - Full-time female employees will be allowed to take up to 12 weeks maternity leave, with the first six weeks at full pay. Any additional time required for leave would be without pay, unless the employee has unused sick leave or vacation. Full-time male employees will be allowed to take up to 2 weeks paternity leave at full pay. Any additional time required for leave would be without pay, unless the employee has unused sick leave or vacation, and the time would be at the discretion of the General Presbyter.

All full-time employees adopting a child will be allowed to take up to 12 weeks adoption leave, with the first six weeks at full pay. Any additional time required for leave would be without pay, unless the employee has unused sick leave or vacation, and the time would be at the discretion of the General Presbyter.

I. Military Leave - The Presbytery will comply with federal law regarding leave due to military service and the employee's rights upon return. In addition, so the employee will not be financially harmed by serving our Country, for up to 15 days per year (three calendar weeks), the Presbytery will pay the difference between the employee's military compensation and his or her compensation from the Presbytery. Generally, military reservist employees and those volunteering for or called to active duty are entitled to reemployment with the Presbytery upon their return from duty. The employee also may elect to continue coverage under the Presbytery's health care plan in accordance with the law and the plan's terms.

J. Jury Duty - Full time employees will receive their usual compensation for the duration of jury duty. Employees are expected to report to work on the next scheduled work day if they are not required by the court to remain the entire day.

K. Death of an Immediate Family Member - If an employee needs to be away from work because of the death of an immediate family member, the employee's supervisor will review/discuss this request with the employee and may grant up to five consecutive days of paid leave, together with such additional non-compensated leave time, if any, as shall be determined by the General Presbyter. Immediate family member as used in this policy means a grandparent, parent, child, sibling, step-parent, spouse, stepchild, step-sibling, or in-law (father/mother/brother or sister).

L. Staff Training - Presbytery supports the continuing training and development of its employees. Employees will be paid for time in training that is either required by the Presbytery or approved by the General Presbyter.

M. Education - Employees are encouraged to continue their formal education. If an employee desires to attend classes during regular work hours, the General Presbyter will consider a

request for a flexible work schedule.

N. Optional Benefits - The Board of Pensions of the Presbyterian Church (U.S.A.) offers several optional benefits, such as a 403b Savings plan and additional term life insurance. Both exempt and non-exempt employees of the Presbytery who participate in the benefits plan for core benefits are also eligible to purchase any of the optional benefits at their own expense through payroll deduction.

O. Benefits for Temporary Employees - Temporary employees are not eligible for benefits.

P. Benefits for Interim Employees - The General Presbyter, with the approval of the Personnel Committee, may hire persons to fill vacant positions on an interim basis. In the case of the General Presbyter's position, the Executive Council may appoint an interim. Interim exempt and Interim non-exempt employees working 20 hours or more may be eligible for benefits covered under section C, above, and optional benefits under section N, above, as determined by the terms of their employment and the terms of any applicable benefit plan.

Q. Length of Service - To the extent any benefit offered by the Presbytery to its employees is based on length of service, it is based on the employee's service with The Presbytery and not service with any other presbytery, any church or any other arm of the PCUSA.

R. Overtime

1. Exempt staff will not be paid overtime for hours worked more than 40 hours per week. These employees are expected to maintain a regular work schedule and to manage their schedules to provide for a minimum of one day off each week.

2. Non-exempt staff will be compensated for hours worked more than 40 hours per weeks, at the rate of 1½ times the employee's regularly hourly rate. Advance approval for all overtime must be obtained from the employee's supervisor. Working unauthorized overtime may lead to disciplinary action.

S. Employee Bonuses

The Personnel Committee will be responsible for determining the dollar range for bonuses, if any, each fiscal year during the budget planning process. Any bonus will be taxable income to the employee.

IV. Separation Practices

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

A. Voluntary Resignation

Non-ordained employees should give as much notice of their resignation as reasonably practical. The resignation of Teaching Elders occupying called positions shall be governed by the provisions of the *Book of Order*. Generally, two weeks' notice of resignation is expected.

B. Involuntary Dismissal

1. The Presbytery may decide to terminate an employee's employment when appropriate, for reasons including but not limited to the following:

- a) Unsatisfactory performance,
- b) Insubordination in the line of assigned duties,

- c) Neglect in the care and use of The Presbytery property and funds,
- d) Sexual or other form of illegal harassment or misconduct,
- e) Unexcused absence(s) and/or tardiness,
- f) Illegal, dishonest, or unethical conduct,
- g) Repeated failure or refusal to observe employer policies,
- h) Use of alcohol or drugs on the job,
- i) Job elimination or job restructuring

2. Termination of the relationship of the General Presbyter and other ordained staff of Presbytery shall be governed by the provisions of the ***Book of Order***.

3. Dismissal is subject to the grievance procedure as outlined in these policy guidelines.

C. Suspension

1. If deemed appropriate, a non-clergy employee may be suspended by the employee's supervisor.
2. The employee shall be notified of their right to use the grievance procedure as outlined in these policy guidelines.

D. Reduction of Force or Job Elimination

1. Fundamental changes in long-range objectives, organizational changes, or a serious change in financial outlook, may require a reduction in the number of employees.
2. The Presbytery will attempt to give as much notice as reasonably practical to employees affected by a reduction in force or job restructuring.
3. Where appropriate, the Presbytery will negotiate in good faith a severance payment for an employee impacted by a reduction of force or job elimination.

E. Death in Service

1. In the event of the death of either an exempt or non-exempt employee, the salary of that person will be paid to the spouse or dependent for four weeks in addition to any compensation already earned and due to the employee at the time of their passing.
2. Death benefits are also provided through The Board of Pensions Plan of the Presbyterian Church (U.S.A.) for covered employees.

F. Retirement

The Board of Pensions Plan provides retirement benefits. (See the provisions of the Plan for further information.)

G. Transition to Retirement

Employees who wish to plan for a gradual transition to retirement are encouraged to explore with the General Presbyter possibilities for alternative responsibilities, part-time responsibilities, special project assignments, or other arrangements that would be beneficial to the employee and the Presbytery. Such a transition would be subject to any restrictions or guidelines set forth by the Board of Pensions.

V. Grievance Procedure

The Presbytery desires good working relationships that affirm the importance of each individual and their contribution to the work of the organization and encourages mutual respect. Presbytery staff should seek to reconcile their differences with other staff members in a climate of openness and mutual trust.

For this policy a grievance is a dispute between staff members, an alleged violation of these personnel policies, or an alleged violation of a state or federal law not adequately dealt with in these policies. In order to deal promptly and fairly with all grievances, the following steps are to be taken:

- A. The aggrieved party must first discuss the grievance with their immediate supervisor. The employee must submit the grievance within 10 days of learning the facts upon which the grievance is based. The grievance must be in writing. The immediate supervisor should confer with all parties involved and will normally respond in writing, within 5 working days. If the grievance is with the immediate supervisor, the aggrieved party should discuss the grievance with the General Presbyter.
- B. If dissatisfied with the supervisor's response the aggrieved party is to specify, in writing within 10 working days, the nature of the grievance and the steps previously taken toward its resolution and submit it to the General Presbyter.
- C. After conferring with the aggrieved party and their immediate supervisor, the General Presbyter shall consider the issues and should communicate a decision in writing to all parties involved, normally within 10 working days. Documentation on the grievance and its resolution shall be maintained in the Personnel Committee files at the Presbytery Office.
- D. If the General Presbyter is a party to the grievance, or if the employee is not satisfied with the General Presbyter's resolution of the grievance, the employee may submit the grievance to the Personnel Committee. The grievance must be in writing and submitted within 10 days of the employee's receipt of the General Presbyter's decision. The Personnel Committee will confer with the parties involved, review the issues, and communicate a decision in writing to all parties involved, normally within 10 working days.
- E. If dissatisfied with the decision of the Personnel Committee, the aggrieved party may request the matter proceed to arbitration. The arbitrator will be selected by the Moderator of Presbytery and affected employee. The request for arbitration must be made within 10 working days of receipt of the decision of the Personnel Committee. The arbitrator will report the resolution of the grievance, in writing, to the affected employee, General Presbyter and Personnel Committee. The decision of the arbitrator is final and binding, except for ministers who may appeal to the Commission on Ministry. The Presbytery will be responsible for the first \$1500 in arbitration costs. Any costs above \$1500 will be split equally between the affected employee and the Presbytery.
- F. An employee may be represented at the arbitration by an advocate of his or her own choice. However, the advocate must be an Elder within the Presbyterian Church U.S.A. The employee will be responsible for the cost of their advocate, if any.

VI. Harassment and Sexual Misconduct

The ethical conduct of all persons who minister in the name of Jesus Christ is of utmost importance to the Presbytery of Sheppards and Lapsley. Each interaction with these representatives provides others with our excitement about the Good News conveyed in the Gospel of Jesus Christ. It is important that each individual working on behalf of the Presbytery maintain the highest level of integrity and professionalism. Harassment and sexual misconduct are violations of the professional relationship and are never acceptable.

A. Policy Against Harassment

The Presbytery of Sheppards and Lapsley is committed to providing a work environment that is free of discrimination. In keeping with this commitment, the Presbytery maintains a strict policy prohibiting unlawful harassment, including sexual harassment. It is important for each employee to understand that jokes, stories, cartoons, nicknames, and comments about appearance which may be offensive to others will not be tolerated.

Sexual Harassment

Sexual harassment of employees by supervisors, co-workers, vendors or Presbytery members is prohibited. Unlawful sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

- submission to the conduct is made explicitly or implicitly as a condition of employment;
- submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or
- the harassment has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Examples of sexual harassment include unwelcome sexual flirtations, advances, or propositions; verbal abuse of a sexual nature; subtle pressure or requests for sexual activities; unnecessary touching of an individual; graphic comments about an individual's body; a display in the workplace of sexually suggestive objects or pictures; sexually explicit or offensive jokes; or physical assault.

Women are not the only ones who experience sexual harassment. Not only do men experience sexual harassment, but also the harassment can be between persons of the same sex.

Other Forms of Harassment

Harassment based on the individual's race, color, pregnancy, religion, gender, sexual orientation, national origin, age and disability includes many forms. It includes verbal or physical conduct which:

- defames or shows hostility toward an individual because of his or her race, color, religion, pregnancy, gender, sexual orientation, national origin, age, or disability,
- creates or is intended to create an intimidating, hostile, or offensive working environment;
- interferes or is intended to interfere with an individual's work performance; or otherwise adversely affects an individual's employment opportunities.

Some examples of conduct which may constitute harassment, depending on the circumstances, include but are not limited to, the following:

- epithets; slurs; negative stereotyping; or threatening, intimidating or hostile acts; which relate to race, color, religion, gender, sexual orientation, national origin, age, or disability.

- written or digital/online graphic material that defames or shows hostility or aversion toward an individual or group because of race, color, religion, gender, sexual orientation, national origin, age or disability and that is placed on walls, bulletin boards, social media/digital platforms or elsewhere on the Presbytery's premises, or that is circulated in any manner.
- written, verbal or physical acts that purport to be jokes or pranks.

Steps to Take If You Are Being Harassed or Observe Harassment

Tell the person to stop. Confrontation of the person, in most instances, will stop the harassment. If you are able, clearly explain to the person causing the harassment that you are uncomfortable with their behavior and ask that it cease immediately.

If you believe that you are being, or have been harassed in any way, you are expected to report the facts of the incident or incidents to the **General Presbyter** immediately, without fear of reprisal. If you do not believe you can approach the General Presbyter, report to the conduct to any member of **the Personnel Committee**.

The Presbytery cannot attempt to address the questioned behavior if it is not made aware of it. Consequently, it is important that any case of suspected harassment, whether you simply observe it or are a victim of it, should be reported.

All cases of reported harassment are held in confidence to the extent possible. The Presbytery will attempt to conduct a thorough, impartial and timely investigation of all complaints of harassment. In determining whether the alleged conduct constitutes unlawful harassment, the totality of the circumstances, such as the nature of the conduct and the context in which the alleged incident occurred, will be investigated.

Violation of this policy may result in disciplinary action, up to and including termination. It is an individual's right to work without being subjected to harassment based on sex, gender, race, color, pregnancy, religion, national origin, age or disability. The Presbytery will not tolerate such behavior.

B. Policy Prohibiting Sexual Misconduct

Sexual misconduct includes, but is not limited to the following:

1. Child sexual abuse, which includes, but is not limited to, any contact or interactions between a child under the age of eighteen and an adult, when the child is being used for the sexual stimulation of the adult person or a third person. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether consented to by the child. Child sexual abuse is a felony according to federal and state law and must be reported immediately to the appropriate officials.
2. Rape or sexual contact by force, threat or intimidation.
3. Sexual conduct (such as offensive, obscene or suggestive language or behavior, unwelcome touching or fondling) which is injurious to the physical or emotional health of another person.
4. Sexual malfeasance is defined as sexual conduct within a ministerial or professional relationship (for example, clergy with a committee member, camp counselor with a conferee, lay employee with a church member). Sexual malfeasance includes sexual advances, requests for sexual favors; and verbal or physical conduct of a sexual nature,

whether consensual or non-consensual, and regardless of any purported therapeutic benefit or treatment within a counseling or professional relationship of any kind.

Any employee or volunteer who believes in good faith that there has been sexual misconduct is encouraged to request that the behavior cease and is required to report the misconduct immediately orally, and then followed in writing to the General Presbyter; if the General Presbyter is directly involved in the complaint, the oral and written reports shall go directly to the Moderator of the Personnel Committee.

1. The Presbytery will take no adverse action against any employee or volunteer who complains about perceived sexual misconduct. The Presbytery will protect such an employee or volunteer to the extent possible.
2. The Presbytery will handle all allegations of misconduct according to these policies, the Standing Rules of the Presbytery and the Book of Order rules of discipline.
3. Disciplinary action, including immediate dismissal when appropriate, will be taken where it is determined that sexual misconduct did occur.

C. Program of Prevention

1. All persons selected for employment by the Presbytery of Sheppards and Lapsley will be screened prior to employment including a background check. Failure to give the consent, if requested, to obtain the background check will result in the person not being hired.
2. All employees and volunteers shall take appropriate action if an admission, allegation or report of harassment or misconduct comes to their attention. Appropriate action includes informing the General Presbyter, enabling the Accused or the Accuser to inform the General Presbyter, and providing adequate safeguards to avoid additional hurt or victimization.
3. All employees and volunteer staff shall sign a compliance statement stating that they have read the Policy and Procedures Manual of the Presbytery of Sheppards and Lapsley, and they understand that they will be held accountable under these policies (See form on last page).
4. Failure to comply with the provisions of this Program of Prevention shall subject the employee to disciplinary action and the volunteer to removal of responsibilities

VII. Personnel Matters and Questions Not Covered in This Document

If the General Presbyter, another supervisor or an employee encounters a personnel matter not addressed by this document, they will submit a written description of the situation to the Moderator of the Personnel Committee.

The Personnel Committee will attempt to meet as soon as possible, and normally within three weeks of the Moderator's receipt of such a report, to determine recommendations to make to the Executive Council concerning this issue.

The Executive Council will meet within one week of the Personnel Committee meeting to make suggestions on the appropriate response or action to take.

Interpretation

The final authority to interpret the Personnel Policies of The Presbytery rests with the

- Executive Council for all non-clergy employees
- Executive Council in consultation with the Committee on Ministry for Teaching Elders.

VIII. Amendments

This manual may be amended at the recommendation of the Personnel Committee by the Executive Council.

Enacted by Executive Council of the Presbytery of Sheppards and Lapsley on December 13, 2023.

Policy Acknowledgment Form

THIS IS NOT A CONTRACT

EXPRESS OR IMPLIED

ACKNOWLEDGMENT

This is to certify that I have been informed and understand the Presbytery of Sheppards and Lapsley Personnel Policy Manual **IS NOT A BINDING CONTRACT**, either express or implied, but a set of guidelines. I understand that the Presbytery may modify any of the provisions of this manual at any time. I also understand that unless I am an ordained minister in a called position that, notwithstanding any of the provisions of this manual, **I AM EMPLOYED ON AN AT-WILL BASIS**. I also acknowledge that both Presbytery of Sheppards and Lapsley and I have the right to terminate the employment relationship at any time, with or without cause or notice. I recognize that changes in these policies will in no way alter the “at-will” nature of my employment. I acknowledge that I have received a copy of the Presbytery of Sheppards and Lapsley Personnel Policy Manual. I understand that it provides guidelines and summary information about the Presbytery's personnel policies, procedures, benefits, and rules of conduct. I also understand that it is my responsibility to read, understand, become familiar with, and comply with the standards that have been established.

Please sign page 2 and then sign this page. Return this page to the Moderator of the Personnel Committee.

Employee Signature

Employee Name (Printed)

Date