

## PERSONNEL POLICIES

P-1.0000

### A. INTRODUCTORY STATEMENT.

P-1.0100

These policies are based on a commitment to the best use of God's gifts through the staff of Second Presbyterian Church, in order to develop and maintain positive, cooperative, and mutually responsible working relationships among the church's staff, officers, and members that will advance the church's ministry.

P-1.0101  
Commitment  
of Policies

The employer is the Session of the Second Presbyterian Church, Staunton, Virginia.

P-1.0102  
Employer

These policies shall ordinarily be developed and amended by the Session, upon recommendation by the Personnel Committee.

P-1.0103  
Approval of  
Policies

The Session shall be guided by the *Book of Order* of the Presbyterian Church (U.S.A.), the policies of the Presbytery of Shenandoah, and any laws of the Federal government, the Commonwealth of Virginia, or the local government that may apply to the Session as employers.

P-1.0104  
Relationship to  
Church and  
Civil Law

These policies reflect current personnel practices of Second Presbyterian Church, Staunton. However, they are not a contract of employment and the Session reserves the right to modify these policies at any time.

P-1.0105  
Disclaimer

### B. PROCESS OF EMPLOYMENT.

P-1.0200

Employment practices shall be administered without discrimination as to race, sex, age, marital condition (married, single, widowed, or divorced) or disability (G-9.0104a.). As long as a person's creed or religion is not contrary to the specific nature of the work of Second Presbyterian Church, Staunton, that person may be eligible for employment.

P-1.0201  
Equal  
Employment  
Opportunity

A written position description which accurately reflects the job functions will be developed by the Personnel Committee or Pastor Nominating Committee depending on the position to be filled. All position descriptions must be approved by the Session. Position descriptions shall be reviewed as part of the annual performance review, and at other times as determined by the Session. All revisions to position descriptions must be approved by the Session.

P-1.0202  
Position  
Descriptions

References shall be kept for six months only from date of employment in order to comply with the legal requirements for equal employment opportunity. They shall be destroyed thereafter.

P-1.0203  
Retention  
of Records

Care shall be taken during the interviews to assure that the privacy of the individual is protected. Questions shall be job-related.

P-1.0204  
Interviews

### C. EXEMPT AND NON-EXEMPT CATEGORIES.

P-1.0300

Employees may include exempt (salaried) and non-exempt (hourly wage) regular employees, and temporary employees, both full and part-time. "Exempt" and "non-exempt" are categories defined by the Fair Labor Standards Act, passed on June 25, 1938.

P-1.0301  
Types of  
employees

"Non-exempt" refers to a job for which the employer must pay at least the minimum wage for the position and overtime wages for hours worked in excess of forty hours per week. Non-exempt employees of the church are the Secretary and Custodian.

P-1.0302  
"Non-Exempt"  
Defined

"Exempt" employees are salaried employees, and are *not* paid any overtime for hours worked in excess of the weekly hours for which a person is ordinarily expected to work. Such employees are expected to manage their schedules, to provide the proper amount of time off. Exempt employees are the Pastor (head of staff), Director of Music/Organist, and Director of Christian Education.

P-1.0303  
"Exempt"  
Defined

**D. INTRODUCTORY PERIOD.**

The first three months of employment in a part-time position constitute an introductory period. Prior to any regular employment, a performance appraisal shall be conducted. If the introductory period is completed satisfactorily, regular employment may begin, but is not guaranteed.

**P-1.0400**  
P-1.0401  
Introductory  
Period

During the introductory period, employment may be terminated at any time for causes such as, but not limited to, those spelled out in section P-1.0601 (a and b) of these policies. Neither pay in lieu of notice nor severance pay will be given when employment is terminated during the introductory period.

**P-1.0402**  
Termination:  
Introductory  
Period

During the introductory period, the employee is entitled to paid holidays observed by the church, coverage as provided by the State Workers Compensation program, and absence for jury duty. If absent for any other reason, except as excused by the pastor, pay will be deducted for time absent.

**P-1.0403**  
Employee  
Rights

**E. BENEFITS.**

All part-time staff are covered by the Federal Old Age and Survivors Benefits Act (Social Security). The employee's share of the tax is withheld from wages. Up to one half of the pastor's Social Security Self-Employment Tax shall be paid as a reimbursed professional expense.

**P-1.0500**  
**P-1.0501**  
Social  
Security

The Pastor shall be enrolled in the Pension and Benefits Plan of the Presbyterian Church (U.S.A.), for whom full dues are paid by the church.

**P-1.0502**  
Pension

The pastor is entitled to four weeks vacation per year, including four Sundays. Payment in lieu of vacation shall not be made, nor shall vacation carry over from one year to the next, unless approved by majority vote of the Session.

**P-1.0502**  
Vacation:  
Pastor

Part-time employees are provided with Paid Time Off (PTO) days in accordance with the schedule set forth below. PTO days may be taken as vacation time; to allow eligible employees to rest, relax, and pursue special interests. PTO may also be used during an employee's own illness, to care for an ill parent, spouse or child, or for medical, legal or other personal business appointments which cannot be scheduled outside of normal business hours. Employees who are unable to work for personal illness may be required to provide a physician's statement.

**P-1.0503**  
Paid Time Off –  
Part Time  
Employees

Part-time employees will accrue PTO at a rate of one (1) day per month and can continue to accrue PTO days until the employee has reached a maximum of twenty-four (24) days. At this point, no further PTO time will be accrued until the employee reduced the amount of PTO time in their "PTO accrual bank." Employees will be paid for accrued unused PTO hours at the time of termination.

Accrual of PTO;  
24 days maximum

For newly hired part-time employees PTO time will accrue from the date of hire, but normally they may not take any PTO until they have completed six (6) months of employment.

Effective  
after six months

Except in instances of unforeseen circumstances, the employee must schedule all PTO in advance with the pastor, who shall keep a record of time used. Every effort will be made to grant an employee's request for time off at the time requested, consistent with church needs. PTO may be taken in increments of not less than one (1) hour.

Scheduling PTO

Employees on an approved leave of absence without pay for less than thirty (30) days, will continue to accrue PTO time. If the leave extends beyond thirty (30) days, an employee's PTO allotment will be prorated based on the amount of time the employee has actually worked.

Leaves of  
Absence and PTO

<p>Second Presbyterian Church provides paid time off to all full-time and part-time regular employees on the following holidays: New Year's Day, Good Friday, Easter (Monday), Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve, Christmas Day.</p>	<p><b>P-1.0504</b> Paid Holidays</p>
<p>Employees are eligible for paid holidays from their first day of employment. Part-time employees will receive holiday pay based on the actual number of hours they regularly work per day.</p>	<p>Eligibility</p>
<p>Holidays falling on a Saturday are normally observed on the preceding Friday. Holidays falling on a Sunday are normally observed on the following Monday.</p>	<p>Saturday/Sunday Holidays</p>
<p>The Personnel Committee reviews the Holiday Schedule annually and employees will be advised prior to the beginning of each calendar year of the actual dates on which holidays will be observed.</p>	<p>Annual review of schedule</p>
<p>Employees will not be required to use their PTO time when a holiday occurs during a leave for vacation, illness or other reasons.</p>	<p>Holidays during PTO</p>
<p>The Pastor shall be granted twelve (12) sick days annually. These days may accumulate up to a maximum of 60 days. The pastor shall follow the above policy (P-1.0505) to report and verify use of sick leave time, with report made to the Session. When the pastor leaves the position, there shall be no compensation for sick leave days accumulated but not used.</p>	<p><b>P-1.0505</b> Sick Leave: Pastor</p>
<p>If the pastor, according to certification of a licensed physician, becomes temporarily disabled, he shall receive full salary and the benefits for a period of such disability not to exceed 90 days, at which time if disability continues, application shall be made for disability benefits from the Board of Pensions. This policy shall apply to all medically-certified disabilities.</p>	<p><b>P-1.0506</b> Medically Certified Disability: Pastor</p>
<p>All employees are covered by workers' compensation insurance to provide for payment of medical expenses and for partial salary continuation in the event of a work-related accident or illness. The amount of benefits payable and the duration of payment depend on the nature of the injury or illness.</p>	<p><b>P-1.0507</b> Workers Compensation Insurance</p>
<p>An employee injured on the job or who become ill as a result of their job must immediately report the injury or illness to the pastor, the Chair of the Personnel Committee or the Chair of the employee's related session committee. This ensures that Second Presbyterian Church can assist in obtaining appropriate medical treatment. Failure to follow this procedure may result in the appropriate workers' compensation report not being filed in accordance with the law, which may consequently jeopardize an employee's right to benefits in connection with the injury of illness.</p>	<p>Immediate Report of Injury or Illness</p>
<p>Part-time employees will be granted up to three (3) days off from work with pay in the event of the death of a spouse, child, parent, sibling, grandparent, father-in-law, mother-in-law, or other relative living with the employee. Requests for bereavement leave should be made with the pastor. In the event the pastor is unavailable, requests should be made to the Chair of the Personnel Committee.</p>	<p><b>P-1.0508</b> Bereavement Leave</p>
<p>If part-time employees are summoned to jury duty, Second Presbyterian Church will pay the difference between the regular wages the employee would have earned and the amount of allowance received for jury duty, for up to a maximum of five (5) working days per calendar year.</p>	<p><b>P-1.0509</b> Jury Duty</p>
<p>If summoned to appear in court as a witness, an employee may use PTO time or take the time off without pay.</p>	<p>Court Witness</p>

To qualify for jury duty, an employee must submit to the pastor a copy of the summons to serve as soon as it is received. Proof of service must also be submitted to the pastor when the period of jury duty is completed, along with a copy of compensation paid. In the event the Pastor is unavailable, the Chair of the Personnel Committee will grant approval for Jury Duty.

Documentation

Part-time employees who have completed 90 days of continuous service, and who have no PTO available, may request unpaid personal leaves of absence for a period of up to thirty (30) days. Such leave must be requested in writing at least two weeks before the time you wish such leave to begin. If the leave is necessitated by an emergency, you or a member of your immediate family must notify the pastor or the Chair of the Personnel Committee as soon as practicable. In emergency situations, the written explanation must normally be submitted within three days of the beginning of your leave.

**P-1.0510**  
Leave of Absence  
Without Pay

Study leave is provided for the Christian Education Consultant and the Director of Music. They are entitled to one week of study leave per calendar year. A Certification Form must be completed and submitted to the appropriate session committee for approval. (These forms are available in the Church Office.) At the conclusion of the study week, both the Certification of Leave and the Post Leave Evaluation form must be filed with the pastor and the Clerk of Session.

**P-1.0511**  
Study  
Leave:  
Part-time  
Staff

The pastor is granted a minimum of two weeks per year study leave, cumulative to six weeks over three years. Certification of study leaves and post-leave evaluations shall be filed with the Session.

**P-1.0512**  
Study  
Leave:  
Pastor

## **F. DISCIPLINARY POLICIES AND GRIEVANCES**

Disciplinary measures may be taken for the following reasons:

- a. Procedures to correct problems is indicated by, but not limited to, the following situations: insubordination in the area of assigned duties, neglect in the care and use of the Church's property and/or funds, repeated unexcused absence or tardiness, unsatisfactory performance, and refusal to observe employer policies.
- b. Dismissal for cause is indicated by, but not limited to, the following situations: sexual harassment or misconduct; illegal, dishonest, or unethical conduct; failure to correct problems identified by the employer in a timely or satisfactory manner.

**P-1.0600**  
P-1.0601  
a. Corrective  
Procedures

b. Dismissal  
for cause

### **Corrective Action Procedures**

- a. The employee shall be informed of an alleged disciplinary problem by a written memo followed up with a verbal discussion by the pastor. In verbal discussion the problem shall be reviewed and methods noted to alleviate the alleged problem and improve the employee's work performance. A report of the actions taken shall be kept in a confidential file.
- b. If the alleged problem is not resolved within 15 days, the matter shall be reviewed by one member of the Personnel Committee and the Chairperson of the Committee to which the staff member relates. These persons may offer recommendations for corrective action. A summary of this meeting shall be entered into the employee's confidential file.
- c. If the alleged problem has not been resolved within 15 days after this review, there shall be a progress review with the same two persons, above, to hear all who are involved and to seek agreements to improve the employee's performance; a letter stating these agreements shall be given to the employee within two working days of the progress review.
- d. Continued unsatisfactory performance after thirty more days may result in termination of employment

P-1.0602  
a. Notification  
and Review

b. Review –  
15 days

c. Review –  
30 days

d. Possible  
Termination

**Dismissal for Cause Procedures.**

If unacceptable behavior, such as defined in P-1.0601b, requires the removal of an employee from the work place, the pastor may suspend the employee, without pay, pending a review and evaluation of the circumstances by the Personnel Committee. Notice of the reason for suspension shall be given to the employee in writing at the time of the suspension. The Personnel Committee shall meet within five working days of the incident, and, after making an inquiry, may dismiss the employee.

P-1.0603  
Dismissal for  
cause

An employee shall have the right to defend his/her position with or without an advocate; use of an advocate shall be at the expense of the employee.

P-1.0604  
Employee rights

**Grievance Procedures.**

A complaint or a grievance is an alleged violation of an approved personnel policy or practice, or of an applicable Federal or Commonwealth law not adequately dealt with in these policies or practices.

P-1.0605  
Grievance  
Defined

All problems arising from employment or conditions of employment are to be directed to the pastor as head of staff. In those cases where the problem has not been resolved after discussion with the pastor, the employee may appeal to the Personnel Committee.

P-1.0606  
Grievance  
Procedure

Employees who are members of the Presbyterian Church (U.S.A.) are entitled to utilize the procedures outlined in the "Rules of Discipline" in the *Book of Order*, if just cause as defined by the Rules exists for such action.

P-1.0607  
Rules of  
Discipline

**G. TERMINATION**

Dismissal for cause (as outlined above) may take place by written notice from the Session, giving reasons for termination. Notice must be given or pay in lieu of notice of four weeks for exempt employees or two weeks for part-time employees. Ordinarily, no severance allowance will be paid, but employees who are dismissed will receive the cash equivalent of their unused earned vacation. [Unused vacation shall accrue as follows: one day for each month worked beginning with March of the calendar year.]

**P-1.0700**  
P-1.0701  
Dismissal  
for Cause

For the dissolution of a pastoral relationship, the provisions of G-14.0600 of the *Book of Order* shall apply.

P-1.0702  
Dismissal: Pastor

Because of reorganization, retrenchment of program, or other circumstances arising out of no fault of the employee, involuntary separation is at the discretion of the Session upon recommendation of the Personnel Committee. An appropriate termination agreement shall be negotiated in such cases.

P-1.0703  
Termination  
of Position

Employees who wish to resign from their positions shall be required to give the following notice: two weeks for non-exempt employees, and four weeks for exempt employees.

P-1.0704  
Resignation  
Notice

**H. ANNUAL PERFORMANCE REVIEW.**

Every employee shall have an annual performance review with the participation of the employee, pastor, and Personnel Committee. Input on performance shall be sought from the Session committees with which an employee relates in the performance of his/her duties.

**P-1.0800**  
P-1.0801  
Annual  
Performance  
Review

The performance reviews shall be conducted in January. The results of the review shall be shared with the staff person, the Session committee to which the staff person relates, and the Session.

P-1.0802  
Time  
Frame

**I. ANNUAL COMPENSATION REVIEW.**

The Personnel Committee is responsible for recommending to the Session all salary increases. Salary levels shall be maintained in a manner that results in their being consistent internally, competitive externally, and responsive to changes in the cost of living.

**P-1.0900**  
P-1.1001  
Annual  
Compensation  
Reviews

Annual compensation reviews shall be conducted in September. Input on compensation shall be welcomed from the Session committee to which the staff member relates. The Personnel Committee shall consider the personal needs of the employee as well as the employee's contribution to the church when making compensation recommendations.

P-1.0902  
Time Frame

If a cost of living increase is granted for one employee, it shall be granted to all employees. Merit increases shall be granted in recognition of added responsibilities or extraordinary job performance.

P-1.0903  
COLA/Merit  
Policies

The terms of call of the pastor shall be reviewed according to the guidelines adopted by the Presbytery of Shenandoah. The recommendation of the Personnel Committee shall be acted upon by the Session, after face-to-face consultation with the pastor. The action of the Session shall be referred to the congregation for an adequacy review (G-7.0302). The final approval of the pastor's terms of call rests with Shenandoah Presbytery.

P-1.0904  
Terms of  
Call:  
Pastor

#### **J. CONFIDENTIALITY POLICIES**

All personnel records shall be kept in a confidential file in the custody of the pastor. These records shall be accessible to the Chairperson of the Personnel Committee and the Clerk of Session.

**P-1.1000**  
P-1.1001  
Retention of  
Files

Employees shall be permitted access to their own personnel records and may submit in writing changes to correct factual information or to note their disagreement with any material in their own records.

P-1.1002  
Employee  
Rights

The Church shall not release any information from the personnel records to outside sources without the employee's written permission, unless legally required to do so. The employee shall be told prior to disclosure when this is legally possible.

P-1.1003  
Release of  
Information

Information requested by other parties about employees shall be limited to that which is required for business or legal purposes, unless the Church is legally constrained to provide additional information.

P-1.1004  
Limit of  
Information