

Personnel Policies Manual of National Capital Presbytery



Amended by Leadership Council
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I. INTRODUCTION

The Church is the creation of Jesus Christ and a vehicle for the Mission of God in the world. Aspiring to be a manifestation of the realm of God, the Church and its service organizations such as the Presbytery have responsibilities to its staff members even as it does to its members, and the work of the Church is more effectively and efficiently done when its staff persons have good working conditions and are provided with a working atmosphere in which they know where they stand, what they can count on and what they may expect under whatever circumstances may arise. As a Presbytery, National Capital Presbytery is subject to requirements imposed by the BOOK OF ORDER of the Presbyterian Church (U.S.A.). The Personnel Committee has prepared and the Presbytery Leadership Council has approved the following Personnel Policies Manual to be effective as of the time of adoption.

II. EMPLOYMENT

This policy manual has been prepared and is distributed to all staff to set forth general statements of the policies and procedures the National Capital Presbytery (“the Presbytery) presently follows in personnel matters concerning employment and to provide information concerning staff benefits. This policy manual is not part of an employment agreement or contract with any of the Presbytery’s staff, and the Presbytery reserves the right in its sole discretion to alter, amend, waive or withdraw any of these policies, procedures, and benefits at any time without notice.

All staff members are expected to be familiar with and to conform to and follow all Presbytery policies, procedures, and rules and regulations. Employees should read this Manual. If you have questions, review them with the Director of Business Affairs.

Each staff person, except for installed clergy, should remember that he or she is an employee at will. That is, both the Presbytery and the employee have the freedom to choose to end the employment at any time with or without cause. NOTE: Wherever the words “General Presbyter” appear, it is understood to include an Interim General Presbyter or anyone in an “acting” position appointed by the Presbytery Leadership Council.

The employer of all staff is National Capital Presbytery. The Presbytery is an equal opportunity employer and maintains a policy of nondiscrimination on the basis of race, color, religion, sex, national origin, age, gender, marital or veteran status, family responsibility, physical appearance, physical or mental disability (that does not render the person, with or without reasonable accommodation, unable to perform the essential duties of the job), or any other reason which is unlawful under any applicable local or federal statute. The Presbytery, as a religious organization, may give preference in employment to members of the Presbyterian Church (USA).

All new staff members will be subject to criminal background and reference checks.

Harassment on the basis of any of the foregoing characteristics will not be permitted or condoned. Racial, sexual, age-related, or ethnic slurs or insults are wholly inappropriate and violate the Presbytery's equal employment opportunity policy.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature on the part of supervisors, employees, and non-employees. Sexual harassment also encompasses conduct of a sexual nature where submission is either expressly or implicitly a term or condition of employment or submission or rejection is used as a basis for affecting an individual's work performance or creating an intimidating, hostile or offensive working environment. Conditions that might even be perceived as being of a sexual nature must be strictly avoided.

Grievance Procedures

These grievance procedures outline a formal complaint process available to employees following attempts to resolve problems with personnel policies through normal supervisory channels. Complaints regarding discrimination and/or harassment are given special handling as detailed in a separate section of this manual.

The General Presbyter is responsible for the implementation and administration of the policies and procedures provided in this manual. In the event that difficulties in interpretation or application should arise, the Personnel Committee shall resolve them. These policies will be reviewed as needed, at a minimum of once every three years, by the Personnel Committee. Revisions will be submitted for approval to the Leadership Council.

If at any time an employee feels unfairly or inappropriately treated or is dissatisfied with a decision of the General Presbyter in administering personnel policies, the employee may present a grievance in writing to the General Presbyter. The General Presbyter also may choose to subsequently meet with the aggrieved employee to fully understand the issue. The General Presbyter will reply to the grievance in writing within 30 days and also may choose to discuss his/her decision with the employee who submitted the grievance.

If an initial grievance is not satisfactorily resolved, the employee then may submit the complaint in writing to the Chair of the Personnel Committee. The Chair will prepare a reply within 30 days following the next Committee meeting and any required investigation or consultation. If necessary or prudent, the Chair may call a special meeting of the Personnel Committee. At this point in the process, the employee may, at the Chairperson's request, meet with the Personnel Committee at its next meeting to discuss the grievance. The Personnel Committee shall make a final determination on the issue raised.

From time to time, special problems or issues may arise which are not directly addressed by the policies in this manual. When this occurs, the General Presbyter should use considered judgment and the past deliberation of the Personnel Committee to respond consistent with the overall spirit and intent of these policies. Such issues should be brought to the immediate attention of the Personnel Committee for review and approval. If appropriate, additions or changes may be drafted for inclusion in this manual and

submitted to the Leadership Council for approval.

- A. Employment Categories: Most NCP staff persons will fall under all three of these employment categories in various situations.
1. Criteria established by the Fair Labor Standards Act define positions as exempt or non-exempt.
 - a. Exempt (compensated on the basis of an annual salary) Persons employed in exempt positions are not required to be paid overtime for work performed beyond 40 hours in a workweek.
 - b. Non-exempt (compensated on the basis of an hourly wage) - Persons employed in non-exempt positions who are required to be paid for overtime at the rate of time and one-half their regular rate of pay for all hours worked beyond 40 hours in a workweek.
 2. Criteria Based on Employment Provisions
 - a. Full-Time Staff Persons are those who are hired to work a full 37.5 hours per week.
 - b. Part-Time Staff Persons are those who are employed to work less than 37.5 hours per week. If they are not temporary and are employed at least 20 hours per week they are eligible for benefits contained in this manual on a prorated basis. If they are later placed on full-time basis, prorated credit will be given from the first day of part-time employment for sick leave and vacation benefits.
 - c. Temporary Staff Persons are those who are hired to work full or part-time with the understanding that their employment is for a specific limited period of time with the further understanding that even during this period of time, their employment may be terminated at any time with or without cause. These staff persons are not eligible for staff benefits, regardless of the number of hours they work per week.
 3. Criteria Established by the PCUSA
 - a. Installed Clergy are ordained teaching elders of the Presbyterian Church (USA) who have independently negotiated terms of call.
 - b. Other Clergy are non-PC-USA ordained teaching elders that may be hired by the Presbytery.
 - c. Non-clergy are persons who are not ordained teaching elders.

B. Position Descriptions

A written position description, subject to periodic review and change, shall be provided for all positions. The position description outlines the concept and objectives of the position and defines the specifics of responsibility and authority but may not be all-inclusive.

C. Recruitment and Selection

All staff shall be recruited in accordance with the provisions of the constitution of the Presbyterian Church (U.S.A.) and the Affirmative Action Program of the Presbytery. Non-exempt positions shall be advertised and appointed by the General Presbyter and Director of Business Affairs. Positions which would provide lateral movement, or would constitute a promotion, may be filled by current non-exempt staff who wish to apply for consideration.

D. Exempt staff will be approved by vote of the Presbytery (for General Presbyter, Stated Clerk or Treasurer) or Leadership Council (for all others).

E. Letter of Employment

All staff shall be provided with a letter of employment or a written contract which clearly identifies the position, the salary, the starting date, the staff person's supervisor(s), and other pertinent conditions of employment. Employment will not become effective until the individual returns a signed copy to the Director of Business Affairs.

F. Orientation Period

The first three months of employment of non-exempt personnel are normally considered an orientation period. Following a review at the completion of that time period, the staff person will be advised of his/her continuing status or, in the case of an unsatisfactory review, may be allowed an additional, employer defined period for improvement or the option of resigning without prejudice. The Presbytery reserves the right to terminate the individual any time during the three month period with or without cause.

G. Work Hours

The regular workweek is 37.5 hours. Regular working hours are from 8:30 a.m. to 5:00 p.m., with one hour for lunch. Flex-time is permitted, with the approval of the General Presbyter and the Director of Business Affairs. Ordinarily, the work week is five days a week with two days off per week.

Non-exempt staff is required to assist with registration at Presbytery meetings and will be compensated with time for assistance at evening meetings.

H. Overtime Work

Overtime work generally is not required and must be approved in advance by the supervisor and Director of Business Affairs. Non-exempt full-time staff shall be paid overtime wages at the regular hourly rate for hours worked up to 40 hours a week and at the rate of one and a half times their regular hourly rate for any additional hours a week. Non-exempt part-time and temporary staff shall be paid at the regular hourly rate for all hours worked up to 40 hours per week and at the rate of one and a half times the regular hourly rate for any additional hours a week. The workweek begins on Monday and ends on Sunday. Paid time off during the workweek, such as vacation time, sick time and administrative leave (jury duty, funeral leave, inclement weather), does not count towards "hours worked" for the purpose of calculating the 40 hour minimum. Non-exempt employees must actually work 40 hours before the hours will be considered overtime. Hours worked between 37.5 and 40 (2.5) in a week are considered compensatory time and, at the option of the employee and with approval of the Director of Business Affairs, can be credited toward an absence for a portion of a day during the same pay period. If the time off is not used within the same pay period, the employee will be paid for the hours at the regular rate.

I. Holidays - The Presbytery will observe the following paid holidays each year

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Thanksgiving Friday
- Christmas Eve
- Christmas
- New Year's Eve
- Plus one floating holiday chosen by the staff person

If the holiday falls on a Saturday, it will be observed on Friday or the following Monday; if the holiday falls on Sunday, it will be observed on Monday or the previous Friday. On occasion a weekend holiday will be observed at a different time in the year altogether as recommended by the Director of Business Affairs and approved by the Personnel Committee. If a staff person is required to work on a holiday, he/she will receive a substitute day off.

J. Medical Benefits

The Presbytery has established an escrow fund from which staff persons and their eligible dependents may be entitled to reimbursement for medical expenses not covered by the Medical Plan (The Plan) of the Presbyterian Church (U.S.A.) for

deductible provisions, during the fiscal year of the Presbytery, on the following basis:

1. The staff person (and where applicable, dependents) must be enrolled in the Plan and eligible for benefits.
2. The staff person must pay the first \$50.00 of medical expenses incurred in the fiscal year.
3. Any expenses arising because of a lack of conformity to the expectations and guidelines of The Plan shall not be eligible for reimbursement.
4. Dental expenses are not subject to reimbursement under this provision.
5. Expenses reimbursed by The Plan or other insurance coverage, other payment(s) and/or settlement(s) shall not be covered by this provision, so that not more than 100% of actual expenses will be reimbursed.
6. This reimbursement policy is intended to apply to initial medical expenses for the amount considered reasonable and customary, and not those which exceed the maximum provisions of The Plan.

Complete details of The Plan can be obtained from the Board of Pensions or the Presbytery.

K. Board of Pensions Employee Assistance Program

National Capital Presbytery views alcoholism, drug and substance dependency as illnesses that should be treated. The Board of Pensions offers employee assistance for mental health and substance abuse dependency through the Response and Assist Programs.

The Board of Pensions program applies to all staff persons of National Capital Presbytery. Information on this program can be obtained directly from the Board of Pensions, or through the General Presbyter.

L. Unemployment Compensation

National Capital Presbytery, as a non-profit organization, does not participate in unemployment insurance programs.

M. Worker's Compensation

All employees shall be covered by the Worker's Compensation Law of the State of Maryland.

N. Manse Allowance

The Internal Revenue Code provides that a teaching elders can, for tax purposes, exclude from gross income any allowance paid as part of his/her compensation to the extent that he/she used it for renting or providing a home. In order to satisfy the requirement of the Internal Revenue Service relative to the Housing or Manse allowance for ordained teaching elders, it is understood that a portion of salary may be designated for housing. This amount shall be approved by the Leadership Council acting in this regard on behalf of the Presbytery.

If the amount which is designated for manse allowance is not fully used for housing, it is the recipient's responsibility to report the balance to the Internal Revenue Service as taxable income.

O. Moving Expenses

Whenever an exempt staff person is required to move his/her place of residence in order to carry out the duties of his/her Presbytery position due to new employment or a transfer, the Presbytery will pay reasonable moving expenses. Staff persons are asked to provide three estimates. These costs will be negotiated within the terms of the staff person's employment.

Transportation expenses for the staff person and family will be paid to the new location by air (coach fare), rail or automobile, or some reasonable combination thereof. In the event that travel is by automobile, reimbursement shall be made at the rate currently being paid by the Presbytery for work related travel and shall cover one automobile with mileage computed by the most direct route.

House hunting expenses (transportation, lodging and meals) will be paid to the transfer site for the staff person and spouse for one round trip covering a period not to exceed three days in addition to travel time. In unusual circumstances additional time may be made available upon authorization by the General Presbyter.

P. Retirement

Retirement benefits are provided through the Board of Pensions. Information can be obtained directly from the Board of Pensions.

III. SALARY ADMINISTRATION

The Presbytery is committed to salary administration principles which will provide fair pay for the work performed. Information concerning the salaries for particular positions and the stated rate of pay for any staff person is confidential.

A. Paydays

The Presbytery issues payroll checks on the 15th of each month and on the last working day of the month for the hours worked since the last payday.

B. Deductions

With the exception of Social Security and Federal, State and Local Taxes, ordained clergy are included in all other policies which apply to NCP staff.

1. Social Security

All NCP staff persons are covered by Social Security. The staff person's share of the tax is withheld from the wages of non-clergy staff.

a. Clergy - In accordance with the Social Security Administration and Church policy, all ordained clergy are considered self-employed persons engaged in the exercise of their ministry and are not subject to withholding for certain taxes. The Presbytery does not pay the employer's portion of Social Security for ordained clergy. However, ordained clergy will be reimbursed by the Presbytery for this amount (7.65%). Ordained clergy are responsible for paying their own self-employment tax (SECA).

b. Non-clergy - The presbytery pays one half of FICA (Social Security and Medicare taxes) for all non-clergy staff. An equal amount is paid by the staff person and is withheld from the staff person's pay.

2. Federal, State and Local Taxes

a. Clergy - Clergy are not required to have taxes withheld from their salary. Taxes are withheld for clergy only at their request. Clergy are responsible for their own withholding taxes.

b. Non-clergy - All applicable Federal, State and local (county) taxes will be withheld from pay based upon the exemption claim forms which are completed at the time of employment. Exemptions may be changed at any time, provided exemptions claimed do not exceed the number to which a staff person is legally entitled.

3. Pension/Major Medical, including hospitalization

The Board of Pensions PC (USA) provides both pension and major medical benefits. All staff persons working 20 hours or more per week may be enrolled in the denominational Benefits Plan. The Presbytery deposits to the Board of Pensions PC (USA) an amount based on the prevailing percentage as required by the Plan.

- a. Clergy - The staff person does not contribute to the plan but is considered to be fully vested on the date of employment.
- b. Non-clergy - The staff person does not contribute to the plan but is considered to be fully vested after three years of participation in the plan.

Complete details can be obtained from the Board of Pensions.

4. Consolidated Omnibus Budget Reconciliation Act (COBRA)

COBRA ensures that a staff person who separates from National Capital Presbytery has the option to continue health insurance coverage. If the staff person resigns or is terminated from the Presbytery's employ or if the staff person's work hours are reduced, and if this event makes the staff person or his/her dependents no longer eligible to participate in one of the Presbytery's group health insurance plans, the staff person and eligible dependents may have the right to continue to participate in the group health plans for 18 months or more at the staff person's (or staff person's dependents') expense. If the staff person qualifies for disability under the Social Security Act at the time of termination or during the first 90 days of COBRA coverage or a reduction in hours, the staff person may be entitled to continuation coverage for up to 29 months.

In the event of a staff person's death, divorce, legal separation, or entitlement to Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan, the eligible dependents may also extend coverage, at their expense, for up to 36 months in the Presbytery's group health insurance plans. The 18-month continuation coverage period provided in the event of termination or reduction in working hours may be extended to 36 months for the staff person's spouse and dependent children if, within that 18-month period, the staff person should die or become divorced or legally separated, or if a child ceases to have dependent status. In addition, if the staff person becomes eligible for Medicare during the 18-month period, his/her spouse and dependent children may be entitled to extend their continuation period to 36 months, starting on the date that the staff person becomes eligible for Medicare.

Should the staff person or eligible dependents elect to continue as members of the Presbytery's plan, the staff person must pay the applicable premium charged the Presbytery by its carriers plus an additional two percent. Staff persons who are disabled, however, will be charged an additional 50% of the applicable premium during the nineteenth through the 29th month of continuation coverage. The premium is subject to change if the rates being charged the Presbytery increase or decrease. If this election for continuation of coverage is made, the staff person has the

right to convert this coverage to an individual policy with National Capital Presbytery's insurance carriers at the end of the continuation period.

Continuation coverage may end, however, if any of the following events occur:

- a. failure to make timely payments of all premiums
- b. assumption of coverage under another group health plan, which does not exclude or limit coverage provided to the staff person on account of a pre-existing medical condition
- c. employer's termination of its group health plans.
- d. If the staff person becomes entitled to Medicare, he/she will no longer be eligible for continued coverage, but, as noted above, the employee's spouse and dependent children may be entitled to extend their continuation coverage.

Questions about continuation of coverage should be directed to the General Presbyter. Also, staff persons who have changed marital status or address should notify the Director of Business Affairs.

5. Tax Deferred Annuity

Full-time staff persons may choose to participate in a tax deferred annuity plan through which one may deposit a specified amount each pay period into one or more investment options. Please see the General Presbyter for complete details.

6. Bonds

Staff persons may wish to invest a portion of salary in U.S. Savings Bonds through payroll deduction.

7. Section 125 Flexible Spending Accounts

Staff persons may choose to set aside a portion of salary in a section 125 plan for pretaxable use for medical/dental expenses, dependent care expenses or other related costs. Up to \$500 of unused health FSA funds can be carried over to reimburse expenses incurred the next year. These funds, if unused, will not be otherwise disbursed to the staff person.

C. Adjustment of Salary Scales

Salary scales for exempt and non-exempt staff will be reviewed at least once a year by the Personnel Committee.

1. Salary Review and Increments

Cost of living salary adjustments by the Presbytery (for PCUSA clergy), the Leadership Council (for exempt positions) or by the Personnel Committee (for non-exempt positions) will be determined annually.

A salary review will be made whenever any changes in duties or relationship call for a re-evaluation of the position.

- a. Exempt Staff: Review will be conducted by the Personnel Committee which makes its recommendation to Presbytery (for PCUSA clergy) or the Leadership Council (for other exempt positions) for action.
- b. Non-Exempt Staff: Review will be made by the Director of Business Affairs and General Presbyter and recommended to the Personnel Committee for action.

2. Merit Increases

Merit salary increases may be granted according to the following criteria:

- a. Non-exempt Staff: Upon the recommendation of the Director of Business Affairs and the General Presbyter to the Personnel Committee for action.
- b. Exempt Staff: Changes in compensation for exempt staff persons must be approved by Presbytery (for PCUSA clergy) or the Leadership Council (for other exempt positions) before implementation.

IV. PERFORMANCE REVIEWS

Annual Review and Evaluation of All Staff: The Personnel Committee of the Presbytery arranges for the conducting of annual reviews of all Presbytery staff.

V. LEAVE

A. Annual (Vacation) Leave

A vacation with pay is provided for eligible staff persons for rest, refreshment and relaxation. Staff persons are encouraged to take accumulated annual (vacation) leave in the year in which it is earned. However, a maximum of 10 working days earned annual leave may be carried over to the following year. Requests for use of earned leave must be approved in advance by the supervisor or Director of Business Affairs as appropriate in order that proper coverage may be arranged.

Leave is earned at the monthly accrual rate, at the end of each calendar month worked. Ordinarily, vacation leave may not be used before it has been accrued. Under certain circumstances, at the sole discretion of the General Presbyter and the Director of Business Affairs, an exception may be made.

When employment is terminated, either voluntarily or involuntarily, staff persons will be paid for any unused, accumulated annual leave.

1. Non-Exempt Staff

Non-exempt full-time staff shall accrue annual (vacation) leave as follows:

Years of Service	Days of Leave
During first year	as accrued
During years 2-4	two weeks
During years 5-9	three weeks
During years 10 and thereafter	four weeks

During the first year of service, annual leave days are accrued one per each full calendar month after the completion of the three-month orientation period. Non-exempt part-time staff who are eligible shall accrue prorated annual (vacation) leave based on the regular days/hours worked and the above delineated schedule. Rates of vacation accrual are adjusted on an annual basis.

2. Exempt Staff

Exempt staff shall be entitled to four weeks of annual (vacation) leave each year (20 workdays). During the first year of service, annual leave days are accrued two per month, for each full calendar month, to a maximum of four weeks.

B. Sick Leave

Sick leave is defined as time off required by an employee due to his or her own illness or injury, the illness or injury of an immediate family member (parent, spouse, child or *in loco parentis* relationship), his or her own medical or dental treatment or the medical or dental treatment of an immediate family member. The use of sick leave to care for anyone beyond the immediate family as defined above would require the approval of both the General Presbyter and the Chair of the Personnel Committee. Sick leave is not to be used as additional vacation time. Abuse of sick leave is grounds for disciplinary action, up to and including discharge from employment.

1. Exempt and Non-Exempt

Full-time staff persons are entitled to 12 working days of paid sick leave for each calendar year, earned at the rate of one day for each month of employment as completed, cumulative up to 90 days. At the time of termination of employment (either voluntary or involuntary), a staff person shall have no claim for pay in lieu of unused sick leave.

2. Part-time Staff Persons

The amount of sick leave shall be pro-rated based on the regular days worked.

If an employee uses more than the sick leave accrued and is not eligible for and able to apply either unpaid family leave or unpaid medical leave to his or her absence from employment, the employee will apply the time off to accrued vacation. If accrued vacation is unavailable, the employee will take leave without pay. The Presbytery reserves the right to request a physician's certificate or other proof of illness from an employee for an absence of three consecutive days or more.

C. Study Leave

All staff persons are encouraged to take advantage of opportunities for continuing education through seminars, classes or other events which would directly enhance their job performance.

The specific events, the amount of time, the timing, and the availability of funds shall be determined by consultation between the staff person, their immediate supervisor, the Director of Business Affairs, and the General Presbyter.

1. Study Leave for Exempt Staff

- a. All exempt staff shall be granted study leave of at least two weeks per year (10 workdays). The Personnel Committee may approve in advance additional time at its sole discretion.
- b. A minimum study leave allowance shall be provided each year in the same amount as that provided in the Presbytery-approved Compensation and Benefits Policy for Pastors and Associates. Additional funds may be granted by the Personnel Committee.
- c. Study leave time and allowance may be accumulated to a maximum of six weeks (30 workdays) with approval of the Personnel Committee.
- d. Study leave for the first year of employment is pro-rated based on employment date. Thereafter, study leave is granted based on calendar year.

2. Study Leave for Non-Exempt Staff

Non-exempt staff may be granted study leave on certain conditions as approved by the General Presbyter, the Director of Business Affairs, and his/her immediate supervisor. Both time and funds shall be provided.

D. Sabbatical Leave for Exempt Staff

After six years of continuous service on the staff of the Presbytery, a sabbatical leave shall be provided at full pay, but without additional allowance for expenses. The recommended length of sabbatical leave is three months. Up to a total of four weeks of accrued vacation time and/or study leave may be added to the sabbatical leave with prior approval of the Personnel Committee and in conformance with the Committee on Ministry policies.

E. Leave of Absence with Pay

Leaves of absence, with pay, are provided for exempt and non-exempt staff under the following circumstances with approval by the General Presbyter or Director of Business Affairs as appropriate. Leave time will be prorated for eligible part-time and temporary staff based on usual days worked.

1. For a regular training period of the U.S. Armed Forces (up to two weeks annually)
2. For jury duty (as required)
3. For marriage of a staff person who has been employed by the Presbytery for 90 days or longer (up to three days)
4. For personal or family emergencies which cannot be handled outside of regular working hours (up to three days annually)
5. For a death in the immediate family (up to three days)

When possible, requests for such leave should be made well in advance, initiating with the immediate supervisor and the concurrence of the Director of Business Affairs. In general, such leave, when approved, does not affect the amount or use of the staff person's earned Annual Leave. When a staff person receives compensation for jury duty or for U.S. Armed Forces training duty, his/her wages from the Presbytery for the same period will be reduced by the amount of that compensation.

F. Leave of Absence without Pay

Leaves of absence without pay are provided under certain extenuating conditions with approval of the General Presbyter in consultation with the Personnel Committee and the Director of Business Affairs where appropriate.

G. Family Leave

Family leave may be granted to a staff person who has had at least one year of continuous employment by the Presbytery, for the period immediately preceding and following the arrival (birth, adoption or guardianship) of a child:

1. The staff person should apply for the leave at least one month prior to the beginning of the leave, specifying the amount of leave time desired.
2. The leave can be for up to six months at the sole discretion of the General Presbyter. The leave may include a period in advance of the expected arrival of the child, and leave time may be taken after the child has arrived.
3. The first two months of family leave will be at 75 percent of the staff person's pay. Alternatively, staff persons may choose to take the first three months at 60 percent of their pay. Any approved leave beyond the reimbursement period will be leave without pay.
4. Accrued paid leave must first be used and substituted for that portion of the leave.
5. Benefit coverage (except vacation and sick leave accrual) and service credit will continue during the entire leave. Noncontributory health insurance will continue to be provided by the Presbytery. Contributory coverages will only continue, provided the employee makes direct payments.
6. If both parents are employed by the Presbytery, only one family leave can be granted. However, leave may be shared by the two parents.
7. Upon return to duty, every effort will be made to place the staff person in an equivalent position if it is not possible to hold open the identical position.
8. Any cost of living adjustment to salary for which the staff person may become eligible in the course of the leave will be effective on return to employment.

H. Disability Leave

Disability leave is considered to be temporary separation due to physical or mental inability to function on the job. The decision to grant disability leave shall be made by the Personnel Committee in consultation with the General Presbyter. It shall be based upon the recommendation of a physician(s). During the first three months, the staff person shall receive full salary and if applicable, housing. After three months, all disability coverage must be arranged through the Board of Pensions. After six months, the staff person must return to work, retire or

terminate employment without further compensation. Any disability coverage from Board of Pensions continues at its determination.

VI. TERMINATION AND SEPARATION

All conditions for separation for installed clergy shall be compatible with the provisions of the Book of Order. All matters regarding staff separation shall be documented in writing by the General Presbyter with copies to the Personnel Committee. The reasons for termination shall be furnished in detail. All records regarding the proposed discharge of a Presbytery staff person shall be treated with strictest confidentiality.

Separation shall be without discrimination based on race, color, sex, national origin, age, disability, marital status, sexual orientation, ordination status, or appearance.

A. Separation - Exempt Staff

1. Resignation

Voluntary separation (resignation) may take place after written notice to the General Presbyter with copies to the Personnel Committee. The staff person is requested to give at least one month's notice in writing. Resigning staff persons will be paid the cash equivalent of their unused earned annual leave as of the official date of separation. No payment will be made for unused sick, study or sabbatical leave.

2. Reorganization or Reduction in Force

Separation because of the discontinuance of a project, reorganization reduction in budget or personnel, or for other circumstances arising out of no fault of the staff person, is at the sole discretion of the Presbytery. The Committee on Ministry is authorized to act on the Presbytery's behalf upon Leadership Council recommendation in regard to PCUSA clergy in exempt positions. The Leadership Council is authorized to act on the Presbytery's behalf for all other exempt staff. Written notice of such separation will come from the Leadership Council after consultation with the Personnel Committee. Six-month's notice or pay in lieu of notice will be given. Should re-employment by the Presbytery take place before the expiration of the notice period, salary payment for the terminated position will continue only to the actual date when re-employment is achieved.

3. Suspension

The General Presbyter may order suspension of a staff person (with pay) after obtaining concurrence by the Personnel Committee Chair.

As soon as feasible following the notice of suspension, an investigation of the facts that led to the suspension shall be conducted under the aegis of the Personnel Committee. The Personnel Committee shall notify the

suspended person of the right to appear before the Leadership Council or representative thereof, with or without advocate, in order to provide the Leadership Council with facts and to defend his/her position.

Within three weeks of the original date of suspension, the Leadership Council shall issue a decision either extending the suspension, reinstating the suspended person, or terminating the suspended person.

4. Discharge for Unsatisfactory Performance

Whenever the Personnel Committee determines that a staff person is not performing in a satisfactory manner, the Committee shall meet with the staff person and the General Presbyter to discuss ways to improve performance. If it is deemed appropriate, the Committee shall send a letter to the staff person, specifying the dates of a probationary period not to exceed three months, with copies to the General Presbyter indicating what was communicated to the staff person at the meeting.

At the end of the probationary period, the Personnel Committee shall conduct an interview with the staff person and the General Presbyter. If the performance is still at an unsatisfactory level, the Committee may recommend separation. For installed staff, this recommendation shall be conveyed to the Leadership Council for final decision subject to concurrence by the Presbytery through its Committee on Ministry. For exempt staff who are not installed clergy the termination date may be effective on the date of the interview, and this discussion constitutes notice of termination. For non-installed exempt staff, this recommendation shall be conveyed to the Leadership Council for final decision and does not depend upon the concurrence by the Presbytery.

Salary and benefit continuation may be negotiated but shall not exceed six months, or one month per year of employment, whichever is less, and the cash equivalent of all unused earned annual leave. Study, sick or sabbatical leave will not be granted as part of a severance agreement.

5. Discharge for Other Causes

Separation for other causes shall include, but is not limited to:

- a. Reporting to work or carrying out any of the duties of employment with illegal drugs in your body, under the influence of alcohol or under influences of prescription drugs that have been abused.
- b. Theft, misappropriation, or unauthorized removal of the Presbytery's or another employee's property.
- c. Willful misconduct or conduct which might endanger any other person.

- d. Immoral or indecent conduct.
- e. Physical violence, threats of violence or provocation of violence, including assault or battery, or insulting, abusive, obscene or intimidating language.
- f. Unauthorized possession of firearms or other dangerous weapons during working hours or on the Presbytery's premises.
- g. Violation of the Presbytery's harassment policies.
- h. Failure to cooperate with or giving false or misleading information in an official investigation.
- i. Gambling during working hours or on the Presbytery's premises.
- j. Falsification of employment information, academic records or other credentials upon which the decision to employ was based, or of time records, including falsification of the employee's own or another employee's time records or any record upon which an action of the Presbytery was based.
- k. Willful misuse, damage, or destruction of the Presbytery property, supplies, equipment, etc.
- l. Malicious gossip, interfering with another employee on the job or willfully restricting work production or encouraging others to do the same.
- m. Willful or reckless violation of the Presbytery's confidentiality rules or other rules governing the Covenant business.
- n. Habitual or excessive absenteeism or tardiness.
- o. Insubordination
- p. Loafing or sleeping on the job.
- q. Use of Presbytery time for personal business.
- r. Failure to adhere to the rules of operation and conduct established by the Presbytery, including, but not limited to those employment policies that may be established from time to time.
- s. Any other conduct that may be inconsistent with the best interests of the Presbytery or any of its employees.

The above list is not intended to be all-inclusive. The Presbytery reserves the right to discharge any employee without notice on other grounds, if, in

the judgment of the General Presbyter or Personnel Committee, the quality or efficiency of the Presbytery's business is being impaired.

Separation may be effected by the General Presbyter with concurrence of the Personnel Committee and the Leadership Council. Presbytery's concurrence through the Committee on Ministry is required when the person is installed clergy. No severance pay, or payment for unused study leave or sabbatical leave will be allowed. In all instances, such cause must be clearly documented

B. Separation - Non-Exempt Staff

An employee's relationship with the Presbytery is a result of the employee's voluntary decision to seek employment with the Presbytery. The Personnel Committee of the Presbytery is authorized to make binding decisions on matters involving non-exempt staff on behalf of the presbytery. No employee is employed for any specific term or duration or pursuant to any contract of employment. The employee has the right to sever the employment relationship with the Presbytery at any time and for any reason. Similarly, the employment of an employee can be terminated at the discretion of the Presbytery with or without cause at any time. The Presbytery has established certain rules and regulations for the guidance of employees. To prevent any misunderstanding, please remember that the following violations of the Presbytery's rules listed below and other actions may, at the exclusive discretion of the Presbytery, result in disciplinary action ranging from a warning to employment termination. The Presbytery recognizes the following forms of termination:

1. Resignation

The Presbytery Personnel Committee shall accept, without prejudice, any written notice of resignation submitted by a staff person for any stated reason. Two week's advance notice is requested to complete separation procedures. Resigning staff persons will be paid the cash equivalent of their unused and accrued annual leave as of the official date of separation. The staff person will not be paid for accumulated, unused sick leave.

2. Reorganization or Reduction in Force

If termination is caused by reorganization or a position being abolished, the Presbytery Personnel Committee shall give the staff person, if possible, a separation notice of at least three weeks and shall pay the staff person unused, accrued leave plus severance pay. Severance pay under the circumstances shall amount to one week of salary for each full year of service up to a maximum of twelve weeks.

3. Discharge

Discharge is a termination initiated by the Presbytery Personnel Committee in which the employee is not eligible for rehire. An employee

may be discharged for any one or more of numerous offenses without prior notice or warning. The following are examples:

- a. Reporting to work or carrying out any of the duties of employment with illegal drugs in your body, under the influence of alcohol or under influences of prescription drugs that have been abused.
- b. Theft, misappropriation, or unauthorized removal of the Presbytery's or another employee's property.
- c. Willful misconduct or conduct which might endanger any other person.
- d. Immoral or indecent conduct.
- e. Physical violence, threats of violence, or provocation of violence, including assault or battery, or insulting, abusive, obscene, or intimidating language.
- f. Unauthorized possession of firearms or other dangerous weapons during working hours or on the Presbytery's premises.
- g. Violation of the Presbytery's harassment policies.
- h. Failure to cooperate with or giving false or misleading information in an official investigation.
- i. Gambling during working hours or on the Presbytery's premises.
- j. Falsification of employment information, academic records or other credentials upon which the decision to employ was based, or of time records, including falsification of the employee's own or another employee's time records or any record upon which an action of the Presbytery is based.
- k. Willful misuse, damage or destruction of the Presbytery property, supplies, equipment, etc.
- l. Malicious gossip, interfering with another employee on the job or willfully restricting work production or encouraging others to do the same.
- m. Willful or reckless violation of the Presbytery's confidentiality rules or other rules governing the Covenant business.
- n. Habitual or excessive absenteeism or tardiness.
- o. Absence or leaving work area or Presbytery premises without reporting to employee's supervisor or the Director of Business

Affairs or failure to submit a doctor's statement after absence of 3 consecutive days or more due to illness or injury.

- p. Failure to perform duties as assigned.
- q. Insubordination
- r. Loafing or sleeping on the job.
- s. Failure to observe time limits for breaks and lunch periods.
- t. Violation of the smoking policy.
- u. Use of Presbytery time for personal business.
- v. Failure to adhere to the rules of operation and conduct established by the Presbytery, including, but not limited to those employment policies that may be established from time to time.
- w. Any other conduct that may be inconsistent with the best interests of Presbytery or any of its employees.

The above list is not intended to be all-inclusive. The Presbytery reserves the right to discharge any employee without notice on other grounds if, in the judgment of the General Presbyter or Personnel Committee, the quality or efficiency of the Presbytery's business is being impaired.

C. Separation Clearance Procedures

Employees desiring to terminate their employment with the Presbytery are requested to give at least two weeks' notice, in writing, to the Director of Business Affairs.

It is necessary to complete the entire separation clearance procedure which has been established to ensure all Presbytery property has been returned and all obligations are fulfilled before an employee's final paycheck is released.

On the employee's last day, the Director of Business Affairs will conduct an exit interview. The employee will be informed of rights to continue medical insurance with the Presbytery under COBRA. At that time the employee may make any comments regarding their job or their supervisor or the Presbytery in general. The employee's comments, based on their first hand experience, can be extremely helpful and to the extent possible will be kept confidential. During the exit interview, the employee is required to return all keys and Presbytery property.

All employees are entitled to payment for hours worked and any accrued and unused vacation. The Presbytery does not pay for accumulated, unused sick leave.

D. Release of Employee Information

Absent specific written authorization, the Presbytery will release only information concerning an employee's dates of employment and job title. Requests for other information will be honored only if accompanied by the employee's written authorization to release such information that also releases the Presbytery from liability. All requests for employee information should be referred to the General Presbyter to assure that the appropriate releases are signed and only documented information is released.

VII. CONDUCT

National Capital Presbytery is the professional office and headquarters for Presbyterian churches in the surrounding metropolitan area. Presbytery staff persons are, in effect, representing the Presbytery and are therefore expected to reflect this in their personal dress and behavior within the office.

In the course of performing their job duties, the Presbytery's employees may have access to highly sensitive and confidential or proprietary business information. All employees must pledge their best efforts and diligence to protect such information.

At no time will an employee disclose, directly or indirectly, confidential or proprietary information regarding the business of the Presbytery. This shall include but not be limited to business and personnel policies, compensation and benefits, data, financial information, mailing lists, telephone directories, or rosters or biographical employee information.

In addition, much information of a personal and confidential nature relating to clergy is necessarily on file in the offices. All such information is strictly confidential; no staff person is to confirm, deny, or discuss anything pertaining to these confidential records. Failure to comply could involve the Presbytery in civil court and is grounds for dismissal of the staff person(s) responsible.

An employee who terminates his or her employment with the Presbytery may not copy or subsequently use or disclose, directly or indirectly, any confidential or proprietary information acquired during his or her employment. All documents and other materials relating, directly or indirectly, to any confidential or proprietary information that is used, prepared, or learned by employees during their employment with the Presbytery are, and shall remain, the sole and exclusive property of the Presbytery, and must be returned (together with any copies that may have been made) at the termination of employment.

- A. Subpoenas or other formal requests for information about the business or activities of the Presbytery must immediately be directed to the General Presbyter. Except as otherwise provided by law, employees may not respond to any such subpoenas or requests without the express written authorization of the General Presbyter. An employee who discloses confidential and proprietary information in violation of the policy will be subject to disciplinary action, up to and including

termination of employment, even if the employee does not actually benefit from the disclosure.

B. Privacy Guidelines

All personnel and employment information shall be kept secure and access thereto shall be controlled. Data in an individual's personnel file shall be released outside the Courts of the Church only under court order or subpoena or when the person has given written consent. When such information is released as a result of a court order or subpoena, the staff person shall be notified prior to the release of the information.

All staff persons have the right to review their own individual files during regular office hours.

C. Sexual Misconduct

All staff persons are subject to National Capital Presbytery's Sexual Misconduct Policy and the Presbytery Ethics Policy.

VIII. MANAGEMENT POLICIES

Non-exempt staff persons are generally responsible to the General Presbyter through the Director of Business Affairs. At any time an individual may ask to see the General Presbyter as well as request an opportunity to meet with the Personnel Committee.

A. Safety

Presbytery staff persons are directed to alert the Director of Business Affairs to any situations that present safety hazards. Should an accident occur during working hours, please report it immediately. Minimum first aid supplies are available. All possible precautions should be taken to avoid creating dangerous work situations.

Staff persons are reminded to learn where the fire extinguishers are located as well as to become familiar with the closest exits in case of emergency.

B. Personal Use of Office Equipment

Use of Presbytery office equipment for personal needs is permitted within reasonable limits, and in the case of copying machines, with the payment of the charge as determined by the Director of Business Affairs. Use of the postage metering machine for personal mail is regulated by the U.S. Post Office and is not authorized.

C. Personal Telephone Calls

The Presbytery is a business office and as such, staff persons are asked to limit their use of the phones for personal calls, not to exceed five minutes. Excessive usage of any line for prolonged and/or numerous personal calls will be monitored.

D. Computer Security

The Presbytery operates a fully integrated, networked computer system that contains virtually all the information necessary to the business of the Presbytery.

It is vitally important that this computer system be “up and running” at all times. Since diskettes from outside sources may contain computer viruses that have the capability of destroying all or a significant part of the information stored in the computer, only those diskettes that have been screened in advance by the Director of Business Affairs may be placed on the system.

E. Reproduction of Software

According to U.S. copyright law, illegal reproduction of software can be subject to civil damages and criminal penalties, including fines and imprisonment. The Presbytery does not condone the illegal duplication, acquisition, or use of software. Staff persons who make, acquire or use unauthorized copies of computer software shall be disciplined as appropriate under the circumstances. Such discipline may include discharge from employment.

F. Internet Access

Internet access is provided as a business tool to enhance communication with churches and individuals. Access to the world-wide-web (www) and e-mail should not be used for excessive personal or other non-business related communication or activities. The employer has the right to monitor email and computer files.

G. Computer games are not permitted during working hours.

H. E-mail and Voice Mail

The contents of any employee’s computer as well as messages on voice mail are the sole property of the Presbytery. The Presbytery may override any individual passwords and/or codes or require employees to disclose any passwords and/or codes to facilitate access. E-mail and voice mail are intended to be used for business purposes only and any other use by any employee may subject the employee to discipline up to and including termination. Additionally, downloading, distributing, or sending obscene materials is strictly prohibited and will result in disciplinary action, up to and including termination. Policies regarding courtesy, solicitation, and harassment all apply to use of e-mail and voice mail. Any communication via e-mail or voice mail that may constitute

verbal abuse, slander, or defamation or may be considered offensive, harassing, vulgar, obscene, or threatening is prohibited. Employees should not expect that e-mail or voice mail is confidential or private; however, employees should not attempt to use another employee's e-mail or voice mail without their permission.

I. Service on Presbytery Committees

Exempt and non-exempt staff members may be asked to serve as ex-officio resource staff to one or more Presbytery committees. Staff members may not serve as active members of any Presbytery committees.

J. Policy for Snow and/or Inclement Weather

In general, the Presbytery will follow the policy implemented by the Federal Government. These policies are announced over many local radio and television stations early in the morning. The Presbytery office will be closed when Federal offices close. The Presbytery will also follow guidelines when "liberal leave policies" for Federal employees are announced.

K. Smoking Policy

The National Capital Presbytery office is a smoke free environment. Smoking is not permitted anywhere in the office.

L. Substance Free Workplace

The Presbytery has a responsibility to provide a safe environment for its staff members of the general public and to promote the safe performance of duties by its staff when outside Presbytery premises. The Presbytery is committed to establishing and maintaining a substance free workplace. The abuse of alcohol or prescription drugs and the use of illegal drugs on the Presbytery property or while carrying out the work of the Presbytery will not be tolerated.

Under no circumstances shall any employee report for duty or carry out any of the responsibilities of his or her employment with the Presbytery while he or she has any illegal drug in his or her system or is impaired by any prescription drug or alcohol. Employees are prohibited from the unauthorized manufacture, use, possession, transfer distribution, or sale of alcohol or controlled substances at any time on the Presbytery's premises or while carrying out the duties of their employment with the Presbytery. Employees are similarly prohibited from the misuse or abuse of prescription drugs. Except as may otherwise be required by applicable local or federal law concerning persons with an illness, disability, or handicap, violation of this policy will result in disciplinary action up to and including immediate discharge from employment.