

**PRESBYTERY OF BOSTON
PERSONNEL POLICIES AND PROCEDURES**

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Section 1 – Introduction and Purpose

The Presbytery of Boston is a council of the Presbyterian Church (U.S.A.). As such it is a community of faith that exists to help further the work of Jesus Christ in the world by supporting the ministries of its member churches and coordinating the mission of the Presbyterian Church (U.S.A.) (hereafter known as the PCUSA) in the Boston area. The Presbytery of Boston is a legal corporation under the laws of the Commonwealth of Massachusetts and is certified tax-exempt under Section 501(c)(3) of the Internal Revenue Code. The Presbytery is committed to Equal Opportunity and Fair Employment practices in keeping with the standards of the PCUSA and the Commonwealth of Massachusetts.

The personnel policies and procedures outlined in this manual are designed to create a fair and pleasant work environment for those who are compensated Presbytery officers and salaried staff, to enable them to work efficiently and effectively, and to foster good working relationships within the Presbytery. The policies that follow are designed to convey the Presbytery’s responsibility to provide consistent, specific, and well-defined employment practices, and employees’ responsibility to perform their agreed-to tasks well.

No manual can cover every situation and concern. As new or complicated issues may arise, compensated officers of the Presbytery and staff employees are encouraged to seek out guidance from the Presbytery’s Personnel Committee. In turn, the Personnel Committee may recommend revisions to this manual for Presbytery approval.

Section 2 – Employment at Will

Either the Presbytery or the employee may terminate the employment relationship at any time, with or without cause, with or without notice. This at-will employment relationship exists regardless of any other written statements or policies contained in this document or any other Presbytery documents or verbal statements to the contrary. The plans, policies, and procedures described in this document are not intended to create an employment contract or a guarantee or promise of employment or continuing employment.

Section 3 – Personnel Committee and Hiring

The makeup of the Personnel Committee is defined in the bylaws of the Presbytery. The Presbytery determines personnel policies based upon recommendation of the Personnel Committee. The Personnel Committee is responsible to the Presbytery for implementation and application of these policies with all staff. This responsibility may be shared if there is a designated head of staff or staff supervisor, who will work in coordination with the Personnel Committee. All staff should be made aware of the person or group who will serve as their supervisor.

With the exception of those staff members who are elected directly by the Presbytery, all employees of the Presbytery shall normally be hired by the Council, using the general practices of advertising, interviewing, testing of skill, background and credit checks within the guidelines of the Presbytery, including its EEO policy. An executive staff member will normally approve hiring of non-exempt staff. (See Section 5 for definition.)

Relocation Expense – Whenever an exempt employee is required to move to carry out the responsibilities of their work, the Presbytery will consider paying for a portion of costs related to the move, such as packing and moving expenses. Arrangements for any payment of moving expenses should be a part of the negotiated employment agreement.

Section 4 – Staffing Categories – Exempt and Non-Exempt

Exempt - Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and who are exempt from minimum wage and overtime pay requirements. Exempt employees are expected to work the hours required to meet their work responsibilities.

Employees classified as an exempt (or salaried) will be paid on a salary basis. This means that salary is a predetermined amount that does not vary based on the quantity or quality of work performed in a given pay period. Certain deductions, however, may be withheld from the salary of exempt employees. These include (but are not limited to) deductions for:

1. Social Security,
2. Federal, state and local taxes,
3. Participation in Presbytery-sponsored benefit and retirement plans,
4. Absences from work for one or more full days for personal reasons, other than sickness or disability, where an employee has exhausted their paid personal or vacation leave benefits,
5. Absences from work for one or more full days because of sickness or disability (including work-related accidents), taken either before an employee has become eligible for sick leave benefits or after an employee has exhausted their paid sick leave benefits,

6. Unpaid disciplinary suspensions of one or more full days imposed on exempt employees in good faith for infractions of workplace conduct rules, including violations of the Presbytery's policies on falsification of information, equal employment opportunity, workplace harassment and discrimination, drugs and alcohol in the workplace, and the employee conduct and work rules contained in this document, and
7. Full or partial days not worked during the initial or terminal week of employment.

Deductions from exempt employees' salary may not be made for absences from work caused by the Presbytery or by the Presbytery's operating requirements if the employees are ready, willing and able to work, nor for any other reasons prohibited by federal or state law.

Non-Exempt – Employees whose positions do not meet FLSA and state exemption tests and who are paid a multiple of their regular rate of pay for overtime hours worked.

Section 5 – Staffing Pattern

The legal corporate employer of Presbytery staff is the Presbytery of Boston.

Elected Staff – A stated clerk will be elected as an officer in accordance with the procedures outlined in the Presbytery bylaws and section G.3-0104 the Book of Order of the PCUSA. A treasurer will be elected in accordance with the procedures outlined in the Presbytery bylaws. Any Executive Staff Member shall be elected in accordance with the bylaws of the Presbytery and section G-3-0110 of the Book of Order of the PCUSA, with the search normally conducted by a Presbytery-elected committee.

Elected staff are normally considered exempt and may be full-time or part-time.

Regular Full-time Employees – Employees hired by the Presbytery to work a regular schedule of 40 hours or more per week shall be considered regular full-time employees. Regular full-time employees may be exempt or non-exempt and are eligible for all employment benefits offered by the Presbytery.

Regular Part-time Employees – Employees hired by the Presbytery to work a regular schedule of less than 40 hours per week shall be considered regular part-time employees. Regular part-time employees may be exempt or non-exempt and may be eligible for certain employment benefits offered by the Presbytery, which will be outlined in their employment agreement.

Temporary Employees - Employees who are scheduled to work on a specific need of the Presbytery. Temporary employees are non-exempt and are not eligible for any benefits unless specifically authorized in writing.

Section 6 – Employee Commitments, Responsibilities, Guidelines

Nepotism – Care is to be exercised in the employment and assignment of individuals who are relatives of people in the Presbytery's employ. Such individuals should not be automatically denied employment. Individuals shall not be hired by or through undue influence or involvement of relatives, and they shall not be assigned to a position where a relative is in a position to unduly influence an employee's salary, promotion, or other aspects of the personnel policies. It is the obligation of an employee's or potential employee's relative to recuse themselves as necessary to honor this policy provision.

Close relatives are defined as spouses, domestic partners, parents, parents-in-law, grandparents, children, children-in-law, siblings, siblings-in-law, uncles, aunts, nephews, nieces, step relatives, cousins, and domestic partner relatives.

Immigration Compliance - The Presbytery is committed to employing only United States citizens and non-citizens authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, as amended, each new employee, as a condition of employment, must timely complete the appropriate documents, which includes completion of an Employment Eligibility Verification Form I-9 and requires current documentation establishing an employee's identity and employment eligibility. Employees who fail to complete this form and produce the necessary documentation in the manner and time required by law will be subject to immediate termination of employment.

Personnel Data Changes - It is the responsibility of each employee to promptly notify the supervisor of any changes in personnel data that may affect employee benefits and/or payroll arrangements. Information that should be kept current includes, but is not limited to, personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, and insurance beneficiaries.

Falsification of Information - The Presbytery relies upon the accuracy of the information contained in employment applications, as well as the accuracy of other data presented throughout the hiring process and during employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in the Presbytery's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Conflicts of Interest - Employees are expected to refrain from engaging in any activity that may conflict with their status as a Presbytery employee. This includes the use of one's position with the Presbytery for personal profit, advantage, or entering into transactions or relationships where it may appear that there is a conflict of interest.

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

When employees discover they may be in a position of conflict of interest, that conflict of interest must be reported to their supervisor immediately.

Attendance - The efficient management of the Presbytery is dependent upon each employee conscientiously working on an established weekly schedule, normally including designated office hours set in conjunction with the Personnel Committee. When the Presbytery does not have a physical office, the Personnel Committee may request an employee to set a schedule of available hours. Absences, illnesses, and tardiness must be reported to the supervisor as soon as possible. If an employee is ill or unavailable, an email 'out of office' message should be used.

Repeated or excessive absences or tardiness or a pattern of absences or tardiness are considered unacceptable job performance, regardless of whether the absences or tardiness is excused or unexcused. Failure to report to work for 3 consecutive scheduled work days without appropriate

notification is considered job abandonment and will be considered a voluntary resignation. Documentation may be requested to substantiate one's absence or tardiness.

Confidentiality - It is the responsibility of all Presbytery employees to safeguard sensitive Presbytery information. Employees who are in doubt about confidentiality or proprietary information should refer their questions to the chair of the Personnel Committee. Any improper transfer of material or disclosure of confidential information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible discharge and legal action.

Computer Use/Internet Access – Electronic communication systems, including email, Internet access, voice mail, facsimile, and all information transmitted by, received through, or stored in the Presbytery systems, are the property of the Presbytery, and as such are to be used solely for job-related purposes.

The Presbytery Internet and email access may not be used for transmitting, retrieving, or storing any communications of a discriminatory, or harassing nature or obscene materials. No messages with remarks in violation of our EEO policies may be transmitted.

Employees are not to copy licensed computer software, and shall respect all copyrights and may not copy, retrieve, modify, or forward copyrighted materials, except with permission or as a single copy to reference only.

Employees will refrain from using the Presbytery's email and other accounts for personal use. The Presbytery reserves the rights to review, audit, intercept, access, and disclose all messages created, received, or sent via the Presbytery's electronic or other communications means.

Social Media - By utilizing social media via the Presbytery's technology, employees are providing us with access to their social media and agree that they have no reasonable expectation of privacy in the contents of their social media. In addition, the Presbytery may review materials that may be on their social media, including tweets, email communications, PDF files, and pictures that are sent to or reviewed by them.

When utilizing social media sites, it is expected one will comply at all times with all Presbytery policies and practices.

Social Media is not the appropriate venue for voicing complaints about the Presbytery or particular colleagues that could be resolved more constructively through the appropriate channels consistent with the Presbytery's commitment to maintain a diverse and safe workplace.

Any posting to an on-line forum using an official Presbytery email address or providing a Presbytery telephone number or extension, or having a link from a Presbytery website must be posted within the guidelines of the Presbytery's policies and practices. Links to personal pages such as blogs, social media profiles, etc. must also be in accordance with Presbytery policies and practices. If unsure about whether a message/post may violate a law or Presbytery policy, an employee should speak to their supervisor prior to making the post.

Section 7 – Discrimination, Harassment, Sexual Harassment, Misconduct, Whistleblower Policies

The Presbytery of Boston is firmly committed to maintaining an environment that is free from all forms of workplace discrimination, harassment, and retaliation. The Presbytery prohibits

harassment, discrimination, and retaliation by or against employees, interns, representatives, vendors, contractors, and all other persons doing business with or for the Presbytery.

Discrimination - Discrimination is the treatment of an individual based on that individual's protected trait. Protected traits include sex, race, ancestry, ethnic group identification, ethnic background, traits historically associated with race, color, religion, national origin, citizenship, age, creed, disability, veteran status, marital status, familial status, military status, domestic violence victim status, sexual orientation or gender identity and expression, reproductive health decision making, predisposing genetic characteristics/genetic information or carrier status, or any other category protected by applicable federal, state, or local law. Differences in treatment are not discrimination under this policy where those differences are permitted or required by law.

Harassment – Harassment is abuse; intimidation; threats; coercion; assault; inferior terms, conditions, or privileges of employment; and/or other unwelcome conduct or actions related to an individual's protected trait. Harassment includes verbal, visual, or physical conduct directed at an individual because of their protected trait, including: unwanted physical contact; use of epithets, inappropriate jokes, comments or innuendos; obscene or harassing telephone calls, e-mails, letters, notes or other forms of communications; and any other unwelcome conduct.

Sexual Harassment – The Presbytery's Sexual Misconduct Policy will apply to and is to be signed by all employees.

Addressing Discrimination, Harassment, and Retaliation – Discrimination, harassment, or retaliation may not occur in the performance of the Presbytery's business, at Presbytery-sponsored events, or on Presbytery property. Discrimination, harassment, and retaliation are also prohibited in off-duty conduct between individuals who work together on Presbytery business. Employees and nonemployees (e.g., vendors, contractors) aware of possible violations of this policy must promptly report that information to the Presbytery as noted below:

1. Discuss concerns with the individual engaging in the objectionable conduct. Individuals are encouraged (but not required) to first attempt to resolve the situation independently by notifying the party engaged in the objectionable conduct that their actions are unwelcome and asking it to stop.
2. Report objectionable behavior to the Presbytery. If the individual does not feel comfortable discussing their concerns with the individual engaged in the objectionable conduct or has already done so and the discrimination, harassment, and/or retaliation persists, the individual must promptly notify the Chair of the Personnel Committee.
3. The Presbytery takes reports about discrimination, harassment, and retaliation very seriously and will ensure a prompt investigation of such reports (whether verbal or written). Individuals will generally be required to provide names of witnesses, substantiating documentation (notes, emails, etc.), and any other relevant information to facilitate the investigation. Employees are required to participate fully in investigations under this procedure and to provide truthful and complete information. The Presbytery will notify the individual who reported of the final determination and shall similarly notify the individual(s) about whom the report was made (where feasible). Additionally, the Presbytery will implement any corrective actions to be taken in response to the investigation findings.

4. **Statement on Confidentiality.** Information gathered during any investigation into alleged instances of discrimination, harassment, or retaliation will be handled discreetly. In some instances, however, it may be necessary to disclose information in order to conduct a thorough investigation. The Presbytery will take steps to ensure that confidentiality is maintained, where practicable.

All individuals are expected to comply with this policy, to take appropriate measures to ensure that prohibited conduct does not occur and to report any suspected policy violations. An individual's obligations under this policy include reporting any violations witnessed by the employee, regardless of whether the employee was the victim or target of the offending conduct. The Presbytery will take appropriate disciplinary action against any employee who violates this policy and appropriate corrective action in connection with any non-employee who violates this policy. Based upon the seriousness of the offense, disciplinary action may include verbal or written counseling, suspension, or termination of employment.

Whistleblower Policy – The Presbytery complies with applicable laws and government standards by requiring all employees to report suspected fraud or abuse and ensuring that all reports are handled appropriately and employees filing such reports in good faith are not subject to retaliation. It is the responsibility of all employees to report observed or suspected fraud, abuse or other improper activity relating to the operation of the Presbytery. For purposes of this policy:

1. Fraud means any type of intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to themselves or to the Presbytery or another person.
2. Abuse means practices that are inconsistent with sound fiscal or business practices and/or result in an unnecessary cost to the Presbytery.

Employees have several options for reporting concerns of fraudulent, abusive or other improper conduct. Employees may file reports with the Personnel Committee or through the Presbytery's moderator. Depending on the severity of the issue, organizational structure and lines may be ignored.

All reports must be received in writing. Employees may file reports anonymously by mailing a letter, either through interoffice mail or through the US Postal Service, to the attention of any of the above. E-mail messages are also acceptable. Every effort will be made to protect the reporter's identity; however, all individuals should be advised that anonymity cannot be assured if an external investigation or criminal proceedings related to the report occur. Harassment or retaliation against the reporter by anyone affiliated with the Presbytery will not be tolerated.

Employees who do not comply with this policy are subject to disciplinary action. Depending on the facts and circumstances of each case, the Presbytery may reprimand or terminate any employee who fails to comply with this policy.

No individual who files a report under this policy in good faith may be subject to retaliation in any form. Retaliation is also prohibited against an employee for refusing to carry out any activity that is the subject of a report made under this policy in good faith. No employee may threaten to retaliate against another employee for filing a report. Prohibited retaliation includes, but is not limited to, terminating, suspending, demoting, failing to consider for promotion, harassing or reducing the compensation of an employee due to the employee's intended or actual filing of a report under this policy. Retaliation is prohibited even if it is determined that the allegedly improper conduct was proper or did not occur, provided that the report was made in good faith.

The Presbytery reserves the right to take disciplinary action against any employee who maliciously files a report they know to be untrue.

Any actual or threatened retaliation should be reported by the affected employee or any other employee to the Personnel Committee or the Council through the Presbytery's moderator.

Section 8 – Employer Commitments, Responsibilities, Guidelines

Equal Employment Opportunity - Equal employment opportunity and non-discrimination are fundamental principles of the Presbytery. All entities will be regulated by the *Book of Order*, the policies of the General Assembly, and applicable federal and state laws, regulations and executive orders related to equal opportunity in employment.

The Presbytery is committed to equal opportunity and non-discrimination in employment for all qualified persons without regard to race, ethnicity, color, religion (except where this category is determined to be a bona fide occupational qualification), sex, age, national origin, citizenship, marital status, pregnancy, medical condition, disability, sexual orientation, gender identity or expression, military/veteran status, genetic characteristics//information/predisposition or “carrier” status, domestic violence victim status, ancestry, ethnic group identification, ethnic background, traits historically associated with race, color, creed, reproductive health decision making, or any other category protected by applicable federal, state, or local law.

These guiding principles of equal employment opportunity and non-discrimination apply to all employment policies and procedures, including recruitment and hiring, placement, promotion, layoff, recall, transfer, leaves of absence, training, compensation, benefits, separation of employment and all other terms and conditions of employment. Qualified members of all groups are encouraged to apply for positions within the Presbytery according to their individual aspirations and qualifications.

Reasonable Accommodations for Disabled Employees - The Presbytery is committed to providing equal employment opportunities to qualified individuals with disabilities, individuals with qualifying pregnancy-related conditions, individuals with sincerely held religious beliefs or practices, and domestic violence victims. To that end, the Presbytery will provide reasonable accommodations to such individuals for any of the following reasons, unless doing so would result in an undue hardship to the Presbytery:

1. For qualified individuals with disabilities (physical, mental, or developmental) and individuals with qualifying pregnancy-related conditions during the application/hiring process or to perform the essential functions of their positions;
2. Based upon an individual's sincerely held religious beliefs or practices;
3. And for domestic violence victims who must be absent from work to obtain medical attention, counseling, legal services, or for other related reasons.

The Presbytery will work with an employee to develop any possible reasonable accommodations. The Presbytery retains the right to select which accommodations, if any, will be granted. Individuals may make requests for reasonable accommodation to their supervisor or Chair of the Personnel Committee.

Section 9 – Pay Practices

Housing Allowance (Clergy) –The Internal Revenue Service code provides that a minister can exclude from gross income for income tax purposes any housing allowance paid as part of

compensation to the extent that it is used for renting or providing a home. Clergy employed by the Presbytery are entitled to receive part or all of their compensation as housing allowance. The amount of the housing allowance must be set and approved each calendar year and included in the Presbytery minutes. It is the responsibility of the employee to justify the housing allowance for Internal Revenue Service purposes.

Overtime Pay – Full-time employees classified as a non-exempt (or hourly) will be paid overtime at the rate of one and one-half times their regular rate of pay for all hours worked more than 40 hours per workweek, as required by law. As a matter of policy, for any employee to work overtime, authorization must be obtained in advance from one's supervisor or the Personnel Committee.

The workload of non-exempt employees of the Presbytery may vary from week to week, depending on factors such as preparing for meetings, or planning and participating in major events such as retreats. As such, employment agreements with all non-exempt employees should be clear in regard to whether the expected number of work hours per week are a set number per week, or an average number that can vary from week to week according to the workload. This understanding will inform both overtime and compensatory time determinations.

A part-time non-exempt employee will be compensated at their regular hourly rate for hours worked beyond their regular work week unless compensatory time is granted.

Compensatory time - Exempt staff are not entitled to compensatory compensation or time, but are expected to take two days off weekly. When their work involves weekend commitments, it is understood that the days off will be during the week. Travel time to and from meetings away from the office, including air travel, is considered part of a work week.

A part-time, non-exempt employee may request compensatory time instead of compensatory pay in coordination with their supervisor. Normally, the compensatory time will be taken within the pay period in which it was earned.

Honorariums – Honorariums received for services that are considered part of an employee's regular duties shall normally be returned to the Presbytery to reimburse that employee's travel or continuing education account.

Accountable Reimbursement – All employees are entitled to compensation for expenses incurred in the performance of their duties. The Personnel Committee will ensure that each employee is aware of what expenses may be covered, depending on the nature of their work. All program expenses must be approved by the Personnel Committee or employee's supervisor in advance of incurring them.

The kinds of expenses covered will normally include:

1. Lodging and travel to and from meetings at which the staff person's presence is required. Mileage reimbursement will be in accordance with the per mile rate established annually by the IRS.
2. Other necessary expenses, such as conference costs, books, or meals.

Expenses shall be reasonable and not exceed budgeted amounts, and be documented with receipts showing the amount, date, place, and purpose of the expenses. Reimbursement requests should be made no more than 30 days after the expenses are incurred.

The employee's primary office location shall be determined in consultation with the Personnel Committee.

Error in Pay - It is our policy and practice to compensate employees accurately and to do so in compliance with all applicable state and federal laws. To ensure that employees are paid properly for all time worked and that no improper deductions are made, they must accurately record all time worked and review their paychecks promptly to identify and report all errors.

We make every effort to ensure that employees are paid correctly. Occasionally, however, mistakes and/or improper deductions may occur. Employees who believe that the Presbytery has improperly failed to pay them for overtime or who believe that their salary has been subject to improper deductions should immediately report the concern, first to the Treasurer, and if necessary, to the Personnel Committee. Any concerns regarding mistakes, improper deductions, or other pay-related issues will be promptly investigated. It is against Presbytery policy to retaliate against any employee who makes a complaint in good faith pursuant to this policy.

Employment Taxes and Voluntary Deductions - It is the policy of the Presbytery to compensate employees in compliance with the federal Fair Labor Standards Act (FLSA) and applicable state law, including but not limited to the prevailing wage provisions of the Massachusetts Labor Law, where applicable. All employees will have requisite federal and Massachusetts taxes, and Social Security withheld from their paychecks. Social security withholding does not apply to ministers on the Presbytery staff, who will receive a SECA allowance equal to fifty percent of the current tax rate. Pay stubs will reflect these and any other approved, voluntary benefit deductions or mandated garnishments.

Outside Employment - An employee may engage in outside employment or personal educational activities during non-working hours, provided they do not interfere with job performance or constitute a conflict of interest.

During a leave of absence, "non-working hours" shall include the hours that an employee would have been scheduled to work.

Section 10 – Personnel Reviews

Annual Review – It is the intention of the Personnel Committee to conduct an annual performance review and evaluation for all staff in accordance with guidelines established by the Personnel Committee. Employees are encouraged to seek regular feedback from their supervisor. Performance feedback may be considered when determining compensation, but pay increases are not guaranteed based on any specific performance feedback.

Compensation Review - Salaries and hourly pay shall be established and reviewed periodically, taking into account changes in the cost of living and changes in job responsibilities and performance level. Salary increases may be recommended by the Personnel Committee to the Presbytery. The Personnel Committee shall make its recommendations within a timeline which will enable the budgeting of adequate monies for future year budgets.

Section 11 – Benefits – Medical and Pension

The same benefits will be offered to all employee categories: clergy and non-clergy, exempt, and non-exempt, full-time and part-time, for all employees or staff working at least 20 hours per week.

Pension and medical plans are provided by the Board of Pensions of the Presbyterian Church (U.S.A.) and include provisions for retirement pensions, major medical benefits, disability income, death benefits, and optional coverage for dental benefits and retirement savings. The terms of the plan are contained in a handbook, *The Terms of The Benefits Plan of the Presbyterian Church (U.S.A.)*.

The Affiliated Plan as provided by the Board of Pensions forms the baseline for pension and medical benefits for Presbytery employees working at least 20 hours per week. In some cases, a mutually acceptable Alternate Pension and Benefits Plan may be substituted. The same benefits will be offered to all employee categories: clergy, exempt, and non-exempt, full-time and part-time, for all employees or staff working at least 20 hours per week.

Part-time employees in all categories who work less than 20 hours per week may be provided a retirement annuity payment that is commensurate with what the Board of Pensions plan offers for other employees. Any such benefit shall be stipulated in the employment agreement with such employees.

Information regarding status and eligibility of employees, exempt and non-exempt, for participation in the Board of Pensions Plan, will be provided to applicants prior to employment.

Section 12 – Benefits – Holiday, Vacation and Leave Time

Introduction – Holidays and all other categories of paid time off will be prorated for those staff working part time. Time off will be calculated based on percentage of a 40-hour work week usually worked. For example, a staff person working 20 hours per week will receive 50% paid time off, and someone working 10 hours per week will receive 25%. Thus, a full-time employee at 40 hours receives 8 hours paid holiday time for each holiday below, a part-time employee working 20 hours per week receives 4 hours paid holiday time, and a part-time employee working 10 hours per week receives 2 hours paid holiday time. This applies regardless of days or times regularly worked.

The same system of calculation applies to all other paid time off. Number of paid vacation days, sick days, personal days, etc., remains the same for full-time and part-time staff, with the number of compensated hours pro-rated based on part-time percentage.

Holidays – Currently the Presbytery observes the following holidays:

1. New Year's Day
2. Martin Luther King, Jr. Day
3. Presidents' Day
4. Good Friday
5. Patriots Day
6. Memorial Day
7. Juneteenth – June 19
8. Independence Day
9. Labor Day
10. Veterans Day
11. Thanksgiving Day
12. The day after Thanksgiving
13. Christmas Day

Saturday holidays will be observed on Friday and Sunday holidays will be observed on Monday. If a holiday falls within a vacation period, an extra day of vacation is granted.

Vacation – Vacation with pay is provided for all exempt and non-exempt employees for refreshment, relaxation, health, and work effectiveness. Vacation time is not cumulative and must be used within the employment year, except when requested of and approved by the Personnel Committee or supervisor.

In the first year of employment, and in the year of termination of employment, vacation will be prorated based on the percentage of the year worked.

Earned vacation begins on the first day of employment. Ordinarily, no earned vacation may be taken in the first 90 days of employment. During the remainder of the calendar year in which an employee begins work, available vacation time will be determined on a prorated basis. Following an employee's first 90 days of employment and the beginning of the next calendar year following one's employment date, whichever occurs latest, annual vacation shall be granted as follows:

1. Exempt. Exempt staff follow Presbytery guidelines for clergy.
2. Non-Exempt. Full-time non-exempt employees earn annual paid vacation according to the following schedule:
 - o Service from 1 to 5 years.....15 working days
 - o Service from 6 to 10 years.....20 working days
 - o Service from 11 years and over22 working days
3. Part-time, non-exempt employees who work more than 20 hours per week earn vacation days on a prorated basis.

The minimum increment of eligible vacation time to be taken is one-half day. It is expected that vacation will be taken at a time convenient to the work of the Presbytery and the employee. Family commitments may call for unique scheduling, and every effort will be made to make necessary adjustments. Ordinarily, the dates of vacation must be approved at least one month in advance by the supervisor and/or the Personnel Committee.

Sick Leave – Non-exempt employees accumulate 10 working days sick leave per year. Unused sick days do not carry over to the following year. Sick leave entitlement during the first year of employment will be prorated according to the length of employment. Absences that occur after the allowed or accumulated days of sick leave shall be without pay.

Exempt employees will follow the same formula, except that they are granted 10 days sick leave at the beginning of their employment.

Sick days may be used for personal injury or illness or for illness or injury to relatives, as defined in the section titled Nepotism. At time of termination of employment (either voluntary or involuntary) an employee shall have no claim for pay-in-lieu of unused sick leave. When sick leave can be anticipated, advance notification should be given.

Personal Days – With the permission of one's supervisor, following one year of employment, an employee may take three personal days of leave per year, non-accumulative. Such days shall ordinarily be scheduled with at least three days advance notice in consultation with the supervisor.

Continuing Education (Study Leave) – All continuing education is to strengthen the staff person and to develop new skills for more effective and efficient work in the Presbytery.

Exempt Staff: Up to two weeks annual continuing education (accumulative to six weeks) with pay may be granted with the following guidelines:

1. Continuing education is a privilege, not a right.
2. Requests for continuing education time should be coordinated with one's supervisor, and as possible be made at least 60 days before the continuing education begins. Plans for the continuing education shall accompany the request and a written follow-up report will be made upon completion.
3. Stipends for approved continuing education should be part of the employment agreement.
4. When prior written request is made, both time and stipend for a continuing education program may be carried over or accumulated up to 6 weeks with the approval of the supervisor and Personnel Committee.
5. Continuing education not taken within each twelve-month period, and for which a plan of accumulation has not been indicated, will be lost.

Exempt Staff Extended Study Leave (Sabbatical): To enable exempt employees to engage in focused study of subjects that will contribute to the work of the Presbytery and to their own technical or professional development, an extended study leave with pay may be granted with the following guidelines:

1. The employee must have completed five years of continuous service with the Presbytery.
2. At least five years must have elapsed since any previous extended study leave.
3. A detailed written plan of study with clearly identified goals and expected end-products must be approved by the Personnel Committee far enough in advance that budget and staffing needs can be met.
4. The length of the extended study leave may be up to three months or, done in conjunction with earned vacation, may be up to a maximum of four months. An extended study leave may not be combined with annual two-week study leaves since an employee is not eligible for both types of leave in the same year.
5. Ongoing work entailed in a particular position and total Presbytery functions will be primary factors in considering the granting of extended study leave.
6. An extended study leave shall not be granted for a period of time falling within the last year of the individual's employment with the Presbytery and will not be granted as part of the severance conditions when a staff member leaves the employ of the Presbytery.
7. Provision for stipends for an extended study leave, in addition to any salary continuation, should be part of one's employment agreement, or arranged with the Personnel Committee.

Non-Exempt Staff: When it can be demonstrated to be for the good of the Presbytery as well as the non-exempt staff person's professional development, continuing education may be approved with the following guidelines:

1. Continuing education is a privilege, not a right.
2. Continuing education shall be granted for a total of up to two weeks annually. Unused continuing education time and stipend may not be accumulated.

3. Application ordinarily shall be made in writing to one's supervisor no less than 60 days before continuing education begins; plans for the continuing education shall accompany the application and a written follow-up report will be made upon completion.
4. Provision for stipends for continuing education should be part of one's employment agreement, or arranged with the Personnel Committee.

Leave of Absence with Pay – The Presbytery provides leave of absence with pay or partial pay under the following circumstances, with the approval of the supervisor or Personnel Committee:

1. Regular training period of the U.S. Armed Forces (maximum of two weeks). Since most such service includes military pay, the pay liability of the Presbytery will be to make up the difference, if any, between the employment salary and the military salary.
2. Jury duty. Jury pay is to be returned to the employer.
3. Marriage of an employee (up to 3 days) who has been with the Presbytery for one year or longer.
4. Voting (up to half day).
5. Funeral/Bereavement. Employees may be granted up to 5 days annually in the event of death in immediate family, including spouse, partner, parent, in-law, child, grandchild, brother, sister or grandparent, or other person, as approved by the supervisor.

Parental Leave – Parental leave with pay for a period of up to eight weeks may be taken by arrangement with the Personnel Committee. Persons requesting paid leave must have been a Presbytery employee for three full consecutive months at the time they expect to begin their leave.

In addition to the period of eight weeks of paid parental leave stated above, employees are eligible to arrange for up to four additional weeks of parental leave in accordance with state and federal law, without pay and with no loss of seniority or benefits, for a total of twelve weeks. Employees may also arrange to take vacation time in addition to parental leave, by approval of their supervisor.

This parental leave policy also applies to the adoption of children.

Leave of Absence Without Pay – Leave of absence without pay is provided under the following conditions, with the approval of one's supervisor:

1. Medical leave of absence without pay is provided typically for injuries due to auto accident, surgery and recovery, pregnancy or maternity, miscarriage or miscarriage by spouse, or serious illness. Such leave is subject to approval of one's supervisor in consultation with the Personnel Committee. Medical leaves of absence are ordinarily extended to employees who have completed one-year continuous service.
2. Extended military service leave follows the same provisions as medical leave. Upon return from active military duty, every effort will be made to place the employee in a position with like seniority, status, and salary.
3. A request for an unpaid leave of absence may be given for other reasons that are determined adequate by one's supervisor and the Personnel Committee.

Section 13 –Separation

All conditions for separation shall be compatible with the provisions of the law of the Commonwealth of Massachusetts and the constitution the Presbyterian Church (U.S.A.).

Voluntary Resignation – Voluntary choice of separation, freely made by the employee (resignation), should follow at least two weeks written notice to one’s supervisor with copies to the Personnel Committee and the moderator of the Presbytery. When an elected staff member resigns, the written notice shall be sent to the Personnel Committee with copies to the moderator, stated clerk and any executive staff member of the Presbytery. Staff will be paid the cash equivalent to their unused earned vacation at the official date of separation. No severance allowance will be provided.

Reduction of Force – Separation because of the discontinuation of a project or position or reduction in budget, or for other circumstances arising out of no fault of the employee, is at the discretion of the Presbytery. Written notice of such separation will come from the Presbytery moderator after consultation with the Personnel Committee. Appropriate notice will be given to the staff member as early as possible to allow the affected member to relocate or to have opportunity to seek employment elsewhere.

Severance Pay – When a separation by reduction of force occurs and when appropriate notice is given, if the affected staff person continues employment until such time of the effective date of the separation, severance pay may be paid. If the employee voluntarily terminates employment prior to the effective date, any severance pay will be at the discretion of the Personnel Committee.

Suspension - If unacceptable behavior (e.g., insubordination, harassment of other employees, apparent involvement in dishonest or unethical acts, etc.) requires absence from the workplace, the supervisor of that employee may suspend the employee with pay, in accordance with Presbytery procedure, pending verification and evaluation of the circumstances. Suspension occurs following consultation with the person involved by their immediate supervisor. Suspension requires the concurrence of the general presbyter, chairperson of Personnel Committee, and moderator of the Presbytery. Notice of the reason for the suspension must be given to the employee in writing.

Following the suspension, the investigation of the facts that led to the suspension and all subsequent actions shall meet the standards for due process set forth in the *Book of Order*.

Separation for Cause – Separation for cause shall include, but not be limited to:

1. Unsatisfactory performance
2. Neglect in the care and use of Presbytery property/funds
3. Repeated unexcused absence and/or tardiness
4. Any other just cause

Prior to separation, the Personnel Committee will inform the person that they are not performing in a satisfactory way. Methods and action plans shall be developed in order to help the individual improve performance. A letter shall be written to the person, with a copy to the supervisor, indicating what was communicated during the meeting with the Personnel Committee. If performance does not improve following appropriate review, the employee’s employment may be terminated. Normally, no severance is paid when an employee is terminated for cause.

Section 14 – Grievance Process

For the purpose of this policy, a complaint or grievance is an alleged violation of an approved personnel policy or practice, of implementation of discipline, or of an applicable state or federal

law not adequately dealt with in these policies or practices. In order to deal promptly and fairly with all complaints or grievances, the following steps are to be taken.

Preliminary Grievance Procedure – Prior to filing a formal written grievance, the complaining party must first discuss the problem with one's supervisor. If not satisfied with the supervisor's action, or if the problem involves the supervisor, the complaining party is to approach the executive staff member. If the preceding options are not appropriate, then the Chair of the Personnel Committee should be contacted.

Formal Grievance Procedure – If informal efforts to resolve a grievance have failed, a formal grievance may be filed by submitting a written statement to the Chair of the Personnel Committee, with a copy to the executive staff member and the employee's supervisor. Formal grievances must be filed within 60 days after the completion of the preliminary grievance procedure.

1. The Chair of the Personnel Committee, after acknowledging receipt of the complaint, will in consultation with the Personnel Committee, determine the next steps to be taken to address the grievance.
2. If the complainant is dissatisfied with the decision of the Personnel Committee, an appeal may be filed in writing to the Presbytery moderator within 15 days. The Presbytery shall make the final determination. The Presbytery shall supply all parties concerned with its decision in writing.
3. Right of Advocacy. The complaining party may arrange to have an advocate with him/her at all steps in the formal process.
4. Written Records. A written record of all decisions arrived at in all meetings shall be kept. Letters of decisions from the Personnel Committee or the Presbytery shall contain provision for the complaining party to indicate their acceptance or rejection of the decision. Copies of the written records shall be placed in the employee's confidential personnel file.