

## POLICY ON THE COMMITTEE ON MINISTRY'S AUTHORITY TO PLACE A PASTOR ON ADMINISTRATIVE LEAVE

### **Preamble**

As the Book of Order makes clear (G-2.0502), a pastor has membership in his or her presbytery by action of the presbytery itself, which alone can establish, change or dissolve pastoral relationships. In the performance of his or her ministry, a Minister of Word and Sacrament is accountable to his or her presbytery.

It also relates (G-3.0301c) that a presbytery is responsible for nurturing the covenant community of disciples of Christ. In exercising this responsibility, a presbytery is empowered to ordain, receive, dismiss, install, remove and discipline its members who are pastors. It also is empowered to promote the peace and harmony of congregations and to enquire into the sources of congregational discord.

Among the presbytery's responsibilities lodged within its Committee on Ministry is that of *facilitating relations between the presbytery and its congregations, ministers of Word and Sacrament, ruling elders commissioned to pastoral service... and settling difficulties on behalf of the presbytery where possible and expedient.* (BO G-3.0307 alt.) In certain circumstances, when the difficulties that have arisen warrant it – in order to promote the welfare of a congregation, or its pastor, or of both parties – providing a way for a pastor to have, for a time, distance from his or her congregation and relief from all pastoral leadership responsibilities can create the very opportunity the Committee on Ministry needs to engage effectively in a restorative ministry.

The Book of Order specifically gives presbyteries the authority to place pastors on paid administrative leave for situations when allegations of sexual abuse have been communicated to their Stated Clerks (Book of Order D-10.0106). A presbytery's duty to see to the health and welfare of its pastors and congregations (G03.0303) includes the responsibility to consider establishing policies and procedures to address other difficulties in a manner which is both effective and sensitive to the needs of the parties involved. These difficulties might be about leader burnout, unaddressed conflicts, factions, loss of health, mental health issues, competing visions, differing expectations, anger management challenges, violations of the presbytery's Ministerial Ethics Guidelines, or any number of other things that, although they are entirely unrelated to sexual abuse, can generate significant turmoil and relational difficulties sufficient to warrant Committee on Ministry engagement. Sometimes, as the Committee on Ministry seeks to address such turmoil, it realizes that if the church's pastor could step out of his or her responsibilities for a time – if the pastor could have a period of administrative leave – it would be immediately helpful. A period of administrative leave can provide a pastor, a session, a congregation and a presbytery time, space and opportunity for

Approved at 881<sup>st</sup> Meeting of Presbytery on November 10, 2018. Amended at 889<sup>th</sup> meeting to include paragraph 13 on Medical Leave.

listening and learning, prayer and discernment, for planning and practice of new ways of behavior by those involved – presbyteries, pastors, congregations, ruling elders – so that difficulties can be resolved. This being so, the Presbytery of Baltimore establishes the following Policy on Placing a Pastor on Administrative Leave to make it possible for its Committee on Ministry to use this tool to relieve pastors, when it's warranted and appropriate, for defined periods of time from their responsibilities to and involvement with their congregations. This policy applies to all calls and temporary pastoral positions that take place after November 20, 2018 and to those calls from congregations with established pastoral relationships that vote to abide by this policy.

### **Administrative Leave Policy<sup>1, 2, 3</sup>**

#### Committee on Ministry Responsibilities

A decision to relieve a pastor, for a defined period of time, from his or her pastoral responsibilities and involvements, may be made by the Leadership Team<sup>4</sup> of the presbytery's Committee on Ministry upon the recommendation of its Chair, the General Presbyter, the Stated Clerk or, preferably, all of these persons together. [Note - Administrative Leave in response to accusations of sexual misconduct shall be administered in accordance with the Book of Order and the Presbytery's Sexual Misconduct Policy.]

1. The recommendation must be grounded in a conviction that the welfare of the congregation, the pastor, or both warrants and calls for such a step.
2. There must be compelling evidence of the need for the Committee on Ministry to act in order to prevent or mitigate harm to the pastor, the church, or the presbytery, and to provide time and space for the Committee on Ministry to aid in settling difficulties. The evidence might include expressions of concern by the pastor, by colleagues in ministry, by members of the congregation or community; letters or calls of complaint, with allegations clearly articulated; and direct observation of relational conflict by Committee on Ministry members.
3. Before the Leadership Team votes on a recommendation to relieve a pastor from his or her responsibilities for a time, two Committee on Ministry representatives must have consulted with the pastor and the church's session about the potential use of this tool.
4. A unanimous consensus of at least a quorum (four) of the Leadership Team shall be required for the decision, and a report of any such action by the Leadership Team shall be made to the entire Committee on Ministry as soon as possible.

5. The Leadership Team shall establish the initial period of leave, which may be up to three months in length.
6. Having made a decision to relieve a pastor temporarily of his or her pastoral responsibilities and congregational involvement, the Leadership Team shall appoint a Reconciliation Team, ordinarily members of COM, to work with the church's leadership/session.
7. COM and the Reconciliation Team should be clear about the expectations for the leave as well as any methodology to be employed for assessment, counseling, and discernment purposes (including mental health inventories).
8. The COM will pay for pulpit supply for the initial period of leave. The session should consult with the Reconciliation Team concerning appropriate persons to serve as pulpit supply.
9. Once the appointed Reconciliation Team has been briefed about its responsibilities, the Chair of the Committee on Ministry will communicate with the pastor and the church's session, introduce the appointed Reconciliation Team to the session and pastor, and initiate the administrative leave.
10. The Chair of the Committee on Ministry, in consultation with the Reconciliation Team, will appoint a Moderator for the session for the period of administrative leave.
11. The Chair of the Committee on Ministry shall also appoint a pastor, not associated with the COM or Reconciliation Team, to act as an advocate and companion to the pastor on administrative leave, seeing to his or her spiritual well-being and facilitating conversation with the Reconciliation Team and/or COM as necessary.
12. As appropriate, the Committee on Ministry will inform the Presbytery of the actions it has taken. The language used will be sensitive to the need for confidentiality, particularly for a personal health crisis, as well as the need for transparency.
13. Medical leave constitutes a special category of Administrative Leave, in that certain illnesses or injuries may require a more extended absence from the church than would be expected in routine absences due to sickness. Examples might include, but not be limited to, serious injuries, operations or surgery, and certain conditions related to mental health. In some of these situations, the pastor may not be able to fulfill her/his work

duties, but it may not be necessary to enforce rules concerning staying out of church facilities or refusing to have contact with church members, especially if there is no indication of malfeasance or ethical violations or serious conflict in the church. In fact, where the mutual support of pastor and congregation expected in the pastoral covenant are concerned, it might even be cruel not to allow any contact at all.

If Administrative Leave is employed for medical reasons, Session and COM should evaluate the special circumstances. Ordinarily, most of the foregoing expectations and responsibilities will apply, including the care required in determining if Administrative Leave is called for, matters related the length of leave and compensation, and support for both pastor and congregation during the proposed leave. However, the Session and the COM should consider whether some adjustments to expectations regarding interaction between pastor and church are called for. Any variations to the expectations in the policy should be include in the formal agreement.

#### Reconciliation Team Responsibilities

The Reconciliation Team shall be responsible for:

1. Meeting with the church's session and pastor to discuss the purpose of the leave and provisions for managing it and the congregation's ministry;
2. Establishing terms for the pastor's compensation and behavior during the time the pastor is on leave (ordinarily, during the initial period of a pastor's leave, a congregation will be expected to honor the terms of compensation it has agreed upon for its pastor). Any change to the terms of call, in particular any change in compensation, must be approved by the congregation and pastor.
3. Working with the session to provide preaching, pastoral care and administrative support. The presbytery will pay for pulpit supply during the first three months.
4. Assisting the session in listening and learning, prayer and discernment, for the planning and practice of new ways of behavior by those involved so that difficulties can be resolved.
5. Determining, with the approval of the COM, if extensions to the initial period are warranted. If it believes they are, it will work with the church's leadership to determine the best and most appropriate way to provide for the pastor's compensation. The overall duration of the pastor's leave will depend on the time required for resolution of the difficulties that led to it. The effort will be

carried out with all deliberate speed and with awareness of the financial obligations of the congregation and the Presbytery. Any change to the terms of call, in particular any change in compensation, must be approved by the congregation and pastor.

#### Church/Session Responsibilities

When the Committee on Ministry acts to relieve a pastor of his or her responsibilities and appoints a group to work with the congregation and its leaders, the members of the session and congregation will be expected to:

1. Continue compensation for the pastor in accordance with the approved Terms of Call through the initial period of administrative leave;
2. Cooperate with the Reconciliation Team to work with them and comply with its directives and behavioral expectations;
3. Have no contact with the pastor except as the Committee on Ministry's Reconciliation Team specifically permits.

A session's or congregation's violation of the behavioral expectations established by the Committee on Ministry's Reconciliation Team will be reported to the presbytery's Stated Clerk and the Committee on Ministry, and the violation may be considered grounds for the establishment of an Administrative Commission.

#### Pastor's Responsibilities

When the Committee on Ministry acts to relieve a pastor of his or her responsibilities and appoints a group to work with the congregation and its leaders, the pastor will be expected to:

1. Cooperate with the Reconciliation Team and comply with its directives and behavioral expectations;
2. Remain out of all church facilities and off of the church's grounds, except for the manse, if applicable;
3. Refuse to initiate or have contact with any member of the church or its staff, except for a person designated specifically by the Committee on Ministry's Reconciliation Team to deliver mail or messages;
4. Refuse to conduct corporate worship or to engage in any form of pastoral activity (exceptions for extraordinary cases can be arranged with the Chair of the Committee on Ministry, in consultation with the Reconciliation Team);
5. Not attend or participate in any meetings or activities of the church.

A pastor's violation of the behavioral expectations established by the Committee on Ministry's Reconciliation Team will be reported to the presbytery's Stated Clerk, and the violation may be considered grounds for initiation of a formal disciplinary process, in accordance with The Rules of Discipline in the Book of Order.

### **Endnotes**

1. All references to "pastor" in this policy should be understood to include Ministers of Word and Sacrament.
2. Administrative Leave in response to accusations of sexual misconduct shall be administered in accordance with the Rules of Discipline in the Book of Order and this presbytery's Sexual Misconduct Policy
3. This policy is not intended as a disciplinary policy and is not a substitute for disciplinary actions as prescribed by the Book of Order or the Manual of the Presbytery of Baltimore.
4. The Committee on Ministry Leadership Team is composed of the COM Chair; the COM Vice Chair; the COM Secretary; the chairs of the Credentials, Transitions, and Pastor Parish Relations teams of the committee; and the General Presbyter.