

# **PRESBYTERIAN CHURCH**

## **Personnel POLICIES**

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# **Presbyterian Church**

## **Personnel Polices**

**Introductory Statement:** These policies do not constitute a contract of employment. They are subject to amendment, modification, or termination without notice at the discretion of the \_\_\_\_\_ Presbyterian Church (hereafter referred to as Church). These Personnel Policies supersede all previous Personnel Policies for the Church.

Policies, compensation and benefits specific to ordained ministers are summarized in their Terms of Call, which are reviewed annually and approved by the congregation.

### **I. EQUAL EMPLOYMENT OPPORTUNITY**

The witness of the church is the basis for all other expressions of the church's live. The Church's procedures of calling, recruiting, hiring, and promoting for all job classifications will be without regard to age, disability, marital status, race or sex. These procedures are based on the Churchwide Plan for Equal Employment Opportunity and Affirmative Action of the Presbyterian Church (USA). These commitments to equality should include but not be limited to compensation, benefits, leaves of absence, performance evaluations, reductions in force and return to service, continuing education opportunities, and terminations.

#### **A. Purpose**

To define the policy of the \_\_\_\_\_ Presbyterian Church that consistent practice of the Churchwide Plan is a matter of both justice and faithfulness.

#### **B. Policy Statement**

The Churchwide Plan will be provided in all aspects of the employer/employee relationship. This includes, recruiting, hiring, promoting, and conditions and privileges of employment. Also included are training, education assistance, recreational programs, compensation, benefits, transfers, discipline, layoffs, recalls and termination of employment.

Harassment or discrimination against an individual on the basis of race, creed, color, sex, sexual orientation, national origin, age (40 and above), marital status, citizenship status, genetic information, physical or mental disability, religion or religious affiliation is inappropriate, offensive, illegal and will not be tolerated. Such behavior may result in disciplinary action up to and including termination.

In accordance with its policy not to discriminate against qualified individuals with disabilities, the Church will reasonably accommodate disabled persons so long as the accommodation does not create an undue hardship to the organization. It is the responsibility of any employee or applicant who believes that he or she requires a reasonable accommodation due to a physical or mental disability to advise the Church that such accommodation is necessary. The Personnel Committee is responsible for determining whether an accommodation is reasonable and necessary. In fulfilling its duty of reasonable accommodation, the Personnel

Committee will designate a representative to engage in dialog with the employee or applicant to determine whether an accommodation can be made and what type of accommodation is reasonable. The Church will consider, among other things, the nature and extent of the accommodation, the financial cost, the organization's resources, the impact on the organization's mission, and other relevant factors.

The Church also prohibits any form of employment related retaliation against any applicant or employee who files a charge of discrimination with any federal, state, or local fair employment practices agency or who participates in such investigations or opposes unlawful employment practices. The Church will take appropriate disciplinary action, up to and including termination, against anyone found to have engaged in retaliation against such persons.

**C. Coverage**

All employees and applicants.

**D. Management Responsibility**

The Churchwide Plan will be made available to all applicants or employees of the Church upon request.

**II. POLICY ON SEXUAL AND OTHER HARASSMENT**

It is the policy of the Church to maintain a workplace free from any form of sexual misconduct or sexual harassment, by any employee, member or friend of the congregation. This policy is based on the Presbytery of Baltimore Sexual Misconduct Policy and Its Procedures, which itself is grounded in the policy of the Presbyterian Church USA.

Respect for the dignity and worth of each individual is a basic tenet of the Church. Unlawful harassment in the workplace is a form of intentional employment discrimination. Each individual has the right to work in an environment conducive to equal opportunity and free from discriminatory practices.

**A. Harassing Conduct Defined**

1. Definition of Sexually Harassing Conduct. For purposes of this policy, the term “sexually harassing conduct” refers to any unwelcome sexual attention, sexual advances, request for sexual favors and other verbal, visual or physical conduct of a sexual nature. Such conduct is a serious matter and may subject the Church to liability under state and federal employment discrimination laws. Such conduct is illegal if:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; or

b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

a. Such conduct has the purpose or effect of unreasonably interfering

with an individual's work performance; or

b. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.

2. Examples. Examples of sexually harassing conduct include, but are not limited to:

- Threatening adverse employment actions if sexual favors are not granted.
- Promising preferential treatment in return for sexual favors.
- Unwelcome physical contact.
- Persistent unwelcome sexual advances, including requests for dates or other social contacts.
- Offensive remarks, including unwelcome comments about appearance, sexual activities, off-color jokes or inappropriate use of sexually explicit language.
- Display in the workplace of sexually suggestive objects or pictures.
- Circulation via email, or otherwise, of sexually suggestive or offensive pictures, jokes, stories, and similar materials.
- Unwelcome sexual advances by visitors to the Church premises.

An intimidating, hostile or offensive working environment may be created by conduct such as that described in the preceding paragraph. In addition, any hostile or abusive treatment motivated by the victim's sex constitutes harassing conduct that is prohibited by this policy.

#### **B. Other Forms of Prohibited Harassing Conduct**

Offensive or derogatory remarks, hostile or abusive actions, or jokes based on race, creed, color, sex, sexual orientation, age (40 and above), religion or religious affiliation, national origin, citizenship status, marital status, physical or mental disability, genetic information or any other legally protected characteristic will not be tolerated.

#### **C. Voluntary Relationships**

Voluntary, welcomed romantic or sexual relationships between members of the Church management and their subordinates, may compromise (or create a perception of compromise) the ability of a supervisor to perform his or her job. Such relationships may also lead to exposure to legal liability. Any romantic or sexual relationship between any officer, manager, supervisor, or other agent of the organization with anyone he/she supervises, either directly or indirectly, is prohibited.

In addition, even welcomed, voluntary romantic or sexual relationships between workplace peers or between church non-ordained employees and church members or constituents

may cause disruption, impact an employee's ability to do his or her job, adversely affect morale, or negatively impact perceptions of the Church. Such relationships are discouraged. Employees who enter into such relationships are advised that they are held to the same level of performance as other employees, and disruption and other adverse impacts on the workplace will not be tolerated.

#### **D. Persons Covered**

This policy prohibits harassing conduct directed toward all employees, staff, and applicants for employment.

#### **E. Enforcement of the Policy**

Applicants or employees who believe that they have been a victim of harassment in violation of this policy shall file a complaint in accordance with the Church Equal Employment Opportunity Policy.

### **III. PROCESS OF EMPLOYMENT**

1. Position Descriptions that accurately reflect the job functions for each position are defined and written by the session Personnel Committee. They must be approved by session and are to be reviewed annually and updated as needed.
2. Care shall be taken during interviews to ensure that the privacy of the candidate is protected. Questions shall be job-related.
3. References and other material involving the employment process shall be kept for a maximum of two years from the date of employment after which they shall be destroyed.

### **IV. EMPLOYMENT CATEGORIES**

1. Exempt and Non-Exempt: The Fair Labor Standards Act of June 25, 1938 ("FLSA") established the minimum wage and maximum hours and defined the kinds of work subject to the overtime requirements of the Act. "Exempt" positions are those that do not require payment of overtime under the FLSA. "Non-Exempt" positions under FLSA refer to jobs for which the employer must pay overtime pay for work in excess of 40 hours per week. It is the policy of the Church to comply with FLSA and state wage and hour laws through accurate classification of employees as exempt or non-exempt from overtime and by payment of one and one-half times the regular hourly rate to non-exempt employees who work over 40 hours in a workweek. Employees are eligible for overtime unless they meet the requirements of one of the exemptions as outlined in the FLSA. These include: executive employees, administrative employees, professional employees, teachers or administrators in secondary schools, highly skilled computer operators, and outside salespersons. An employee's actual job duties, not job title, will be the determining factor in classifying employees as Exempt or Non-Exempt. Overtime is based on "working time" under the FLSA. This means that only hours actually worked are included in meeting the 40 hour requirement. Vacation time, holidays, and other

non-working time, even if compensated, do not count towards meeting the 40 hour requirement under the FLSA.

2. Part-time Employees: Part-time employees are defined as those regularly scheduled to perform less than 40 hours of work per week.

3. Full-time Employees: Full-time employees are defined as those regularly scheduled to perform 40 hours per week.

## **V. WORK WEEK**

1. The normal work week for full-time non-exempt personnel is 32 to 40 hours per week. All hours worked to 40 hours per week will be paid as the regular rate. For time over 40 hours per week, pay rate is at one and one-half times the regular hourly rate as set forth in the preceding section.

2. If the normal work week for a non-exempt position is less than 40 hours per week, all hours worked to 40 hours a week will be paid at the regular hourly rate. Hours worked in excess of 40 in a work week will be compensated at time and one half.

## **VI. ORIENTATION PERIOD**

1. The first three months of employment are an orientation period during which the Church and the employee determine whether the employee is a good fit for his or her position. Pay in lieu of notice will not be given an employee terminated during the orientation period.

2. During the orientation period of employment for full-time employees, the employee is entitled to enrollment in a health plan (See Section VII, Part 3), one paid sick day, paid holidays observed by the Church, coverage as provided by Workers' Compensation, and absence for jury duty. If absent for any other reason, pay will be deducted for the time missed.

3. Continuation of employment at the conclusion of the orientation period does not change the "at will" employment relationship, nor constitute a contractual or other guarantee of continued employment.

## **VII. BENEFITS**

1. Social Security: All lay employees are covered by the Federal Old Age and Survivors Benefits Act (Social Security). Ordained ministers are considered self-employed for Social Security purposes with respect to their ministerial services.

2. Retirement Savings Plan: The retirement savings plan is a 403(b) defined contribution plan administered by the Board of Pensions of the Presbyterian Church (USA). The plan is available to all ordained ministers and lay personnel who are employed in eligible church service and normally scheduled to work at least 20 hours per week. Contributions to the plan come from the employee's voluntary contributions. Generally, these contributions are not subject to Federal or State income tax, nor are the investment earnings taxed on an annual basis.

Both the investments and the earnings are taxed on withdrawal. Contributions must follow IRS regulations. Since this is a retirement plan, according to law, funds usually may not be withdrawn until age 59 ½, although some special circumstances permit earlier withdrawal. If an employee leaves the employ of the Church, investments may be left in place or may be transferred to another qualifying plan.

3. Health Insurance: Full-time lay employees are eligible for individual health insurance. The specific plan will be selected by the church. Family members may be added at the employee's expense. It is possible that future financial conditions may require changes in coverage and employee participation in premium costs. If an employee chooses not to enroll in the health insurance plan, any potential adjustments to the salary or overall compensation of the employee are at the discretion of the Head(s) of Staff and the Personnel Committee. Medical insurance for ordained personnel will be provided in accordance with Presbytery guidelines.

4. Vacation: Staff employees working 20 hours a week or more will be granted vacation time with pay based on the years of service which will be completed during the calendar year as follows:

One-half to one year of service:	1 week
2 Years to 5 years of service:	2 weeks
6 Years to 8 years of service:	3 weeks
9 Years service or more:	4 weeks

In the first year of service, an employee starting work prior to June 30 will be eligible for one week of vacation benefit after six months of service, beginning the first of the month in which that anniversary falls. Employees starting work after June 30 will become eligible for vacation benefits in the following calendar year, in accordance with the above schedule. All employees shall negotiate their vacation times with the Head(s) of Staff in advance so that plans can be made to cover the workload, and substitutes can be secured if necessary. In general, "one week" of vacation means one week including one Sunday; "two weeks" means two weeks, including two Sundays, etc. While allowances can be made by the Head(s) of Staff, the intent is to avoid situations, for example, where a person whose primary workday is Sunday could take the entire vacation time as Sundays. Up to one week of unused vacation may be carried forward into the following year. With permission from the Head(s) of Staff and the Personnel Committee, an employee having completed one full year of service may supplement the above vacation benefit with up to 10 days absence without pay in any given calendar year. It is the intent of this benefit to assist vacation plans of an employee whose spouse or family has more time available for this purpose. This benefit is not to be applied for sick leave or leave for personal business. Ordained staff will take vacations in accordance with the Terms of Call.

5. Holidays: All full-time employees are entitled to the following ten paid holidays: New Year's Day, Martin Luther King Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Thanksgiving Friday, Christmas Eve, and Christmas Day. When a designated holiday falls on a Saturday, the Friday immediately preceding shall be observed (with the exception that when Christmas falls on Saturday, the observed date shall be the following Monday). When a designated holiday falls on a Sunday, the

Monday immediately following shall be observed. Part-time employees working 20 hours a week or more are entitled to holidays with pay if such holidays fall on scheduled work days. In addition to the above holidays, full-time employees are entitled to two additional personal holidays at the employee's discretion. Personal holidays must be approved in advance by the Head(s) of Staff.

6. Workers' Compensation Insurance: All employees shall be covered by the Workers' Compensation Law of Maryland.

7. Sick Leave: On January 1, full-time employees shall become eligible for 8 days of sick leave for the forthcoming year. Accumulated sick leave not used that year may be carried into the next year, up to a cumulative total of 30 days. At the termination of employment (either voluntary or involuntary), an employee shall have no claim for pay in lieu of unused sick leave. Sick leave entitlement during the first year of employment will be prorated according to length of employment. To be eligible for sick leave, the absence must not be due to injury a) intentionally self-inflicted, b) attributed to illegal drugs, c) incurred while committing a felony, d) resulting from employment of any kind other than employment by the church, or e) to illness attributed to use of illegal drugs. Medical certification of illness or injury may be required for qualification and/or return to work.

8. Disability: If a full-time staff member is unable to perform his/her duties because of disabling injury or illness, including disabling pregnancy that renders the employee unable to perform the duties of the position, the employee may be granted disability leave of up to three months. Disability leave is unpaid except that the employee may take unused vacation or sick days during the leave. The Personnel Committee, in consultation with the Head(s) of Staff, will determine whether it is necessary to replace the employee during or at the conclusion of the disability leave. Limitations for Disability are the same as for Sick Leave (Section 7). A physician's certificate indicating the employee is unable to work for medical reasons will be required and must be furnished to the Personnel Committee.

9. Parental Leave: Full-time employees with one year's service are eligible for leave immediately preceding and following the birth, adoption or guardianship of a child. Application for, and extent of, leave must be submitted through the Head(s) of Staff to the Personnel Committee at least 3 months prior to the arrival of the child. The leave may be up to 2 months, of which the first four weeks will be at full pay.

10. Family Leave: Requests for Family Leave will be handled on a case-by-case basis. Requests will be made to the Head(s) of Staff who will make a recommendation to the Personnel Committee for final disposition.

11. Other Leaves of Absence With Pay: Leaves of absence with pay for full-time employees are as follows:

- For regular training period in the U.S. Armed Forces: Up to two weeks annually.
- Jury duty: Up to two weeks annually.

- Marriage of an employee who has 1 year or more of service: Up to three days.
- Death in family. In case of death in the immediate family (spouse, parent, parent-in-law, child, brother, sister, grandparent, son-in-law, daughter-in-law), the employee will be paid normal salary for up to four days of absence. The exact length of absence shall be established by the Head(s) of Staff according to the needs of the situation.
- Personal and family emergencies that cannot be cared for outside working hours: up to three days with advanced approval of Head(s) of Staff.

12. Leaves of Absence Without Pay: May be granted at the discretion of the Head(s) of Staff and the Personnel Committee.

13. Emergency Leaves of Absence With Pay: Such emergency leaves may be granted by the Head(s) of Staff and the Personnel Committee in the event of family crisis, critical illness, or critical injury to an employee or to a member of an employee's immediate family.

## **VIII. GRIEVANCES**

1. Any problems arising from employment or conditions of employment are to be directed to the pastor(s) as Head(s) of Staff. In those cases where the solution to a problem has not been worked out in discussion with the pastor(s), the employee may appeal to the session Personnel Committee. If the matter is still not resolved, the employee may appeal to the session in writing.

2. If the above steps fail to provide an acceptable resolution of the grievance, the employee may file a written complaint with the appropriate presbytery committee (contact Executive Presbyter for committee name and contact). This presbytery unit shall provide mediation services between the pastor, session and the employee. If mediation is unsuccessful in resolving the dispute, the decision of session shall be final and binding.

In unusual circumstances (sexual harassment, misappropriation of funds, etc.), complaints can be referred directly to the Personnel Committee.

## **IX. TERMINATION**

It is the policy of the Church that employment relationships are at-will. Either the Church or the employee may terminate the employment relationship at any time with or without cause, except as otherwise required by law.

Terminations may occur for many reasons including voluntary resignation, involuntary separation, dismissal, reduction in force, job abandonment, and retirement.

All decisions regarding termination of employment will be made without discrimination on the basis of race, color, national origin, gender, age (40 and above), marital status, sex, sexual orientation, genetic information, physical or mental disability, citizenship status, marital status, or any other category protected by law.

1. **Voluntary Separation:** Voluntary separation is the result of the employee's decision to voluntarily resign or retire from his or her position. Employees should give at least two weeks' notice. When an employee resigns or retires, vacation will be prorated for months worked during the calendar year. If the employee has not taken the prorated vacation days, pay in lieu of vacation will be added to the employee's final paycheck. Employees who fail to give two weeks notice as set forth herein will receive payment for prorated vacation days as set forth herein.

2. **Involuntary Separation:** Involuntary separation may occur because of reorganization, retrenchment of programs or other circumstances beyond the control of, or through no fault of, the employee. All such employees will be given a minimum of two weeks written notice, or at the Church's discretion payment in lieu of notice, and will be paid for time worked plus prorated unused vacation time. The Church reserves the right in its sole discretion to determine the applicability of this section to the employee's termination.

3. **Dismissal:** An employee may be terminated with or without cause for any reason that the Church believes in its sole discretion warrants separation from employment, including, but not limited to, unsatisfactory job performance; refusal to do assigned work; unexcused absences; tardiness; incompetence; insubordination; neglect or misuse of the Employer's property or funds; sexual harassment or misconduct; failure or refusal to observe Employer's policies or a violation of this handbook; use of alcohol or illegal drugs on the job; reporting to work under the influence of drugs or alcohol; conduct that may damage the reputation of the Church or which is not in keeping with the Church's mission, vision, goals, religious doctrine, or moral philosophy; and illegal, dishonest, unethical, or disreputable conduct.

The forgoing is not an exclusive list of the reasons for dismissal from employment and is included for illustration only. Employees who are dismissed will receive the cash equivalent of their unused, earned vacation and no other payment.

For all terminations, an exit interview should be held with the employee by the Pastor(s)/Head(s) of Staff and/or the liaison representatives from the Personnel Committee.

## **X. ANNUAL PERFORMANCE REVIEW**

Every lay employee shall participate in an annual discussion with the Head(s) of Staff using input from the Personnel Committee and appropriate staff and congregation members. Other attendees may include representatives from the Personnel Committee and/or another appropriate session committee. This review shall include a discussion of: a) contributions and accomplishments vs. goals, along with areas for development and improvement, b) goals and objectives for the ensuing period, c) the employee's Position Description, with emphasis on expected performance and any updates that are needed, and d) programs for development, including training, professional development and continuing education.

The Head(s) of Staff shall participate in an annual discussion with representatives from the Personnel Committee and, if appropriate, another session representative.

## **XI. ANNUAL COMPENSATION REVIEW**

The Personnel Committee, with input from Head(s) of Staff, will annually review the adequacy of compensation for each lay employee. The Cost of Living factor provided each year by presbytery will be considered in providing salary increases. Salary scales shall meet the provisions of federal laws covering minimum wages.

For ordained employees, a portion of their cash compensation will be designated as housing allowance. The amount of the housing allowance will be established each year on the basis of an estimate provided by each ordained employee. The amount of the housing allowance will be explicitly designated in the Terms of Call for the ordained employee that are approved by the congregation at the annual meeting. The housing allowance is nontaxable for income tax reporting purposes to the extent that the ordained staff member's expenses incurred in renting or owning and maintaining the home equal or exceed the allowance; it is the responsibility of the Head(s) of Staff to ensure this is the case. Members of the Presbytery of Baltimore will be responsible for completing and filing the Change of Salary forms with the Presbytery and the Board of Pensions.

## **XII. PROFESSIONAL EXPENSE AND CAR TRAVEL REIMBURSEMENT**

Authorized travel on Church business is reimbursable to employees at the IRS business travel rate for the current year. Total annual maximum reimbursements are established for ordained employees in their Terms of Call. For other employees and Church members authorized to travel on Church business, travel reimbursements may be limited by budgetary constraints.

The \_\_\_\_\_ PC will reimburse staff for professional, educational, and travel expenses upon the submission of written evidence that shall include the amount, date, place, and business nature of each expense. If the staff member makes a payment with a credit card, he or she will submit both the credit card statement as well as the original receipt. Churches, when there is a demonstrated need, may provide reimbursements in advance with the requirement that substantiation be provided within sixty days and excess reimbursements be returned to the church within 60 days.

## **XIII. POLICY ON COMPUTER USE AND E-MAIL**

### **A. Acceptable uses of the Internet and the Church's E-Mail**

Use of Internet and E-Mail access provided by the Church is intended to be for business reasons only. Internet service and E-Mail are to facilitate the Church's business and not for personal use. Every employee has a responsibility to maintain and enhance the Church's public image and to use the Church computers, E-Mail, and access to the Internet in a productive manner. The Church cannot control the availability of Internet information or restrict access to it.

All Employees must understand that they are responsible for the material they access and download on the Internet.

## **B. Notification**

In accordance with Maryland law, all employees are notified that the Church, its agents, or representatives may monitor or intercept any electronic mail or transmission or Internet access or usage on any computer, equipment, or other electronic device in the workplace or which takes place on the Church computer, equipment, or other electronic device. Any improper use of the Church computers, the Internet, or E-Mail is not acceptable and is not permitted.

## **C. Unacceptable Uses of the Internet and the Church's E-Mail**

The Church's computers, equipment, or other electronic devices, including E-Mail and Internet access may **NOT** be used for:

- Transmitting, retrieving, displaying, printing, storing or otherwise disseminating any communications, including images and documents, that are fraudulent, discriminatory, intimidating, illegal, harassing, embarrassing, abusive, sexually explicit, obscene, profane, offensive or defamatory.
- Transmitting, retrieving, displaying, printing, storing or otherwise disseminating any messages with derogatory or inflammatory remarks about an individual's race, age, sex, disability, religion, national origin, physical attributes or sexual preference, or any other characteristic protected by federal, state and local laws.
- Transmitting confidential, proprietary or privileged information or material concerning The Church without authorization.
- Any other purpose which is illegal or against the Church's policies or contrary to the Church's best interest.
- Personal advertisements, solicitations of non-Church's business, political material, or for personal gain.

Employees encountering any such prohibited use should report it to the Head(s) of Staff or to the Personnel Committee.

## **XIV. CONVICTIONS**

Any employee who is indicted or arrested for, charged with, or convicted of a criminal offense, other than a traffic violation, must immediately notify the Head(s) of Staff. Failure to notify the Head(s) of Staff will result in disciplinary action, which may include dismissal.

The Church will investigate each such indictment, arrest, charge or conviction to determine whether it presents health, safety, or other concerns in the workplace, including an adverse impact on the Church's reputation and mission. The Church will determine on a case-by-case basis whether any indictment, arrest, charge, or conviction necessitates personnel action.

The Church may take such action as is appropriate under the circumstances, including dismissal, suspension with or without pay, leave without pay, or any other step that it believes is necessary. The Church will make an independent assessment of whether personnel action should be taken. It may place an employee on leave without pay while criminal proceedings are pending, but the Church is not required to await the conclusion of criminal proceedings nor is it bound by the outcome of the criminal justice system. The Church's decision with respect to personnel action will include, but is not limited to, consideration of the nature and severity of the offense, whether it involves violence, theft, immorality or dishonesty, the position and responsibilities of the employee, and all other relevant circumstances.

## **XV. ETHICS AND CONFLICTS OF INTEREST**

Employees are expected to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict between their personal interests and those of the organization. The Church requires that the transactions employees participate in are ethical and within the law, both in letter and in spirit.

The Church recognizes that the different organizations have different codes of ethics. Conduct that may be acceptable by others outside of the Church as "standard practice," is not necessarily acceptable at the Church. There is no way to develop a comprehensive, detailed set of rules to cover every situation. The tenets in this policy outline some basic guidelines for ethical behavior at the Church. Whenever employees are in doubt, they should consult with Head(s) of Staff.

Conflicts of interests or unethical behavior may take many forms including but not limited to, the acceptance of gifts from vendors or potential vendors. Gifts from vendors or potential vendors may only be accepted if they have a nominal retail value and only on appropriate occasions (for example, a holiday gift). Employees are cautioned not to accept any form of remuneration or non-business related entertainment from vendors or potential vendors, nor may employees sell to third parties any information, products, or materials acquired from the organization. Employees may engage in outside business activities, provided such activities do not adversely affect the Church or the employee's job performance and the employee does not work for a vendor. Employees are prohibited from engaging in financial participation, outside employment or any other business undertaking that is prejudicial to the best interests of the Church. Employees may not use proprietary and/or confidential information for personal gain or to the detriment of the Church, nor may they use assets or labor for personal use without permission from Head(s) of Staff and the Personnel Committee.

If an employee, or someone with whom the employee has a close personal relationship, has a financial, personal or employment relationship with a vendor or potential vendor of the organization, the employee must disclose this fact in writing to the Personnel Committee. The committee will determine what course of action must be taken to resolve any conflict it believes may exist. In appropriate circumstances, the Church may be forced to ask the employee to take action to eliminate the conflict or tender his/her resignation. The Church has sole discretion to determine whether such a conflict of interest exists. Employees are encouraged to seek assistance from the Heads of Staff and the Personnel Committee with any legal or ethical concerns.

## **XVI. SOLICITATION AND DISTRIBUTION**

### **A. Non-Employees**

In an effort to ensure a productive and harmonious work environment, persons not employed by the Church may not solicit or distribute literature in the workplace at any time for any reason without permission from the Head(s) of Staff and the Personnel Committee.

### **B. Employees**

Employees may not solicit or distribute literature concerning non-work events, organizations, or activities during working time or in any working areas without permission from the Head(s) of Staff and the Personnel Committee.

### **C. Posting**

The posting of written solicitations on the Church bulletin boards is prohibited without permission from the Head(s) of Staff and the Personnel Committee.

## **XVII. MILITARY/RESERVE LEAVE**

The Church will abide by all applicable provisions of the Uniformed Services Employment and Re-Employment Act.

## **XVIII. OTHER POLICIES**

### **A. Outside Employment Provision**

The Church has no objection to an Employee holding another job as long as there is no conflict of interest and he or she can effectively meet the performance standards for his or her position with the Church. Each employee must think seriously about the effects that such extra work may have on the limits of his or her endurance, overall personal health, and effectiveness with the Church. The Church holds all Employees to the same standards of performance and scheduling demands and cannot make exceptions for Employees who hold outside jobs.

### **B. Employment References**

Requests for references from persons or forms outside the Church concerning current, retired or terminated Employees must be submitted in writing, unless the employee has signed a release permitting open disclosure of work performance, references are limited to dates of employment, title or job position, and verification of salary range for the position, if requested by a prospective employer. Only the Heads of Staff and the Personnel Committee are authorized to release such information.

### **C. Mortgage/Loan Information**

The Church will honor requests from bank and mortgage institutions for employees who are applying for mortgages/loans, provided that the Employee has provided written authorization

for release of such information. Such requests must be in writing and directed to the Church's Personnel Committee and/or Head(s) of Staff.

#### **D. Release of Employee Information**

The Church complies with State and Federal regulations in releasing employee information and strives to ensure that the confidentiality of the employees' records is reasonably maintained

#### **E. Employee Status Change**

Employees will report to the Personnel Committee, in writing, if there are any changes to the employee's name, address, phone number, or other changes that may have an impact on the employee's benefits.

### **XIX. EMPLOYEE Personnel FILES**

Employee may review their personnel files by appointment with the chair(s) of the Personnel Committee. Employee records will not be released to any other person without written permission from the employee. Employee personnel files may include the following:

- Resume and documentation of reference checks
- Position Description
- Dates and amounts of salary adjustments
- Annual performance evaluations
- Attendance Records
- Records of discipline (including discipline for violation of EEO policies) or resolution of personnel matters
- Other relevant materials

Any medical records, workers compensation claims, charges or allegations that the employee has been a victim of discrimination, harassment, or retaliation will be separately maintained and shall not be a part of the employee's personnel file.

**EMPLOYEE ACKNOWLEDGEMENT DISCLAIMER**

I have received a copy of the Church Personnel Policies Manual and have read and understood its contents. I understand that the Church is an “at will” employer, and as such, employment with the Church is not for a fixed term or definite period and may be terminated at any time at the will of either party, with or without cause. In addition, I understand that this Personnel Policies Manual states the policies and practices of the Church in effect on the date of publication. I understand that the Personnel Policies Manual does not create or constitute a contract of any kind between any employee and the Church. I also understand that these policies and procedures are continually evaluated and may be amended, modified, or discontinued at any time by the Church.

I also acknowledge that in accordance with Maryland law, I have been advised that any electronic mail or transmission, Internet access or usage on any computer, equipment or other electronic device which occurs in the workplace, or on any computer, equipment, or other electronic device provided by the Church may be monitored and communications may be intercepted.

Sign and date to acknowledge receipt of this document, and return it to the Personnel Committee.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_