

Employee Handbook



of Messiah Lutheran Church

as adopted on Monday, January 18th, 2021
by vote of the Congregation Council

Table of Contents

Introduction.....	3
Chapter 1: Our Commitment	3
Chapter 2: Employment at Will	4
Chapter 3: Equal Opportunity Employer.....	4
Chapter 5: Employment of Minors	4
Chapter 6: Employment of Relatives	5
Chapter 7: Conflict of Interest.....	5
Chapter 8: Sexual Harassment	5
Chapter 9: Smoking, Alcohol and Other Controlled Substances	7
Chapter 10: Outside Employment.....	8
Chapter 11: Personal Appearance	8
Chapter 12: Access to Church Property and Information	8
Chapter 13: Business Expense Reimbursement	8
Chapter 14: Personal Communications	8
Chapter 15: Letters of Reference	8
Chapter 16: Personal Property and Lost & Found.....	9
Chapter 17: Employment Classifications	9
Chapter 18: Probationary, Full-time & Part Time Employment.....	9
Chapter 19: Work and Pay Schedules.....	10
Chapter 20: Compensation and Benefits.....	11
Chapter 21: Position Descriptions	14
Chapter 22: Performance Evaluation.....	14
Chapter 23: Disciplinary Action	15
Chapter 24: Grievances.....	15
Chapter 25: Resignation.....	16
Chapter 26: Child Abuse Prevention Policy.....	16
Chapter 27: Acknowledgement of Policies	16
Chapter 28: Conclusion	16

Introduction

The purpose of this handbook is to provide clear and concise information to employees of the Evangelical Lutheran Church of the Messiah (hereafter Messiah Lutheran Church, Messiah or “the congregation”) concerning their rights, responsibilities and terms of employment. We hope this information will contribute to each employee’s sense of job satisfaction and effective performance.

All policies and procedures stated herein apply to congregation employees, including rostered leaders. However, separate policies established by the Evangelical Lutheran Church in America (ELCA) and the Upstate New York Synod of the ELCA may also govern the work of a rostered leader. Employment policies and procedures at Messiah are established by the congregation’s elected governing body, the Congregation Council, upon recommendation of the Personnel Committee. Any concerns related to the conduct of rostered leaders on staff shall be reported to the Personnel Committee or, if related to matters of sexual misconduct, to the Safe Church Committee. The Personnel Committee and/or Safe Church Committee will forward these concerns to the Dean of the Hudson-Mohawk Conference and Bishop of the Upstate New York Synod if warranted under other policies and procedures.

Every effort will be made to consult with employees as personnel policies and procedures are formulated or amended. It is obviously not possible to anticipate every situation that may arise in the workplace or to provide information that answers every possible personnel question. As a result, the Congregation Council reserves the right to modify, supplement, rescind, or revise any policy, benefit, or provision with or without notice as it deems necessary or appropriate. Employees will be notified of any policy changes as soon as possible. This handbook supersedes and makes obsolete all prior employee personnel handbooks and related policies.

It is important that each employee read and understand the handbook and comply with the stated standards. Please talk with the supervisor named in your job description if you have any questions or need additional information.

Chapter 1: Our Commitment

We promote open communication, but we expect all employees to follow the code of conduct. Employees should avoid offending, participating in serious disputes and disrupting our objectives in ministry. We expect employees to foster a well-organized, respectful and collaborative environment in line with the vision, core values, mission, goals and objectives of Messiah Lutheran Church.

By working or volunteering here we commit to the following:

1. To conduct ourselves in a manner that honors the Way of Christ and Christ’s Church.
2. To in all financial matters act with honesty, integrity, and publicly account for all monies handled by us on behalf of others. We do not seek financial gain from our position, other than wages, recognized allowances and deductions.
3. To conduct all personal relations in a godly manner, acting with respect, love and integrity toward all. We are a congregation that confesses everyone is created in the image of God and therefore we welcome and actively invite all people into full participation in the body of Christ without regard to race, nationality, ethnicity, ability, marital status, gender identity or sexual orientation.
4. To follow the principles of Matthew 18 and address matters personally when grievances occur. When this not appropriate or if a resolution is not forthcoming, we will seek additional assistance. The congregation will seek every effort to pursue reconciliation following the policies listed here. Issues pertaining to criminal actions, bullying, or sexual misconduct will be

handled in accordance with our Safe Church Policy, the wider policies of the ELCA and be reported to police as required by law.

5. To be diligent in providing each other with the information and resources to fulfill our roles and be mindful of the expectations others have of us.
6. To be truthful and honest in our communications with each other. We will be willing to share our reflections, concerns and ideas with each other.
7. To be loyal in support of each other and other congregation members. We may express our opinions robustly but understand once collective decisions have been reached, we support the outcomes.

Chapter 2: Employment at Will

Employment is with the mutual consent of each employee and the Congregation Council. Consequently, either the employee or the Congregation Council, through its Personnel Committee has the right to terminate the employment relationship at any time, with or without cause or advance notice. This employment at-will relationship remains in effect throughout each employee's period of employment at Messiah unless it is specifically modified by an written agreement signed by the employee and an officer of the congregation. This employment at-will relationship may not be modified by any oral or implied agreement. Additional ELCA and congregational policies governing the hiring and release of a rostered leaders call will be followed.

Chapter 3: Equal Opportunity Employer

The congregation is committed to providing equal employment opportunities for all qualified persons, without regard to race, color, ancestry, national origin, religion, gender, gender identity, marital status, physical ability, mental ability, medical condition, sexual orientation, or age, to the extent required by law. This applies to all employment practices, including hiring, promotions, training, disciplinary action, termination and benefits.

We expect all employees to show respect and sensitivity toward all other employees, and to demonstrate a commitment to the congregation's equal opportunity objectives. If you observe a violation of this policy, you should report it immediately to your supervisor or to any member of the Personnel Committee.

Violation of this policy may result in disciplinary action, up to and including possible termination of employment.

Chapter 4: Immigration Reform and Control Act of 1986

The congregation is committed to full compliance with the federal immigration laws and will not knowingly hire or continue to employ anyone who does not have the legal right to work in the United States. As an ongoing condition of employment, employees will be required to provide documentation verifying identity and legal authority to work in the United States.

Chapter 5: Employment of Minors

If employees are not at least 18 years old, they are required by law to provide a valid Work Permit, High School Diploma, or Certificate of Proficiency, before being allowed to work. The employment of minors is restricted by the terms and conditions of the Work Permit, as well as the provisions of state and federal law.

Chapter 6: Employment of Relatives

Relatives of employees will receive the same consideration as any other applicant for a job opening. They will not be accorded preferential treatment in employment matters. Related employees are not permitted to work in the same department or under the direct supervision of each other because of employee morale, security, potential conflicts of interest, and other legitimate business reasons. In addition, the congregation may require a related employee to transfer or resign if there is a conflict of interest or management problem of supervision that cannot be resolved.

Chapter 7: Conflict of Interest

Staff members shall scrupulously avoid any conflict between their own respective individual interests and the interests of the congregation in any and all actions taken by them on behalf of the congregation. Staff members are not to benefit personally or financially from any purchases, agreements or transactions undertaken on behalf of the congregation.

In the event that any staff member shall have any direct or indirect interest in or relationship with any individual, business or organization which proposes to enter into any transaction with the congregation for the sale, purchase, lease or rental of property or to render or employ goods or services, personal or otherwise, said staff member shall immediately give written notice of such interest or relationship to the Personnel Committee and shall thereafter refrain from exerting influence on the congregation to participate or not participate in the transaction. Violation of this policy shall be grounds for termination of employment.

Chapter 8: Sexual Harassment

The congregation is committed to maintaining a workplace free from all forms of abuse or harassment, including sexual harassment. Sexual harassment is a form of workplace discrimination. All staff are required to work in a manner that prevents sexual harassment in the workplace. Messiah's Safe Church Policy is one aspect of our commitment to a discrimination-free work environment. Sexual harassment is against the law and all staff have a legal right to a workplace free from sexual harassment. Staff are urged to report sexual harassment by filing a complaint internally with Messiah Lutheran Church or filing a complaint with a government agency or in court under federal, state or local antidiscrimination laws (see Appendix III of Messiah's *Safe Church Policy*).

Sexual harassment will not be tolerated. Any staff or other individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).

Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Messiah Lutheran Church to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

Definitions

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes:

- a. All conduct with a child, youth or vulnerable adult that is sexual in nature.
- b. Unwelcome conduct between adults that is either of a sexual nature.
- c. All conduct that is directed at anyone because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender when:
 1. Such conduct has the purpose or effect of unreasonably interfering with an individual's life or creating an intimidating, hostile or offensive environment, even if the reporting individual is not the intended target of the sexual harassment.
 2. Such conduct is made either explicitly or implicitly a term or condition of employment.
 3. Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any harassing conduct, even a single incident, can be addressed under this policy.

Examples

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- a. Physical acts of a sexual nature, such as:
 - a. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body or poking another employee's body;
 - b. Rape, sexual battery, molestation or attempts to commit these assaults.
- b. Unwanted sexual advances or propositions, such as:
 - a. Requests for sexual favors accompanied by implied or overt threats concerning a staff member's job performance evaluation, a promotion or other job benefits or detriments;
 - b. Subtle or obvious pressure for unwelcome sexual activities.
 - c. Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience.
- c. Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- d. Sexual or discriminatory displays or publications such as pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on computers or mobile devices and sharing such displays.
- e. Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - a. Interfering with, destroying or damaging a person's property.
 - b. Interfering with the individual's ability to perform the job.
 - c. Sabotaging an individual's work.
 - d. Bullying, yelling, name-calling.

Who can be a target of workplace sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can workplace sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Reporting

No person covered by this portion of the policy shall be subject to adverse action because the staff member wishes to report an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Messiah Lutheran Church will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any staff member who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such retaliation should inform our Safe Church Response Team. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained in the section on legal protections of Messiah's *Safe Church Policy* (Appendix III).

Messiah Lutheran Church will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Messiah Lutheran Church will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers, supervisors and rostered ministers, are required to cooperate with any internal investigation of sexual harassment.

All staff members are encouraged to report any harassment or behaviors that violate this policy. Messiah Lutheran Church will provide all staff with a complaint form to report harassment and file complaints (see Appendix V of Messiah's *Safe Church Policy*).

Supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to the Safe Church Response Team.

Chapter 9: Smoking, Alcohol and Other Controlled Substances

As a private residence, use of the Parsonage is governed under a separate *Parsonage Housing Policy*. Otherwise, smoking is not permitted in buildings owned by the congregation. The unauthorized use of alcohol, drugs or controlled substances on congregation property is prohibited. Off duty conduct which may adversely affect the reputation or interests of the congregation is prohibited. Violation of this policy is grounds for disciplinary action, up to and including possible termination of employment.

Chapter 10: Outside Employment

All employees are prohibited from engaging in outside employment, private business, or other activity that may have an adverse effect on or create a conflict of interest with the congregation.

Chapter 11: Personal Appearance

Employees will maintain personal hygiene at work. Employees are expected to present themselves during working hours in attire that is appropriate to their position as a representative of the congregation and to the nature of work performed. Employees who have questions about personal attire or appearance should consult their supervisor. Any employee who appears for work in an inappropriate manner will be required to take immediate corrective action.

Chapter 12: Access to Church Property and Information

As private residence, use of the Parsonage is governed under a separate *Parsonage Housing Policy*. Otherwise, it is important that appropriate congregation officials have access to congregation property as well as other records, documents and files. The congregation reserves the right for authorized officials to access employee offices, workstations, filing cabinets, desk and any other congregation property at its discretion, with or without advance notice or consent. Rostered leaders' confidential files are exempt from this policy. Employees have the right to know which congregation officials have access to their work area and may obtain this information from their supervisor.

Chapter 13: Business Expense Reimbursement

Any employee who incurs legitimate expenses on behalf of the congregation will be entitled to reimbursement under the process outlined in Messiah's *Accountable Reimbursement Policy*. Unusual expenses not covered in the annual budget must be approved by an employee's supervisor in advance. Under the policy, employees will be reimbursed for actual expenses only.

Chapter 14: Personal Communications

Personal communication including, but not limited to, phone calls, texting, emails and use of social media accounts should be limited to break times and are allowed only in cases of emergencies. Personal use of congregation communication technologies for recreation or personal communication of any type while on the job is not allowed.

While this congregation does not seek to limit any personal views expressed by employees publicly on personal social media platforms, off duty conduct which goes against the values of Messiah Lutheran Church as expressed in its most recent strategic plan and adversely affects the reputation or interests of the congregation is prohibited.

Chapter 15: Letters of Reference

No officer, representative or employee of the congregation shall provide on behalf of the congregation a letter of reference or otherwise evaluate the performance of any congregation employee at the request of an outside individual, organization, business or institution. The official response to all such requests shall be limited to a statement of the fact and effective dates of the person's employment by the congregation.

When an employee of the congregation requests a reference from another employee, the person providing the reference shall state in writing that the reference is exclusively personal and not an official statement of the congregation. The congregation is not responsible for personal references provided by congregation employees.

Chapter 16: Personal Property and Lost & Found

Employees should not bring large sums of money, jewelry, or other valuable items to church property. The congregation will not be responsible for personal property that is lost, damaged, stolen or destroyed on church property or in the employee's vehicle while parked on church property. If a personal item is found on church property it will be placed in the lost and found for no longer than three months. Property belonging to occupants of the parsonage is exempt from this policy.

Chapter 17: Employment Classifications

The following classifications apply to congregation staff and shall be listed on each iteration of a job description.

Rostered Leader

Persons who serve the congregation as ordained Ministers of Word and Sacrament (often referred to as pastors) or Ministers of Word and Service (often referred to as deacons), serving either under call or contract, either full or part-time. Rostered leaders may serve in a supervisory capacity as directed by the Congregation Council, including designation as Head of Staff. Rostered leaders shall be considered exempt, salaried and statutory employees, regardless of the number of hours worked. A rostered leader's complete compensation package shall be reviewed on an annual basis by the Personnel and Budget & Finance Committees, and if the rostered leader is designated Head of Staff, should be approved separately by the Congregation Council, in line with requirements of the most recent edition of *Compensation Guidelines of the ELCA Upstate New York Synod*.

Hourly Staff

Employees paid an hourly wage for a specified number of hours per week who work under the supervision of supervisory staff. Hourly staff may be considered part-time or full-time as stipulated in the following chapter of this document.

Contract Staff

Persons who contract their personal services to the congregation as needed for a stipulated fee.

Volunteer Staff

Persons who offer their time and/or services to the congregation in any sort of church-approved activity without remuneration. Volunteers are held to the same standards of this policy as paid staff.

Chapter 18: Probationary, Full-time & Part Time Employment

Probationary Employment

Newly hired hourly or volunteer staff serve an initial ninety day probation. Upon satisfactory evaluation at the end of this period they are granted permanent status. If the evaluation is not satisfactory, they will either be dismissed or their probationary period may be extended for a period of time not to exceed six months.

Full-Time Employment

Employees who regularly work a minimum of forty hours per week on a continuous basis are considered full-time.

Part-Time Employment

Employees who regularly work less than forty hours per week are considered part-time.

Chapter 19: Work and Pay Schedules

Work schedules for full and part-time employees will be determined by each employee's supervisor who may change such schedules as needed to provide coverage for special events, weekend congregation activities, evening meetings, etc.

Employees may request to work flexible hours or receive compensatory time according to a schedule approved by their supervisor. Whether flexible hours or compensatory time are appropriate to a particular position will be determined by their supervisor in consultation with the Personnel Committee.

Hourly staff working flex time must still complete their required number of work hours per week. Compensatory time must be used within the following pay period.

Overtime

All employees are expected to complete their assigned tasks and expectations as defined by their job description in the allotted time and rate hired. All overtime must be approved IN ADVANCE of working. Any requests for overtime without previous request to the employee's supervisor will be denied. All full-time hourly employees who work over forty hours shall be paid at a rate of 1.5 times their hourly rate for hours worked over the initial forty. All part-time hourly employees who work over their regularly scheduled rate will be paid at a rate of 1.0 times their hourly rate. Salaried employees do not receive overtime.

Overtime wages will be treated as taxable income and be reflected upon an employee's paystub.

All employees must obtain their supervisor's approval for vacation no later than the end of the pay period before vacation is taken. All employees must inform their supervisor as soon as possible if they are going to miss work due to illness or other personal emergency.

Tardiness

All hourly employees are expected to be on time. Recurring unexcused tardiness is grounds for discipline and dismissal.

Leaving the Premises

Hourly employees should inform their supervisor when they must leave the congregation's premises during work hours, stating the reason for leaving and time of return. To facilitate communication among employees, phone messages, etc. all employees should note in the Parish Calendar when they will not be on the congregation's premises during their normal working hours.

Breaks and Lunch Hours

Full-time hourly employees are entitled to a paid fifteen minute break in the morning and afternoon of each workday. Part-time hourly employees are entitled to a paid twenty minute break in each four hour period of work. Employees are not paid for lunch hours.

Snow Days

The Head of Staff, in conversation with the President, will determine whether a snow day is to be declared. In the event of a snow day, employees will be notified before they depart for work. In the absence of a declared snow day, employees are expected to report for work as soon as possible, consistent with safe travel. Maintenance employees will adjust their work schedules to provide snow removal as soon as possible. Salaries or wages will not be reduced for declared snow days.

Pay Period and Pay Days

Pay periods for hourly employees are biweekly, beginning on a Sunday and ending on a Saturday for hourly employees. Compensation for the previous pay period shall be direct deposited into an hourly employee's account on the Friday after the end of the pay period.

Pay periods for salaried employees are monthly. Compensation for the previous pay period shall be directed deposited into a salaried employee's account on or before the 15th of the month after the end of the pay period.

Any adjustment to this schedule will be communicated to employees as soon as possible. All employees are responsible for reviewing their paychecks and direct deposits for errors and promptly reporting them to their supervisor.

Time Cards & Reporting Time Off

All hourly employees are expected to submit a time card of hours worked by the end of each pay period.

Chapter 20: Compensation and Benefits

Salaries and Wages

Salaries for called rostered leaders are recommended by the Personnel Committee and Budget & Finance Committee in line with the most recent edition of *Compensation Guidelines of the ELCA Upstate New York Synod* and within the framework and constraints of the annual Parish Operating Budget for adoption at an Annual Meeting of the Congregation.

Hourly wages and salaries for other paid employees are recommended by the Personnel Committee and Budget & Finance Committee within the framework and constraints of the annual Parish Operating Budget for adoption at an Annual Meeting of the Congregation. The congregation makes every effort to offer salaries and wages that are fair and competitive for each employment position.

Medical Insurance

The congregation provides family medical coverage for each full-time called rostered leader as required by ELCA policy and the most recent edition of *Compensation Guidelines of the ELCA Upstate New York Synod*.

The congregation pays the cost of individual medical insurance for other full-time employees at the level of an average gold plan. The difference of a better plan may be paid for by the employee.

Retirement Benefit

The congregation provides each full-time called rostered leader with pension contributions as outlined in the most recent edition of *Compensation Guidelines of the ELCA Upstate New York Synod*. Each full-time called rostered leader may elect to make additional tax-deferred contributions to the ELCA Pension, Health and Dental, Disability and Survivor Plan up to the federal statutory limit each year.

Other full-time employees may elect to contribute four percent of their salary or wages annually to an account with the ELCA Pension, Health and Dental, Disability and Survivor Plan. The congregation will match this amount with an equal contribution in the employee's name. Employees may make additional tax-deferred contributions to their ELCA Pension, Health and Dental, Disability and Survivor Plan account up to the federal statutory limit each year.

Disability Benefit

The congregation provides each full-time called rostered leader with a long-term disability benefit as outlined in the most recent edition of *Compensation Guidelines of the ELCA Upstate New York Synod*. A short-term disability benefit is also provided for a maximum of twenty-six weeks of disability during fifty two consecutive weeks after a seven-day waiting period for which no benefits are paid.

In accordance with New York State law, the congregation provides a short-term disability benefit for all hourly staff, both full and part time, for a maximum of twenty-six weeks of disability during fifty two consecutive weeks after a seven-day waiting period for which no benefits are paid.

Social Security and Income Taxes

The congregation, as employer, must withhold, report and remit to the federal government the employees share of Social Security Tax. The congregation must also report and pay the employer's share of the Social Security Tax. The congregation is also required to report wages paid and to withhold and remit to federal and state agencies appropriate payroll deductions for federal and state income taxes.

The congregation deducts from each employee's paycheck only those deductions required by law. Any other deductions must be authorized by the employee in writing. Each paycheck stub itemizes amounts withheld. Employees are urged to verify these amounts regularly and to retain this information for tax purposes. If questions arise, employees should consult their supervisor or the Treasurer immediately. The congregation complies with applicable state and federal laws regarding the garnishment and assignment of wages.

Worker's Compensation

An employee who incurs a work-related injury will receive benefits under the worker's compensation insurance paid for by the congregation. This policy provides for partial earnings replacement. The injury should be reported immediately to the employee's supervisor and to the Parish Administrator. Full benefit and filing information is available from the Parish Administrator.

Days Off Per Week

Full-time called rostered leaders and full-time hourly workers are provided with two days of per week. If job duties or emergencies require a rostered leader or full-time hourly worker to work on a regularly scheduled day off, another day off shall be granted with the approval of that employee's supervisor.

Vacation & Sick Leave

Paid vacation days are offered as an incentive for employment. Each employee's vacation time will be listed in their position description, subject to annual review by the Personnel Committee. For the purposes of this document and all position descriptions, "week(s) of paid vacation" would mean however many number of hours or days of work a week an employee would usually need to fulfill their position description. The minimum amount of vacation days by employment classification are as follows:

- a. Full-time called rostered leaders are granted a minimum of four weeks of paid vacation days per year, including four Sundays.

- b. Full-time hourly staff are granted a minimum of two weeks of paid vacation per year in their first five years of employment, three weeks after their first five years of employment and four weeks after fifteen years of employment.
- c. Part-time hourly staff are granted a minimum of one week of paid vacation per year.

All vacation days shall be used in that calendar year. There will be no rollover of time accrued without prior approval of the employee's supervisor. No part-days shall be used. If full or part-time hourly staff is sick, they may elect to use their vacation days or move their work days with approval of their supervisor.

Sick days for full-time called rostered leaders are required by ELCA policy as outlined in *Compensation Guideline of the Upstate New York Synod*, "Sick leave of up to eight (8) weeks per year with full salary, housing and benefits and provision for disability thereafter as coordinated with the congregation/organization and Portico is the minimum recommendation. Sick leave may be taken for the purpose of personal or family illness."

Holidays

The congregation grants paid holiday leave to all rostered leaders and full-time hourly staff on the holidays listed below:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- Presidents' Day (third Monday in February)
- Good Friday (Friday before Easter)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Columbus/ Indigenous Persons' Day (second Monday in October)
- Veteran's Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas Eve (December 24)
- Christmas Day (December 25)

If the actual holiday cannot be taken by rostered leaders and full-time staff (i.e. Christmas Eve), another day should be designated with approval by the employee's supervisor.

Part-time staff with approval of their supervisor may move their work hours to another day to take off the holidays listed above.

Parental Leave

All employees who have completed at least one year of service are eligible for up to twelve weeks of paid parental leave per year when a child is born or adopted.

Bereavement Leave

All employees who have completed at least one year of service are eligible for up to five days of paid bereavement leave upon the death of an immediate family member.

Study Leave

Full-time called rostered leaders are required to have up to ten days of paid study leave per year. Study leave for full-time and part-time hourly workers shall be listed in their position description and subject to annual review by the Personnel Committee.

Sabbatical Leave

Full-time called rostered leaders shall be granted up to three consecutive months of paid sabbatical leave after their first seven years of employment and after every subsequent five years of employment. Additional guidance is provided in a separate *Sabbatical Policy*.

Jury Duty

The congregation recognizes the importance of and encourages employees to fulfill the civic responsibility of jury duty. Employees called to serve on jury duty will be paid the difference between their regular pay and payments made to them by the court for a maximum of ten working days. Employees who are excused from jury duty for all or part of a work day are expected to return to their work at the congregation.

If an employee is called to serve on jury duty at a time that would unreasonably inconvenience the congregation, the congregation may request that the jury duty be postponed to a later date.

Other Benefits for Full-Time Called Rostered Leaders

ELCA policy and federal tax law allow for additional types of benefits for rostered leaders including a Social Security Allowance, a Housing Allowance and/or Parsonage, a Furnishing Allowance, Auto-Reimbursement Funds, Continuing Education Funds and Business Expenses. The congregation will provide these benefits as outlined in the most recent edition of *Compensation Guideline of the Upstate New York Synod* and in conversation with the Personnel Committee.

Chapter 21: Position Descriptions

Each employee is entitled to a position description which includes a general summary of the position, the specific duties for which the employee is accountable and the person responsible to provide support and supervision for the employee in the performance of duties. Position descriptions provide important criteria for performance evaluation and shall be reviewed by the employee, the employee's supervisor and the Personnel Committee on an annual basis or whenever questions arise. Changes to position descriptions shall be recommended by Personnel Committee for approval by the Congregation Council.

Chapter 22: Performance Evaluation

Informal evaluation is a natural part of all working relationships, especially an employee and supervisor. The congregation encourages such open and informal evaluation as an effective means of continuous assistance, support and motivation for employees. Since informal evaluations tend to be focused on specific aspects of job performance, they usually do not provide a comprehensive assessment.

Therefore, it is the policy of this congregation to provide annually for all employees a comprehensive evaluation conducted by the employee's supervisor with support from the Personnel Committee. Each supervisor is responsible to design an evaluation procedure appropriate to the employee's classification and specific responsibilities. The Personnel Committee reviews each evaluation procedure before it is conducted as well as the results upon completion.

The annual performance evaluation shall include the following at minimum:

- a. The employee's performance measured against the job requirements as set forth in the position description.
- b. The quality of performance provides a basis for decisions concerning salary/ wage increases, encouragement, revision of the position description and priorities for continuing education.

- c. The evaluation process should help employees establish vocational goals that will give direction to future performance and best contribute to the mission of the congregation as outlined in its most recent Strategic Plan.

The evaluation process will include the employee's self-evaluation and the supervisor's evaluation of the employee. In the autumn of each year, the employee and supervisor will meet. At least one week prior to the meeting date, the supervisor will supply the employee with the criteria and written instrument for self-evaluation.

At the scheduled meeting, the supervisor and employee will discuss the completed evaluations. Areas of individual excellence and areas where improvement and growth are needed should be discussed to achieve clarity and agreement on the establishment of vocational goals. All goals are established for the sake of the employee's growth in the fulfillment of job requirements. However, the achievement of goals is not necessarily the sole responsibility of the employee. Action by the supervisor in providing support, a revised position description, special training, etc. may be required.

The completed and signed evaluations with a statement of agreed upon vocational goals for the coming year will be prepared, reviewed by the Personnel Committee, and placed in the employee's personnel file.

Similar performance evaluations for the Senior Pastor, or other Head of Staff if so designated, shall be conducted in a similar manner on an annual basis by the Personnel Committee with support from the Mutual Ministry Committee.

Chapter 23: Disciplinary Action

As representatives of the congregation, employees must maintain acceptable standards of moral conduct and work performance. Unacceptable conduct includes but is not limited to dealings which constitute a conflict of interest; unauthorized use of alcohol, drugs or controlled substances on congregation property; theft of congregation funds or property; theft of property belonging to another employee, a congregation member, or the public; sexual harassment; excessive absenteeism; poor job performance; possession of a weapon; insubordination or unwillingness to accept a job or assignment within bounds of description; divulging information of any kinds to any unauthorized person or persons without an official need to know; obtaining unauthorized confidential information pertaining to Messiah, the Council, the rostered leaders, employees or Messiah members; and discriminatory language/practice or encouraging as such. Employees who engage in such conduct are liable to suspension without pay for a stated period or termination of employment.

Disciplinary action will be taken by the Personnel Committee in consultation with the employee's supervisor and the Congregation Council. Usually, a disciplinary action against an employee will be preceded by a warning and a written description of the unacceptable conduct. However, extreme violations of acceptable conduct may result in immediate termination of employment for a first infraction. Disciplinary action may also be carried out directly by the Head of Staff. Such action shall be immediately reviewed by the Personnel Committee and the Congregation Council.

Chapter 24: Grievances

Conflicts, misunderstandings, and disagreements are a normal occurrence in human society and in the workplace. Employees are encouraged to cultivate positive relationships, honest communication, and constructive resolution of differences. When such informal efforts fail, the Church provides the following procedure by which an employee shall submit a complaint or grievance for resolution. The steps in the grievance procedure are:

- a. An employee with a complaint, problem, or misunderstanding which affects work performance or relationship with another employee shall inform the supervisor of the nature of the grievance and the circumstances involved. The supervisor shall mediate between both parties and attempt to effect a reconciliation of persons and a resolution of the grievance. If this effort fails, the employee shall inform the supervisor and proceed to the second step in the grievance procedure.
- b. The employee shall present the grievance in writing to the Personnel Committee which will investigate, consult with all affected parties, and attempt to resolve the grievance. Every effort will be made to provide the employee with a written proposal for resolution of the grievance and the reasons therefore within thirty working days. The decision of the Personnel Committee is final.

This Grievance Procedure is not available to and cannot be invoked by employees who are terminated from congregation employment with or without cause.

Chapter 25: Resignation

A resignation is the voluntary termination of employment initiated by the employee. The congregation requests that a letter of resignation be submitted to the employee's supervisor including reasons for the resignation, the effective date, and the name and address of the new employer, if applicable.

Chapter 26: Child Abuse Prevention Policy

All staff, including rostered leaders, shall be required to follow the *Safe Church Policy* adopted by the Congregation Council. Anyone found in violation of these policies is subject to immediate termination through prescribed channels. All staff shall be required to review the policy and acknowledge review.

Chapter 27: Acknowledgement of Policies

All staff shall be required to sign a form of attestation that they have read, understood, and agree to abide by the policies and procedures set forth in this guide. This shall be required in order to maintain employment.

Chapter 28: Conclusion

This handbook provides a general summary of personnel policies and procedures for the information and use of congregation employees. It does not constitute a written contract between an employee and Messiah Lutheran Church. All policies, procedures, provisions, and other terms and conditions described in this handbook are subject to addition, deletion, or amendment, with or without notice, at the sole discretion of the Congregation Council and its Personnel Committee. This handbook will be updated periodically to reflect revisions made by the Council with recommendation from the Personnel Committee.