

# Presbytery of Chicago



A COUNCIL OF



August 16, 2016

## PERSONNEL POLICY MANUAL

Effective January 2010

Approved by Presbytery Assembly, December 9, 2009

Revised by Presbytery Assembly, November 21, 2015

These personnel policies have been prepared for use within the Presbytery of Chicago. They are specifically intended to guide personnel administration to ensure fairness and consistency for all employees. These policies neither constitute a contract of employment, real nor implied, nor should they or this document be interpreted as such.

These personnel policies are subject to periodic revision at the will of the Presbytery, which revisions shall supersede any and all previously published personnel policies of the Presbytery. Employees of the Presbytery of Chicago shall have access to copies of these personnel policies and to any revisions approved by the Presbytery Coordinating Commission that may, from time-to-time, be issued by the Presbytery Coordinating Commission's Staff Personnel Work Group.

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# **PERSONNEL POLICY MANUAL**

## **1.0 INTRODUCTION AND THEOLOGY OF EMPLOYMENT**

### **1.01 The Work of the Presbytery**

The work of the Presbytery is carried on to further the mission of the Church of Jesus Christ. It is guided by Scripture, the Book of Confessions and the Book of Order of the Presbyterian Church (U.S.A.). The Presbytery seeks in all matters to glorify God and to bear faithful witness to the Gospel of Jesus Christ.

Implicit in Christian theology are basic assumptions about men and women that the Presbytery is committed to take into account in its employment practices. Among these are the following:

- a. Women and men are created in the image of God. The potential creativity of each person is to be recognized and nurtured.
- b. Authority is lodged in groups, which are to serve rather than to be served.
- c. The Christian Gospel frees people to assume responsibility. The Presbytery provides opportunity for individuals to exercise this freedom in the performance of their work.

### **1.02 About These Personnel Policies**

These personnel policies have been prepared to help employees become acquainted with the Presbytery's philosophy, employment practices, and policies, as well as the benefits provided to employees. These personnel policies have been created and adopted by the Staff Personnel Work Group, recommended by the Presbytery Coordinating Commission (PCC), and adopted by Presbytery Assembly.

### **1.03 At-Will Employment**

The employment relationship, by its nature, is "at-will." This means that either party may terminate the employment relationship at any time for any reason, as long as that reason does not violate the law. Each employee is free to terminate their employment at the Presbytery at any time, with or without reason. Likewise, the Presbytery has the right to terminate employment at any time. Teaching Elders and other Elected Staff serving under a Call may have written contracts with the Presbytery, which may fall outside the employment-at-will doctrine. In these instances, the Terms of Call may prevail.

## **2.00 COMMITMENTS UNDERLYING POLICIES**

### **2.01 Responsibilities of the Presbytery**

The Presbytery assumes responsibility for:

- a. Providing adequate and equitable compensation, benefits, and working conditions.
- b. Providing a work place that is safe and secure, establishing and maintaining open communication with the staff, and providing for the hearing and resolution of complaints and grievances.
- c. Assuring that policies and their administration do not infringe on the rights of staff members.
- d. Conducting performance reviews and evaluations for all staff members.

## **2.02 Responsibilities of Employees**

Employees assume responsibility for:

- a. Furthering the mission of the Church of Jesus Christ and of the Presbytery.
- b. Giving their best possible performance in their assigned functions and making constructive suggestions regarding the work and life of the Presbytery.
- c. Contributing in areas outside of their normal responsibilities when required or upon request.

## **2.03 Standards of Ethical Conduct for Employees of the Presbyterian Church (U.S.A): Life Together in the Community of Faith**

The Presbyterian Church (U.S.A.) has adopted the following statement to represent the standards of ethical conduct for all employees of the Presbyterian Church. In accordance with this statement, each employee shall:

- a. Conduct his or her life in a manner that will support the ministry of the Presbytery. Therefore, each employee shall:
  - b. Be honest and truthful in relationships with others;
  - c. Treat all persons with equal respect and concern;
  - d. Maintain a healthy balance among the responsibilities of his or her position, his or her commitments to family and other primary relationships, and his or her need for spiritual, physical, emotional, and intellectual renewal;
  - e. Refrain from abusive, addictive, or exploitative behavior and seek help to overcome such behavior if it occurs; and
  - f. Refrain from gossip and abusive speech.

Conduct in the workplace will be in a manner that will support its ministry. Therefore, each employee shall:

- a. Honor relationships within the workplace and observe appropriate boundaries;
- b. Be judicious in the exercise of the power and privileges of his or her position;
- c. Avoid conflicts of interest that might compromise the effectiveness of his or her work;
- d. Refrain from exploiting relationships within the workplace for personal gain or gratification, including sexual harassment and misconduct as defined by Presbyterian Church (U.S.A.) policy;
- e. Respect the privacy of individuals and not divulge information obtained in confidence without express permission unless an individual is a danger to self or others;
- f. Recognize the limits of his or her own gifts and training, and refer persons and tasks to others as appropriate;
- g. Claim only those qualifications actually attained, give appropriate credit for all sources used in papers, music, and presentations, and observe copyrights;
- h. Observe limits set by the appropriate governing body for honoraria;
- i. Deal honorably with the record of his or her predecessor and, upon leaving a position, speak and act in ways that support the work of his or her successor;

- j. Be a faithful steward of and fully account for funds and property entrusted to him or her;
- k. Accept the appropriate guidance of those to whom he or she is accountable;
- l. Participate in continuing education and seek the counsel of mentors and professional advisors;
- m. Show respect and provide encouragement for colleagues; and
- n. Cooperate with persons of other faith traditions.

### **3.00 THE PRESBYTERY AS EMPLOYER**

#### **3.01 Reason for Staff**

The Presbytery, like other councils of the Church, has specific responsibilities assigned to it through the Book of Order. In order to carry out these responsibilities, the Presbytery employs staff to assist it in preparing for and implementing its decisions.

#### **3.02 Selection and Designation**

The Presbytery shall determine which persons shall serve as its employees, and the conditions of their employment. Each person employed shall be responsible to the Executive Presbyter and/or to a Supervisor.

### **4.00 SCOPE AND APPLICATION**

#### **4.01 About These Personnel Policies**

These policies, practices, and procedures are intended to be general personnel policies only. They are not intended to confer contractual rights of any kind upon any employee or to create contractual obligations. Teaching elders and certain lay staff may have explicit written contracts with the Presbytery; where they exist, these policies may apply only to matters not covered by such contracts. If there is a conflict between the provisions, benefits and policies in these personnel policies and those set forth in the terms of a teaching elder staff member's Call, the Terms of Call may prevail.

The information in these personnel policies supersedes and replaces all previous personnel policies, procedures, practices, benefits and rules of conduct, whether written or oral.

#### **4.02 Source of Personnel Policies**

Personnel policies are determined by the Presbytery Coordinating Commission upon recommendation of the Staff Personnel Work Group. The Presbytery Coordinating Commission, upon recommendation of the Staff Personnel Work Group, is free to amend, delete, suspend, modify and change any part of these personnel policies at any time. Revised personnel policies will supersede and replace any existing personnel policies at the time of implementation. Verbal promises are not sufficient to modify the policies and benefits as outlined in these personnel policies.

The Executive Presbyter will keep staff members informed regarding any such amendments, modifications, or changes.

#### **4.03 Relationships**

The personnel policies of the Presbytery are intended to be consistent with the Form of Government of the Presbyterian Church (U.S.A.), with the personnel policies adopted by the denomination, and with all applicable laws.

#### **4.04 Commitments of the Presbytery**

In the development and administration of personnel policies and procedures, the Presbytery is committed:

- a. To develop and implement practices that are free from discrimination with respect to race, color, national origin, gender, marital status, sexual orientation, disability, ancestry, veteran status and religious orientation, except where the latter is judged by the Presbytery Assembly to be a bona fide occupational qualification.
- b. To establish and administer a system of compensation based on job evaluation and classification, equitable salary scales, periodic performance review and evaluation, and increments determined in light of economic factors.
- c. To afford employees the opportunity to acquire new skills and knowledge or to refresh existing ones, and to incorporate staff development as an integral part of periodic performance reviews.
- d. To assist in meeting the needs of employees for medical services, insurance, pension coverage, vacation, personal leaves, and other such needs within the financial capabilities of the Presbytery.
- e. To assure equitable working hours, necessary equipment, and clean, pleasant and safe working conditions to the extent these are feasible.
- f. To assure that authorized expenses are reimbursed through a uniform voucher based system.
- g. To provide a fair and equitable opportunity for quick resolution of work-related problems and misunderstandings.
- h. To communicate to staff members the personnel policies and other information pertinent to their employment, including the identification of those responsible for the personnel system.

### **5.00 EMPLOYMENT CLASSIFICATIONS, TERMINOLOGY, AND PROCEDURES**

#### **5.01 Employment Classification Structure**

The Presbytery classifies employees in a number of different ways. "Calls" may apply to ordained teaching elders and certain other members of the Elected Staff. In these instances, the Book of Order or Terms of Call may prevail.

#### **5.02 Non-Exempt Staff**

A non-exempt employee is an individual who is not exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and is, therefore, covered by the provisions of the FLSA.

A regular workweek at the Presbytery is 40 hours.

The FLSA provision dictates that non-exempt staff is paid overtime for hours worked in excess of 40 hours per week, and at the rate of 1-1/2 times the regular hourly rate. Therefore, in compliance with the law, the Presbytery pays non-exempt employees overtime for all hours



worked in excess of 40 hours per week. All overtime must be approved in advance by the Supervisor. It is expected that non-exempt staff will arrange for days off, vacation, and a reasonable weekly working schedule subject to review by the supervisor. From time to time, non-exempt staff persons may be requested by their supervisor, with reasonable advance notice, to work at other times than the regular office hours in exchange for being excused for an equal period during the regular work week. Compensation will be at the contracted work week rate.

### **5.03 Exempt Staff**

Exempt staff members are individuals who are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) because they are classified as executives, professionals, or administrative employees and meet the specific criteria for exemption. Exempt employees are not paid overtime and are expected to manage their schedules in such a manner that both their professional and their private lives are adequately cared for.

Exempt employees are expected to work as many hours as needed, beyond the regular work week, based on the workload specified by the position.

It is expected that exempt staff will arrange for days off, vacation, and a reasonable weekly working schedule subject to review by the supervisor.

### **5.04 Salaried and Hourly Staff**

An individual who receives the same base salary from week to week is "salaried." Exempt employees must be paid on a salary basis. Non-exempt employees may be voluntarily paid on a salary basis, but still must receive overtime.

An individual who receives an hourly wage for work performed is "hourly." Such individuals, because of the method of payment, are classified as non-exempt and are subject to the overtime provisions of the FLSA.

### **5.05 Elected Staff**

Certain members of the staff are elected by the Presbytery Assembly in keeping with the practice of the Presbytery and the provisions of the Form of Government. The Executive Presbyter, Associate Executives, Director of Business Affairs, Presbytery Community Organizer and the Stated Clerk are Elected Staff. They are elected by the Presbytery Assembly or by the Presbytery Coordinating Commission and report to the Presbytery Assembly.

### **5.06 Non-Elected Staff**

All other employees are selected by the Staff Personnel Work Group and the Executive Presbyter, and are reported to the Coordinating Commission.

There are two classifications within the "Non-Elected Staff" category:

- a. Administrative/Program Staff – Qualified applicants are identified by a Search Committee and are recommended to the Executive Presbyter and the Staff Personnel Work Group.
- b. Support Staff – Qualified applicants are identified by a staff team formed by the Executive Presbyter and are recommended to the Executive Presbyter for final interview and reporting to the Staff Personnel Work Group.

### **5.07 Temporary Staff**

The Presbytery may need to hire employees for specific periods of time, for the completion of a project with a limited time commitment, or on an “as needed” basis. An employee hired under these conditions may be considered a temporary employee. The hours worked by these employees will vary.

Temporary employees are normally not eligible for any benefits described in these personnel policies (regardless of the number of hours worked weekly), except to the extent required by law.

### **5.08 Independent Contractors**

The Presbytery, through the Staff Personnel Work Group, may engage persons for particular, temporary services such as interims, consultant services, or occasional specialized work.

Independent Contractors are not employed by the Presbytery. These individuals are hired to meet specific project needs of the Presbytery (and its missions) and are generally independently employed professionals. Examples of independent contractors include: Consultants (including Mission Team Consultants), Coordinators, and Work Group Consultants.

These workers will enter into Independent Contractor agreements with the Presbytery prior to performing any services. The Presbytery will ensure that the worker’s assignments meet the federal guidelines for independent contractor status before engaging any services. These workers are not employees of the Presbytery and, therefore, are paid strictly per project or per time worked and are not entitled to any benefits of employment.

Current employees of the Presbytery are not eligible to work for the Presbytery concurrently as both an independent contractor and as an employee.

### **5.09 Volunteer-in-Ministry**

The Presbytery may engage persons for particular volunteer assignments. These persons are not employees of the Presbytery and, therefore, are not entitled to any benefits of employment. Volunteers are asked to follow the same code of conduct guidelines as employees.

### **5.10 Supervisor**

A supervisor is a staff member authorized to request, instruct, and in other ways guide the work activities of an assigned subordinate. The supervisor monitors the areas of attendance and leave. Subordinates are accountable to their supervisor for all matters pertaining to the content, flow, and completion of assigned work. Normally, staff will report to the same person as their supervisor, but there may be occasions when an employee, by job description, will have more than one supervisor.

### **5.11 Office Manager**

The Office Manager oversees the performance evaluation process and coordinates the work as needed when there are multiple supervisors.

### **5.12 Period of Employment - Elected Staff**

Elected staff is employed for an indefinite period, subject to annual performance reviews and evaluation as scheduled through the Staff Personnel Work Group.

### **5.13 Period of Employment - Non-Elected Staff**

Non-Elected employees are employed for an indefinite period, subject to periodic performance reviews and evaluation as scheduled through the Staff Personnel Work Group.

#### **5.14 Period of Employment - Temporary Staff**

The Presbytery may need to hire employees for specific periods of time, for the completion of a project or on an “as needed” basis. Temporary employees are hired for a specific time period or for a specific project with limited time commitment. Therefore, the period of employment for temporary staff shall vary based on the Presbytery of Chicago’s business needs.

#### **5.15 At-Will Employment**

At-will employment describes the employment relationship between employers and employees. An employer can terminate an employee at any time for any reason, except an illegal one, or for no reason without incurring legal liability. Likewise, an employee is free to leave a job at any time for any or no reason with no legal consequences.

### **6.00 DESCRIPTION, VALIDATION, AND EVALUATION OF POSITIONS**

#### **6.01 Position Descriptions**

A written Position Description will be provided for each position. Position descriptions shall be subject to review and may be revised by the Staff Personnel Work Group, subject to approval of the Presbytery Coordinating Commission.

It should be noted that position descriptions are designed to be general guidelines for one’s position and are not all inclusive of every duty that an employee may be asked to perform. As such, each employee of the Presbytery may be asked to perform tasks outside of the duties outlined in this document. The Executive Presbyter may assign all members of the staff to tasks and projects as necessary in order to support the vision and mission directions of the Presbytery of Chicago.

Each employee is expected to perform all duties in the spirit of the shared mission purpose of the Presbytery, its leaders, staff, and volunteers. All staff should strive to empower the vision and mission directions of the Presbytery and foster the Presbytery’s values of collegiality and teamwork. All staff should work with others to foster a cohesive and mutually supportive Presbytery organization.

#### **6.02 Establishment of Position**

All new Administrative/Program staff positions will be established by action of the Staff Personnel Work Group and their recommendation to the Presbytery Coordinating Commission and reporting to the Presbytery Assembly. When a position becomes vacant, each position will be re-evaluated prior to being filled.

#### **6.03 Evaluation and Rating**

Positions shall be evaluated and rated for purposes of compensation in accordance with the position description and processes established by the Staff Personnel Work Group.

### **7.00 EQUAL OPPORTUNITY**

#### **7.01 Commitment of the Presbytery**

The Staff Personnel Work Group will promote equality of opportunity in all aspects of employment by means of the following practices:

- a. Personnel policies and practices will be administered without discrimination related to race, color, sexual orientation, national origin, gender, age, marital status,

disability, ancestry, veteran status or religious affiliation, except where judged by the Presbytery to be a bona fide occupational qualification.

- b. The Staff Personnel Work Group will develop and implement non-discriminatory practices to assure fairness and equal access for all individuals in recruitment, compensation, benefits, promotions, transfers, training, career development, dismissal, and other forms of employee treatment.
- c. The Staff Personnel Work Group will analyze its practices and results to assure that equal opportunity commitments are being met, and to design remedies for any deficiencies that may be found.

## **8.00 RECRUITMENT AND SELECTION**

### **8.01 Selection Process**

In accord with the provisions of the Form of Government, Search Committees for Elected Staff are elected by the Presbytery Assembly. The Staff Personnel Work Group shall submit to the Presbytery Coordinating Commission a slate of nominees to serve on the Search Committee for Elected Staff. The Presbytery Coordinating Commission recommends this slate of nominees to the Presbytery Assembly.

All other staff shall be selected by a method to be determined in each particular instance by the Presbytery Coordinating Commission (on recommendation of the Staff Personnel Work Group).

For the election of the Stated Clerk, following his or her first term as Clerk, the Presbytery Coordinating Commission, upon recommendation of the Staff Personnel Work Group, shall bring a recommendation to the Presbytery Assembly for re-election of that person to subsequent terms of office.

### **8.02 Advertisement of Vacancies**

Advertisement of vacancies for all Elected Staff positions shall be made in appropriate publications of the denomination, and may be included in other publications at the discretion of the Search Committee. Other positions may be so advertised when deemed necessary or desirable.

Notice of vacancies for Non-Elected positions will be given to all employees. Members of the Presbytery and the sessions of congregations shall also be informed of vacancies in order to facilitate the hiring of qualified applicants.

The Presbytery encourages all employees to refer qualified candidates for employment with the Presbytery.

### **8.03 Internal Transfer**

Vacancies within the Presbytery staff may be filled by internal transfer, upon recommendation of the Executive Presbyter, for such reasons as the following:

- a. To meet special needs
- b. To improve the fit of persons to jobs
- c. To promote from within
- d. To utilize skills of personnel already employed
- e. To further Equal Employment Opportunity goals

- f. To give maximum opportunity to employees at the time of reduction in force.

## **9.00 WRITTEN TERMS OF EMPLOYMENT**

Employees shall be provided with a written document clearly stating the terms of their employment. This document is designed to be a supplement to these personnel policies. Where applicable to teaching elders who are members of the staff, this document shall be in the form of and constitute the written "Call" by the Presbytery Assembly.

## **10.00 OTHER EMPLOYMENT PRACTICES**

### **10.01 Medical Examination**

A medical examination at the Presbytery's expense may be required at any time as permitted by applicable law.

### **10.02 Hiring Process**

The Staff Personnel Work Group will verify employee eligibility to work in the United States. If at any time an employee cannot verify their right to work in the United States, the Presbytery is obligated to terminate employment.

In addition, the Staff Personnel Work Group may conduct criminal background, driving, and credit checks to determine suitability for employment with the Presbytery. Employment may be conditional upon review of the results of these reports. Results of these reports are maintained in confidential employee files.

All candidates for employment will be expected to provide the appropriate documentation necessary for these steps, including completion of an authorization form.

### **10.03 Introductory Period**

The Staff Personnel Work Group considers the first 90 days of employment an important "introductory period." The introductory period is the time during which an employee is oriented to the Presbytery and learns of the expectations for their performance. In addition, the Presbytery is getting to know the new employee and ensuring that the employee understands the high standards set for employment with the Presbytery

### **10.04 Nepotism**

To affirm and facilitate equal opportunity for all staff members and employment candidates, care will be exercised in the employment and assignment of persons who are direct relatives of people in the Presbytery's employ. Such people shall not be automatically denied employment or fair treatment in the full spirit of these policies.

Discrimination on the basis of marital status is not permitted by law. Otherwise, individuals shall not be employed by or through the involvement of direct relatives, and they shall normally not be assigned to a position where a direct relative is in a position to influence the staff member's salary, promotion, or other aspects of personnel practice.

In some instances, the Presbytery may wish to hire a direct relative. A "direct relative" is defined as anyone in an employee's immediate family (parent, child, spouse, sibling), as well as grandparents, aunts, uncles, nieces, nephews, and first cousins, whether by blood or marriage.

Standard Presbytery hiring and employment practices apply in these situations. In instances where a direct relative is in a position to influence salary, promotion or other personnel

practices, additional regulations may be put in place on a case-by-case basis upon recommendation of the Staff Personnel Work Group.

#### **10.05 Smoking**

All employees are expected to refrain from smoking on the premises of Presbytery offices and in accordance with the City of Chicago regulations.

#### **10.06 Dress Code and Personal Appearance**

The Presbytery building is both a professional and public office. All employees are expected to maintain dress, grooming, and personal hygiene as appropriate for the work environment. This includes maintaining high standards of personal hygiene, neatness of attire, and cleanliness of apparel.

#### **10.07 Reporting of Accidents and Incidents**

All employees are expected to promptly report any on-the-job accidents, injuries, and/or incidents to the Office Manager, regardless of the incident's extent. Employees are also expected to report any hazardous or unsafe working condition or practice that comes to their attention.

#### **10.08 Sensitive, Personal, or Confidential Information**

Employees will frequently become aware of matters of a sensitive, personal or confidential nature that, if communicated elsewhere, might do serious injury or harm to the individual involved or to the Presbytery. All employees are expected to treat such matters with the highest degree of confidentiality. Violations of this policy will be regarded as a serious breach of one's responsibility and will be dealt with accordingly.

#### **10.09 Attendance and Work Schedule**

##### **a. Non-Exempt Staff**

A regular work week at the Presbytery is 40 hours. Precise starting times, lunch periods, breaks, and concluding times may be determined with the Supervisor. Employees, who are not scheduled to work, should not report for work without Supervisor authorization.

All staff members are expected to call the Office Manager when they must be absent or will be late. If the staff person is unable to call, they are responsible for having someone else make the call on their behalf.

Absence from work for three or more consecutive scheduled work days, without notifying the Office Manager, may be considered a voluntary resignation.

Excessive absences (including lateness or leaving early without authorization) may lead to disciplinary action, up to and including termination.

Any non-exempt employee planning to work from home must get prior approval from their Supervisor.

##### **b. Exempt Staff**

Exempt employees are expected to manage their schedules in such a manner that both their professional and their private lives are adequately cared for.

Exempt employees are expected to work as many hours as needed, based on workload demanded by the position. (See 5.03)

It is expected that exempt staff will arrange for days off, vacation, and a reasonable weekly working schedule subject to review by the Supervisor.

Absence from work for three or more consecutive scheduled work days, without notifying a Supervisor, may be considered a voluntary resignation.

Any exempt employee planning to work from home must notify their Supervisor.

#### **10.10 Meal Periods**

Meal periods are periods in which staff members may leave the building and be relieved of work duties. All employees working 7.5 continuous hours or more in a day shall receive one meal period. The meal period must be taken no later than 5 hours after beginning work.

Non-exempt staff receives a 30 minute paid meal period, which may be extended for an additional 30 minutes of unpaid time if desired. Meal periods may not be taken at the beginning or the end of the work day, unless authorized by the Supervisor on occasion.

#### **10.11 Break Periods**

Non-exempt employees shall receive a fifteen (15) minute paid break during each four (4) hours worked.

#### **10.12 Working Outside Regular Duties**

From time to time, each employee of the Presbytery may be asked to perform tasks outside of their regular duties. The Supervisor may assign any member of the staff to tasks and projects as necessary in order to support the vision and mission directions of the organization.

### **11.00 ANTI-HARASSMENT**

#### **11.01 Intent of Policy**

The Presbytery is committed to providing a workplace free of any form of harassment. Any form of harassment (sexual, racial, religious, etc.) is unacceptable behavior within the work place and is subject to appropriate disciplinary action, up to and including termination of employment.

Harassment of all forms is unacceptable – including harassing email or voicemail messages or sexual harassment. It is important to understand that certain jokes, stories, cartoons, nicknames, and comments may be offensive to others.

### **12.00 CONFLICT OF INTEREST POLICY**

#### **12.01 Basic Policy**

No staff member shall accept any gift, gratuity, grant service, or any special favor from any person or persons or business that provide or receive goods and service to or from the Presbytery. Minor courtesies such as luncheons, dinners, or similar arrangements in connections with business may be received.

#### **12.02 Personal Interest**

No staff member shall participate in a decision in which the interests of the Presbytery conflict with her or his personal interests, including but not limited to selection, employment, review or compensation of another employee.

Staff members will inform and discuss with their supervisor any involvement as a volunteer on committees at the Presbytery level to make sure conflicts of interest don't arise. Supervisor permission must be granted.

### **12.03 Outside Employment**

Staff members who hold other paid positions shall ensure that such outside employment will not interfere with the performance of their duties or produce a conflict of interest in the pursuit of those duties.

### **12.04 Honoraria**

Presbytery personnel should not receive honoraria for any services rendered as a part of their normal job function. Exception to this policy will need approval of the Executive Presbyter. Supply preaching as a service for the Church is not considered to be part of the normal job function.

### **12.05 Clarification of Adherence**

All staff members shall avoid even the appearance of conflict of interest, special interest or any other inappropriate conduct. If a staff member discovers that they may be in a position of violating these policies she or he shall report this conflict to the Executive Presbyter. Clarification and if deemed necessary resolution lies with the Executive Presbyter.

## **13.00 PRIVACY AND CONFIDENTIALITY**

### **13.01 Medical Records**

The Presbytery shall establish procedures necessary to guarantee the confidentiality of medical and employment records in accordance with the privacy personnel policies established by the General Assembly and applicable law.

The Presbytery maintains medical information in strict confidence and adequate safeguards are taken to maintain confidentiality.

The Presbytery complies with current privacy regulations and, therefore, will generally not use or disclose medical information or private health information about an employee without the employee first having signed an authorization form permitting such use or disclosure. In the event of a court order for medical records, however, the Presbytery may be obligated to comply without a signed consent.

### **13.02 Personnel Records**

All staff members are expected to keep their personnel files up-to-date. Employees should report all changes, such as: legal name, address, phone number, emergency contact, number of dependents, marital status, military status, beneficiary, driving record, educational attainment, or training.

At reasonable time and upon reasonable notice, an employee may be allowed to review his or her personnel file. A request to view one's personnel file should be made to the Office Manager or the Executive Presbyter.

### **13.03 Governmental Agencies**

In the event of an inquiry by the police, F.B.I., or other governmental agency or official concerning the work of an employee of the Presbytery, the Presbytery itself, or in the event a staff member is sought to be queried by a governmental agency, the following shall be the policy:

- a. All such inquiries shall be referred to the Executive Presbyter or Stated Clerk.



- b. No information or documents of any kind shall be released until the Executive Presbyter and the Stated Clerk have consulted with one another and with legal counsel, and have authorized release.
- c. Unless, in the judgment of the Executive Presbyter, there is compelling reason to the contrary, employees shall be informed regarding an inquiry regarding their persons.

## **14.00 AMERICANS WITH DISABILITIES**

### **14.01 General Policy and Concerns**

The Presbytery complies with the standards set forth by the “Americans with Disabilities Act” (ADA). The ADA requires employers to reasonably accommodate qualified individuals with disabilities. A “disability” under the ADA refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such impairment, has a record of such impairment, or is regarded as having such impairment may be a “disabled individual.”

Disabled individuals will be evaluated fully to see if they can fulfill the essential functions of the job. The Presbytery will do its best to provide reasonable accommodations for a disabled individual as long as it does not present “undue hardship” to do so.

These accommodations will be provided on a case-by-case basis, to be determined by the Executive Presbyter and the Staff Personnel Work Group

## **15.00 DRUG FREE WORKPLACE**

### **15.01 General Personnel Policies**

The use, possession, or distribution of alcohol or illegal drugs is prohibited in all work locations and on all property of the Presbytery. This includes Presbytery owned vehicles. No staff member shall report to work impaired by alcohol or unlawful drug use.

### **15.02 Types and Conditions of Testing**

- a. Post-Accident – If a staff member is involved in a work-related accident that results in medical treatment (for themselves or another person) or property damage, such an accident will constitute reason to administer drug and alcohol verification testing for the presence of drugs or alcohol.

All employees are expected to promptly report any on-the-job accidents, injuries, and/or incidents to the Office Manager, regardless of the incident’s extent. Employees are also expected to report any hazardous or unsafe working condition or practice that comes to their attention.

- b. Reasonable Suspicion – If there is reason to believe a staff member is abusing drugs or alcohol while at work, the staff member may be required to submit to testing. Some triggers to this form of testing include reported errors on job, unsatisfactory attendance when coupled with an event, suspicious or unsafe behaviors, etc.

The Presbytery may suspend a staff member pending the results of testing where appropriate. If a staff member at any time tests positive for drugs or alcohol, disciplinary action may be taken up to and including termination of employment.

### **15.03 Employee Assistance**

The Presbytery recognizes addiction and substance abuse as illness requiring medical treatment or other appropriate forms of therapy. The Presbytery encourages employees with such illness to voluntarily seek help, and shall seek to provide assistance and support in such efforts.

Employees with an addiction or substance abuse problem may be required to seek treatment and therapy, and to demonstrate satisfactory progress in dealing with their addiction as a condition of continued or returning employment.

## **16.00 EMPLOYEE GRIEVANCES AND APPEAL**

### **16.01 General Policy**

The Presbytery recognizes that problems and disagreements may arise in the course of employment. It is expected that every employee will seek to settle such matters in direct and open dialogue with the colleagues who are most directly involved, the Supervisor, or the Office Manager. Employees will always have reasonable access to the Executive Presbyter and, should the situation so require, to the Staff Personnel Work Group.

### **16.02 Formal Hearing and Appeal**

Every effort is to be made to settle grievances without resorting to formal procedures. An employee, however, shall always have the right to ask for a formal hearing and dispensation of a grievance, provided that every reasonable effort has been made by all parties involved to settle the matter under dispute.

### **16.03 Initiation of Process**

Formal grievance process shall be initiated by filing a written statement of grievance with the Executive Presbyter, who shall notify the Staff Personnel Work Group of its receipt. The Executive Presbyter is expected to investigate and consider the grievance in a thorough and expeditious manner, and to provide to the complainant a written statement of response.

### **16.04 Appeal**

Appeal from the written response of the Executive Presbyter may be made by filing, within five working days following receipt of the response, a written notice of appeal with the Moderator of the Staff Personnel Work Group or, in his or her absence, with another member of the Work Group. Upon receipt of the appeal, the Staff Personnel Work Group shall appoint from among its members a Task Force of Review, which will conduct a thorough and timely review of the matter and recommend to the Work Group an appropriate response. Upon receipt of the report of the review committee's recommendation, the Staff Personnel Work Group shall make a judgment on the matter and communicate same to the party or parties involved. The judgment of the Staff Personnel Work Group shall have the authority of the Presbytery, except that Elected Staff shall always have access to the Presbytery Assembly (via the Presbytery Coordinating Commission), and teaching elders shall always have access to the counsel of the Commission on Ministry.

### **16.05 Complaint Against the Executive Presbyter**

A complaint against the Executive Presbyter shall be filed directly with the Moderator of Staff Personnel Work Group, or if circumstances so require, with another member of the Work Group.

## **17.00 COMPENSATION AND SALARY ADMINISTRATION**

### **17.01 General Policy**

Within the limits of its financial capability, the Presbytery is committed to compensate its employees in a manner which will provide fair pay for work performed, incentive for personal achievement and growth, consistency within the organization, and in response to cost of living factors in the society at-large.

### **17.02 Pay Cycle**

The Presbytery's payroll cycle is semi-weekly. Paydays are every two weeks.

### **17.03 Deductions from Pay**

The Presbytery is required by law to make certain deductions from paychecks. Among these are federal, state, and local income taxes, Medicare and Social Security. Teaching elders may request additional tax withholding to assist with covering self-employment taxes.

Any other mandatory deductions to be made, such as court-ordered garnishments, will be explained whenever the Presbytery is ordered to make such deductions. The Presbytery complies with all applicable state and federal laws regarding the garnishment and assignment of wages.

Teaching elders who are members of the Presbytery staff are considered self-employed persons under the ruling of the Internal Revenue Service in regard to Social Security. They are expected to plan accordingly in matters relating to taxation.

### **17.04 Overtime Compensation**

Employees may be required to work overtime, report before or remain after scheduled hours, or work on a regularly scheduled day off.

Only non-exempt employees are entitled to overtime compensation. The Presbytery pays overtime for approved hours worked over 40.0 in one week.

Vacation days, sick days, personal days, bereavement days, jury duty days, and holidays are not counted as hours worked for the purpose of computing eligibility for overtime pay.

Double time will be paid to non-exempt employees who are required to work on a holiday or on a Sunday.

### **17.05 Time Records**

The Presbytery keeps accurate records of the time worked by non-exempt employees by using timesheets. Timesheets should always reflect the actual hours worked.

Non-exempt employees are required to sign in and out each day according to the following personnel policies:

SIGN IN when reporting to work at the beginning of the day

SIGN OUT when leaving work at the end of the day.

No employee should sign in before they are ready to begin work. No employee shall mark or sign the time record of another employee.

Timesheets must be submitted to the supervisor for approval by the last day of each pay period.

### **17.06 Initial Salary**

Each position will be evaluated and rated in accord with a salary administration system adopted by the Staff Personnel Work Group for such purposes. Initial placement within a salary range shall reflect a judgment of the qualifications and experience of the individual employee.

### **17.07 Increment and Review**

The salary administration program and all individual salaries shall be reviewed annually by the Staff Personnel Work Group. Individual salaries shall also be reviewed when there are changes in duties or responsibilities of the employee. Increase in salary shall be based on performance, position within the salary range, and career progression. Length of service alone shall not be considered sufficient reason for increment.

### **17.08 Publishing of Salaries**

The salaries of all Elected staff shall be reported annually to the Presbytery Coordinating Commission for presentation to the Presbytery Assembly no later than December for approval. Other salaries shall be reported as a group to Presbytery Coordinating Commission, with individual salaries not regarded as public information or provided to other employees, except where required in the course of their orderly administration.

## **18.00 PERFORMANCE MANAGEMENT**

The purpose of a performance management system is to keep each employee informed about their performance relative to expectations. The performance management process is important and is intended to be an “interactive arena” where each employee has the opportunity to engage with their Supervisor, Executive Presbyter, and the Staff Personnel Work Group.

New Hires will generally receive an “introductory review” during their introductory period (first 90 days of employment). This will normally be a verbal conversation about expectations, progress, etc. with the Supervisor.

Employees will receive an annual review administered by the Staff Personnel Work Group. This will be a written review and will address performance against expectations and goals.

During a review, the following areas may be covered:

- a. Attendance (including promptness)
- b. The quantity and quality of work (productivity).
- c. Initiative and teamwork.
- d. Interpersonal and communication skills.
- e. Personal and professional strengths.
- f. Progress at achieving objectives.
- g. Problem solving skills.
- h. Specific skills and knowledge for the position.
- i. Specific areas for improvement for the position.

When an employee transfers to a new position or otherwise has a new Supervisor, appropriate adjustments to the process may be made. The performance management process and reviews may be applied differently to Temporary Staff or to those in other special employment classifications.

In addition to performance reviews, the Staff Personnel Work Group periodically conducts a review of position descriptions to ensure that they reflect any changes in the duties and responsibilities of each position.

### **18.01 Corrective Actions**

Employees are expected to comply with the Presbytery's standards for performance and behavior. Corrective actions may be necessary when performance expectations are not met.

Corrective actions are designed to ensure that actions taken to correct problems are fair and consistent for all employees. The purpose of a corrective action system is to advise the employee about where their performance is relative to expectations. When corrective action is applied, the employee is advised that their performance is not meeting expectations and, therefore, must be corrected in order to continue employment.

In most cases, the Supervisor, in consultation with the Staff Personnel Work Group, will provide the employee with suggestions about how to correct the problem and will engage with the employee in developing an improvement plan.

It is not possible to provide a complete list of every work rule or performance standard. As a result, the following are presented only as examples of situations where corrective action may be needed.

#### Unsatisfactory Work Performance:

- a. Excessive absenteeism, tardiness, or abuse of break and meal privileges.
- b. Below average work quality or quantity (productivity).
- c. Interpersonal conflicts.
- d. Poor teamwork.
- e. Poor communication skills.
- f. Failure to achieve objectives.
- g. Failure to follow instructions or policies.

#### Misconduct:

- a. Insubordination.
- b. Abuse, misuse, or theft of property.
- c. Falsifying documents.
- d. Divulging confidential information inappropriately.
- e. Disorderly conduct.
- f. Violations of policy.
- g. Dereliction of duty.
- h. Behavior not in keeping with the Guidelines for Ethical Conduct.
- i. Repeated failure to carry out or observe Presbytery policies.

The Staff Personnel Work Group believes in applying a progressive discipline process in most circumstances, which allows ample opportunity for the employee to improve their performance.

The Staff Personnel Work Group and the Supervisor may issue an Employee Improvement Form at the appropriate disciplinary level. The Supervisor will generally initiate the request for a corrective action. These levels are general guidelines and will not always be applied in this order. The levels of discipline for an Employee Improvement Form are:

- a. Documented Verbal Warning - An Employee Improvement Form issued at the Documented Verbal Warning level will generally remain in effect for 4 months.
- b. Requests for Documented Verbal Warnings are subject to the review and approval of the Office Manager and the Executive Presbyter.
- c. Written Warning - An Employee Improvement Form issued at the Written Warning level will generally remain in effect for 6 months.
- d. Requests for Written Warnings are subject to the review and approval of the Office Manager, the Executive Presbyter, and the Staff Personnel Work Group.
- e. Final Written Warning - An Employee Improvement Form issued at the Final Written Warning level will generally remain in effect for 1 year.
- f. Requests for Final Written Warnings are subject to the review and approval of the Office Manager, the Executive Presbyter, and the Staff Personnel Work Group.

An employee must show sufficient improvement related to the problem named in the Employee Improvement Form within the specified evaluation period. If sufficient improvement is not made, further disciplinary action may be applied, up to and including termination.

There may be some circumstances, however, where the employee's performance requires more time for evaluation. In these instances, the evaluation period may be extended.

While the Staff Personnel Work Group prefers to provide opportunities for improvement, this may not always be possible. When practical, employees will generally receive progressive discipline. Employment is at-will, however, and may be terminated at any time for any reason. The Presbytery may administer discipline in any reasonable manner it sees fit, up to and including termination. In instances of gross misconduct or grossly unsatisfactory performance, the Staff Personnel Work Group may impose suspension (pending investigation) or immediate termination without previous disciplinary action being taken.

## **19.00 EMAIL, COMPUTER, SOFTWARE, INTERNET USE AND PERSONAL DEVICES**

### **19.01 Responsible Use of Technology**

Computing assets are intended for the business purposes of fulfilling the mission of the Presbyterian Church (USA). Every user is responsible for using technology assets in an effective, ethical, and lawful manner. Use of technology assets for personal or private financial gain is prohibited.

This policy sets forth the specific rules of conduct that the Presbytery of Chicago (POC) expects of all employees when they are using the organization's network and/or when they are discussing the organization using Social Media sites or tools, even if they are accessing these sites or tools on a third-party network outside of work. The failure to comply with POC policy or to exercise good judgment when representing the organization with respect to online activities may result in disciplinary action.

With the rise of new media and next generation communications, the way in which employees communicate with colleagues, members, volunteers, consultants, and others continues to evolve. All employees are expected to follow this policy when using the POC's network and/or when discussing business related matters on any online electronic media, including Social Media sites that are accessed either with the POC's network or equipment or with another third-party network or equipment. When using social media for personal or for business reasons, all employees must be aware of the impact of such use on the POC's business operations, members, and employees.

The Presbytery of Chicago Network is a term that refers to the computer hardware, software applications, and physical infrastructure over which POC employees and partners do work and conduct business. Under this definition, the network includes any technology owned or leased by the POC that helps employees and partners to produce, manipulate, store, communicate, and/or disseminate information electronically.

Social Media refers to participatory online media where news, photos, and podcasts are made public via social media websites through submission. Social Media can take many forms, including Internet forums, message boards, weblogs (i.e., blogs), wikis, podcasts, pictures, and video. Social Media applications governed by this policy include, without limitation, Google (email, social networking, etc.), LinkedIn (social networking), Facebook (social networking), YouTube (video sharing), Twitter (blogging), and Flickr (photo sharing), and other tools that may be developed in the future.

### **19.02 General Responsibilities for Using the Network**

- a. **Responsibilities for using your User ID.** When you are given access to the POC's network, you are assigned a User ID and password. You are solely responsible for all actions taken using your User ID. Do not share your User ID and password with any other person. It is your responsibility to change your password immediately if it has been revealed or otherwise compromised. The unauthorized sharing of a password or User ID is prohibited. Password requirements and required changing of passwords will be managed by the network administrator.
- b. **Access to Internet.** The organization provides access to the internet for business related purposes only. Every employee is responsible for using this tool appropriately.

### **19.03 General Prohibited Activities**

The POC reserves the right to monitor each employee's use of the network, including the employee's activities on internet, email and other systems (such as Twitter). All documents generated or communicated through the network are records of the POC. No employee should have any expectation of privacy with respect to any communications which are sent or received over the network.

- a. Do not violate any local, state, federal and/or international law. Any attempts to break these laws through the use of the network may result in litigation against the offender by the proper authorities. The POC will fully comply with the authorities to provide any information necessary for the litigation process.
- b. Do not access, send, post or contribute to any material that a reasonable person would consider obscene, pornographic, harassing, threatening or prejudicial in nature, including but not limited to, ethnic or racial slurs and personal insults.

- c. Do not publish any statements that are false or misleading. Keep content factual, professional and containing business-related material.
- d. Do not copy, send or post any copyrighted or trademarked material without the express written permission of the owner or the proper license. Posting of someone else's work or photograph without permission is not allowed. Do not take any unauthorized, deliberate actions which damage or disrupt a computing system, alter its normal performance, or cause it to malfunction. (This includes the introduction of computer viruses.)
- e. Use of the network for personal use is only permitted within reasonable limits.
- f. Do not transmit or forward any software or computer programs which would violate the terms of a license agreement between the POC and any third party.
- g. Do not use the network for illegal activity, including pirating or illegally downloading software or data.

#### **19.04 Use of Electronic Mail (E-Mail)**

The POC reserves the right to monitor all messages and attachments sent and received via the POC's email systems. Each employee is solely responsible for their email conduct and the content of all messages they originate and/or forward. All messages, and any attachments to them, should be related to business. You should never put anything in an email message that you would not want to make public. Because your conduct and content of the messages you send is a reflection on the POC, the following types of actions are prohibited:

- a. Sending confidential information to any unauthorized person, whether they are inside or outside of the POC.
- b. Forgery (or attempted forgery) of electronic messages.
- c. Reading, deleting, copying, or modifying the electronic messages of other people, or attempting to do any of these actions.
- d. Sending or forwarding any messages that a reasonable person could consider obscene, pornographic, harassing, threatening and/or prejudicial.
- e. Sending or forwarding unsolicited junk messages, "for profit" messages, or chain letters.

#### **19.05 Use of Social Media for Business Matters**

When the POC wishes to communicate publically as an organization using social media, only those officially designated by the POC have the authorization to speak on behalf of the organization.

The POC reserves the right to monitor all content posted or published by employees on Social Media applications for business related matters. Each employee is solely responsible for the content that they contribute/post when participating with Social Media.

- a. If you are posting or blogging on a business-related matter that requires you to mention, refer to, or discuss POC-related matters, identify yourself using your real name, and when relevant, your job title. Do not use pseudonyms or false screen names.
- b. When posting or blogging on a business-related matters, write in the first person and make it clear that you are speaking for yourself and not on behalf of the POC. When



possible, use a disclaimer such as “The postings on this site are my own and do not necessarily represent the POC’s views.” This type of disclaimer does not by itself exempt managers and executives from a special responsibility when participating in social media. By virtue of their position, managers and executives must consider whether personal thoughts they publish may be misunderstood as expressing the POC’s positions. A manager should assume that the people who report to him/her will read what is written.

- c. While representing the POC, do not make personal recommendations or referrals outside of the scope of your job. Doing so while representing yourself as an employee of the POC may give the appearance that the POC endorses the individual and/or product or service being recommended. If such activity is in the scope of your role, use appropriate judgement and discretion when making recommendations.
- d. Do not inappropriately share confidential information on Social Media sites.
- e. Posting of photos or images must be done with the subject’s approval.

**19.06 Use of Social Media for Personal Use**

- a. Use of Social Media sites for personal matters during working hours is permitted within reasonable limits.
- b. If you engage in Social Media sites for personal use outside of working hours, do not use your POC email account. Create an email account through a free third-party provider such as Google (Gmail) or Microsoft (Hotmail). When subscribing, do not include any business information that would link the account to you or to the POC.
- c. If you identify yourself as a representative or employee of the POC, you are responsible for representing the organization in a professional manner and you will be accountable for posting material that violates this policy, puts the POC in a negative light, or amounts to legally actionable conduct such as harassment or defamation.
- d. If you create your own social media site, do not use the POC’s logos or trademarks in any way.

**19.08 Disciplinary Actions**

Any employee found violating any of the rules of conduct contained in this policy will be subject to discipline, up to and including termination.

**20.00 VIOLENCE IN THE WORKPLACE**

The Presbytery of Chicago prohibits any acts or threats of workplace violence. Acts or threats of violence include conduct that is sufficiently severe, offensive, or intimidating to alter the employment conditions at the Presbytery, or to create a hostile, abusive, or intimidating work environment. Some examples of workplace violence include, but are not limited to, the following:

- a. Hitting or shoving an individual
- b. Threatening an individual or their family with harm.
- c. Intentional destruction of property.
- d. Unauthorized possession of firearms or other weapons.
- e. Stalking.

Every employee is encouraged to report incidents of threats or acts of violence of which he or she is aware. These reports should be made to the Supervisor, Office Manager and/or the Executive Presbyter.

## **21.00 BUSINESS EXPENSE REPORTING**

Employees will be reimbursed for approved, business-related expenses that are within budgeted amount, upon submission of accurate and receipted expense reports to the Presbytery.

Each employee must have Supervisor's authorization prior to incurring an expense on behalf of the Presbytery. To be reimbursed for authorized expenses, an expense report or voucher accompanied by receipts must be approved/signed by Supervisor. Expenses older than three months may not be honored.

Employees who conduct Presbytery business using a personal vehicle may be reimbursed at the standard, current IRS business mileage allowance.

Elected employees are provided expense reimbursement accounts and American Express credit cards. Use of these accounts should follow guidelines of the Business Expense and Reimbursement policy adopted January 2013.

## **22.00 PAID AND UNPAID LEAVES**

### **22.01 Vacation Leave**

Paid vacation shall be provided to all Full-Time employees. Ordinarily, vacation time is to be taken during the calendar year in which it is due, and no time shall be carried over without the written permission of the Executive Presbyter. In regard to the Executive Presbyter, written permission from the Staff Personnel Work Group is required. If not taken in weekly segments, a "week's vacation" shall be understood to be 5 working days. Scheduling of vacation shall be done in consultation with the Supervisor, and in a manner conducive to fulfilling the obligations of one's employment.

Ordinarily, no more than 5 work days shall be carried over to the New Year.

Employees should give a minimum of 1 week's notice when requesting vacation time.

Unused accrued vacation time will be paid out upon termination (see matrix). Vacation days must be used in full day increments only, unless otherwise authorized and documented by the Supervisor.

The following shall be the number of vacation days to which employees are entitled, unless otherwise specified in their written terms of employment.

- a. Elected Staff: 20 working days per calendar year.
- b. Non-Elected, eligible employees: 10 working days per anniversary year. After completion of 1 full year of service, one additional vacation day will be credited on the anniversary year of service, up to a maximum of 20 working days (inclusive of original 10 days).

**POC Personnel Policy Manual**

Adopted, December 9, 2009, as amended on June 21, 2011  
Minutes, pp. 19469, 19511-521, 19640, 19642, 20236-37

**Summary Matrix for Determining Partial Year Vacation Allotments:**

Month in Which Employee Begins or Ends Employment	Number of Vacation Days Awarded for Non-Elected Staff (10 days) hire month <i>*Note: Factor in additional days earned based on years of service</i>	Monthly Vacation Accrual
January	10	1
February	9	2
March	8	2
April	7	3
May	7	4
June	6	5
July	5	6
August	4	7
September	3	7
October	2	8
November	2	9
December	1	10

**22.02 Holiday Leave**

The number of holidays and the dates of their observance shall be recommended by the Staff Personnel Work Group and are established by the Presbytery Coordinating Commission at the beginning of each calendar year. There shall be 11 holidays a year, which are the following days: New Year's Day, Martin Luther King, Jr.'s Birthday, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and day following, Christmas Day, and 1 floating holiday to be determined annually by the Staff Personnel Work Group. Should any of the above days fall on a Saturday, the preceding Friday is observed. If it falls on a Sunday, the following Monday is observed.

All Full-Time employees are eligible for holiday pay beginning on the first day of employment. Paid holiday hours are not included as hours worked for purposes of calculating overtime.

The Presbytery may require employees to work, from time to time, on a holiday. Non-exempt employees who are required to work on a holiday will be awarded double time pay for hours worked during the holiday.

**22.03 Sick Leave**

Paid sick leave shall be granted to eligible employees under three circumstances:

- a. The employee is incapacitated due to illness or injury and is unable to perform the duties of his/her job.

- b. The employee must care for a family member with a serious health condition.
- c. The employee must attend a medical appointment with a doctor, dentist, or another recognized medical practitioner for their personal health condition.

A physician's affidavit of need shall be furnished to the Executive Presbyter or Supervisor upon request. A physician's affidavit of need and a return to work authorization will be required for any absence exceeding 5 days.

At the time of termination of employment, no claim for unused sick leave shall be allowed, regardless of the reasons for termination.

Eligible employees shall be granted 10 sick leave working days each calendar year, cumulative up to 90 days. Sick days shall be pro-rated for the first calendar year of employment. Under certain circumstances, extension of the above may be granted at the discretion of the Staff Personnel Work Group. In cases of extended illness, leave provisions may include utilization of disability provisions contained in other benefits provided to employees.

Sick leave benefits may not be used for personal time off or as additional vacation time. Sick leave may be used in half day or full day increments, unless otherwise authorized and documented by the Supervisor.

When requesting sick leave, an employee must notify the Supervisor no later than 1 hour prior to the start of his/her normal work schedule. If the Supervisor is unavailable, the employee should leave a voicemail message for the Supervisor and then should also contact the Office Manager, leaving a voicemail message if necessary.

#### **22.04 Family and Medical Leave Act (FMLA)**

Due to the Presbytery's staff size the FMLA, enacted in 1998 does not apply. Although the Presbytery is exempt from the provisions of this law, the Presbytery offers other generous leave benefits in lieu of FMLA.

#### **22.05 Parental Leave**

Full-Time employees may receive parental leave in the period immediately preceding and following the arrival by birth or adoption of a child, subject to the following:

- a. The employee shall have been employed at least one full year.
- b. Maternity leave may be for up to six months, six weeks of which may be with pay and benefits. The leave normally shall be taken in a continuous block.
- c. Paternity leave may be for 5 working days with pay and benefits following the arrival of a new child into the employee's immediate family.

#### **22.06 Personal Leave**

The intent of providing personal leave to employees is to allow paid time away for personal matters that do not fall under other leave categories. Full-Time employees shall be granted up to 3 personal days per calendar year. Personal days will be pro-rated for the first calendar year of employment. Part-time employees are not eligible for personal days.

Paid personal leave shall be granted to employees under the following circumstances:

- a. Scheduled personal business: Requires the employee to be absent from work, but advance notice can be provided. Examples include: School visits for a child, court appearances, non-work related training, child care, etc.

- b. **Unscheduled personal business:** Requires an employee's immediate attention. Examples of unscheduled personal business include: service/maintenance calls to the home, car accident, school business for a child, child care, bereavement for extended family, etc.

Personal leave benefits may not be used as sick leave or as additional vacation time. In most instances, the allotment of 3 working days will not be consecutive days. Personal leave may be used in half day or full day increments. Leave of less than a half day must be authorized and documented by the Supervisor. An affidavit of need shall be furnished to the Executive Presbyter and Supervisor upon request.

Personal days are not cumulative from year to year; therefore, they must be used in the year in which they were received. At the time of termination of employment, no claim for unused personal days shall be allowed, regardless of the reasons for termination.

When requesting personal leave, an employee must notify the Supervisor of the need for an absence no later than 1 hour prior to the start of their work schedule. If the Supervisor is unavailable at the time of the call, the employee should leave a voicemail message and also contact the Office Manager.

#### **22.07 Bereavement Leave**

Paid leave may also be granted to Full-Time and Part-Time (excluding Limited, Part-Time) employees for a death in the immediate family. Immediate family includes: spouse, parent (by blood or by marriage), child (by blood or by marriage), grandchild (by blood or by marriage), grandparent (by blood or by marriage), sister (by blood or by marriage), brother (by blood or by marriage), legal guardians, and household members not covered by the above.

Up to 3 consecutive working days will be provided per instance, depending on travel needs. Where a loved one does not fall into the immediate family definition stated above, unpaid leave time may be available.

The details of such leaves shall be arranged in consultation with the Executive Presbyter, and may be subject to the approval of the Staff Personnel Work Group.

#### **22.08 Jury Duty and Witness Leave**

Paid leave may also be granted to Full-Time and Part-Time (excluding Limited, Part-Time) employees for jury duty or witness service.

- a. **Routine Jury Duty Service (1 day):** If called for jury duty, but not selected for service on Day 1, the employee will receive 1 day of pay and may keep the check provided for their service.
- b. **Extended Jury or Grand Jury Service (2 or more days):** If selected for service, the employee will receive full pay while serving on the jury indefinitely. The check received from the court for jury service, however, must be surrendered to the Presbytery. A weekly pre-tax payroll deduction may be scheduled from the employee's check in order to avoid double taxation.
- c. **Witness Service:** If compelled by a court to act as a witness (non-compensated, non-expert), up to 2 paid days off will be provided.

In all instances, a copy of the summons must be provided along with a receipt verifying the employee's presence for each date served.

The details of such leaves shall be arranged in consultation with the Executive Presbyter, and may be subject to the approval of the Staff Personnel Work Group.

### **22.09 Other Leaves**

Paid or unpaid leave may also be granted to Full-Time and Part-Time (excluding Limited, Part-Time) employees for other purposes, including military service, a staff person's marriage, and family responsibilities. The details of such leaves shall be requested from and arranged in consultation with the Executive Presbyter, and may be subject to the approval of the Staff Personnel Work Group.

## **23.00 OTHER BENEFITS**

### **23.01 Medical, Death and Disability Benefits and Retirement Savings**

The Presbytery is committed to ensuring that eligible employees are offered retirement savings, medical and other benefits. To this end, all eligible employees shall be offered enrollment in the Major Medical and Death and Disability portions of the Benefits Plan of the Presbyterian Church (U.S.A.) immediately upon hiring.

### **23.02 Pension Plan**

All teaching elders employed as presbytery staff will be immediately enrolled in the Pension Plan of the Board of Pensions. Exempt lay employees who have limited term contracts for up to three years shall be offered contributions immediately to a retirement plan of their choice in an annual amount equal to the retirement plan dues of the PC(USA) Board of Pensions. Exempt lay employees with contracts longer than three years will be offered contributions in the first year to a retirement plan of their choice in an amount equal to the retirement plan dues of the PC(USA) Board of Pensions. In the second year and thereafter this contribution will be discontinued, and they will be enrolled in the pension plan of the PC(USA) Board of Pensions. All other staff will be enrolled in the Pension Plan of the Board of Pensions after completing one year of service.

### **23.03 Dental Insurance**

Employees, who are enrolled in the Board of Pensions Benefits plan, may elect to participate in an optional dental insurance program through the Board of Pensions. Payroll deductions will be made for the premiums and may be made pre-tax via the Flexible Spending Account.

### **23.04 403B Retirement Savings Plan**

Full-Time and eligible Part-Time employees may elect to defer a portion of their earnings on a pre-tax basis to an optional 403B Retirement Savings Plan through the Board of Pensions. Contribution limits apply based on current law.

### **23.05 Social Security**

Social Security payments will be made for qualified employees according to law. Clergy are responsible under the law for their own Social Security payments. The Presbytery may contribute based on an approved percentage by the assembly. Clergy may arrange for additional tax withholding to cover any additional portion of their SECA.

### **23.06 Professional Development and Training**

Professional development is study leave, which is directly related to the work of the employee.

- a. Elected Staff are entitled to professional development and training.

1. The Presbytery will grant Elected Staff 10 working days of study leave each calendar year of his/her employment. Part-time elected staff will be granted study leave days prorated according to their contracted rate of service. Study leave allotments will be pro-rated for the first year of employment. It is to be understood that the study needs of staff not designated to receive study leave may be met through other work enhancement and training programs. Study Leave requests must be authorized by the Executive Presbyter.

It is expected that employees who are so entitled will take study leave during the calendar year in which it is offered. Up to 20 working days of unused study leave allocations may be carried forward with the written permission of the Executive Presbyter. Unused study leave will not be credited to an employee who leaves the employ of the Presbytery, regardless of the reasons for termination of employment.

Upon completion of the fifth year of employment, an Elected Staff member (clergy and non-clergy) may negotiate with the Executive Presbyter and Staff Personnel Work Group a more extended period of leave for study and renewal. The maximum time for such leave shall be 10 weeks, including any annual professional development time due to the employee. The scheduling of such leave and the activities to be pursued shall be subject to the approval of the Executive Presbyter, the Staff Personnel Work Group, and the Presbytery Coordinating Commission.

- b. Non-Elected, Full-Time and Part-Time (excluding Limited, Part-Time) employees will be eligible for work-related training opportunities. Requested training opportunities must be:
  1. An opportunity that will enhance the employee's work performance, thus providing a benefit to both the employee and the employee's department.
  2. Examples of appropriate training opportunities include: Computer training, training through reputable continuing education groups (for job specific function), PC USA specific training, etc.

Employees will be eligible to attend training events during a calendar year, not to exceed 3 paid work days.

Additional in-service training opportunities may be required as necessary.

Approval for the training opportunity must be obtained from the Supervisor and the Executive Presbyter. It is expected that the employee will not receive funding from any other outside or Presbytery sources the sum of which exceeds the total cost of the event.

### **23.07 Worker's Compensation Insurance**

All employees shall be covered by worker's compensation insurance as provided for by applicable law.

### **23.08 On-the-Job Travel Accident Insurance**

All employees traveling on the Presbytery's business shall be covered with Travel Accident Insurance in an amount equal to three times their annual compensation, but not to exceed

\$100,000. This coverage shall not extend to situations where there are specific exclusions from eligibility prescribed by the insurance company.

**23.09 Employee Assistance Program**

The Presbytery undertakes to provide assistance to staff members suffering from physical, mental, and/or emotional illness, marital or family distress, alcoholism or drug dependency, financial, legal, or other stressful problems. The Presbytery shall offer referral services for treatment of the above conditions, together with such other support as may be judged reasonable and necessary to assist the employee in the recovery process, and in keeping with the other provisions of these personnel policies. Employees in need shall be encouraged to seek such assistance, and those actively and productively engaged in treatment or assistance shall not jeopardize their employment by so doing.

**23.10 Flexible Spending Account**

All employees of the presbytery are eligible to participate in the Section 125 Flexible Spending Account offered by the presbytery and managed by our payroll service. Details of the plan will be provided to each employee during open enrollment period each year.

**24.00 BENEFITS BY EMPLOYMENT CLASSIFICATION & BENEFITS PACKAGE**

Employment Classification	Employment Status	Standard Working Hours per Week	Weekly Hours Required for Benefits Eligibility	Benefits Package
Exempt, Ordained	Full-Time	40 and more	40	Full
	Part-Time	Varies	20-34	Full
Exempt, Lay	Full-Time	40 and more	40	Full
	Part-Time	Varies	20-34	Enhanced
	Limited Part-Time	Varies	0-19	Limited
Non-Exempt	Full-Time	40	40	Full
	Part-Time	Varies	20-34	Enhanced
	Limited Part-Time	Varies	0-19	Limited
Temporary	Temporary	Varies, includes seasonal positions	n/a	None, except those mandated by law



**POC Personnel Policy Manual**

Adopted, December 9, 2009, as amended on June 21, 2011  
Minutes, pp. 19469, 19511-521, 19640, 19642, 20236-37

	Full Benefits	Enhanced Benefits	Limited Benefits
Vacation Leave	X	X	
Holiday Leave	X	X	
Sick Leave	X	X	
Parental Leave	X	X	
Personal Leave	X	X	
Bereavement Leave	X	X	
Jury Duty and Witness Leave	X	X	
Other Leaves	X	X	
Medical	X	X	
Death (Board of Pensions)	X		
Disability (Board of Pensions)	X		
Retirement Savings (Board of Pensions)	X		
Dental (Board of Pensions) Optional	X		
403b (Board of Pensions) Optional	X	X	
Work Enhancement and Continuing Ed	X	X	
Study Leave (Elected Staff Only)	X		
Travel Insurance (on the job)	X	X	X
Employee Assistance Program	X	X	X
Worker's Comp	X	X	X

**25.00 TERMINATION OF EMPLOYMENT**

**25.01 General Understandings**

The employment relationship, by its' nature, is "at-will." This means that either party may terminate the employment relationship at any time for any reason, as long as that reason does not violate the law. Each employee is free to terminate their employment at the Presbytery at any time, with or without reason. Likewise, the Presbytery has the right to terminate employment at any time. Teaching elders and other Elected Staff serving under a Call may have written contracts with the Presbytery, which may fall outside the employment-at-will doctrine. In these instances, the Terms of Call may prevail.

The term "termination" shall refer to the ending of the employer-employee relationship between the Presbytery and an individual, without regard to circumstances or conditions. Specific forms of termination shall include Voluntary Resignation, Dismissal for Cause, Reduction in Force, Death in Service, and Retirement.

All Elected Staff termination requests (with supporting documentation to sustain) due to Dismissal for Cause or Reduction in Force must be routed through the Executive Presbyter and the Staff Personnel Work Group for approval and recommendation to the Presbytery Coordinating Commission and Presbytery Assembly.

All Non-Elected Staff termination requests (with supporting documentation to sustain) due to Dismissal for Cause or Reduction in Force must be routed through the Office Manager, Executive Presbyter, and the Staff Personnel Work Group for approval.

All Presbytery property must be returned at the time of separation to the Office Manager. This includes, but is not limited to, ID badges, computer equipment, credit cards, keys, authorization codes, etc.

### **25.02 Voluntary Resignation**

An employee who desires to terminate employment may do so by submitting written notice to the Executive Presbyter.

The Presbytery asks that Elected Staff provide four week's notice. The Presbytery asks that Non-Elected Staff provide two week's notice. Vacation taken during this period shall be subject to the approval of the Executive Presbyter and the Staff Personnel Work Group

### **25.03 Dismissal for Cause**

Dismissal for Cause shall be considered in those circumstances where, in the judgment of the Presbytery, an employee's conduct or performance is such as to preclude further employment, or when remedial measures have proved ineffective. A recommendation for a Dismissal for Cause is initiated by the and Supervisor and presented to the Executive Presbyter. Dismissal for Cause may take place upon recommendation of the Executive Presbyter, and is subject to the approval of the Staff Personnel Work Group and, where necessary, action of the Presbytery Coordinating Commission and/or Presbytery Assembly.

Written documentation, including any previous corrective actions, shall support any recommendation of dismissal.

All Elected Staff termination requests (with supporting documentation to sustain) due to Dismissal for Cause must be routed through the Executive Presbyter and the Staff Personnel Work Group for approval and recommendation to the Presbytery Coordinating Commission and Presbytery Assembly.

All Non-Elected Staff termination requests (with supporting documentation to sustain) due to Dismissal for Cause must be routed through the Office Manager, Executive Presbyter, and the Staff Personnel Work Group for approval.

### **25.04 Suspension**

Should, in the judgment of the Executive Presbyter, Office Manager, or the Staff Personnel Work Group, immediate suspension of an employee from his or her work be necessary to protect the best interests of the Presbytery, or for the safety of persons or property, an employee may be suspended immediately with pay, without prior notice, by the Executive Presbyter until such time as further judgment has been made regarding the person's continuing employment.

### **25.05 Reduction in Force**

Due to re-organization, financial considerations, or major changes in goals and objectives, it may be necessary for the Presbytery to reduce its work force. This includes the re-organization or re-structure of jobs and the elimination of jobs.

Should this occur, termination of Non-Elected Staff positions shall be based upon recommendation of the Executive Presbyter and action of the Staff Personnel Work Group. In instances of Elected Staff positions, termination shall be upon recommendation to the Staff Personnel Work Group for action of the Presbytery Coordinating Commission and Presbytery Assembly.

The action shall take into consideration such factors as individual skills and experience, length of service, and job performance, but shall not take into consideration such factors as age, race or gender. The Staff Personnel Work Group will offer career placement assistance to employees who request it. Employees terminated as a result of a reduction in force shall be entitled to notice and severance allowance.

### **25.06 Notice to Employees and Severance Allowance**

All severance allowances are subject to the approval of the Executive Presbyter and the Staff Personnel Work Group. The following notices and severance allowances shall be given:

1. Employees Terminated for Cause: No notice shall be required for the termination of any employee for cause. Severance allowance is not paid if terminated for cause. The Presbytery shall be under no obligation to continue contributions to the Benefits Plan or to other programs past the termination date.
2. Employees Terminated Due to Reduction in Force: All employees shall receive a minimum of three month's notice. The Executive Presbyter, with the approval of the Staff Personnel Work Group, may elect to provide additional notice.

Severance allowance shall be given to Full-Time and Part-Time (excluding Limited, Part-Time) employees as follows: (1) less than two years of continuous employment, two week's compensation; (2) more than two years, one week's compensation for each year of continuous employment up to a maximum of 26 weeks. The Presbytery shall be under no obligation to continue contributions to the Benefits Plan or to other programs past the termination date.

### **25.07 Death in Service**

Along with such benefits as may be provided by Social Security, the Pension and Benefits Plan of the P.C. (USA), annuities, and/or other such programs in which a particular employee may have participated, the salary of an employee who dies while in the employ of the Presbytery shall be continued for four weeks from the date of death and paid to the beneficiary(s) of the deceased, if such exist.

### **25.08 Retirement**

In keeping with applicable law, the Presbytery refrains from setting a specific mandatory or provisional retirement age, choosing to treat each individual case on the continued ability to perform one's work assignments with proficiency. Staff members who wish to plan for a gradual transition to retirement are encouraged to explore with the Executive Presbyter possibilities for alternative or part-time responsibilities, special assignments, or other arrangements that would be beneficial to the staff member and to the Presbytery.

Employees are advised to consult the provisions of the Board of Pensions plan in planning for their retirement.

**25.09 Exit Interviews**

At the end of employment, the Staff Personnel Work Group shall conduct an exit interview with employees who have voluntarily resigned (and with others as deemed necessary or appropriate) to discuss reasons for leaving and to collect any other impressions that employees may have. This is the time for the employee to share insights and suggestions about their period of employment.

**25.10 Post-Employment Inquiries**

The Presbytery will generally not respond to verbal requests for references after separation. The Presbytery may only be able to provide a reference to potential employers or other inquirers with a completed and signed release form. Without a signed release form, the Presbytery may only verify the dates of employment, job title and duties, hours of work, and other such basic information. An exception to this, however, is when an employee is being considered for other positions within the P.C. (USA).

**25.11 Benefits Upon Termination - Summary Matrix**

*Note: Differences may exist based on employment classification and years of service			
	Voluntary Resignation	Dismissal for Cause	Reduction in Force
Benefits Continuation (medical, at own cost COBRA)	X	X	X
Vacation Pay Out	X	X	X
Notice			X
Severance Allowance			X
Career Assistance			X

**26.00 MOVING ASSISTANCE**

The Presbytery may assist a new Full-Time or Part-Time Elected Staff to relocate within the bounds of the Presbytery by providing the following benefits to relocate (exceptions to be approved by the Staff Personnel Work Group):

Moving costs to the extent allowed by IRS guidelines, including travel costs to the Chicago area for the employee and members of her or his immediate family.

Reasonable costs related to one housing search trip by the new employee and spouse, if any.

Lease termination costs up to two month's rent.

Temporary housing expenses, for a period not to exceed 90 days.

Second mortgage loans to the extent that funds are necessary to complete the down payment required on a new home to a maximum of \$50,000. It is expected that the employee shall use all other reasonable means to provide such financing. Loans shall not be transferable, and are payable in full upon the sale of the property prior to the scheduled repayment date.

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Employee Signature

Printed Name

Date

**28.00 RECEIPT AND ACKNOWLEDGMENT**

The Presbytery of Chicago’s Personnel Policy Manual

Please read the following statements. Sign below to indicate your understanding and receipt of the Presbytery of Chicago’s Personnel Policies and your understanding of At-Will Employment. Please return to the Office Manager. This receipt will be stored in your personnel file.

I have received a copy of the Presbytery of Chicago’s Personnel Policies. I understand that it provides personnel policies and summary information about the Presbytery’s personnel policies, procedures, benefits, and rules of conduct. I also understand that it is my responsibility to read, understand, become familiar with and follow these personnel policies. I further understand that the Presbytery reserves the right to modify, supplement, rescind, or revise any provision, benefit, or policy from time to time, with or without notice, as it deems necessary or appropriate. I also understand that the information in these Personnel Policies supersedes and replaces all previous personnel policies, procedures, benefits, and standards of conduct at the Presbytery of Chicago, whether written or oral.

I further understand that my employment is at-will. Neither the Presbytery nor I have entered into a contract regarding the duration of my employment. I am free to terminate my employment with the Presbytery at any time, with or without reason. Likewise, the Presbytery has the right to terminate my employment at any time, with or without reason. I understand that this employment at-will agreement constitutes the entire agreement between me and the Presbytery on the subject of termination and it supersedes all previous agreements. I also understand that, although other Presbytery policies and procedures may change from time to time, this employment at-will agreement will remain in effect throughout my employment with the Presbytery unless it is specifically modified by an express written agreement. I further understand that this employment at-will agreement may not be modified by any oral or implied agreement.

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Employee’s Printed Name

Position

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Employee’s Signature

Date