

## **THE JOHN KNOX PRESBYTERY PERSONNEL POLICIES**

These policies do not constitute a contract. Their terms are implemented in accordance with the Constitution of the Presbyterian Church (U.S.A.) including its provisions for Administrative Staff. *Book of Order, (G-3.0110)*. Calls to teaching elders are contractual and may only be changed in consultation with the incumbent's presbytery.

These policies may be withdrawn or changed at any time and without notice by action of the Presbytery upon recommendation of the Presbytery Personnel Committee. A decision of the Presbytery on the interpretation or application of these policies shall be final and binding on all employees. All previous policies and procedures, to the extent that they are inconsistent with this document, are hereby revoked.

Employees may resign their employment at any time and for any reason, and the Presbytery reserves the same right regarding the discontinuation of an individual's employment.

### **I. STYLE OF THE JOHN KNOX PRESBYTERY PERSONNEL SYSTEM**

The basic style of The John Knox Presbytery personnel system is based on a commitment to treat all persons involved fairly, both employees and employer. It reflects a leadership style that is supportive, seeking to secure and maintain the cooperation of all staff who perform Presbytery functions. It is a style of shared rights, responsibilities, and accountability.

### **II. THEOLOGY OF EMPLOYMENT**

The John Knox Presbytery, a governing body of the Presbyterian Church (U.S.A.), is a community of faith called into being by God's grace in Jesus Christ.

The work of the John Knox Presbytery is to be understood as being defined within the context of the Constitution of the Presbyterian Church (U.S.A.), which consists of the Book of Confessions and the Book of Order, and within the definition of its own mission.

### **III. SCOPE AND APPLICATION OF THE PERSONNEL POLICIES**

The personnel policies are established by the Presbytery with regard to all staff which it employs. The Presbytery commends these policies to its congregations and affiliated agencies. It is the intent of these policies to conform, where necessary, to the requirements of applicable state laws. In the event that these policies conflict with applicable state law, state law shall prevail.

Presbytery is responsible for:

- A. To provide for a plan to implement equal opportunity employment consistent with the principles of inclusiveness of the Presbyterian Church (U.S.A.). (See "Plan for Equal Employment Opportunity")
- B. Compensation - To develop and administer a process of compensation.
- C. Reimbursement of expenses - To develop and administer a process for the reimbursement of employee related expenses.

- D. Continuing Education - To develop and administer a process of continuing education consonant with the needs of the Presbytery, and the career goals of the employee.
- E. Benefits - To provide employee benefits consonant with the goals and financial capacity of the Presbytery.
- F. Employee concerns and problems - To establish and administer a procedure for resolving job related problems.
- G. Distribution - To provide to each employee a copy of the Presbytery's personnel policies.

#### IV. EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICIES

It is the policy of John Knox Presbytery to engage in employment policies and practices which promote equality in all aspects of employment. All entities will be guided by the Book of Order, the policies of the Presbytery, the Churchwide Plan for Equal Employment Opportunity and Affirmative Action, and applicable federal and state laws, regulations, and executive orders related to equal opportunity in employment.

All employment policies and practices including recruiting, selection, benefits, compensation, performance appraisal, promotion, transfers, discipline, training, and separation will be administered without discrimination based on race, color, national origin, gender, age, marital status, sexual orientation, creed, disability, or religious affiliation (except where a category is determined to be a bona fide occupational qualification).

It is the policy of John Knox Presbytery to act affirmatively to expand employment opportunities which contribute to a diverse workforce.

#### V. BASIC POLICIES

- A. Inclusiveness: The Presbytery is an equal opportunity employer.
- B. Drug and Alcohol Dependency: The Presbytery recognizes that alcoholism and other drug dependencies are a significant problem with a potential for causing severe effects to the Presbytery's work force. Employees are expected to perform their jobs efficiently, safely and in a professional business-like manner. Therefore, it is the Presbytery's intent to provide a drug-free, smoke-free, healthful, safe and secure work environment.
- C. Sexual Harassment
  1. The Presbytery strongly condemns discrimination based upon sex including sexual harassment. Such conduct is against the law and will not be tolerated in any form, by any person.
  2. All sexual harassing conduct in the workplace, whether committed by supervisory or non-supervisory personnel, is prohibited. Such conduct includes:

- a. Making unwelcome sexual advances or requests for sexual favors or other verbal or physical contact of a sexual nature, a condition of an employee's obtaining employment or their continuing said employment; or
  - b. Making submission to or rejection of such conduct the basis for employment decisions affecting the employee, or
  - c. Creating an intimidating, hostile or offensive work environment by such conduct. This prohibited conduct includes, but is not limited to, unwelcome sexual flirtations; advances or propositions; verbal abuse of a sexual nature; graphic verbal comments about an individual's body; sexually degrading words; and the display in the workplace of sexually suggestive objects or pictures.
3. Employees who believe that they have been the subjects of sexual harassment should report the alleged act immediately to their supervisor. If they do not feel comfortable talking to that individual, they may speak with any executive or administrative staff person or Chair of the Presbytery Personnel Committee.
  4. Any supervisor, agent, or other employee who has been found by the Presbytery, after appropriate investigation, to have sexually harassed another employee, will be subject to appropriate sanctions, depending upon the circumstances, from a warning in his or her personnel file up to and including termination.

#### D. Other Types of Harassment

1. The Presbytery prohibits harassment in any form by its employees based on factors of race, color, religion, national origin, sexual orientation, age or disability.
2. Harassment is defined as verbal or physical conduct which is insulting or intimidating, has the effect of interfering with an individual's work performance, or creates an intimidating, hostile or offensive work environment.
3. It shall be the responsibility of each employee to maintain an environment which is free from such harassment and to report incidents of conduct which he or she believes to constitute such harassment.
4. Employees who believe they have been the subjects of harassment described in Section V.D.2. should report the alleged act immediately to their supervisor. If they do not feel comfortable talking to that individual, they may speak with any executive or administrative staff person or Chair of the Presbytery Personnel Committee.
5. Any supervisor, agent, or other employee who has been found by the Presbytery, after appropriate investigation, to have harassed another employee, will be subject to appropriate sanctions, depending upon the circumstances, from a warning in his or her personnel file up to and including termination.

E. Conflict of Interest

1. No employee shall accept any gift, gratuity, grant, service, or any special favor from any person or persons or businesses which provide or receive goods and services or which seek to provide or receive goods and services from the Presbytery. However, minor courtesies such as luncheons, dinners or similar arrangements in connection with business discussions may be received.
2. In addition, if an employee is called upon to participate in a decision in which the interests of the Presbytery conflict with his or her personal interests, the employee should abstain from participating in the decision.
3. Full-time employees who hold other paid positions should ensure that such outside employment will not interfere with their performance of their duties or produce a conflict of interest in the pursuit of those duties. Any question regarding this should be reviewed with their supervisor.
4. All employees shall avoid even the appearance of conflict of interest, special interest, or any other inappropriate conduct. If an employee discovers that he or she may be in a position of conflict, he or she shall immediately report this conflict to his or her supervisor.

F. Nepotism

To affirm and facilitate equal opportunity for all employees 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 should not be automatically denied employment nor fair treatment in the full spirit of these policies.

G. Solicitation or Distribution

1. It is the policy of the Presbytery to ensure productive work environments where employees and program operations may function without disruption.
2. Employees may not advertise services, solicit another employee, or collect from another employee while either employee is on work time or at the work place. "Work time" is defined as all time on the job other than before and after work, at meal periods, and during break times.

H. Confidentiality and Security of Presbytery Records

1. It is the policy of the Presbytery that employees are required to protect organizational records entrusted to them or accessible to them against unauthorized access, loss, or destruction. These records include all written and/or computerized information produced by or for the Presbytery.
2. Employees may be assigned records or computer accounts identified by their personal names; however, the documents and information produced or stored in these and all records and accounts remain the property of the Presbytery.

## I. Whistleblower Policy

### 1. General

John Knox Presbytery's Code of Ethics and Conduct ("Code") requires officers, employees and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the John Knox Presbytery, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

### 2. Reporting Responsibility

It is the responsibility of all officers, employees and volunteers to comply with the Code and to report violations or suspected violations in accordance with this Whistleblower Policy.

### 3. No Retaliation

No officer, employee or volunteer who in good faith reports a violation of the Code shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the John Knox Presbytery prior to seeking resolution outside the Presbytery.

### 4. Reporting Violations

The Code addresses the John Knox Presbytery's open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. Due to the structure of the John Knox Presbytery this could mean the concerns may be taken to the staff leadership of the Presbytery consisting of the Moderator, Vice Moderator or Presbytery Council Chair. The leadership of the Presbytery is required to report suspected violations of the Code of Conduct to the John Knox Presbytery's Compliance Officer.

The John Knox Presbytery Council shall appoint a representative from the Council to serve as the Compliance Officer. This individual has specific and exclusive responsibility to see that a thorough investigation is conducted for all reported violations.

For suspected fraud, or when you are not satisfied or uncomfortable with following the John Knox Presbytery's open door policy, individuals should contact the Presbytery's Compliance Officer directly.

### 5. Compliance Officer

The John Knox Presbytery's Compliance Officer is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Code and shall advise the Presbytery's leadership team consisting of the Moderator, Vice Moderator and Presbytery Council Chair.

6. Accounting and Auditing Matters  
The Compliance Officer shall immediately notify the Fiscal Operations Task Force and the Presbytery Council Chair of any such complaint and work with the Task Force until the matter is resolved. The Fiscal Operations Task Force shall address all reported concerns or complaints regarding John Knox Presbytery's accounting practices, internal controls or auditing.
7. Acting in Good Faith  
Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.
8. Confidentiality  
Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
9. Handling of Reported Violations  
The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within ten business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

## VI. EMPLOYMENT CATEGORIES AND TERMS

- A. Executive Staff: Executive staff is elected by the Presbytery for an indefinite term in accordance with provisions of the Book of Order, (G-3.0110) and/or in accordance with guidelines adopted by the Presbytery. There shall be an annual personnel review.
- B. Administrative Staff: Administrative staff is an exempt employee hired for an indefinite term by the Executive Presbyter when authorized to fill the position by the Presbytery Personnel Committee. There shall be an annual personnel review.
- C. Program Staff: Program staff is hired by the Executive Presbyter for an indefinite term, and confirmed by the Presbytery. There shall be an annual personnel review.
- D. Support Staff: Support staff is a non-exempt employee hired for an indefinite term by the Executive Presbyter when authorized to fill the position by the Presbytery Personnel Committee. There shall be an annual personnel review.
- E. Employees hired on a part-time basis (less than 40 hours per week) will be subject to the same general conditions and expectations as full-time employees. Length of service benefits will be calculated on a pro-rata basis. Holidays will apply in accordance with their regular work schedule.

F. Interim Employment

1. It is the policy of the Presbytery to provide continuity of administrative and/or program services when a vacancy occurs in a validated position by appointing an interim person, if necessary and appropriate, to serve until the position is filled or abolished. This policy is applicable to all validated positions whether full or part-time.
2. Interim employees temporarily filling exempt positions are not eligible to apply for or be considered for filling the position on a regular basis. Interim employees temporarily filling non-exempt positions may apply for and be considered for filling the position on a regular basis.

VII. POSITION DESCRIPTIONS

All positions will be described in a position description, which shall be reviewed periodically.

VIII. RECRUITMENT AND SELECTION

It is the policy of the Presbytery to employ qualified individuals who can contribute to the mission and goals of the Church. Recruitment and selection of these individuals is governed by the practices set forth in this policy.

IX. INITIAL EVALUATION PERIOD

- A. Support staff shall be employed for an initial evaluation period of three months. Administrative and program staff shall be employed for an initial evaluation period of six months. During this period the employee may be terminated if it is determined by the supervisor that work performance or the relationship between the employee and the employer will not develop satisfactorily.
- B. Upon satisfactory completion of this period, the supervisor shall notify the employee in writing placing a copy within the personnel file.

X. WORK WEEK

The work week is defined as Sunday, 12:01 a.m. through Saturday 12:00 p.m. The normal work week shall be forty hours.

XI. SALARY ADMINISTRATION

It is the policy of the Presbytery to provide a salary administration program which includes fair pay for work performed, incentive for personal achievement and growth, and flexibility to meet changes in organization, functions and personnel over time.

- A. Salary ranges and wage scales will be reviewed annually in light of national indices and/or prevailing wages in the local community.
- B. Ordinarily, any salary adjustments will be effective January 1st of each year. Changes in the terms of call for a teaching elder must be approved by the Presbytery.
- C. All Presbytery employees shall be paid on a semi-monthly basis.

- D. All honoraria received having to do directly with the work of the Presbytery shall be turned into the Presbytery. Honoraria received for services not related to the position description may be retained by the staff person.

## XII. BENEFITS

### A. Social Security

The employee's share is withheld from the wages of non-ordained staff. Teaching elders are considered self-employed for social security purposes and are responsible for the payment of their self-employment contributions.

### B. Pension

All eligible support employees who have satisfactorily completed an initial evaluation period are to be enrolled in the Benefits Plan of the Presbyterian Church (U.S.A.) see IX. A. All other eligible employees will be enrolled as of their starting date. Dues shall be paid by the Presbytery at the required percentage. Questions regarding eligibility, benefit levels, or other issues shall be determined solely by reference to the provisions of the Benefits Plan.

### C. Health Insurance and Disability and Death in Service Benefits

Health insurance, disability and death in service benefits are provided to eligible employees by the Benefits Plan of the Presbyterian Church (U.S.A.). Questions regarding eligibility, benefit levels, or other issues shall be determined solely by reference to the provisions of the Benefits Plan.

### D. Workers' Compensation Insurance

Workers' Compensation Insurance is provided to all employees according to the provisions of the appropriate State's law.

### E. On the Job Travel Accident Insurance

On-the-job travel accident insurance is provided through the Synod of Lakes and Prairies.

### F. Unemployment Insurance

Presbytery employees are excluded from unemployment compensation insurance.

### G. Moving expenses

Employees who have been designated as eligible for moving expenses shall be reimbursed for the cost of packing, crating, moving, temporary storage, and insuring the employee's household goods and personal effects not in excess of 12,000 pounds.

Transportation expenses for the employee and family will be paid to the new location by air (coach fare), rail, or automobile, or some reasonable combination thereof. In the event that travel is by automobile, reimbursement shall be made at the rate currently being paid by the Presbytery for work related travel, and shall cover one automobile with mileage computed by the most direct route.

House hunting expenses will be paid to the transfer site for the employee and spouse for one trip covering a period not to exceed three (3) days, in addition to travel, lodging, and meals in unusual circumstances, additional time may be made available upon authorization by the Executive Presbyter and the Presbytery Personnel Committee. Assistance will be provided by the Presbytery in house hunting.

Until the employee is established in his/her new residence, actual and reasonable living expenses of the employee at the new location will be paid, not to exceed in the aggregate a sum equal to 2/3 of one month's salary. Living expenses will be paid up to 30 days.

H. Housing Loans

Executive and program staff may be given assistance in the purchase of a home through the loan by the Synod of a second mortgage or bridge loan in accordance with guidelines established by the Synod.

I. Holidays

1. There shall be eleven paid holidays per year: New Year's Day, Martin Luther King, Jr. Day (or employee's birthday), Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving Day, the Day after Thanksgiving, Christmas Day, and two other days to be designated by the Executive Presbyter at the beginning of each year.
2. When a holiday falls on a Saturday or Sunday, it will usually be observed as a holiday on the nearest Friday or Monday respectively.

XIII. VACATION WITH PAY

A vacation with pay is provided for all regular employees. Vacations are not cumulative; earned vacation days not used in the calendar year will be forfeited, except when special provision has been made by the Presbytery Executive, or the Presbytery Personnel Committee in the case of the Executive Presbyter.

A. Eligibility

Paid vacation time is available to all regular full-time and part-time employees (20 hours or more per week) and may be available to term and interim employees. Vacation for part-time employees is pro-rated based on the percentage of time worked. Temporary agency workers, volunteers, and independent contractors are not eligible for paid vacation.

B. Accrual

On January 1 of each year, exempt employees are eligible for annual paid vacation according to the following service schedule (pro-rated for part-time):

One year through twenty-five years	22 days
Twenty-six years and over	27 days

On January 1 of each year, non-exempt employees are eligible for annual paid vacation according to the following service schedule (pro-rated for part-time):

One year	10 days
Two years	11 days
Three to nine years	15 days
Ten to twenty-five years	22 days
Twenty six years and over	27 days

For all employees in the first year of employment and in the year of termination of employment, paid vacation will be prorated based on the percentage of the year worked.

Vacations shall not ordinarily be taken during the initial evaluation period of employment. If at the end of the initial evaluation period the employee is terminated, no vacation is allowed.

Ordinarily, vacation should be taken in blocks of time whenever possible. However, they can be used in half day or one day implements when necessary.

Specific vacation dates shall be determined in advance in consultation with the employee's supervisor.

#### XIV. LEAVE WITH PAY

##### A. Military Leave

If you are a member of the Armed Forces Reserve or National Guard and are required to attend a training camp on a day you are scheduled to work, you will be paid the difference between your military pay and your normal straight time pay for each day you are on leave, up to two (2) weeks in a calendar year. No pay adjustment will be paid if the required military training occurs on a day when you are not scheduled to work.

##### B. Jury Duty

Time off for jury service shall be allowed. For up to a maximum of two weeks per year the Presbytery will pay the difference between the individual's normal and customary pay less whatever the individual receives for jury duty.

##### C. Parental Leave

It is the policy of the Presbytery to assist new parents through the provision of paid and unpaid leave benefits.

###### 1. Eligibility

Regular full-time and part-time employees (20 hours or more per week) are eligible for parental leave. Term and interim employees are not eligible.

###### 2. Benefit

Eligible employees may elect up to six months reduced-pay and/or unpaid parental leave for the birth, adoption or guardianship of a child.

3. Usage  
The leave must be taken in the period immediately preceding or within twelve months of the birth or placement of the child. Parental leave normally should be unbroken except for periods of absence caused by medical problems.

If spouses are employed by the same employer and wish to take parental leave to care for a newly arrived child, their aggregate leave is limited to six months.

4. Notice of Use of Leave  
The employee must provide the Presbytery with thirty days= advance notice in writing before the date on which the parental leave would begin. If the employee is unable to provide thirty days= notice, she/he must provide such notice as is practicable, specifying the amount of leave time desired.

5. Pay During Parental Leave  
The Presbytery may choose to offer one or both of these pay schedules for parental leave:
  - a. the first two months at 75% of regular pay, then unpaid leave, or
  - b. the first three months of parental leave at 60% of regular pay, then unpaid leave.

Employees must exhaust all 100% paid personal time before being eligible for reduced pay parental leave.

6. Return to work  
Upon completion of the parental leave, the employee may be returned to his or her position. If the Presbytery found it necessary, for business reasons, to fill the position during the employee's leave, it would do so only on a temporary basis, unless it was necessary to eliminate the position due to reduction in force.

7. Benefits during parental leave  
Benefit coverage and service credit continue during parental leave with the cost of benefits paid by the Presbytery. Any salary increase the employee would have received during the leave will be effective upon the employee=s return to employment.

#### D. Paid Personal/Sick Time

1. Permanent employees are entitled to up to ten (10) working days of personal/sick time of each calendar year (pro-rated for part-time employees), cumulative up to ninety (90) days.
2. Although not qualified for paid personal/sick time as a new employee, up to 22 days of paid personal/sick time will be paid during the first ninety days of employment. If during the first 90 days of employment, the employee leaves or is terminated, however, the paid personal/sick time will be deducted from the final paycheck.

3. At the time of termination of employment (either voluntary or involuntary) an employee shall have no claim for pay in lieu of unused paid personal/sick time.

#### XV. LEAVE WITHOUT PAY

Employees may be granted leave without pay. Benefits defined in XII. may be continued at the employee's own expense, but paid leave benefits e.g. vacation, personal/sick leave or holidays will not accrue during this period. The leave is subject to the approval of the Presbytery Personnel Committee upon recommendation of the Executive Presbyter.

#### XVI. CONTINUING EDUCATION

Continuing education benefiting the employee and the Presbytery shall be encouraged. Employees are to submit request for continuing education to their supervisor for consideration. Such leave is solely at the discretion of the Executive Presbyter.

#### XVII. RENEWAL LEAVE

In order to prevent burnout and to encourage fresh, vital, and relevant ministries, full-time Executive staff members are encouraged to apply to their supervisor and the Presbytery Personnel Committee for extended periods of time away, with full pay, for renewal and refreshment. The application will include a plan for use of the time. Renewal leave may be granted in relation to length of service with the Presbytery as follows:

Four years of continuous employment	one month
Eight years of continuous employment	two months
Twelve years or more of continuous employment (at four year intervals)	three months

If granted, the Renewal Leave may be combined with earned vacation within a particular year. After completion of any Renewal Leave, a brief written report will be required.

#### XVIII. PROCEDURES FOR ADDRESSING EMPLOYEE CONCERNS AND PROBLEMS

In order to deal promptly and fairly with employee concerns, the following steps will be taken:

##### A. PRELIMINARY PROCEDURE

1. The employee will first discuss his/her problem with his/her immediate supervisor.
2. If not satisfied with the supervisor's action, the employee will approach the Executive Presbyter, or the Chair of the Presbytery Personnel Committee if their supervisor is the Executive Presbyter, who will seek to resolve the issue in consultation with all parties involved. Ordinarily a decision will be reached within ten days.

##### B. FORMAL PROCEDURE

If informal efforts to resolve a concern have failed, a formal process may be initiated by submitting a written statement to the Chair of the Presbytery Personnel Committee with a copy to the Executive Presbyter and the person's supervisor.

1. The Chair of the Presbytery Personnel Committee shall call a meeting of the Presbytery Personnel Committee which shall review the statement with all parties concerned and decide appropriate action. For support staff, the decision of the Presbytery Personnel Committee is final.
2. If an executive, administrative or program employee is dissatisfied with the decision of the Presbytery Personnel Committee, the person may appeal within thirty (30) days to the Presbytery. The Presbytery, in consultation with all parties concerned, shall make the final written determination.

C. RIGHT OF ADVOCACY

It is understood that the employee may arrange to have an advocate with him/her at all steps in the formal process, at no expense to the Presbytery.

D. WRITTEN RECORDS

A written record of all decisions arrived at in all meetings shall be kept. Letters of decision from the Presbytery Personnel Committee shall contain provision for the employee to indicate his/her acceptance or rejection of the decision.

XIX. UNSATISFACTORY PERFORMANCE AND INVOLUNTARY TERMINATION

- A. Occasionally, an employee's behavior or work performance is unsatisfactory. When this arises, normally the employee's supervisor will meet with the employee in an effort to improve the unsatisfactory behavior or performance. However, the Presbytery reserves the sole right to determine whether disciplinary action should occur and the nature and extent of the discipline to be imposed. This process may include verbal warning(s), written warning(s), suspension or termination, all in the sole discretion of the Presbytery. In this connection, the Presbytery reserves the right to bypass one or more of the options set forth above. While it is not possible to list every type of behavior that might be deemed a problem, the following list includes examples of behavior which may result in discipline up to and including termination:

Unsatisfactory performance, insubordination, neglect in the care and use of Presbytery property and funds, unexcused absence and/or repeated tardiness, moral turpitude, violation of Presbytery personnel policies, falsification of timekeeping records, reporting to work under the influence of alcohol or drugs, threatening violence in the workplace, sexual or other unlawful harassment, possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace.

The examples cited above are for illustration only and shall not be considered as comprehensive or limiting the Presbytery's right to administer discipline in its sole discretion.

- B. In the event of involuntary separation, the Executive Presbyter, in consultation with and upon approval of the Presbytery Personnel Committee, will terminate any administrative, program or support staff employee. Terms of separation will be determined on a case-by-case basis and in consultation with the Presbytery Personnel Committee.

- C. The relationship between executive staff of the John Knox Presbytery may be dissolved by majority vote of the presbytery on request of the staff member or on recommendation of the Presbytery Council, or Personnel Committee. When the Presbytery Council or Personnel Committee has decided to prepare a recommendation to terminate, it shall notify the person in writing, stating the reasons for proposing to terminate and offering the staff member an opportunity to resign or to request a hearing before the recommendations are adopted and reported to the Presbytery. The hearing shall be one in which the staff person may appear personally with counsel (The Rules of Discipline, D-7.0301, D-11.0301) to respond to the findings of the committee or council and present reasons and evidence why the relationship should not be terminated. The hearing shall afford safeguards as in cases of process, following the rules of evidence in the Rules of Discipline, Chapter XIV (D-14.0000). A record shall be made of the hearing, which shall become a part of the record filed under D-6.0304 in the event of a judicial complaint following the final action of the governing body.
- D. In the event of the involuntary separation of the executive staff of the Presbytery the implementation of the procedures above will lodge with the Presbytery Personnel Committee. Terms of separation will be determined on a case-by-case basis and approved by the Presbytery.

XX. REDUCTION IN FORCE

- A. Reduction in force, because of the discontinuance of a project or retrenchment in budget or for other circumstances arising out of no fault of the employee, is at the sole discretion of the Presbytery.
- B. Written notice of such reduction will come from the Presbytery Moderator after consultation with the Presbytery Personnel Committee. At least six months notice shall be given. Should re-employment take place before the expiration of the notice period, salary payment will continue, offset by any pay received by the employee during this period.
- C. When notice is given, severance allowance will be given in relation to length of service with the Presbytery as follows:
 

less than one year of service	two weeks
one year but less than four	four weeks
four years but less than five	six weeks
five or more years	eight weeks plus a week's salary for each year over five years to a maximum of twelve weeks
- D. Pay in lieu of six-months notice may be given if so determined by the Presbytery. Normally severance allowance will not be granted to an employee who receives pay in lieu of the six-month notice. Vacation time accrued shall be honored with time or pay at the time of severance.

## XXI. VOLUNTARY TERMINATION OF EMPLOYMENT

- A. Employees wishing to terminate their employment with the Presbytery should submit a written resignation to their supervisor, indicating the reason for terminating employment as well as the last day he or she expects to work.
- B. A minimum of thirty calendar days notice is requested of executive, administrative and program staff, and fourteen calendar days notice of support staff.
- C. The supervisor upon receipt of a resignation, in consultation with the Executive Presbyter, should arrange for an exit interview with the employee, placing in that person's personnel file the resignation letter and a summary of the exit interview.
- D. In the instance of the resignation of the Executive Presbyter, the resignation letter shall be submitted to the Presbytery Moderator, with a copy to the Chair of the Presbytery Personnel Committee. The Presbytery Personnel Committee, in consultation with the Presbytery Moderator, is responsible for the exit interview.
- E. Pay will be granted for accrued vacation if notice is given.

## XXII. DISABILITY

Disability is considered to be a temporary separation due to mental or physical inability to function on the job. The decision to recommend a disability leave shall be made by the Presbytery Personnel Committee in consultation with the Executive Presbyter. It shall be based upon the recommendation of a physician, or physicians, and subject to approval by the Presbytery.

## XXIII. DEATH IN SERVICE

When the death of a member of the Presbytery staff occurs, the spouse, or dependents, shall receive a separation allowance. The amount shall be equivalent to the salary (including any housing allowance) of the deceased for thirty days from the time of death.

## XXIV. RETIREMENT

- A. If possible, Presbytery Staff will inform in writing the Personnel Committee of an intended retirement date at least six months prior to that date.
- B. Earned vacation time should be used by the staff person prior to the intended retirement date.
- C. Should a staff person have accumulated personal/sick time available, half of the accumulated time up to a maximum of 45 days or two months of additional income shall be paid the employee following retirement. This would be paid on the regular payroll schedule.



## PLAN FOR EQUAL EMPLOYMENT OPPORTUNITY

The Presbytery is responsible for:

1. Policy

The John Knox Presbytery, in accord with the policy of the General Assembly of the Presbyterian Church (U.S.A.) set forth in "Toward Inclusiveness in Employment--A Churchwide Plan for Equal Employment Opportunity and Affirmative Action", hereby affirms its policy to develop and establish the following equality in employment opportunity to ensure non-discrimination in its own employment practices:

- A. The Presbytery will recruit, hire, call, train, and promote persons within all job classifications without regard to racial ethnic groups, gender, age, disability, or marital condition.
- B. The Presbytery will ensure that all other personnel policies and practices such as compensation, benefits, transfers, leaves of absence, performance evaluation, reductions in force and return to services, educational opportunities, tuition assistance, and termination are administered in accord with equal employment opportunity policies.
- C. The Presbytery will annually collect employment data and periodically conduct analyses of all personnel policies and practices, reporting its findings to the General Assembly Council and the Presbytery's Committee on Representation and make such corrective changes as are necessary under their equal employment opportunity commitments.

2. RESPONSIBILITY

The Executive Presbyter shall be responsible for the Presbytery's implementation and administration of equal employment opportunity under the guidance and supervision of the Presbytery Personnel Committee of the Presbytery.

3. DISSEMINATION

- A. The Presbytery shall give a copy of its equal employment opportunity policy to each present and prospective employee and include a non-discriminatory clause in all recruitment notifications.
- B. The Presbytery shall distribute copies of its plan to its congregations.

4. IMPLEMENTATION STEPS

- A. The Executive Presbyter, in consultation with the Presbytery Personnel Committee, shall ensure that all personnel guidelines, policies, procedures and practices are developed and implemented in accordance with the Presbytery's policy on equal employment opportunity.
- B. Each position description shall be examined carefully to determine what functional and personal qualifications as to educational attainment, skills, experience, knowledge, characteristics, etc., are actually required by the position so that qualification factors which discriminate against racial ethnic persons, various age groups, women, persons with disabilities, or a person's marital condition are eliminated.

- C. Each administrative position opening shall be filled in accordance with the principle of participation and representation found in *Book of Order G-3.0103*. Implementation steps for filling the position opening shall be developed by the Executive Presbyter in consultation with the Presbytery Personnel Committee.
- D. The Executive Presbyter in consultation with the Presbytery Personnel Committee shall initiate action required to correct patterns of discrimination on the basis of race, sex, age, disability, and marital condition. *Book of Order G-3.0103*
- E. The Executive Presbyter shall be responsible to establish a process to ensure that the Presbytery, as purchaser, shall notify all sub-contractors, vendors and suppliers of goods and services of the Presbytery's equal employment opportunity policy requesting them to share a copy of their equal employment opportunity policy with the Presbytery or to indicate their willingness to cooperate with Project Equality, Incorporated.

## 5. HIRING PROCEDURES

The search for and recruitment of persons from racial ethnic groups, persons of all ages, persons with disabilities, women, and persons of all marital conditions is critical to the implementation of an effective equal employment opportunity program. The Presbytery's program of search and recruitment shall ordinarily include at least the following:

- A. Involvement of persons from the identified groups in the search and recruitment process.
- B. Identification and use of resources related to the identified groups such as newspaper, networks, caucuses, and employing divisions.
- C. Utilization of internal employment and referral resources of the Presbyterian Church (U.S.A.).

## 6. MONITORING, REVIEW, AND EVALUATION

- A. The equal employment opportunity program and personnel policies of the Presbytery shall be available to the Presbytery Committee on Representation and the General Assembly Council.
- B. The Executive Presbyter, in consultation with the Presbytery Personnel Committee, shall periodically conduct an analysis of its workforce to determine whether or not it is implementing the church's commitment to inclusiveness in employment.
- C. Reports shall be submitted to the Presbytery Committee on Representation and the General Assembly Council for their review and comment.
- D. The Presbytery Personnel Committee shall include in its annual review of the Executive Presbyter Presbytery's inclusiveness in employment.