



Personnel Handbook

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I. MISSION

The mission of the Synod of Mid-America (the “SoMA”) is to witness to Jesus Christ in partnership with our presbyteries and the General Assembly so that the mission and ministries of the church are strengthened.

II. OVERVIEW

The SoMA Staff Personnel Handbook (the “Handbook”) has been developed to provide general guidelines about SoMA policies and procedures for staff and volunteers. It is, particularly, a guide to assist staff members in becoming familiar with some of the privileges and obligations of employment, including the SoMA's policy of voluntary at-will employment. None of the policies or guidelines in the Handbook are intended to give rise to contractual rights or obligations, or to be construed as a guarantee of employment for any specific period of time, or any specific type of work. Additionally, with the exception of the voluntary at-will employment policy, these guidelines are subject to modification, amendment or revocation by the SoMA at any time, without advance notice.

The Synod Assembly has delegated authority and responsibility for the establishment and administration of these personnel policies to the Synod Executive. The Synod Executive may, in turn, delegate authority for administering specific policies. Staff and volunteers are encouraged to consult the Synod Executive for additional information regarding the policies, procedures, and privileges described in this Handbook. Questions about personnel matters also may be reviewed with the Synod Executive.

The SoMA will provide each staff member a copy of this Handbook upon employment. All staff and volunteers are expected to abide by it. The highest standards of personal and professional ethics and behavior are expected of all SoMA staff and volunteers. Further, the SoMA expects each staff member or volunteer to display good judgment, diplomacy and courtesy in their professional relationships with commissioners of the SoMA's Synod Assembly, committees, membership, staff, and the general public.

III. VOLUNTARY AT-WILL EMPLOYMENT

Unless a staff member has a written employment agreement with the SoMA, which provides differently, all employment at the SoMA is “at-will.”

A staff member may be terminated from employment with the SoMA with or without cause, and staff members are free to leave the employment of the SoMA with or without cause. Any representation by any SoMA officer, staff member, or volunteer contrary to this policy is not binding upon the SoMA unless it is in writing and is signed by the Synod Executive with the approval of the Synod Assembly.

IV. EQUAL EMPLOYMENT OPPORTUNITY

The SoMA shall follow the spirit and intent of all federal, state and local employment law and is committed to equal employment opportunity. To that end, the Synod Assembly and Synod Executive of the SoMA will not discriminate against any staff member or volunteer or applicant in a manner that violates the law. The SoMA is committed to providing equal opportunity for all staff and volunteers and applicants without regard to race, color, religion, national origin, sex, age, marital status, sexual orientation, disability, political affiliation, personal appearance, family responsibilities, matriculation or any other characteristic protected under federal, state or local law. Each person is evaluated on the basis of personal skill and merit.

The SoMA’s policy regarding equal employment opportunity applies to all aspects of employment, including recruitment, hiring, job assignments, promotions, working conditions, scheduling, benefits, wage and salary administration, disciplinary action, termination, and social, educational and recreational programs. The Synod Executive shall act as the responsible agent in the full implementation of the Equal Employment Opportunity policy.

The SoMA will not tolerate any form of unlawful discrimination. All staff and volunteers are expected to cooperate fully in implementing this policy. In particular, any staff member or volunteer who believes that any other staff member or volunteer of the SoMA may have

violated the Equal Employment Opportunity Policy should report the possible violation to the Synod Executive.

If the SoMA determines that a violation of this policy has occurred, it will take appropriate disciplinary action against the offending party, which can include counseling, warnings, suspensions, and termination. Staff and volunteers who report, in good faith, violations of this policy and staff and volunteers who cooperate with investigations into alleged violations of this policy will not be subject to retaliation. Upon completion of the investigation, the SoMA will inform the staff member or volunteer who made the complaint of the results of the investigation.

The SoMA is also committed to complying fully with applicable disability discrimination laws, and ensuring that equal opportunity in employment exists at the SoMA for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. Reasonable accommodations will be available to all qualified disabled staff and volunteers, upon request, so long as the potential accommodation does not create an undue hardship on the SoMA. Staff and volunteers who believe that they may require an accommodation should discuss these needs with the Synod Executive.

If you have any questions regarding this policy, please contact the Synod Executive.

V. POLICY AGAINST WORKPLACE HARASSMENT

The SoMA is committed to providing a work environment for all staff and volunteers that is free from sexual harassment and other types of discriminatory harassment. Staff and volunteers are expected to conduct themselves in a professional manner and to show respect for their co-workers.

The SoMA's commitment begins with the recognition and acknowledgment that sexual harassment and other types of discriminatory harassment are, of course, unlawful. To reinforce this commitment, the SoMA has developed a policy against harassment and a reporting procedure for staff and volunteers who have been subjected to or witnessed harassment. This policy applies to all work-related settings and activities, whether inside or

outside the workplace, and includes business trips and business-related social events. The SoMA's property (e.g. telephones, copy machines, facsimile machines, computers, and computer applications such as e-mail and Internet access) may not be used to engage in conduct that violates this policy. The SoMA's policy against harassment covers staff and volunteers and other individuals who have a relationship with the SoMA which enables the SoMA to exercise some control over the individual's conduct in places and activities that relate to the SoMA's work (e.g. directors, officers, contractors, vendors, volunteers, etc.).

Prohibition of Sexual Harassment: The SoMA's policy against sexual harassment prohibits sexual advances or requests for sexual favors or other physical or verbal conduct of a sexual nature, when: (1) submission to such conduct is made an express or implicit condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual who submits to or rejects such conduct; or (3) such conduct has the purpose or effect of unreasonably interfering with an staff member or volunteer's work performance or creating an intimidating, hostile, humiliating, or offensive working environment.

While it is not possible to list all of the circumstances which would constitute sexual harassment, the following are some examples: (1) unwelcome sexual advances -- whether they involve physical touching or not; (2) requests for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment; or (3) coerced sexual acts.

Depending on the circumstances, the following conduct may also constitute sexual harassment: (1) use of sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; (2) sexually oriented comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess; (3) displaying sexually suggestive objects, pictures, cartoons; (4) unwelcome leering, whistling, deliberate brushing against the body in a suggestive manner; (5) sexual gestures or sexually suggestive comments; (6) inquiries into one's sexual experiences; or (7) discussion of one's sexual activities.

While such behavior, depending on the circumstances, may not be severe or pervasive

enough to create a sexually hostile work environment, it can nonetheless make co-workers uncomfortable. Accordingly, such behavior is inappropriate and may result in disciplinary action regardless of whether it is unlawful.

It is also unlawful and expressly against SoMA policy to retaliate against a staff member or volunteer for filing a complaint of sexual harassment or for cooperating with an investigation of a complaint of sexual harassment.

Prohibition of Other Types of Discriminatory Harassment: It is also against the SoMA's policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, gender, religion, sexual orientation, age, national origin, disability, or other protected category (or that of the individual's relatives, friends, or associates) that: (1) has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Depending on the circumstances, the following conduct may constitute discriminatory harassment: (1) epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts that relate to race, color, gender, religion, sexual orientation, age, national origin, or disability; and (2) written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, sexual orientation, age, national origin, or disability and that is circulated in the workplace, or placed anywhere in the SoMA's premises such as on a staff member or volunteer's desk or workspace or on SoMA's equipment or bulletin boards. Other conduct may also constitute discriminatory harassment if it falls within the definition of discriminatory harassment set forth above.

It is also against the SoMA's policy to retaliate against a staff member or volunteer for filing a complaint of discriminatory harassment or for cooperating in an investigation of a complaint of discriminatory harassment.

Reporting of Harassment: If you believe that you have experienced or witnessed sexual harassment or other discriminatory harassment by any staff member or volunteer of the

SoMA, you should report the incident immediately to your supervisor or to the Synod Executive. Possible harassment by others with whom the SoMA has a business relationship, including customers and vendors, should also be reported as soon as possible so that appropriate action can be taken.

The SoMA will promptly and thoroughly investigate all reports of harassment as discreetly and confidentially as practicable. The investigation would generally include a private interview with the person making a report of harassment. It would also generally be necessary to discuss allegations of harassment with the accused individual and others who may have information relevant to the investigation. The SoMA's goal is to conduct a thorough investigation, to determine whether harassment occurred, and to determine what action to take if it is determined that improper behavior occurred.

If the SoMA determines that a violation of this policy has occurred, it will take appropriate disciplinary action against the offending party, which can include counseling, warnings, suspensions, and termination. Staff and volunteers who report violations of this policy and staff and volunteers who cooperate with investigations into alleged violations of this policy will not be subject to retaliation. Upon completion of the investigation, the SoMA will inform the staff member or volunteer who made the complaint of the results of the investigation.

Compliance with this policy is a condition of each staff member or volunteer's employment or involvement. Staff and volunteers are encouraged to raise any questions or concerns about this policy or about possible discriminatory harassment with the Synod Executive. In the case where the allegation of harassment is against the Synod Executive, please notify the SoMA Moderator and the Committee on Governance.

VI. HOURS OF WORK, ATTENDANCE AND PUNCTUALITY

A. Hours of Work

The normal workweek for the SoMA shall consist of five (5), seven (7) hour days. Ordinarily, work hours are from 9:00 a.m. - 5:00 p.m., Monday through Friday, including one hour (unpaid) for lunch. Staff may request the opportunity to vary their work schedules (within supervisor-defined limits) to better accommodate personal responsibilities. Subject to the SoMA work and Synod Executive approval, the staff member's supervisor shall determine the hours of employment that best suits the needs of the work to be done by the individual staff member.

B. Attendance and Punctuality

Attendance is a key factor in your job performance. Punctuality and regular attendance are expected of all staff and volunteers. Excessive absences (whether excused or unexcused), tardiness or leaving early is unacceptable. If you are absent for any reason or plan to arrive late or leave early, you must notify your supervisor and as far in advance as possible and no later than one hour before the start of your scheduled work day. In the event of an emergency, you must notify your supervisor as soon as possible.

For all absences extending longer than one day, you must telephone your immediate supervisor prior to the start of each scheduled workday. When reporting an absence, you should indicate the nature of the problem causing your absence and your expected return-to-work date. A physician's statement may be required as proof of the need for any illness-related absence regardless of the length of the absence.

Except as provided in other policies, an staff member who is absent from work for three consecutive days without notification to his or her supervisor or the Synod Executive will be considered to have voluntarily terminated his or her employment. The staff member's final paycheck will be mailed to the last mailing address on file with the SoMA.

Excessive absences, tardiness or leaving early will be grounds for discipline up to and

including termination. Depending on the circumstances, including the staff member's length of employment, the SoMA may counsel staff and volunteers prior to termination for excessive absences, tardiness or leaving early.

C. Overtime

Overtime pay, which is applicable only to Non-Exempt Staff, is for any time worked in excess of 40 hours in a workweek. Only the Synod Executive or his or her designee, upon the request of a staff member's supervisor, may authorize overtime. Overtime rate is one and one-half time (1 1/2) the staff member's straight time rate, except in instances involving a Sunday or holidays when the rate is two times the regular rate. Payment of overtime will be provided in the pay period following the period in which it is earned.

VII. EMPLOYMENT POLICIES AND PRACTICES

A. Definition of Terms

1. Employer. The SoMA is the employer of all full-time, part-time and temporary staff. A staff member is hired, provided compensation and applicable benefits, and has his or her work directed and evaluated by the SoMA.
2. Full-Time Staff member. A Full Time Staff member regularly works at least 35 hours per week.
3. Part-Time Staff member. A Part Time Staff member regularly works less than 35 hours per week but no less than 17 1/2 hours per week.
4. Exempt Staff member. An Exempt Staff member or volunteer is a staff member who is paid on a salary basis and meets the qualifications for exemption from the overtime requirements of the Fair Labor Standards Act ("FLSA").
5. Non-Exempt Staff member. A Non-Exempt Staff member is a staff member who is paid an hourly rate and does not meet the qualifications for exemption from the overtime requirements of the Fair Labor Standards Act ("FLSA"). For Non- Exempt Staff, an accurate record of hours worked must be maintained. The SoMA will compensate non-exempt staff in accordance with applicable federal and state law and

regulations.

6. Temporary Staff member. An individual employed, either on a full-time or part-time basis, for a specific period of time less than six months. Temporary staff and volunteers are entitled only to those benefits required by statute or as otherwise stated in the *SoMA Personnel Handbook*.
7. Volunteer. An individual who dedicates time to the ongoing work of the SoMA. Volunteers may elect to offer their time to a specific project, or according to a regular schedule, attending to needs the SoMA may have at the time.

All staff are classified as Exempt or Non-Exempt in accordance with federal and state law and regulations. Each staff member is notified at the time of hire of his or her specific compensation category and exempt or non-exempt status.

VIII. POSITION DESCRIPTION AND SALARY ADMINISTRATION

Each position shall have a written job description. In general, the description will include the: purpose of the position, areas of responsibilities, immediate supervisor(s), qualifications required, salary range, and working conditions affecting the job, e.g., working hours, use of car, etc. The supervisor(s) or the Synod Executive shall have discretion to modify the job description to meet the needs of the SoMA.

Paychecks are distributed on the 15th and the last day of each month, except when either of those days falls on a Saturday, Sunday or holiday, in which case paychecks will be distributed on the preceding workday. Timesheets are due to the Synod Executive within two days of each pay period. All salary deductions are itemized and presented to staff and volunteers with the paycheck. Approved salary deductions may include: federal and state income taxes; social security, Medicare, and state disability insurance; voluntary medical and group hospitalization insurance premiums (if in force and if paid by staff member or volunteer) and other benefits (e.g., life insurance, retirement).

IX. WORK REVIEW

The work of each staff member or volunteer is reviewed on an ongoing basis with the supervisor to provide a systematic means of evaluating performance.

The annual performance review is a formal opportunity for the supervisor and staff member or volunteer to exchange ideas that will strengthen their working relationship, review the past year, and anticipate SoMA's needs in the coming year. The purpose of the review is to encourage the exchange of ideas in order to create positive change within SoMA. To that end, it is incumbent upon both parties to have an open, and honest discussion concerning the staff member or volunteer's performance. It is further incumbent upon the supervisor to clearly communicate the needs of SoMA and what is expected of the staff member or volunteer in contributing to the success of SoMA for the coming year.

Both supervisor and staff member should attempt to arrive at an understanding regarding the objectives for the coming year. This having been done, both parties should sign the performance review form, which will be kept as part of the staff member's personnel record and used as a guide during the course of the year to monitor staff member or volunteer progress relative to the agreed upon objectives.

The Synod Executive reviews the work of all supervisors. Work reviews for other staff are the responsibility of the appropriate supervisor, subject to confirmation by the Synod Executive.

X. ECONOMIC BENEFITS AND INSURANCE

The SoMA shall provide a competitive package of benefits to all eligible full-time and part-time staff. Pension and Medical benefits will be available through the Presbyterian Church Board of Pensions.

XI. LEAVE BENEFITS AND OTHER WORK POLICIES

A. Holidays

Full-Time Staff and volunteers are eligible for 11.5 holidays per year as follows:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- The Day After Thanksgiving Day
- Christmas Eve (1/2 Day)
- Christmas Day

Full-time staff (staff who regularly work at least 35 hours per week) receive one (1) paid day off for each full day of holiday time. Holiday benefits for Part-Time staff will be pro-rated in accordance with the hours regularly worked by the staff member or volunteer. Staff wishing to take religious holidays may substitute a religious holiday for one of those listed above, with advance approval from their supervisor and the Synod Executive. Temporary staff are ineligible for holiday leave benefits. In those years when Independence Day, Christmas Eve and Christmas Day, and New Year's Day fall on Saturday or Sunday, the Synod Executive will designate the workday that will replace the weekend holiday.

B. Vacation

Unless otherwise noted in an employment agreement:

During the first 90 days of employment full- and part-time staff and volunteers will not earn Vacation benefits. During the remaining nine months of the first year employment, a

full-time staff member or volunteer will earn two weeks (10 days) of paid Vacation.

Full-time staff will continue to earn two weeks (10 days) of Vacation during the second year of employment. In their third year of employment, full-time staff and volunteers will earn three weeks (15 days) of Vacation. During the fourth year and thereafter, full-time staff and volunteers will earn four weeks (20 days) of Vacation per year. Temporary staff and volunteers are ineligible for Vacation benefits.

Vacation benefits are prorated accordingly for Part-Time staff. Use of Vacation is subject to approval by the supervisor and Synod Executive and must be requested in writing.

Staff and volunteers are expected to use Vacation benefits in the fiscal year in which Vacation is earned. Staff and volunteers may carry over unused Vacation from one year to the next only with the approval of the Synod Executive.

C. Sick leave

Sick leave benefits are earned on a prorated basis of one day per month for full-time staff beginning at first day of employment. Part-time staff receives prorated sick leave benefits. Temporary staff is not eligible for paid sick leave benefits. Use of sick leave is subject to approval by the supervisor and the Synod Executive and must be requested in writing.

Unused sick leave can accumulate from year to year up to a maximum of 21 days for full-time staff. This limitation on accrual of sick leave benefits is prorated accordingly for part-time staff and volunteers. No sick leave benefits are paid upon separation of employment from the SoMA for any reason. If a staff member's illness or injury requires a consecutive absence of five (5) days or more, physician documentation will be required. The SoMA also may recommend that the staff member apply for state disability insurance (SDI). If the staff member receives SDI and the compensation does not equal the staff member's sick leave accruals, the SoMA will make up the difference until all sick leave benefits are used.

D. Personal Leave

The SoMA provides three (3) days of personal leave per calendar year to all Full-Time and Part-Time staff who have completed six months of employment. Personal leave benefits are prorated accordingly for part-time staff. Temporary staff are not eligible for paid personal leave benefits. Personal leave is accrued at the beginning of each year and cannot be carried into the next year. Personal leave may not be taken in the first six (6) months of employment. All personal leave is subject to prior approval by the supervisor and Synod Executive and must be requested in writing. No personal leave benefits are paid upon separation from employment with the SoMA for any reason.

E. Military Leave

Staff who are inducted into or enlist in the Armed Forces of the United States or are called to duty as a member of a reserve unit may take an unpaid leave in accordance with applicable law. The staff member must provide advance notice of his or her need for a military leave and the SoMA will request a copy of the staff member's orders, which will be kept on record by the SoMA.

The time an staff member spends on military leave will be counted as continuous service for the purpose of determining eligibility and accrual for various benefit plans and policies.

For military leaves extending 30 days or less, the SoMA will continue to pay the portion of the premium on health insurance, if any, that it was paying before military leave began. In order to continue such health insurance, the staff member must continue to pay his or her portion of premiums during this period. For military leaves extending beyond 30 days, the staff member will have the option to continue his or her insurance coverage at the staff member's cost.

Upon return from military leave, staff will be reinstated as required by law and benefits will be reinstated with no waiting periods.

F. Civic Responsibility

SoMA believes in the civic responsibility of its staff and volunteers and encourages this by allowing staff and volunteers time off to serve jury duty when required and to serve as nonpartisan Election Day poll workers when appropriate and approved.

1. *Jury Duty.* For time served on jury duty, the SoMA will pay staff the difference between his or her salary and any amount paid by the government, unless prohibited by law, up to a maximum of ten days. If an staff member or volunteer is required to serve more than ten days of jury duty, the SoMA will provide the staff member with unpaid leave. Staff must provide the SoMA a copy of proof of service received by court in which they serve.

2. *Election Day Poll Workers.* The SoMA will pay staff the difference between his or her salary and any amount paid by the government or any other source, unless prohibited by law for serving as an Election Day worker at the polls on official election days (not to exceed two elections in one given calendar year). While performing their official nonpartisan duties at the polls, Election Day workers may not engage in political activity or campaign for or against any candidate or ballot measure. The SoMA requires that staff and volunteers provide proof of service for their time at the polls. Staff interested in using this benefit, must have written approval from the Synod Executive 30 days before the election. The Synod Executive will assure that the staff member's absence will not seriously interfere with the organization's operations.

G. Parental Leave

For purposes of this section only, the following definitions apply: (1) "parent" means the natural mother or father of a child; a person who has legal custody of a child or who acts as a guardian of a child regardless of whether he or she has been appointed legally as such; an aunt, uncle or grandparent of a child; or a spouse to the above individuals; (2)

“school-related event” means an activity sponsored by either a school or an associated organization such as a parent-teacher association which involves the parent’s child as a participant or subject, but not as a spectator, including a student performance, such as a concert, play or rehearsal, the sporting game of a school team or practice, a meeting with a teacher or counselor, or any similar type of activity.

A parent is entitled to a total of 24 hours of unpaid leave during any 12-month period to attend or participate in school-related events for his or her child. The SoMA reserves the right, however, to deny such leave if such a leave would disrupt the SoMA’s operations. While parental leave is unpaid, staff and volunteers may elect to use accrued vacation or personal leave.

In the event of childbirth or the adoption of a child, parental leave will be granted in the following ways:

- For parent who is identified as the “primary care giver”: Twelve (12) weeks at full compensation.
- For the parent who is identified as the “secondary care giver”: Six (6) weeks at full compensation.
- For both “primary” and “secondary caregiver”: Accrued vacation may be taken to extend the time of leave.

If the need for parental leave is foreseeable, the staff member must provide a written notice and request for parental leave at least 10 days prior to the event. If the staff member’s need for parental leave is not foreseeable 10 days prior to the event, the staff member must provide a written notice and request for parental leave as soon as he or she learns of the need for such leave.

H. Bereavement Leave

Staff shall be entitled to bereavement leave with pay of seven (7) days in the event of a death in the staff member or volunteer’s immediate family (spouse/life partner, child or parent) and five (5) days for grandparent, sister or brother, father-in-law, mother-in-law, or grandchildren. If a staff member wishes to take time off due to the death of a family

member, the staff member should notify the Synod Executive immediately. A staff member may use, with the Synod Executive's approval, available paid leave for additional time off as necessary and in accordance with operating needs.

I. Meetings and Conferences

Staff may be given limited time off by the Synod Executive with pay to participate in educational opportunities related to the staff member's current or anticipated work with the SoMA. A staff member serving as an official representative of the SoMA at a conference or meeting is considered on official business and not on leave.

XII. REIMBURSEMENT OF EXPENSES

Reimbursement is authorized for reasonable and necessary expenses incurred in carrying out official responsibilities. Mileage or transportation, parking fees, business telephone calls, and meal costs when required to attend a luncheon or banquet, are all illustrative of reasonable and necessary expenses.

Staff and volunteers serving in an official capacity for the SoMA at conferences and meetings are reimbursed for actual and necessary expenses incurred, such as travel expenses, meal costs, lodging, tips and registration fees. When attending meetings that have been approved by the Synod Executive, staff and volunteers are reimbursed for travel expenses, course fees, and costs of meals and lodging at the current rates. Staff and volunteers may also request a travel advance to cover anticipated expenses approved travel. Staff may also be granted leave to attend a conference or professional meeting related to their professional development, and/or the SoMA's current and anticipated work. Expenses for these purposes can be paid by the SoMA, if funds are available, and the staff member obtains prior written approval of such expenses.

Staff and volunteers are responsible for transportation costs between the office and home during normal work hours. Transportation costs are paid by the SoMA for work outside normal work hours if the staff member or volunteer is on official business for the SoMA. Staff and volunteers authorized to use their personal cars for SoMA business are

reimbursed at the U.S. Internal Revenue Service approved rate.

Forms are provided to request reimbursement for actual expenses and advance payment for travel. Receipts must be provided for all expenditures made in order to claim reimbursement.

XIII. SEPARATION

Either the SoMA or the staff member may initiate separation. The SoMA encourages staff to provide at least two weeks (10 business days) written notice prior to intended separation. After receiving such notice, an exit interview will be scheduled by the Synod Executive or his or her designee. The Synod Executive has authority to employ or separate all other staff and volunteers.

Circumstances under which separation may occur include:

1. Resignation. Staff are encouraged to give at least 10 business days of written notice. Since a longer period is desired, the intention to resign should be made known as far in advance as possible. Staff who resign are entitled to receive accrued, unused Vacation benefits.
2. Termination or Lay-off. Under certain circumstances, the termination or lay-off of a staff member may be necessary. Staff who are terminated or laid off are entitled to receive accrued, unused Vacation benefits.

The Synod Executive has authority to discharge any staff member or volunteer from the employ of the SoMA. As stated above, all employment at the SoMA is "at-will." Staff may be terminated from employment with the SoMA with or without cause, and staff are free to leave the employment of the SoMA with or without cause. Reasons for discharge may include, but are not limited to:

- Falsifying or withholding information on your employment application that did or would have affected the SoMA's decision to hire you (this conduct will result in your immediate termination);
- Falsifying or withholding information in other personnel records including

personnel questionnaires, performance evaluations or any other records;

- Performance at work below a level acceptable to the SoMA or the failure to perform assigned duties;
- Failure to complete required time records or falsification of such time records;
- Insubordination;
- Refusing to work reasonable overtime;
- Negligence in the performance of duties likely to cause or actually causing personal injury or property damage;
- Fighting, arguing or attempting to injure another;
- Destroying or willfully damaging the personal property of another, including the SoMA's property;
- Breach of confidentiality;
- Using or appearing to use for personal gain any information obtained on the job, which is not readily available to the general public or disclosing such information that damages the interests of the SoMA or its customers or vendors;
- Placing oneself in a position in which personal interests and those of the SoMA are or appear to be in conflict or might interfere with the ability of the staff member or volunteer to perform the job as well as possible;
- Using the SoMA property or services for personal gain or taking, removing or disposing of the SoMA material, supplies or equipment without proper authority;
- Gambling in any form on the SoMA property;
- Dishonesty;
- Theft;
- The possession, use, sale or being under the influence of drugs or other controlled substances or alcoholic beverages during working hours or on the SoMA premises at any time in violation of the SoMA's policies.
- Carrying or possessing firearms or weapons on the SoMA property;
- Excessive tardiness or absenteeism whether excused or unexcused;
- Unauthorized absence from work without proper notice; and
- Engaging in discriminatory or abusive behavior, including sexual harassment.

At the sole discretion of the Synod Executive, the staff member or volunteer may be asked to leave immediately or be given a period of notice.

XIV. RETURN OF PROPERTY

Staff and volunteers are responsible for SoMA equipment, property and work products that may be issued to them and/or are in their possession or control, including but not limited to:

- Telephone cards,
- Credit cards,
- Identification badges,
- Office/building keys,
- Office/building security passes,
- Computers, computerized diskettes, electronic/voice mail codes, and
- Intellectual property (e.g., written materials, work products).

In the event of separation from employment, or immediately upon request by the Synod Executive or his or her designee, Staff and volunteers must return all SoMA property that is in their possession or control. Where permitted by applicable law(s), the SoMA may withhold from the staff member's final paycheck the cost of any property, including intellectual property, which is not returned when required. The SoMA also may take any action deemed appropriate to recover or protect its property.

XV. REVIEW OF PERSONNEL ACTION

Staff may request a review of a personnel action or an unsatisfactory performance review. Staff are expected first to discuss their concern with their immediate supervisor. If further discussion is desired, the staff member may then discuss the situation with the Synod Executive. The decision of the Synod Executive is final.

XVI. PERSONNEL RECORDS

Personnel records are the property of the SoMA, and access to the information they contain is restricted and confidential. A personnel file shall be kept for each staff member and should include the staff member's job application, copy of the letter of employment and

position description, performance reviews, disciplinary records, records of salary increases and any other relevant personnel information. It is the responsibility of each staff member to promptly notify his or her supervisor in writing of any changes in personnel data, including personal mailing addresses, telephone numbers, names of dependents, and individuals to be contacted in the event of an emergency.

Non-exempt staff must complete, within two days of the end of each pay period, their time and attendance record for review and approval by the Synod Executive. Accurately recording time worked is the responsibility of every staff member. Tampering, altering, or falsifying time records, or recording time on another staff member's time record may result in disciplinary action, including separation from employment with the SoMA.

XVII. OUTSIDE EMPLOYMENT

Individuals employed by the SoMA may hold outside jobs as long as they meet the performance standards of their job with the SoMA. Staff should consider the impact that outside employment may have on their ability to perform their duties at the SoMA. All staff will be evaluated by the same performance standards and will be subject to the SoMA scheduling demands, regardless of any outside work requirements.

If the SoMA determines that an staff member's outside work interferes with their job performance or their ability to meet the requirements of the SoMA, as they are modified from time to time, the staff member may be asked to terminate the outside employment if he or she wishes to remain employed with the SoMA.

XVIII. NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

Any information that a staff member or volunteer learns about the SoMA, or its stakeholders, as a result of working for the SoMA that is not otherwise publicly available constitutes confidential information. Staff and volunteers may not disclose confidential information to anyone who is not employed by the SoMA or to other persons employed by the SoMA who do not need to know such information to assist in rendering services.

The protection of privileged and confidential information is vital to the interests and the success of the SoMA. The disclosure, distribution, electronic transmission or copying of the SoMA's confidential information is prohibited. Such information includes, but is not limited to the following examples:

- Compensation data.
- Program and financial information, including information related to donors, and pending projects and proposals.

Any staff member or volunteer who discloses confidential SoMA information will be subject to disciplinary action (including possible separation), even if he or she does not actually benefit from the disclosure of such information.

Discussions involving sensitive information should always be held in confidential settings to safeguard the confidentiality of the information. Conversations regarding confidential information generally should not be conducted on cellular phones, or in elevators, restrooms, restaurants, or other places where conversations might be overheard.

XIX. COMPUTER AND INFORMATION SECURITY

This section sets forth some important rules relating to the use of the SoMA's computer and communications systems. These systems include individual PCs provided to staff and volunteers, centralized computer equipment, all associated software, and the SoMA's telephone, voice mail and electronic mail systems.

The SoMA has provided these systems to support its mission. Although limited personal use of the SoMA's systems is allowed, subject to the restrictions outlined below, no use of these systems should ever conflict with the primary purpose for which they have been provided, the SoMA's ethical responsibilities or with applicable laws and regulations. Each user is personally responsible to ensure that these guidelines are followed.

All data in the SoMA's computer and communication systems (including documents, other

electronic files, e-mail and recorded voice mail messages) are the property of the SoMA. The SoMA may inspect and monitor such data at any time. No individual should have any expectation of privacy for messages or other data recorded in SoMA's systems. This includes documents or messages marked "private," which may be inaccessible to most users but remain available to SoMA. Likewise, the deletion of a document or message may not prevent access to the item or completely eliminate the item from the system.

The SoMA's systems must not be used to create or transmit material that is derogatory, defamatory, obscene or offensive, such as slurs, epithets or anything that might be construed as harassment or disparagement based on race, color, national origin, sex, sexual orientation, age, physical or mental disability, medical condition, marital status, or religious or political beliefs. Similarly, the SoMA's systems must not be used to solicit or proselytize others for commercial purposes, causes, outside organizations, chain messages or other non-job-related purposes.

XX. INTERNET ACCEPTABLE USE POLICY

The SoMA has provided access to the Internet for authorized users to support its mission. No use of the Internet should conflict with the primary purpose of the SoMA, its ethical responsibilities or with applicable laws and regulations. Each user is personally responsible to ensure that these guidelines are followed. Serious repercussions, including termination, may result if the guidelines are not followed.

The SoMA may monitor usage of the Internet by staff and volunteers, including reviewing a list of sites accessed by an individual. No individual should have any expectation of privacy in terms of his or her usage of the Internet. In addition, the SoMA may restrict access to certain sites that it deems are not necessary for business purposes.

SoMA's connection to the Internet may not be used for any of the following activities:

- The Internet must not be used to access, create, transmit, print or download material that is derogatory, defamatory, obscene, or offensive, such as slurs, epithets, or anything that may be construed as harassment or disparagement based on race, color, national origin, sex, sexual orientation, age, disability, medical condition, marital status, or religious or political beliefs.
- The Internet must not be used to access, send, receive or solicit sexually-oriented messages or images.
- Downloading or disseminating of copyrighted material that is available on the

Internet is an infringement of copyright law. Permission to copy the material must be obtained from the publisher. For assistance with copyrighted material, contact computer support or the Synod Executive.

- Without prior approval of the Synod Executive, software should not be downloaded from the Internet as the download could introduce a computer virus onto SoMA's computer equipment. In addition, copyright laws may cover the software so the downloading could be an infringement of copyright law.
- Staff and volunteers should safeguard against using the Internet to transmit personal comments or statements through e-mail or to post information to news groups that may be mistaken as the position of SoMA.
- Staff and volunteers should guard against the disclosure of confidential information through the use of Internet e-mail or news groups.
- Staff and volunteers should not download personal e-mail or Instant Messaging software to SoMA computers.
- The Internet should not be used to send or participate in chain letters, pyramid schemes or other illegal schemes.
- The Internet should not be used to solicit or proselytize others for commercial purposes, causes, outside organizations, chain messages or other non-job related purposes.
- The Internet should not be used to endorse political candidates or campaigns
- The Internet provides access to many sites that charge a subscription or usage fee to access and use the information on the site. Requests for approval must be submitted to your supervisor.

XXI. SEXUAL MISCONDUCT POLICY

It is the policy of the Synod of Mid-America (SoMA) that all church members, persons in ordered ministries (hereinafter referred to as POM), non-member employees and volunteers of the SoMA are to maintain the integrity of the ministry, employment and professional relationships at all times. Persons who engage in sexual misconduct are in violation of the principles set forth in Scripture and also of the ministry, pastoral, employment and professional relationships. It is never permissible or acceptable for a synod officer, employee, elected representative, contracted person or volunteer to engage in sexual misconduct.

This policy and its procedures shall be made available to all persons involved in the life of the SoMA, to those who accuse others of misconduct and to those who are or claim to be victims of sexual misconduct and their families. It is intended as guidance and policy for the SoMA.

Standards of Conduct

... As [God] who called you is holy, be holy yourselves in all your conduct; ... Tend the flock of God that is in your charge, ... not under compulsion but willingly, ... not for sordid gain but eagerly. ... not lord it over those in your charge, but be examples to the flock.

... You know that we who teach will be judged with greater strictness. 1 Pet. 1:15; 5:2-3; Jas. 3:1, NRSV

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the church because through these representatives an understanding of God and the gospel's good news is conveyed. "Their manner of life should be a demonstration of the Christian gospel in the church and in the world" (*Book of Order*, G-2.0104).

The basic principles of conduct guiding this policy are as follows:

1. Sexual misconduct is a violation of the role of all who are called upon to exercise integrity, sensitivity and caring in a trust relationship.
2. Sexual misconduct is a misuse of authority and power that breaches Christian ethical principle by misusing a trust relationship to gain advantage over another for personal pleasure in an abusive, exploitative and unjust manner. It is the responsibility of all persons to maintain the appropriate roles, boundaries and relationships.
3. Sexual misconduct takes advantage of the vulnerability of persons who are less powerful to act for their own welfare, including children. It is antithetical to the gospel call to work as God's servant in the struggle to bring wholeness to a broken world and violates the mandate to protect the vulnerable from harm.

Definitions

Sexual Misconduct is the comprehensive term used in this policy to include:

Child sexual abuse; including, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether or not it is consented to by the child. In the Presbyterian Church (U.S.A.), the sexual abuse definition of a child is anyone under age eighteen.

Sexual abuse as defined in the *Book of Order*; "Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position" (*Book of Order*, D-10.0401c).

Sexual harassment; defined for this policy is as follows: unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a. submission to such conduct is made either explicitly or implicitly a term or

- condition of an individual's employment or their continued status in an institution;
- b. submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual;
 - c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive working environment; or
 - d. an individual is subjected to unwelcome sexual jokes, unwelcome or inappropriate touching, or display of sexual visuals that insult, degrade and/or sexually exploit men, women, or children.

Rape or sexual contact by force, threat or intimidation.

Sexual conduct (such as offensive, obsessive or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling) that is injurious to the physical or emotional health of another.

Sexual Malfeasance; as defined by the broken trust resulting from sexual activities within a professional ministerial relationship that results in misuse of office or position arising from the professional ministerial relationship.

Misuse of technology; use of technology that results in sexually harassing or abusing another person, including texting or emailing suggestive messages and images to persons with whom one has a ministerial relationship. It is never appropriate to view pornography on church property. When this includes a person under the age of eighteen, it is considered child abuse. There is never an expectation of personal privacy when using technological equipment owned by a church or church entity or within the context of ministry.

Church Response to Allegations of Sexual Misconduct

In responding to allegations of sexual misconduct, synod officer, employee, elected representative, contracted person or volunteer members, shall seek healing and assure the protection of all persons. Where possible, the privacy of persons should be respected and confidentiality of communications should be maintained.

In responding to allegations of sexual misconduct, synod officer, employee, elected representative, contracted person or volunteer of the SoMA should seek to uphold the dignity of all persons involved. This includes persons who are alleging harm, persons who are accused of sexual misconduct, the families of each and the communities of each.

The SoMA has jurisdiction over its members, officers, employees, elected representatives, contracted persons and volunteers such that if any of these is alleged to have committed an offense against Scripture or the PC(USA) Constitution, the church has the duty to inquire into the allegations and, if the allegations are proven, to correct the behavior of the member, officer, or employee and ensure the

safety of others in the community. Allegations of sexual misconduct are always considered allegations of offense against Scripture or the PC(USA) Constitution that trigger the disciplinary processes of the PC(USA) set forth in the *Book of Order*. In the case of an active non-member who is employed or volunteers with the church, the individual will be covered by the procedures of the written personnel policies of the governing body or entity.

If the person accused of sexual misconduct is no longer a member, officer or employee of the SoMA, but the conduct occurred while the person was acting on behalf of the SoMA, the church does not have jurisdiction to correct the behavior, but it does have a duty to hear the allegations of offense and to take measures to prevent future occurrences of harm. The appropriate governing body may appoint an administrative committee or commission to hear the allegations of sexual misconduct. The SoMA will take measures to reduce the risk of harm through education and policy.

Reporting Requirements

Reports of allegations of sexual misconduct will occur in a variety of ways.

Because a council or entity cannot control to whom the victim of sexual misconduct will speak first, it is important that officers, employees and persons highly visible to church members and visitors understand how reports of incidents are channeled to the proper person. The allegations may come from persons who have or who do not have a formal relationship with the PC(USA) and may be made to a variety of officers or leaders within the PC(USA). It is the duty of these officers to see that any allegation of sexual misconduct is reported appropriately keeping in mind the mandatory reporting requirements for allegations of child abuse.

Reports of allegations of sexual misconduct should never be taken lightly or disregarded and allowed to circulate without concern for the integrity and reputation of the victim, the accused and the church. Reports of allegations should be dealt with as matters of highest confidentiality, both before and after they have been submitted to appropriate authorities as outlined below.

The first person to learn of an incident of sexual misconduct should not undertake an inquiry alone or question either the victim or the accused unless the incident is divulged in the process of pastoral care, counseling or a therapy session. If the victim is hesitant to talk to “higher authorities,” the person who has received the initial report has a special pastoral responsibility to build trust and willingness to speak with the accuser, lest the church be unable to respond because no one is able to give firsthand information.

The person making the report of alleged sexual misconduct may be the person alleging harm or any member of PC (USA). The person receiving the initial report of allegations of sexual misconduct shall analyze the relationship of the person accused of sexual misconduct with the PC(USA) and shall make sure that the allegations of

offense are filed with the counsel having jurisdiction over the person accused.

If the report is made orally, the person receiving the report of allegations should request that the person making the report of allegations place it in writing. A report of allegations of sexual misconduct in writing from a member of the PC(USA) alleging another member or officer of the SoMA committed an offense must be acted on according to the Rules of Discipline of the *Book of Order*. If a clerk or stated clerk receives a report of allegations in writing from a nonmember of the PC(USA) alleging another member or officer of the PC(USA) committed sexual misconduct, the report also should be acted on according to the Rules of Discipline of the *Book of Order*. If the person who makes the report is unwilling or unable to place it in writing, any member of the PC(USA) may make the written statement that will automatically trigger the Rules of Discipline of the *Book of Order*.

In addition, if the person accused of sexual misconduct is a member, officer, employee or volunteer of the SoMA, a report shall also be made to the Synod Stated Clerk or Synod Executive.

Mandatory Reporting of Child Abuse

Any member of this church engaged in ordered ministry and any certified Christian educator employed by this church or its congregations, shall report to ecclesiastical and civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and / or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained out of a confidential communication as defined in G-4.0301, (2) she or he is not bound by an obligation of privileged communication under law, or (3) she or he reasonably believes that there is risk of future physical harm or abuse. (G-4.0302) These provisions of the *Book of Order* attempt to balance conflicting moral duties for persons in ordered ministry of the SoMA.

Responding

The appropriate SoMA response will vary according to the relationship of the SoMA with the person who is accused of sexual misconduct. Church members and persons in ordered ministries are subject to inquiry and discipline (censure and correction) under the *Book of Order*. Non-church member employees and volunteers are subject to oversight and correction by the SoMA.

When an allegation of offense of sexual misconduct has been received by the Stated Clerk of the Synod or Synod Executive, the clerk or executive will report to the Personnel Services Committee that an offense has been alleged.

Counsels and entities must cooperate with civil authorities in an investigation of child sexual abuse or other criminal sexual misconduct. Church disciplinary proceedings cannot interfere with a criminal investigation by civil authorities and may have to be suspended until these are completed.

When the SoMA receives an accusation of offense of sexual misconduct against a nonmember employee or volunteer, the procedural response of the SoMA will be guided by the written personnel policies of the SoMA.

In all cases, the personnel committee shall prepare a written report, which shall be included in the accuser's permanent personnel file. The accused shall be allowed to attach any written statements to said documents, also for permanent inclusion in the permanent file.

All procedures shall follow the guidelines set forth by the SoMA.

RECEIPT AND ACCEPTANCE

I hereby acknowledge receipt of the Synod of Mid-America Staff Personnel Handbook. I understand that it is my continuing responsibility to read and know its contents. I also understand and agree that the Staff Personnel Handbook is not an employment contract for any specific period of employment or for continuing or long-term employment. Therefore, I acknowledge and understand that unless I have a written employment agreement with that provides otherwise, I have the right to resign from my employment with the Synod of Mid-America at any time with or without notice and with or without cause, and that Synod of Mid-America has the right to terminate my employment at any time with or without notice and with or without cause.

I have read, understand and agree to all of the above. I have also read and understand the Synod of Mid-America Staff Personnel Handbook. I agree to return the Personnel Handbook upon termination of my employment.

Signature _____

Print Name _____

Date _____

CONFIDENTIALITY POLICY AND PLEDGE

Any information that a staff member or volunteer learns about the Synod of Mid-America, or its stakeholders, as a result of working for the Synod of Mid-America that is not otherwise publicly available constitutes confidential information. Staff and volunteers may not disclose confidential information to anyone who is not employed by the Synod of Mid-America or to other persons employed by the Synod of Mid-America who do not need to know such information to assist in rendering services.

The disclosure, distribution, electronic transmission or copying of the Synod of Mid-America's confidential information is prohibited. Any staff member who discloses confidential Synod of Mid-America information will be subject to disciplinary action (including possible separation), even if he or she does not actually benefit from the disclosure of such information.

I understand the above policy and pledge not to disclose confidential information.

Signature _____

Print Name _____

Date _____

Please sign and return to the Synod Executive for placement in staff or volunteer's file.