

UUA DEPARTMENT OF MINISTRY & PROFESSIONAL LEADERSHIP

OFFICE OF CHURCH STAFF FINANCES

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**A PERSONNEL POLICY MANUAL
FOR RELIGIOUS ORGANIZATIONS**

I. INTRODUCTION

A model Personnel Policy Manual is proposed for consideration by UU congregations that may wish to modify their current personnel Manual, or to create such a Manual for the first time.

This model Manual is an outgrowth of the work done by volunteer district compensation consultants with congregations around issues of fair and equitable compensation – issues grounded in the core of the UU commitment to social justice. On many occasions, consultants discovered that congregations either had no written personnel policies or that the existing description was outdated. In addition to creating situations where every personnel decision was being made on an *ad hoc* basis – and thus potentially open to allegations of discrimination or favoritism - the absence of such a Manual might leave the congregation open to a legal liability.

The Manual has been reviewed and approved by the UUA Committee on Compensation, Benefits and Pension, and by the Council on Church Staff Finances.

This Manual is offered to congregations for their consideration, modification, and adoption. The provisions in the Manual are not mandated by the UUA; they are derived from state and federal legal requirements. In addition, some of the provisions are simply good management practices. The Manual will be used most effectively as a jumping off point for identifying the important questions to be addressed by the governance body of the congregation.

Take, for example, the policy on paid vacation. Providing paid vacation leave has become the *de facto* practice of most congregations, and such leave for religious professionals is one of the fair compensation guidelines adopted by the UUA General Assembly in 1995. However, a congregation will still have to answer a number of questions about vacation, such as: How much vacation will support staff employees receive? What is the accrual schedule? Do part-time employees accrue vacation? Can employees borrow against unaccrued vacation? Is unused vacation leave paid out on termination? Once those policy questions have been resolved, the answers can be plugged into the language of the Manual.

It is important that Personnel Policy Manuals clearly indicate the obligations of both the employer and employees, and that they not make promises which cannot be kept. Such Manuals assure that each new employee receives the same information about workplace rules, expectations, benefits, and procedures. They help employees know what is expected of them, and they provide an avenue for the constructive resolution of complaints when they occur. Finally, they offer some measure of legal protection if an employee later challenges the employer in court.

Given the significant state-by-state variations in employment laws and regulations, it is not possible to prepare a model Personnel Policy Manual that will work effectively in all fifty states. Thus, each congregation must understand the importance of having its Manual reviewed by an attorney familiar with the employment laws of the state in which the congregation is located before the Manual is finalized.

II. THE CHURCH AS EMPLOYER

Any church that employs one or more persons probably will be considered an employer in the eyes of the law, and there is a plethora of federal and state laws that apply to employers. However, some federal laws only apply to employers with a certain number of employees. State laws vary; some state statutes cover employers with as few as one employee. A congregation with even one employee cannot arbitrarily classify that employee as an independent contractor in order to avoid financial or legal responsibilities.

Under federal law, the primary determinant of whether an individual is an employee or an independent contractor is who controls the manner and means of performance. If the employer retains that right, then the individual is an employee, not an independent contractor.

In the legal sense, ordained ministers are employees of the congregations to which they are providing services. Nevertheless, this model Manual excludes ministers from coverage.

The reason for this is twofold. First, ministers generally have a written contract with their congregation, and the terms of that contract would supersede the terms of the Manual. Second, because of the First Amendment, courts are very reluctant to intercede in disputes between churches and their ordained clergy. Thus, some of the legal protections provided to lay employees by the language of the Manual would not apply to ministers. It may be appropriate to incorporate some of the policies in the Manual into the minister's contract by reference (such as the sexual harassment policy).

III. EMPLOYMENT LAWS THAT APPLY TO RELIGIOUS CONGREGATIONS

As noted previously, employment statutes vary significantly from state to state. The following is a general summary of federal employment laws that may be applicable to local congregations:

This summary is not intended to be comprehensive. There are many federal and state statutes that could impact a church's relationship with its employees that are not discussed in this summary.

A. Equal Employment or Anti Discrimination Laws

There are three major federal statutes that prohibit discrimination in employment: Title VII of the Civil Rights Act of 1964 (Title VII), the Age Discrimination in Employment Act (ADEA), and the Americans With Disabilities Act (ADA).

Title VII prohibits discrimination on the basis of race, color, religion, national origin and sex by employers with 15 or more employees, including part-time employees. Although not

specifically set forth in the statute, agency guidelines and case law make it clear that harassment on the basis of these protected classes is also prohibited.

Title VII specifically exempts churches and other religious organizations from the prohibition on religious discrimination. Thus religious organization can require affiliation with a particular faith as a requirement for hiring, although many religious organizations do not make this a condition for employment.

The ADEA prohibits discrimination in employment on the basis of age against persons who are 40 or over. It only applies to employers with 20 or more employees. As with Title VII, part-time time employees probably have to be counted.

The ADA prohibits discrimination in employment against qualified disabled applicants and employees. The terms "qualified" and "disability" are defined in the statute; not everyone with a physical or mental impairment is a qualified disabled person. The ADA only applies to employers with 15 or more employees, and part-time employees probably have to be counted.

Many states also have anti-discrimination statutes that may cover smaller employers and have different protected clauses than the federal statutes. For example, Minnesota's Human Rights Act applies to any employer with one or more employee. Protected classes include, among others, sexual orientation, marital status, status with regard to public assistance and age discrimination at any age. Although the statute applies to churches and religious organizations, there are certain situations in which discrimination based on religion and sexual orientation is permissible.

B. Insurance and Benefits Laws

Although religious bodies are not subject to the federal Employee Retirement and Income Security Act (ERISA), benefit plans established by the UUA or individual congregation (such as a Section 125 flexible benefit plan) must comply with the Internal Revenue Code requirements for such plans.

Some states obligate churches to carry workers' compensation insurance; others do not. Such coverage provides replacement income during a period when an employee is unable to work due to a workplace injury, thus relieving the employer from feeling morally required to continue a worker's pay. Congregations may wish to purchase this coverage (if available) whether or not they are required by law to do so.

C. Wage and Hour Laws

As a group, churches are not exempt from the federal Fair Labor Standards Act (FLSA). Although there are exceptions in the statute that might apply to certain churches or certain individual employees, the model Manual is drafted to assume coverage.

The FLSA (and similar state statutes which exist in almost every state) requires employers to classify employees as exempt or non-exempt, based on criteria contained in the law. Generally, exempt employees have administrative, management, or supervisory responsibilities. The fact that employees are paid an hourly wage or a monthly salary does not determine if they are exempt or non-exempt employees. Employees who fit the non-exempt criteria are entitled to be paid minimum wage (\$5.15 in early 2002) for all hours worked. Non-

exempt employees are also entitled to be paid overtime for all hours worked in excess of 40 hours in any one work week (not pay period).

Employers who are covered by the statute and who have non-exempt employees (sometimes referred to as "hourly" employees) must pay minimum wage and overtime to those employees. Contrary to an often-prevailing practice, "compensatory time off" as a substitute for pay for more than 40 hours of work is not sanctioned by federal law. However, if the time off is taken in the same work week, and as a result the employee does not work more than 40 hours, then no overtime pay is required under federal law. Some states have statutes requiring overtime to be paid if an employee works more than a particular number of hours in any one day.

The FLSA does not require employers to give rest breaks or meal period breaks to employees during the workday. However, many states have statutes requiring that rest or meal breaks be given if an employee works more than a certain number of hours.

D. Leaves of Absence Laws

Federal laws require that employees be given time off to serve in the military. In addition, the federal Family and Medical Leave Act (FMLA) requires covered employers to give unpaid leaves of absence to eligible employees in certain situations. Only employers with 50 or more employees are covered by the law, so there is no FMLA policy in the model Manual.

It is important to note that many states have laws requiring employers to give leaves of absence to eligible employees for a variety of reasons. Those reasons can include everything from voting to jury duty to the birth or adoption of a child. The leaves may be with or without pay. It is important that employers understand what leaves of absence are required by law in their states.

CONCLUSION

The process of adopting a Manual can aid in clarifying the relationship an employer has with its employees. Once adopted, the Manual can serve as an important communication tool with employees. Ultimately, the Manual can help congregations be socially responsible employers.

Personnel Policy Manual

For

(name of congregation)

Date Adopted: _____

TABLE OF CONTENTS

I.	EMPLOYMENT POLICIES AND PRACTICES	1
A.	STATEMENT OF PURPOSE	2
B.	EMPLOYER MISSION AND HISTORY	2
C.	EQUAL EMPLOYMENT OPPORTUNITY	2
D.	SEXUAL HARASSMENT.....	2
E.	HARASSMENT	4
F.	RESOLUTION OF EMPLOYEE COMPLAINTS.....	4
G.	INTERNET POLICY	5
H.	MEDIA INQUIRIES.....	6
I.	CONFIDENTIALITY.....	6
J.	CONFLICTS OF INTEREST.....	6
K.	OUTSIDE EMPLOYMENT	6
L.	EMPLOYMENT OF RELATIVES AND MEMBERS	7
M.	PERSONNEL RECORD	7
N.	INITIAL REVIEW PERIOD.....	7
O.	PERFORMANCE EVALUATION	8
II.	WAGE AND HOUR ADMINISTRATION.....	8
A.	EMPLOYMENT CLASSIFICATIONS	8
B.	HOURS OF WORK	8
C.	BREAK PERIODS	8
D.	TIMEKEEPING AND OVERTIME.....	9
E.	PAY AND PAYROLL DEDUCTIONS	9
III.	EMPLOYEE BENEFITS	9
A.	GROUP INSURANCE PROGRAMS	10
B.	RETIREMENT BENEFITS	10
C.	VACATION.....	11
D.	HOLIDAYS	12
E.	LEAVES OF ABSENCE.....	13
F.	VEHICLE USAGE AND REIMBURSEMENT	15

IV.	OTHER EMPLOYER POLICIES	15
A.	ATTENDANCE AND PUNCTUALITY	15
B.	WORK AND DISCIPLINARY GUIDELINES	15
C.	SEPARATION FROM EMPLOYMENT.....	16
D.	SAFETY AND ACCIDENTS	16
E.	PERSONAL PROPERTY	17
F.	WORKPLACE THREATS AND VIOLENCE	17
G.	PROFESSIONAL BEHAVIOR.....	17
H.	INSPECTION RIGHTS	17
I.	EMPLOYMENT AUTHORIZATION.....	17

	PERSONNEL MANUAL ACKNOWLEDGMENT FORM.....	1
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I. EMPLOYMENT POLICIES AND PRACTICES

A. STATEMENT OF PURPOSE

This Personnel Policy Manual (Manual) is not a contract and can be modified or changed at any time. The relationship between Employer and employee is legally defined as “employment at will”, which means that such employment may be terminated without penalty by either party. Employers may not be compelled to pay wages to persons no longer in their service, and employees may not be compelled to render their labor without their consent.

NOTE THAT THE POLICIES OUTLINED IN THIS MANUAL DO NOT APPLY TO ORDAINED MINISTERS CALLED BY THE CONGREGATION.

The phrase “Lead Administrative Officer” is used to refer to the person with primary administrative responsibilities for the congregation. This may be the minister if the minister serves as the day-to-day supervisor of the congregation’s employees. Some congregations may use another title for the person with that authority.

We have prepared this Personnel Manual to help you to understand some of the policies and procedures of the _____ (referred to herein as "Employer"). Employees should familiarize themselves with the Manual, as it will provide answers to some questions you may have about your employment. Nothing in this Manual or in any other written or unwritten policies and practices of Employer creates an express or implied contract, promise or representation between Employer and any employee.

The Employer’s policies generally will be applied consistently. However, the Employer reserves the right to deviate from normal policy in certain situations. Since every employment situation cannot be anticipated, this Manual provides a general overview only.

From time to time, changes in the Manual may become necessary. Therefore, the Employer reserves the right to amend, supplement or rescind any provisions of this Manual as necessary.

The Manual applies to all staff, whether full-time, part-time, exempt or nonexempt, except where otherwise stated. This Manual does not apply to ordained ministers(s) called by vote of the congregation. Employment “at-will” means that an employee or the Employer may terminate the employment relationship at any time for any reason, with or without notice.

This Manual supersedes all previous employment policies, whether written or oral, expressed or implied. If any provisions of this Manual are found to be invalid or unenforceable, the remaining provisions will remain in full force and effect.

If you have any questions or comments about this Manual, or if you need more information, please ask your supervisor or the Lead Administrative Officer. Your comments and suggestions are genuinely encouraged.

B. EMPLOYER MISSION AND HISTORY

Some congregations may wish to describe the mission and history of the congregation in this section. Otherwise, it may be deleted.

C. EQUAL EMPLOYMENT OPPORTUNITY

Churches and other religious organizations may or may not be covered by state equal employment or anti-discrimination laws. This policy assumes that a congregation has actually made a commitment to equal employment opportunity.

The federal anti-discrimination law specifically allows churches to discriminate on the basis of religion in hiring; many state laws do likewise. Once a church is aware of whether it is covered by its state law and what that law says, a church should make a conscious decision about whether it wants to include religion as a protected category.

If it is not covered by state or federal statute, the most important policy decision the church needs to make here is if it wants to agree to not discriminate on the basis of certain protected classes. Once the policy is adopted, the church may be bound by it.

Employer affirms its commitment to equal employment opportunity for all individuals. Decisions about recruiting, hiring, training, promotions, compensation, benefits, and all similar employment decisions must be made in compliance with all federal, state and local laws and without regard to race, color, religion, sex, national origin, age, disability or any other classification protected by law. Any discrimination in the workplace based upon any protected classification is illegal and against policy.

Employees who have questions about discrimination in the workplace, or who believe this policy has been violated, should report their concerns immediately to the Lead Administrative Officer. Retaliation against individuals who make a claim of discrimination or participate in the investigation of such a claim is prohibited by this policy and will not be tolerated.

D. SEXUAL HARASSMENT

This policy is based on federal law and the federal guidelines. If a church wants to prohibit sexual harassment, this policy will work in any state.

Sexual harassment is prohibited and will not be tolerated. This policy applies to sexual harassment by members of the same gender as well as opposite genders. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- submission to the conduct is made either explicitly or implicitly a term or condition of employment;
- submission to or rejection of the conduct is used as a factor in employment decisions affecting an individual; or
- the conduct unreasonably interferes with an individual's employment or creates an intimidating, hostile, or offensive employment environment.

Some examples of conduct which may constitute sexual harassment, depending on the circumstances, include but are not limited to, the following:

- repeated and unwelcome suggestions regarding, or invitations to, social engagements or social events; or
- any indication, expressed or implied, that any aspect of employment conditions, depends or may depend on the granting of sexual favors or on a willingness to accept or tolerate conduct or communication of a sexual nature; or
- unwelcome or coerced physical proximity or physical contact which is of a sexual nature or sexually motivated; or
- the deliberate use of offensive or demeaning terms which have a sexual connotation; or
- inappropriate remarks of a sexual nature.

Any employee who believes he or she has been sexually harassed by another employee, a supervisor, or any other person encountered in the course of employment should report that conduct immediately to his or her supervisor or the Lead Administrative Officer. If the report or complaint involves the Lead Administrative Officer, or if the Lead Administrative Officer is unavailable, the individual receiving the report or complaint should immediately report it to the president, vice president, or moderator of the congregation.

Every complaint or report of sexual harassment will be promptly investigated. Although investigations will be conducted with sensitivity to confidentiality issues, investigative information will be communicated as appropriate to those with a need to know. If the investigation indicates that a violation of this policy may have occurred, timely and appropriate action will be taken.

Retaliation or reprisal against employees who report sexual harassment claims is prohibited and will not be tolerated. Any violation of this policy will be treated as a serious matter and will result in disciplinary action, up to and including termination.

E. HARASSMENT

The Employer prohibits conduct that shows hostility or an aversion toward an individual because of his or her race, color, religion, sex, national origin, age, disability, sexual orientation or any other classification protected by law, and that:

- has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment opportunities.

Some examples of conduct which may constitute harassment, depending on the circumstances, include but are not limited to, the following:

- epithets or slurs; or
- threatening or intimidating acts; or
- written or graphic material; or
- written, verbal or physical acts that purport to be jokes or pranks.

Any employee who believes he or she has been harassed by another employee, a supervisor, an agent of Employer, or any other person who the employee encounters in the course of employment should report that conduct immediately to his or her supervisor or the Lead Administrative Officer. If the report or complaint involves the Lead Administrative Officer, or if the Lead Administrative Officer is unavailable, the individual receiving the report or complaint should immediately report it to president, vice president, or moderator of the congregation.

Every complaint or report of harassment will be promptly investigated. If the investigation indicates that an act of harassment has occurred, timely and appropriate action will be taken. Retaliation or reprisal against employees who report harassment claims is prohibited and will not be tolerated. Any violation of this policy will be treated as a serious matter and will result in disciplinary action, up to and including termination.

F. RESOLUTION OF EMPLOYEE COMPLAINTS

Effective communication is essential for productive working relationships. To that end, employees are encouraged to discuss any concerns about work or suggestions for improving operations in the following manner:

The employee should present any complaint or grievance to his/her supervisor and together discuss the problem, applicable rules or policies, and possible resolution.

If discussion with the supervisor does not resolve the matter to the employee's satisfaction, the employee should submit the complaint or grievance in writing to the Lead Administrative Officer or president of the congregation who shall gather the evidence necessary to complete an investigation. The Lead Administrative Officer or president may interview the employee, involve the personnel committee, or appoint an ad hoc committee to advise him/her. The president of the congregation shall then recommend a resolution of the problem to the supervisor and employee.

If the president's recommendation does not resolve the matter to the employee's satisfaction, the employee may then seek a review by the governing board. The resolution recommended by the board will be binding upon the congregation and employee.

G. INTERNET POLICY

Employer provides Internet access (including e-mail) to its staff members to assist and facilitate business communications and work-related research. These services are for legitimate business use only in the course of assigned duties. All materials, information and software created, transmitted, downloaded or stored on the Employer's computer system are the property of the Employer and may be accessed only by authorized personnel.

Inappropriate Internet use includes, but is not limited to:

- transmitting obscene, harassing, offensive or unprofessional messages; or
- accessing, displaying, downloading, or distributing any offensive or inappropriate messages including those containing racial slurs, sexual connotations or offensive comments about race, color, religion, sex, national origin, age, disability or any other classification protected by law; or
- transmitting any of the Employer's confidential or proprietary information, including member/friend data or other materials covered by the Employer's confidentiality policy.

Employer reserves the right to monitor employee use of the e-mail system or the Internet at any time. Employees should not consider their Internet usage or e-mail communications to be private. Personal passwords are not an assurance of confidentiality, and the Internet itself is not secure.

Any software or other material downloaded into Employer's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors or owners of the material. Prior written authorization from the Lead Administrative Officer is required before introducing any software into Employer's computer system.

Only authorized staff members may communicate on the Internet on behalf of Employer. Employees may not express opinions or personal views that could be misconstrued as being those of Employer. Employees may not state their church affiliation on the Internet unless required as part of their assigned duties. Any violation of this policy may result in disciplinary action.

H. MEDIA INQUIRIES

All requests for information about the Employer from newspapers, television and radio media should be directed to the Lead Administrative Officer. An appropriate response to a media inquiry would be, "I'm not the best person to answer that question. May I contact the appropriate person and have that individual get back to you?"

I. CONFIDENTIALITY

Employees may have access to confidential information about the Employer, including but not limited to information about members, friends or other staff members. Such information must remain confidential and may not be released, removed from the Employer's premises, copied, transmitted or in any other way used for any purpose by employees outside the scope of their employment. All requests for information concerning past or present employees received from organizations or individuals should be directed to the Lead Administrative Officer.

J. CONFLICTS OF INTEREST

Employees are expected to avoid conflicts of interest, defined as any situation where an employee may attain personal gain or which may serve as a detriment to the Employer, either monetarily or to its public image, because of the use of information or personal contact which is not generally available except through employment with the Employer.

Employees shall not engage in any business or transaction, and shall not have a financial or other personal interest which is incompatible with their employment duties or which would impair their judgment or actions in the performance of their duties for the Employer. Employees who have questions about whether an activity violates this policy should discuss the matter with the Lead Administrative Officer.

K. OUTSIDE EMPLOYMENT

Employees shall not engage in any collateral employment or business activity that is incompatible or in conflict with their duties, functions or responsibilities as an employee. Activities that may constitute a conflict include use of the Employer's time, facilities, equipment or supplies, or the use of the title, prestige or influence of the congregation for private gain or advantage.

An employee shall not engage in any outside activity which, by its nature, hours or physical demands, would impair the employee's performance of Employer duties; reflect discredit on the Employer; or tend to increase Employer's payments for sick leave, worker's compensation benefits or long term disability benefits. Collateral employment should not result in outside telephone calls while on duty for the congregation.

L. EMPLOYMENT OF RELATIVES AND MEMBERS

Congregations may wish to consider this:

Other members of an employee's family may be considered for employment; however, relatives may not supervise one another. "Relative" means a spouse, domestic partner, parent, sibling, child, grandparent, or grandchild.

As a general policy, employment with the church is not open to members of the congregation except in rare and unusual circumstances.

M. PERSONNEL RECORD

It is very important that employees keep up-to-date all the information provided to the Employer at the time of hire. This information is essential for many purposes, including benefit administration, mailing information to the employee's home, and contacting friends or family in case of emergency. The Lead Administrative Officer should be promptly notified of any changes in:

- Address and telephone number;
- Marital status (including legal separation);
- Legal change in employee's name;
- Dependents;
- Changes in beneficiaries;
- Person to notify in case of emergency; and
- Any relevant changes in licensing or education.

N. INITIAL REVIEW PERIOD

New employees and employees who are transferred to another position may be required to complete an initial review period of ninety days, but which may be shortened or lengthened in the Employer's discretion. Upon completion of this period, the employee will be considered a regular employee. Satisfactory completion of the initial review period does not alter the employment-at-will relationship. Employees must continue to perform satisfactorily even after the initial review period is completed. Although regular employees typically work on an ongoing basis, there is no guarantee that any job position will continue indefinitely. Any position may be eliminated at any time at the discretion of Employer.

O. PERFORMANCE EVALUATION

In general, employees will receive a written performance evaluation once each year that will be maintained in the Employee's permanent personnel file. Factors considered in assessing performance include but are not limited to quality and quantity of work; dependability; attendance and punctuality; effective interpersonal relationships with the congregation, and personal conduct.

Employees are requested to identify goals and objectives in advance so that their work may be evaluated on the basis of clear criteria they have helped to develop.

II. WAGE AND HOUR ADMINISTRATION

A. EMPLOYMENT CLASSIFICATIONS

For purposes of determining the applicability of various policies, practices, and benefits, employees are classified by the nature of the position to which they are assigned and by their regular work schedule.

Regular full-time employees are regularly scheduled to work ___ hours per week. Employees scheduled to work less than ___ hours per week will be considered part-time employees and their eligibility for benefits will be pro-rated according to the percentage of time worked.

Employees who are subject to state or federal minimum wage and overtime laws are referred to as "non-exempt" employees. Those in administrative, management, or supervisory positions who are not subject to such regulation are referred to as "exempt" employees.

B. HOURS OF WORK

A normal, full-time workweek consists of ___ working hours. Normal office hours are Monday through Friday from ___ a.m. to ___ p.m. The office is also open on Sunday from ___ a.m. to ___ p.m., and some employees may be scheduled for work on Sunday mornings. Individual work schedules may change from time to time. Attendance at meetings at the request of the employee's supervisor will be considered time worked. Employees are expected to attend any staff retreats or off-site events to which are part of their employment.

C. BREAK PERIODS

The time of meal and break periods will be at the discretion of the immediate supervisor. Generally, there will be one paid minute break period for each hour work period. Employees working hours or longer usually receive an hour unpaid meal period. Non-exempt employees should not perform any work during their meal period, except as otherwise directed by their

supervisor. [Optional Language: Break periods may not be accumulated, nor may they be substituted for tardiness or longer meal periods.]

D. TIMEKEEPING AND OVERTIME

Non-exempt employees must submit a written and signed record of their time worked at the end of each day. Any scheduled hours not worked or time worked in excess of their regular schedule must be noted. Where required by applicable law, overtime will be paid to non-exempt employees at the rate of one and one-half times the regular rate of pay for all hours worked in excess of forty in any one work week. Holiday, vacation and sick leave is not counted for purposes of overtime compensation. Employees should not work overtime without authorization in advance.

E. PAY AND PAYROLL DEDUCTIONS

Pay adjustments generally will be considered for all employees once a year and any adjustments will normally begin at the beginning of the fiscal year. There is no guarantee of an annual pay adjustment. Pay is usually based upon such factors as individual performance, job responsibilities and other appropriate factors. Employees are generally paid at the end of the month.

Deductions made from employees' wages are reflected on the stubs of their paychecks. Federal law requires deductions from pay for income tax, Social Security and Medicare. Other deductions may include state and/or local taxes or wage garnishments. Some deductions are optional and are made only if the employee has authorized their deduction.

Employees are responsible for promptly notifying the Lead Administrative Officer of any changes to or errors in their deductions. Any necessary adjustments usually are made and reflected in the employee's next paycheck.

III. EMPLOYEE BENEFITS

Benefit information will obviously vary from church to church. Because benefits may change more rapidly than the handbook, information describing these benefits should be general and the paragraph below should be retained.

The benefits outlined in this Manual represent significant additional compensation to eligible employees. Outlined below is a brief summary of the types of employee benefits currently available through Employer. This summary is not intended to and does not create an express or implied contract, promise or representation between Employer and the employee. These benefits are subject to change at any time in the discretion of Employer. In the event of any discrepancy between the benefits outlined below and the plan itself, the plan will govern. Any questions about employee benefits should be directed to the Lead Administrative Officer.

A. GROUP INSURANCE PROGRAMS

1. Health Insurance Benefits

Employees who work half-time may enroll in the group health insurance plan sponsored by the congregation unless they have health insurance through a family member or collateral employment. Further information concerning the plan and any alternative health related benefits may be obtained from the Lead Administrative Officer.

2. Group Dental, Term Life, and Long Term Disability Insurance

Employees who work half-time are offered the option of purchasing group dental insurance, term life insurance, and long-term disability insurance through the group plan sponsored by the UUA. Further information concerning these policies is available from the Lead Administrative Officer.

3. Workers' Compensation Insurance

Not all states require churches to carry workers' compensation insurance. Churches should be familiar with the laws in their state. If workers' compensation insurance is not required, a church may choose to purchase it anyway in order to limit the congregation's financial exposure in the event of a job-related accident or illness. If insurance is not required or is not carried, this policy should be deleted.

Employer carries workers' compensation insurance that pays for certain medical expenses and provides partial income protection in the event of illness or injury arising out of or in the course of employment.

All on-the-job injuries or illnesses, regardless of severity, should be reported immediately to the employee's immediate supervisor or the Lead Administrative Officer. Employees may be required to provide a physician's statement in order to receive worker's compensation benefits, or to return to work.

B. RETIREMENT BENEFITS

The Unitarian Universalist Association (UUA) maintains a defined contribution qualified retirement plan to assist eligible employees to accumulate tax-deferred savings for retirement. Under the plan, the Employer contributes a percentage of the employee's wages, and the employee has the option of making additional voluntary contributions on a pre-tax basis.

Before an employee can become a participant, there are certain eligibility requirements that must be met. These requirements and other provisions are provided to all participants. Each employee should review this material carefully and discuss any questions he or she may have with the Lead Administrative Officer or with the appropriate staff members at the UUA.

C. VACATION

There are a number of decision points in this section, including eligibility of part-time employees for vacation; accrual rates for different length of service; whether religious professionals (such as the DRE, Administrator, and Music Director) accrue vacation on a different schedule than other employees; how much vacation can be accrued; whether it can be carried over from year to year; the process for resolving conflicting vacation requests; whether summer time vacations are preferred; whether employees who terminate employment will receive payment for the accrued but unused portion of their vacation; whether only employees who give a certain amount of notice will receive such a payment; and whether employees can borrow from future vacation. There is no text for some decision points (such as whether some employees will be on a different accrual schedule than others). For other decision points, choices are offered by use of optional language.

Within reason, there are no legal constraints on whether Employers offer vacation or what the Policy looks like. Courts will, however, generally expect Employers to follow their vacation policies.

The Employer grants paid vacation to regular full-time employees at their regular rate of pay based on their length of service with the Employer. Part-time employees who are half-time are entitled to a prorated amount of vacation time. Vacation eligibility is as follows:

<u>Length of Service</u>	<u>Amount of Vacation</u>
0- ___ years	___ hours per ___ hours worked
More than ___ years but less than ___ years	___ hours per ___ hours worked
More than ___ years	___ hours per ___ hours worked

Increases in vacation accrual rate will be made on the first day of the month following the anniversary date of the year in which an employee completes his or her ___ or ___ year of employment.

Vacation time must be requested in advance and can only be taken with the approval of the employee's supervisor. In the event of conflicting vacations requests, vacation generally will be granted in accordance with length of service and consistent with workload requirements. Summertime vacations generally are encouraged.

Employees who resign with at least two weeks' notice may receive payment for the accrued vacation days that have not been used.

D. HOLIDAYS

The following paid holidays are observed each year:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Fourth of July
Labor Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Day

If an observed holiday falls on a Saturday, the preceding Friday generally will be observed as the holiday. If an observed holiday falls on a Sunday, the following Monday generally will be observed as the holiday. If employees are required to work on an observed holiday, they generally will be granted another day off.

E. LEAVES OF ABSENCE

There are six leaves of absence provided for in this Policy. Military leave is the only one required by federal law. The leave required by the US Family and Medical Leave Act applies only to Employers with 50 or more employees.

Many states require leaves of absence for voting and jury duty. Some states also require leaves for the birth or adoption of a child, for school related activities, or to care for a sick or injured child. Sick leave, medical leave, personal leave and funeral leave are generally discretionary with the Employer.

1. General provisions

The policies in this section describe various types of paid and unpaid leaves of absence provided by the Employer. Leaves must be requested in advance in writing and require the approval of the employee's immediate supervisor. The exact nature of the leave and its anticipated length must be included in the written request. Employees are expected to return to work upon the expiration of the leave as granted. If prevented from returning as expected, the employee must immediately notify his or her supervisor.

2. Sick leave with pay

All full-time employees accrue one day of paid sick leave for every month worked, up to a maximum of twelve days per calendar year. One year's worth (12 days) of sick time may be carried forward into the following year. Part-time employees who work more than twenty hours per week accrue sick leave on a pro rata basis. Occasional employees do not accrue paid sick leave.

Sick leave is to be used only in the event the employee is unable to work due to the employee's own illness, injury or other medical condition. Sick leave may be used as part of medical leave or sick childcare leave and as otherwise required by applicable law. Sick leave should be used for routine dental or medical appointments.

Employees must notify their supervisor before their starting time if they are ill and unable to come to work. Employees may be required to provide a physician's statement regarding their medical condition, including why the employee was not able to work. The Employer reserves the right to request employees who are repeatedly absent for illness or injury be examined by a physician chosen by the Employer, and at the expense of the Employer.

3. Medical leave without pay

Unpaid medical leave may be granted in instances where an employee's medical condition requires an absence from work for more time than the amount of available sick leave. This leave requires the approval of the employee's supervisor and the Lead Administrative Officer. Sufficient evidence of such a medical condition is required for a medical leave. Such evidence may include a request or requirement for authorization to speak with the employee's treating physician. The maximum unpaid medical leave time that may be granted is three months or until a physician releases the employee to return to work, whichever is shorter. Employer also reserves the right to request a second opinion from a physician chosen by the Employer on any medical leave of absence.

4. Personal leave without pay

Employees who have been employed full-time for at least one year may be given unpaid personal leave of five days per year, which must be approved in advance by the Lead Administrative Officer.

5. Military leave without pay

Employees who are members of the uniformed services of the United States (including the National Guard or other reserve unit) will be granted unpaid leaves of absence in accordance with state or federal law to perform military duties on a voluntary or involuntary basis. Requests for military leave of absence must be made in writing and should include verification of the duty call from military authority, the date the leave is to commence and the expected date of return.

Employees may choose to use any accumulated vacation time for all or part of the period of military service. Leaves of absence in excess of any available vacation time will be without pay. In accordance with applicable law, eligible employees will be reinstated to the same job upon returning from an authorized military leave of absence.

6. Funeral or bereavement leave with pay

Full-time employees may be eligible for a leave of absence for up to three days with pay for the death of an immediate family member. The number of paid days off will be determined by the Lead Administrative Officer based on the circumstances.

7. Jury duty leave with pay

Employees called for jury duty are paid their regular pay for up to twenty working days. Employees should appear for work upon being excused from jury duty on any day.

8. Parental leave without pay

Full-time employees who become natural or adoptive parents may be eligible for a leave of absence of up to six weeks. The leave must begin within six weeks of the birth or adoption. Biological mothers may also be eligible for sick leave or medical leave without pay following the

birth of a child. Such a leave may, in the discretion of the Lead Administrative Officer, run concurrently with unpaid parental leave.

F. VEHICLE USAGE AND REIMBURSEMENT

Employees using their own cars for church-related business may be paid mileage at the current rate per mile as established by Internal Revenue Service. Mileage will be reimbursed monthly upon request by the employee and approval by the Lead Administrative Officer. Trips must be authorized by the employee's supervisor. Employees must have a current and valid driver's license and proof of insurance. Employees may not take unauthorized passengers on such trips.

All tickets for parking and traffic violations are the responsibility of the employee. The employee must pay all fines promptly and will not be reimbursed by Employer.

IV. OTHER EMPLOYER POLICIES

A. ATTENDANCE AND PUNCTUALITY

Each employee is expected to be prompt and regular in his or her attendance at work. Personal appointments should be scheduled before or after work hours, if possible. All scheduled absences must be approved in advance by the supervisor. Employees who are unable to report to work at their scheduled time must call their supervisor as soon as possible to report the absence and the expected time of return to work. Employees must call in each day they are absent, unless otherwise authorized by their supervisor.

Unscheduled absences (such as returning late from lunch or leaving work before the end of the workday) must be approved by the employee's supervisor. If the employee expects to be absent the following day, he or she should inform the supervisor of that fact at the same time.

Any employee who fails to report to work without notice for three or more consecutive days will be considered to have voluntarily terminated employment, effective immediately.

B. WORK AND DISCIPLINARY GUIDELINES

Certain guidelines must be observed by all employees to protect the integrity of the congregation. Violations may result in disciplinary measures including verbal warnings, written warnings or termination.

Engaging in any of the following examples of unacceptable conduct may result in disciplinary actions. These examples are intended only as a guide and are not all-inclusive.

- Failure to perform work in a manner acceptable to Employer.
- Absenteeism or tardiness.
- Leaving work without permission.
- Failure to report absences as required.
- Sexual harassment or harassment described in this Manual.

- The use, possession or sale, or being under the influence of alcohol or controlled substances (other than those used for bona fide medical purposes) while working or while on Employer premises (including meal and other breaks).
- Unauthorized possession of weapons.
- Disclosure of confidential information.
- Smoking in unauthorized areas.
- Failure to report-on-the job injuries.
- Working another job while absent.
- Failure to accurately complete or permitting another person to complete the employee's timecard.
- Arrest and conviction for criminal offenses that are job related, including those that may affect the employee's ability to perform his or her job.
- Theft or dishonesty.
- Falsifying records or information (or misuse or unauthorized manipulation of any computer or electronic data processing equipment or system).
- Discourteous treatment of others.
- Taking Employer property without paying for it or without written permission.
- Reckless, careless or unauthorized use of Employer property, equipment or materials.
- Improper or profane language.
- Violation of any other Employer policy.

C. SEPARATION FROM EMPLOYMENT

Employees who resign are requested to give at least two weeks' written notice in order for the congregation to find a suitable replacement.

Any employee who is absent for three consecutive days without notifying his or her supervisor, or who fails to report to work on or before the expiration of a leave, will be deemed to have resigned, consistent with applicable law.

D. SAFETY AND ACCIDENTS

The safety of employees, as well as members and visitors, is of paramount concern. All employees are expected to abide by accepted safety standards at all times. They should know the whereabouts of fire extinguishers and the first aid kit.

Any unsafe condition, equipment or practice observed by an employee should be reported immediately to the supervisor or Lead Administrative Officer. All on-the-job accidents or injuries to employees, no matter how minor, should be reported immediately to the Lead Administrative Officer. In the event of a fire or other emergency, the fire department and/or police should be called immediately, and all staff and members of the congregation should leave the premises.

E. PERSONAL PROPERTY

The Employer cannot be responsible for damage to or loss of personal property, including loss or damage to vehicles or other property in or on church property. Employees should report any lost items to the Lead Administrative Officer so that the item can be returned if it is found. If an employee finds an item, it should be immediately turned in to the Lead Administrative Officer.

F. WORKPLACE THREATS AND VIOLENCE

Threats, threatening behavior, or acts of violence against persons by anyone on church property will not be tolerated.

Anyone who verbally or physically threatens another, exhibits threatening behavior or engages in violent acts on church property may be removed and will remain off church property pending the outcome of an investigation. If the Employer determines that a violation of this policy has occurred, the Employer may take appropriate disciplinary action that may include, but is not limited to, suspension and/or termination of employment, and/or legal action as appropriate.

All employees shall inform the Lead Administrative Officer or their supervisor of any behavior which they have witnessed or experienced, which they regard as threatening or violent, when that behavior is job-related or is connected to employment.

G. PROFESSIONAL BEHAVIOR

Employees should maintain a professional attitude and appearance that is appropriate to their position and the Employer-congregation. Name badges should be worn when employees are on duty on Sunday. Personal mail and non-essential telephone calls at work are discouraged.

H. INSPECTION RIGHTS

Churches, like other organizations, are sometimes the victims of thieves. The church has on its premises storage facilities such as desks, file cabinets, closets and storage areas for the use of employees, however, the church can make no assurances that they will always be secure. The storage of any unauthorized alcohol, illegal drugs or drug-related paraphernalia is prohibited on church premises. Therefore, the Employer reserves the right to open and inspect any desk, file cabinet, storage closet or storage area at any time and without prior notice or consent. Employees may not use personal locks on church owned desks, cabinets, closets or storage areas.

I. EMPLOYMENT AUTHORIZATION

Federal law requires that prospective employees must show proof of eligibility to work in the United States in the position for which they are applying. When applicable, employees must usually provide an original document or documents to the employee's supervisor that establish identity and employment eligibility from the date employment begins.

This page should be separate from the Personnel Policy Manual, as it will be placed in the employee's personnel file after it has been signed.

The Acknowledgment is not required by law but is helpful to have in the event of a dispute about the terms of the Manual or of employment.

PERSONNEL MANUAL ACKNOWLEDGMENT FORM

I, _____, hereby acknowledge that I have received a copy of the Personnel Policy Manual of _____. I understand that it is my responsibility read the Manual and to comply with the policies, practices and rules of the Employer.

I specifically understand and agree that my employment is at will and for an unspecified period of time and that either the Employer or I may terminate the employment relationship, at any time, with or without reason and with or without notice. I specifically understand and agree that this statement of policy contains all of the terms relating to termination of employment and that no representations may be made contrary to the foregoing, either express or implied. I understand that this statement of policy is not subject to change.

I understand that this Manual supersedes all previous policies, written or oral, express or implied. I also understand that this Manual is neither a contract of employment nor a legal document, and that the Employer reserves discretion to add, change or rescind any policy, practice or rule at any time with or without notice.

I understand that my signature below indicates that I have read and understood the above statements and have received a copy of the Personnel Policy Manual, dated _____.

Date

Employee Name (Print)

Employee Signature