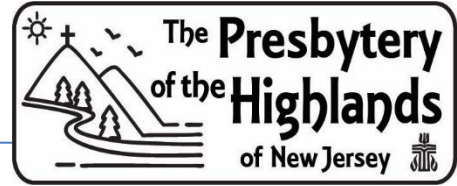


Personnel Policy and Practices

Presbytery of The Highlands of New Jersey



PURPOSE: To strengthen the effectiveness and satisfaction of personnel employed by The Presbytery of the Highlands ("Presbytery"). The Presbytery is committed to Equal Opportunity and Fair Employment practices in keeping with the standards of the Synod of the Northeast and the General Assembly of the Presbyterian Church USA. The following policies convey the employer's responsibility to provide consistent, specific, and well-defined employment practices and the responsibility of employees to give their best efforts to the work for which they are hired. These policies and practices are administered by and subject to review and revision by the Personnel Committee of the Presbytery. All that follows is subject to the "employment at will" principle.

This manual informs employees of compensation and benefits policies. It provides information on what is expected of employees and their duties with regard to certain aspects of their employment. Having such written, formal policies helps avoid ignorance, confusion, and misinformation about how matters will be handled at work, such as the employer's intolerance for harassment and discrimination and how such matters should be reported.

SECTION ONE: EMPLOYMENT PRACTICES

Employer Rights and Responsibilities

1. To establish and administer a personnel system which can meet the personnel needs of the Presbytery.
2. To write position descriptions and personnel qualifications for particular functions and determine the knowledge, skills, and experience needed to perform these functions.
3. To describe and administer processes for compensation, career development, benefits, working conditions, promotion, grievance, dismissal, retirement, and other aspects of employment.
4. To hold employees accountable for carrying out their position descriptions effectively.
5. To exercise suitable discipline.
6. To establish rules as necessary to govern the working environment.
7. To amend, modify, or change these policies at any time.

Employee Rights and Responsibilities

1. To receive information and training regarding all aspects of their position so they can grasp their role and function in the total Presbytery structure.
2. To receive regular information concerning the quality of their performance through regular performance reviews and evaluations.
3. To have as much control as possible over their own career development.
4. To participate in the development of personnel policies and practices and to be kept informed of any changes to them.
5. To have working conditions which promote the general welfare and encourage productivity.
6. To work in a smoke-free environment.
7. To receive adequate compensation and other benefits under a fair and open process.
8. To honor their commitment to goals and objectives agreed upon in the evaluation and performance review process.
9. To make suggestions on the improvement of operations and to act in accordance with the employer's rules and regulations.

EMPLOYMENT PRACTICES (Cont'd)

Employment Terminology and Procedures

1. The legal corporate employer of all staff is the Board of Trustees of the Presbytery of Newton*, a corporation. An employee, whether elected, appointed or otherwise employed, is hired, has his/her work directed by, may be terminated by, and has compensation and benefits determined by the Personnel Committee of the Administration and Coordinating Team. With respect to executive staff, employment procedures shall be conducted in consultation with the Synod where appropriate.
2. Exempt and Non-Exempt Categories - In accordance with the Fair Labor Standards Act, there are exempt and non-exempt positions. An exempt employee is one who, because of his/her position's duties, is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). Persons in exempt positions are not paid overtime wages. A non-exempt (non-managerial) employee is covered by FLSA overtime rule protection.
3. Ministers of Word and Sacrament - In accordance with Federal and State statutes and church policy, all ordained clergy engaged in the exercise of their ministry are considered self-employed persons for Social Security purposes, and are exempt from withholding for certain taxes including Unemployment Insurance. They are, however, included in all other policies which apply to "exempt employees," except where excluded by Federal or State law.
4. Elected Executive Staff - All executive staff shall be elected by the Presbytery in accordance with provisions of the Book of Order (G-3.0106).
5. Office Staff - In order to carry out the mission of the church within the Presbytery, secretarial and office personnel are employed to assist the elected staff. They are employed by the Personnel Committee in consultation with the Presbytery Leader/Head of Staff.
6. Elected Officers - The elected officers of the Presbytery shall be elected for a definite term determined by the Presbytery and shall be compensated at a rate recommended by the Personnel Committee to the Administration and Coordinating Team, unless the office is filled by a volunteer.
7. Term of Office - Unless an employee is elected for a specific period of time, all employment is at will. Employment at will is with the mutual

consent of the employee and the Presbytery. The employee and the Presbytery each have the right to terminate the employment relationship at any time. This employment at will relationship may not be modified by any oral or implied agreement.

8. Background Check - All employees of the Presbytery are subject to a background check.

Temporary and Interim Staff Positions

1. Temporary Employee - A temporary employee is a person employed for a short period, usually less than three months, and is not paid for holidays, sick leave, or other leaves, and does not earn vacation leave during temporary employment. He/She is not eligible for the Presbyterian Pension and Benefits Plan or medical insurance benefits. If a temporary employee works more than 40 hours in one work week, he/she will be paid time-and-a-half for every hour over 40 hours. If a temporary employee joins the regular staff, his/her temporary employment is not considered in computing vacation, sick leave, and other benefits.
2. Interim Leadership - To provide for continuity of administrative and/or program services, interim leadership may be hired to fill vacant, approved (validated) positions until that position is filled (or abolished). This policy is applicable to all positions whether filled by full-time, part-time, ordained or non-ordained persons. No person serving in a position as an Interim Leader will be considered as a candidate for the regular position.
3. Because of the temporary nature of interim service, special consideration should be given in the case of an interim who must be separated from his/her immediate family who are unable to relocate. Arrangements for travel or other expenses for a reasonable number of visits with the family should be part of the agreement.

Hiring, Evaluation and Separation Policies

1. Equal Employment Practices - The Presbytery of the Highlands is committed to Fair Employment Practices and Equal Employment Opportunity in compliance with Federal law and provisions in the Presbyterian Church (USA) Book of Order.
2. Position Descriptions - A position description, subject to periodic review, will be required for each position, following guidelines prepared by the Personnel Committee of the Presbytery Coordinating Team.

3. Recruitment and Election of a Presbytery Leader/Head of Staff - The Presbytery Leader/Head of Staff will be nominated by the Administration and Coordinating Team to the Presbytery in accordance with procedures outlined by the PCUSA. Adequate publicity must be given to the position throughout the denomination and intensive effort made to secure candidates from among racial and ethnic persons and women. Every effort must be made to insure that persons who wish to recommend candidates for this position have ample opportunity to place a name in candidacy.
4. Calls for Elected Staff Members - All Teaching Elders shall be provided with a written call stating the terms of employment. In compliance with the Book of Order, the call shall be submitted to the minister's presbytery for approval. Calls issued to all elected staff will be signed by the Stated Clerk of the Presbytery. Changes in the Terms of Call for an ordained staff member must be approved by the Presbytery.
5. Hiring of Office Staff - Office staff shall be hired by the Personnel Committee with the concurrence of the Presbytery Leader/Head of Staff in accordance with AA/EEO guidelines and standard employment practice. A position description and a copy of these policies shall be given to each person upon employment.
6. Probationary Period - New employees will complete a three-month probationary period designed to give the employee and his/her supervisor an opportunity to evaluate his/her interest in and qualifications for the position under actual working conditions. After ninety days, the person's performance will be reviewed with the employee by his/her supervisor. If all requirements for employment are completed satisfactorily, the employee will be entitled to full benefits, including credit toward vacation and sick leave starting from the first day of the probationary period.
7. Annual Reviews
 1. Annual Review - The Personnel Committee will conduct an evaluation and review of all staff each year. The Presbytery Leader/Head of Staff will be integral to the review process.
 2. Comprehensive Review - A comprehensive written evaluation of the effectiveness of all executive staff will be conducted at least every three years.
 3. The Personnel Committee is authorized to take corrective action if an employee is not performing effectively the tasks described in his/her position description.

8. Personnel Record - A complete personnel file on each employee is maintained by the Presbytery Leader/Head of Staff. These files are confidential, with access limited to those persons who have authority in personnel matters and the individual on whom the file is maintained. These files are sealed two years following separation from employment. Employees may have access to their file in the presence of the Presbytery Leader/Head of Staff, or his/her designee.
9. Separation Practices - The term "separation" shall refer to any or all terminations of the relationship between an employee, exempt or non-exempt, and the employing agency or governing body.
 - a. Voluntary Resignation - A resignation may take place after two weeks written notice for non-exempt employees or a one month notice for exempt employees. Employees will be paid the cash equivalent of their unused, earned vacation at the date of separation. No severance allowance will be provided. When an employee resigns, the Presbytery Leader/Head of Staff and/or the chairperson of the Personnel Committee shall conduct an Exit Interview with that person.
 - b. Termination Without Prejudice - An employee's employment may be terminated by the employer for reasons other than those enumerated under "Dismissal For Cause" (see below). Termination without prejudice will be upon the recommendation of the Presbytery Leader/Head of Staff. Employees terminated without prejudice must receive a written notice giving the reason for their termination. Termination without prejudice is subject to the Grievance Process outlined in these policy guidelines. (II, E, 6.) Notice must be given or pay for one month in lieu of notice for an exempt employee or up to two weeks pay for a non-exempt employee who is dismissed. Employees who are dismissed will receive the cash equivalent of their unused, earned vacation. No severance allowance will be paid.
 - c. Dismissal For Cause - Dismissal for cause may take place by written notice from the Personnel Committee with the approval of the Administration and Coordinating Team. Notice must be given or pay for one month in lieu of notice for an exempt employee or up to two weeks of pay for a non-exempt employee

who is dismissed. Employees who are dismissed will receive the cash equivalent of their unused, earned vacation. No severance allowance will be paid.

- i. Causes for dismissal may include, but are not limited to: unsatisfactory performance, insubordination (including refusal to do any work which the employee is capable of doing which falls within his/her position description), neglect in the care and use of Presbytery property and funds, unexcused absence, repeated tardiness, illegal conduct, failure to observe employer policies, dishonest or unethical behavior, harassment of other employees.
 - ii. Dismissal is an action of last resort taken only after remedial measures have proven ineffective or when the employee's conduct is such as to prevent further employment. Written documentation is required prior to the recommendation for dismissal. Dismissal is subject to the complaint procedure as outlined in these policy guidelines.
- d. Administrative Leave - If unacceptable behavior (insubordination, harassment, involvement in unethical acts etc.) requires absence from the work place, the supervisor of the employee may suspend the employee, in accordance with Presbytery procedures, pending verification and evaluation of the circumstances. Suspended employees will receive pay during the investigation process.
 - i. Administrative Leave without pay may be invoked for a period of up to two weeks by the Administration and Coordinating Team in circumstances where an offense has been clearly established requiring disciplinary action but not warranting dismissal.
 - ii. Consultation between the employee and the immediate supervisor should precede suspension. Notice of the reason for the suspension must be given to the employee in writing, including the information that the employee has the right to use the Grievance Process to defend his or her

own position with or without an advocate but not at the employer's expense.

- e. Reduction of Work Force - Separation because of a discontinuation of a project or retrenchment in budget, or for other circumstances arising through no fault of the employee, is at the discretion of the employer. Six month's written notice of such separation will come from the Presbytery Leader/Head of Staff and the Personnel Committee. In lieu of notice, employees will receive their normal pay for up to six months or until suitable employment is obtained.
 - 1. In addition to normal pay in lieu of notice described above, a severance allowance will be given in relation to the length of continuous service with the Presbytery as follows:
 - 2 weeks of severance allowance for less than 1 year,*
 - 4 weeks for 1 year to less than 4 years,*
 - 6 weeks for 4 years to less than 6,*
 - 8 weeks for 6 years to less than 8, and*
 - an additional week's salary for every year over 8 years up to a total severance allowance of 12 weeks.*
- f. Death in Service - In the event of the death of a member of the exempt or non-exempt staff, the salary of that person will be continued to the spouse, dependent, or estate for one month from the date on which the death occurs.
- g. Unless circumstances make it impossible, the Personnel Committee shall conduct an Exit Interview for all persons who leave the employment of the Presbytery. The Exit interview report will become part of his/ her file

SECTION TWO: SALARY ADMINISTRATION AND BENEFITS

Salary Policies

1. Salaries of all positions are recommended by the Personnel Committee in consultation with the Presbytery Leader/Head of Staff, and/or by a Search Committee and set by the Administration and Coordinating Team.
 - a. The Presbytery is committed to salary administration principles which will provide fair pay for work performed, incentive for personal achievement and growth, equity of payment for positions of relative value, and flexibility to meet the many changes in organization, function, positions, and personnel over a period of time.
 - b. Salary levels will be maintained in a manner which results in their being consistent internally, equitably related to salaries paid by external organizations, responsive to changes in cost-of-living, and in keeping with the church's philosophy and objectives.

Salary Review Guidelines

1. The Personnel Committee will review all salaries annually. On the basis of this review, the Personnel Committee will recommend to the Coordinating Team whether or not an economic adjustment increase (COLA) should be made in the subsequent year.

Benefits

1. Social Security - All personnel are covered by the Federal Old Age and Survivors Benefits Act (Social Security). The employee's share of the tax is withheld from the wages of non-clergy staff. Clergy persons on staff are considered self-employed for Social Security purposes; therefore, Social Security taxes are not withheld, nor does the Presbytery pay an employer's share for them. (cf. I; C; 3.)
2. Pensions and Health Insurance - In the case of ordained employees who are enrolled in the Board of Pensions Plan, Pension and Major Medical contributions will be made for them in accordance with the provisions of that plan. Non-ordained employees are eligible for a benefit equal to 18% of their gross salary which may be applied either to a 403(b) Retirement Savings Plan or a Health Insurance

Plan, such as the Affiliated Benefits Plan of the Board of Pensions or another plan of their choosing.

3. Vacation - A vacation with pay is provided for all employees. Employees will be urged to take the vacation to which they are entitled for the sake of their work effectiveness and health. For that reason, vacation time is not cumulative and must be used within the calendar year. While every attempt will be made to schedule the vacation time as requested, the time of each employee's vacation is subject to the approval of the Presbytery Leader/Head of Staff.
 - a. Full-time clergy employees are entitled to one full month (22 working days) vacation per year. Part-time clergy employees are entitled to the same number of hours of vacation as they work during a regular working month.
 - b. Five vacation days (based on a regular work-week day) will be granted to full and part-time lay employees to be used in the first year of their employment. At the end of six months of satisfactory job performance, the employee will accrue an additional five days of vacation. Thereafter, such employees will accrue vacation time at the rate of one regular work day for each year they have worked up to 22 days total (for thirteen or more years of service.)
 - c. Employees may arrange to receive, before they leave on vacation, an advance payment of any wages which will become payable during their vacation absence.
4. Holidays - The Presbytery Office will be closed for the following holidays: New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, the Fourth of July, Labor Day, Columbus Day, Thanksgiving Day (and the day after) and Christmas Day (and the day after.) If any holiday falls on a weekend, the previous Friday or the following Monday may be taken. The Presbytery Leader may adjust the office Holiday schedule as needed.
5. Sick Leave - Employees are entitled to up to ten working days of sick leave each calendar year, cumulative up to 120 working days. In case of voluntary or involuntary separation, sick leave that has been accrued but not taken will not translate into a cash benefit for the separated employee. Employees are encouraged to use sick days when they are truly ill in order that they may have accrued

days for when he/she may need them for serious or extended illness.

6. Workers' Compensation Insurance - All employees of the Presbytery shall be covered by the Workers' Compensation Law of New Jersey.
7. On-The-Job Travel Accident Insurance - All employees on presbytery business are covered with Travel Accident Insurance.
8. Leave of Absence, With Pay - A leave of absence, with pay, is provided under the following circumstances for an employee who has been with the Presbytery for more than one year: for a regular military training period of up to two weeks annually, for jury duty of up to two weeks annually, marriage (leave of up to three days), for personal or family emergencies or other personal business which cannot be done outside of work hours (up to three days annually), maternity/paternity/adoption (leave for two months with full pay and an additional four months without pay, totaling six months). A request for a leave of absence is to be submitted by the employee, in writing, for review and approval by the Presbytery Leader/Head of Staff.
9. Leave of Absence, or Vacation, Without Pay - A Leave of Absence, or Vacation, without pay, is provided for up to two months. Requests for such leave are to be submitted in writing to the Presbytery Leader/Head of Staff.
10. Study Leave - Up to two weeks annual study leave with pay will be granted in consultation with the Personnel Committee to clergy staff within the following guidelines: study leave is intended to relate directly to career goals and objectives as well as to the development of skills that are useful to the Presbytery. It is granted only when clearly identified objectives have been agreed upon for the particular study leave being granted.
11. Study Leave for Lay Employees - There is no regular provision for study leave with pay. However, under special circumstances, when it can be demonstrated to be for the good of the Presbytery, as well as for the employee, lay employees who wish to attend work-related classes or continuing education events may apply to

the Personnel Committee for time off and financial support on a case by case basis.

Ethical Conduct Policy and Procedures

1. Sexual Harassment - All employees have a right to work in an environment free from any type of discrimination and free from sexual harassment. The employer prohibits unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature which may constitute sexual harassment. Any such conduct should be reported immediately to the Presbytery Leader/Head of Staff or the chair of the Personnel Committee. All employees are required to participate in a sexual misconduct awareness training workshop every three years. All employees shall sign and be governed by the Presbytery Sexual Misconduct Policy.
2. Conflict of Interest - No employee shall accept any gift, gratuity, grant, service or any special favor from any person or persons, or businesses which provide or receive goods and services or which seek to provide or receive goods and services to or from churches and/or church councils. Minor courtesies such as luncheons, dinner or similar arrangements in connection with business discussions may be received. All employees should avoid even the appearance of conflict of interest, special interest or any other inappropriate conduct.
3. Nepotism - To facilitate equal opportunity for all employees and employment candidates, care will be exercised in the employment and assignment of persons who are direct relatives of people employed by the Presbytery. Such people, however, should not be automatically denied employment or fair treatment in the full spirit of these policies.
4. Honoraria - Ordinarily Presbytery staff shall not accept an honorarium for services to congregations which are within their position description.
5. Confidentiality - The Presbytery shall establish procedures necessary to guarantee the confidentiality of medical and employment records.
6. Grievance Process - A grievance is an alleged violation of an approved personnel policy or practice or of an applicable State or Federal law not adequately dealt with in these policies or practices. In order to deal fairly and promptly with any and all such complaints or grievances the following steps are to be taken:

- a. Preliminary Complaint Procedure - The complaining party must first discuss his/her concern with the Presbytery Leader/Head of Staff. If dissatisfied with the response, the complaining party is to approach the chair of the Personnel Committee who will seek to resolve the issue in consultation with all parties involved. Most grievances can be resolved satisfactorily through this informal process.
- b. Formal Grievance Procedure - If informal efforts to resolve a grievance fail, a formal grievance may be filed by submitting a written statement to the chairperson of the Personnel Committee with a copy to the Presbytery Leader/Head of Staff. Upon receipt of the completed grievance form, the following steps shall be taken:
 - i. *The Presbytery Leader/Head of Staff shall consult with the chair of the Personnel Committee regarding any Equal Employment Opportunity (EEO) violations. They shall determine whether or not the grievance involved has an EEO dimension. If it is determined to be an EEO matter, the office of Equal Employment Opportunity of the General Assembly shall be involved in all subsequent steps in the process.*
 - ii. *After consultation with the Presbytery Leader/Head of Staff and after other consultations as indicated above, the Chair of the Personnel Committee shall review the findings with respect to the grievance with the Personnel Committee which shall then issue a decision in writing. This shall be done as expeditiously as possible, and in no case shall be transmitted to the complaining party longer than four weeks from the time the written grievance was received.*

iii. If dissatisfied with the decision of the Personnel Committee the complaining party may appeal in writing to the moderator of the Administration and Coordinating Team. For purposes of fact-finding and hearing grievances, three members of the Administration and Coordinating Team shall be selected by the Moderator to hear the complaint. A hearing of the complaint will be arranged as expeditiously as possible, and in no case later than four weeks from the date of the reception of the written appeal. After hearing both sides of the dispute, the parties to the dispute will be excused from the meeting. The decision of the representatives of the Administration and Coordinating Team is final.

- c. Right of Advocacy - The complaining party may arrange to have an advocate with him/her at no expense to the Presbytery. Any person who is a member of the Presbyterian Church (USA) may serve as an advocate. The advocate is not a paid attorney at law, but a friend within the church system who may speak on behalf of the complaining party.
 - d. Written Records - A written record shall be kept of all decisions made at each step in the grievance process, from the beginning of any informal procedure to its conclusion. All letters transmitting decisions or findings shall be signed by the Presbytery Leader/Head of Staff or the chair of the Personnel Committee. Letters of decision from the Presbytery Leader/Head of Staff or the chair of the Personnel Committee shall contain provision for the complaining party to indicate his/her acceptance or rejection of the decision.
2. Government Investigation - In the event of an inquiry by the police, F.B.I. or other government agency or official concerning the work of the Presbytery, its activities, records or personnel, or if an employee of the Presbytery is sought to be queried by a government agency, the following procedures shall be followed:

- a. It shall be a condition of employment that all such inquiries shall be referred to the Stated Clerk. Any violation of this policy will subject employees to immediate dismissal.
- b. No information or documents of any kind will be released until the Presbytery Leader/Head of Staff has consulted with and received permission from the Stated Clerk of the Presbytery or his/her representative in matters regarding government investigations.
- c. The Presbytery Leader/Head of Staff may release information or documents following the consultation and permission described above or may request the Stated Clerk of the Presbytery to release information or documents.

Office Procedures

1. Hours - Regular Office Hours are 9 AM to 3 PM, Monday through Friday.
2. Employee Supervision - The assignment and co-ordination of all work is the responsibility of the Presbytery Leader/Head of Staff or his/her designee. Employees who are part of the office team may be called upon to perform other team functions. In case of absence, an employee should promptly notify the Presbytery Leader/Head of Staff.
 - a. Reimbursement of Expenses - The treasurer will establish and administer a process whereby authorized expenses incurred by employees in the performance of their work assignments are reimbursed through an adequate and uniform voucher-based system.
 - b. Communications - Employees are entitled to communication covering personnel policies and procedures pertinent to their employment, including identification of the persons or committees involved in the administration and oversight of the system

This document shall be governed by the current edition of the Book of Order of the Presbyterian Church (U.S.A.) and the Presbytery's Manual of Administrative Operations. None of these policies may supersede the Book of Order.

Membership:

The Personnel Team will consist of no fewer than 4 and no more than 6 members, equal numbers of both Clergy and non-clergy, and male and female. At least one member must be part of the Administration and Coordinating Team. Each will serve on three-year term, with the option to renew for an additional 3 year term. A quorum shall be majority.