

*The Presbytery
of
Eastern Virginia*

Handbook of
Personnel
Policies and
Procedures

Approved by Council January 4, 2021

Welcome to Eastern Virginia!

You are joining a community of faith called into being by God's grace in Jesus Christ. As such, we are a community of people known by our actions. The Presbytery of Eastern Virginia (PEVA) is a living testimony that the God who creates life, frees those in bondage, forgives sin, reconciles brokenness, and makes all things new is still at work in the world.

As an employee of PEVA, you will be asked to partner with other staff and volunteers to equip our ministers and our churches to carry forth the great ends of the church:

- ❖ the proclamation of the gospel for the salvation of humankind;
- ❖ the shelter, nurture, and spiritual fellowship of the children of God;
- ❖ the maintenance of divine worship;
- ❖ the preservation of the truth;
- ❖ the promotion of social righteousness; and
- ❖ the exhibition of the Kingdom of Heaven to the world.

These policies and procedures have been prepared to acquaint you with your benefits and responsibilities as an employee of PEVA. We welcome you into our community and to the good work God has given us in this time and place.

~The Presbytery of Eastern Virginia~

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Organization Statement

The Presbytery of Eastern Virginia strives to provide all employees with rewarding employment opportunities. The Handbook of Personnel Policies and Procedures provides important information regarding the organization's policies, guidelines, benefits, procedures, and important responsibilities which you are expected to meet as an employee of the Presbytery of Eastern Virginia.

Much of the information contained in this handbook is summarized and is not intended to be a complete or detailed statement of all our policies, guidelines, benefits, and procedures. You should seek clarification from your supervisor or personnel representative for any questions you may have. In addition, staff at PEVA operates in a very dynamic environment which demands of us the ability and willingness to demonstrate flexibility and quickly embrace changes. For that reason, changes in the way we function can and will be made from time to time, occasionally without prior notice. Also, exceptions may be made based upon the facts and circumstances of individual situations.

Employment at Will Statement

The employment relationship which exists between the Presbytery of Eastern Virginia and each of its employees is employment at will, unless an employee is elected for a specific period or has a contract of employment. Under this relationship, any employee is free to terminate her/his employment with the Presbytery of Eastern Virginia at any time for lawful reason with or without prior notice or cause. Likewise, the Presbytery of Eastern Virginia may, at any time, terminate an individual's employment for any reason, with or without cause, at its sole discretion. The statements and contents of this handbook and of the other Presbytery of Eastern Virginia manuals or publications are not promises of any kind, and the Presbytery of Eastern Virginia reserves the right to change any term or condition of employment with any employee without any prior consultation or agreement with any employee. This handbook cancels and supersedes any other statement whether spoken or written concerning the terms of condition of employment by the Presbytery of Eastern Virginia.

Equal Employment Opportunity

It is the policy of the Presbytery of Eastern Virginia to engage in employment policies and practices which promote equality of opportunity in all aspects of employment. The Presbytery of Eastern Virginia shall be guided by *The Constitution of the Presbyterian Church (U.S.A.)*, the policies of the PCUSA Plan for Equal Employment Opportunity and Affirmative Action, the policies of the Commission on Ministry, and the applicable federal and state laws, regulations, and executive orders related to equal opportunity employment.

All employment policies and practices including recruiting, selection, benefits, compensation, performance appraisals, promotion, transfers, discipline, training, and separation shall be administered without discrimination based on race, color, national origin, gender, age, marital status, sexual orientation, creed, disability, or religious affiliation or any other factor prohibited by the applicable state or federal law (except where a category is determined to be a bona fide

occupational qualification). It is the policy of the employer to act affirmatively to expand employment opportunities which contribute to a diverse workforce.

We are dedicated to fulfilling our equal employment opportunity policy in recruiting, interviewing, selection, placement, transfer, job elimination, reduction in force, termination, advertising, compensation, selection for training, and other terms and conditions of employment. However, an employee's success at the Presbytery of Eastern Virginia is based on job performance, knowledge, skills, and abilities.

Roles and Responsibilities

These personnel policies are based on commitments by the Presbytery of Eastern Virginia and its staff:

- ❖ The Presbytery of Eastern Virginia shall endeavor to recognize, utilize, and affirm the full potential of each employee.
- ❖ Employees shall devote their interests and energy to their work and the goals of the Presbytery of Eastern Virginia.

The Presbytery of Eastern Virginia Responsibilities

The Presbytery of Eastern Virginia recognizes the following responsibilities to its employees:

- ❖ to be faithful to the purpose of the organization as found in the first three chapters of the Book of Order, Presbyterian Church (USA);
- ❖ to provide equal opportunity in all aspects of every phase of the personnel system;
- ❖ to conduct performance evaluations for all employees that relate to their work objectives and to the objectives of the Presbytery of Eastern Virginia. These evaluations shall give employees an opportunity to participate in evaluating their own performance;
- ❖ to establish and maintain open communication;
to establish and administer a process that provides for the hearing and resolution of complaints and grievances; and
- ❖ to make every reasonable effort to provide a work place that is safe and secure.

Employee Responsibilities

Employees of the Presbytery of Eastern Virginia recognize the following responsibilities:

- ❖ to understand and fulfill their assigned role and function in the context of the goals of the Presbytery of Eastern Virginia;
- ❖ to contribute to the effective development and performance of the staff team;
- ❖ to act in accordance with the Presbytery of Eastern Virginia's rules and regulations.

Common Responsibilities

The Presbytery of Eastern Virginia and its employees are responsible to one another for the development and implementation of a team model that reflects the goals of the Presbytery.

The Personnel Committee

The role of the Personnel Committee is to actively facilitate and nurture the relationship between the Presbytery of Eastern Virginia and its staff, and relationships among the Presbytery of Eastern Virginia staff.

Employment Practices

The Presbytery of Eastern Virginia is guided in its personnel practices by the *Constitution* and policies of the PCUSA; it is committed to compliance with federal, state, and local laws; and will not knowingly hire anyone who does not have the legal right to work in the United States.

Ministers of Word and Sacrament

The nature of the relationship between persons ordained to the Ministry of Word and Sacrament and the Presbytery of Eastern Virginia is governed by the Book of Order. Ministers of the Word and Sacrament called by or in covenantal relationships with PEVA are covered by all personnel policies except where superseded by federal, state, or local laws, or otherwise noted in these personnel policies or those of the Commission on Ministry. Staff who are Ministers of the Word shall be provided with a written call stating the terms of employment and the call shall be submitted to the Presbytery for approval in compliance with the *Book of Order*.

Volunteers

It is the policy of the Presbytery of Eastern Virginia to provide opportunities for persons to serve the church on a non-compensated basis. Persons who help out on an occasional or a regular basis without compensation are considered volunteers. These persons are not filling employee roles and are not eligible for any of the benefits of regular or interim employees.

Volunteers must provide basic identification data before they begin work. Volunteers are required to provide additional information as required by the Presbytery of Eastern Virginia policies and/or law. All volunteers will be subject to a professional background investigation, which shall include but is not limited to a check of the sexual offender registry.

Employment of Relatives

Given the size of our presbytery staff, ordinarily relatives of staff will not be employed. However, relatives shall receive the same consideration as any other applicant for a job opening and shall not be accorded preferential treatment in employment matters. No

person may be employed in a position that is under the direct supervision of a relative or a member of the same household. For this purpose, a “relative” is defined as any person related by blood or marriage or whose relationship with you is similar to those relationships that are by blood or marriage.

Reasonable Accommodation

The Presbytery of Eastern Virginia is committed to compliance with the Americans with Disabilities Act in all aspects of employment including hiring, placement, promotion, transfer, demotion, layoff, termination, recruitment, advertising, compensation, selection for training, and any other terms and conditions of employment.

The Presbytery of Eastern Virginia will provide reasonable accommodation to eligible disabled individuals, which might include: reasonable changes in work schedule; modification of job structure; removal of architectural barriers.

The Personnel Committee will be responsible for reviewing all requests for reasonable accommodation, including approving the request, modifying the request, or denying the request in accordance with the Americans with Disabilities Act.

Honoraria

PEVA staff is expected and encouraged to respond as appropriate and possible to invitations to speak or preach in churches. They are provided travel allowance to cover this expense. PEVA staff should not expect any honoraria, but if offered it may be accepted. Honoraria may not be accepted for workshops or retreats conducted when the individual has been trained with PEVA funds to provide these workshops or retreats. Staff providing pulpit supply should be paid according to PEVA policy for supply preaching.

Confidentiality of Staff Records

It is the policy of the Presbytery of Eastern Virginia to respect the privacy of employees as much as possible while accomplishing its mission.

Employee Access to Records

An employee may request access to her/his personnel file through a written request to the General Presbyter. An authorized personnel representative must be present during the review. No employee may remove or alter anything in her/his file. The employee may request photocopies of the documents which will be provided within a reasonable period of time. The employee may request a correction in writing through the personnel representative, who will inform the employee of the disposition of the request.

External Access to Records

All inquiries pertaining to current or former employees should be referred to the General Presbyter. Upon receiving verification requests, the Presbytery of Eastern Virginia will

give only the following information unless the employee gives specific authorization to release additional information: name, job title, and dates of employment. Inquiries regarding salary information and requests for any other specific information require specific written authorization from the employee (current and former) defining what information may be released and to whom. This includes requests for information for obtaining mortgages, credit cards, and opening charge accounts. Information pertaining to a current or former employee's performance and/or termination will not be provided unless required by federal, state, or local law. (Reference checks on clergy seeking a call within the PCUSA system are an exception and should be treated in the same manner as other ministers in PEVA.) In the event of an inquiry by police or other governmental agency the inquiry shall be referred to the General Presbyter and Stated Clerk. No documents or information of any kind will be provided before they have consulted with PEVA General Counsel and the Stated Clerk of the General Assembly or his/her appropriate representative.

Recruitment and Selection

It is the policy of the Presbytery of Eastern Virginia to employ qualified individuals who can contribute to the mission, goals, and ministry of the organization.

Background Checks

All ministers, employees and contractors will be subject to a professional background investigation which shall include but is not limited to a check of the sexual offender registry.

Hiring from Within

Supervisors are encouraged to consider qualified current employees for promotional and career development opportunities. In all instances, selections shall be made in accordance with the equal employment opportunity policy.

Temporary Staff

Temporary staff may apply for and be considered for filling the position on a regular basis.

Performance Management

Annual Performance Review

It is the intent of the Presbytery of Eastern Virginia to conduct performance reviews/evaluations of all staff annually. Reviews of the General Presbyter and Stated Clerk shall be consistent with the guidance about evaluations for those positions from the Office of the General Assembly.

Documentation and Acknowledgment

Evaluations should be conducted honestly and fairly and reflect the collaborative nature of the work environment. The evaluation must be documented in writing and signed by the reviewer. The employee should acknowledge the review with a signature and may add written comments. Evaluations may include commendation for good work, as well as specific recommendations for improvement.

Evaluations shall become a part of the employee's personnel records and are confidential information. The employee may file a written disagreement about any point in the evaluation. Such documents shall be made part of the employee's personnel record.

Performance Improvement

Unsatisfactory work or behavior should be addressed immediately by the employee's supervisor. Oral feedback and discussion of actions required to improve performance should be the first step, and will be documented and placed in the employee's personnel file. Failure to improve performance as specified will result in a written notice which is given to the employee and put into the employee's personnel file. If necessary, the supervisor's next step is to recommend dismissal to the Personnel Committee, which has the authority to terminate the employee.

Continuing Education for Exempt Staff

Up to two weeks per calendar year continuing education with pay will be granted to exempt staff within the following guidelines:

- ❖ It is not additional vacation, although it may be taken in conjunction with vacation;
- ❖ It is granted only when the employee and the supervisor have agreed on the appropriate timing of the leave and upon clearly identified goals which are related to the needs of the individual and the presbytery;
- ❖ A report on learning in relation to agreed goals will be reviewed with the supervisor within one month after the completion of the leave;
- ❖ Pay in lieu of this leave will not be provided;
- ❖ Provision will be made to cover the employee's work during the absence;
- ❖ Continuing education funds will be available for use according to the terms of call and relevant costs related to the leave;
- ❖ Time and funds for continuing education are cumulative for one additional year, unless otherwise stated in terms of call or employment agreement. (See Study Leave, page 16).

Continuing Education for Non-Exempt Staff

Non-exempt staff will be eligible for up to one week of continuing education, according to the needs of the position and/or the presbytery, and as approved by the General Presbyter.

Funding

The types and amounts of funds available for employee development shall be established by the Personnel Committee and discussed with employees during their annual reviews.

Career Goals and Development Plans

The annual performance review is an opportunity for the employee and the supervisor to discuss the employee's career goals, past performance, and the Presbytery of Eastern Virginia's expectations.

Compensation

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

Payroll Direct Deposit

All employees of the Presbytery of Eastern Virginia will have their net paycheck electronically remitted to a financial institution of their choice. A paystub will be provided, detailing amounts earned and deductions withheld. Payroll will be deposited on the 15th and 30th of every month. When either of those dates falls on a Saturday or Sunday, payroll will be electronically deposited on the Friday preceding the 15th or 30th.

Workweek

The standard workweek for full-time employees at the Presbytery of Eastern Virginia is 40 hours per week, Monday through Friday, 9:00 a.m. to 5:00 p.m., including a one-hour lunch break. However, with a small staff of full and part-time exempt and non-exempt staff, and some work done remotely, regular hours for individual staff will be established by the supervisor and adjustments made as necessary with the approval of the supervisor.

Overtime

Employees classified as "exempt" from requirements established by the Fair Labor Standards Act (FLSA) do not qualify for overtime pay. Employees classified as "non-exempt" do qualify to receive overtime pay.

Non-exempt employees authorized or requested to work in excess of 40 hours during the workweek will be paid at the rate of one-and-one-half times their hourly rate of pay. Employees may elect to have their compensation for this time in the form of compensatory time off, with the scheduling of this time off subject to the approval of the employee's supervisor. Compensatory time off must be taken within three months.

Vacation time and holiday time that is paid, but not actually worked, does not count toward the calculation of overtime.

Holidays

Hours worked on a designated holiday are paid at the employee's regular rate of pay.

Part-Time Staff

Part-time staff members are defined as those who are employed less than 35 hours per week. If they are not temporary employees and are employed at least 20 hours a week, they are eligible for the following:

Holiday pay for hours that would normally be worked if the holiday falls on one of the regularly scheduled working days for that part-time employee; jury duty pay (as for full-time staff); salary increases; regular pay up to forty hours; time-and-a-half pay over forty hours in any work week for non-exempt staff; vacation and sick pay in proportion to hours worked each week; worker's compensation; and Social Security participation.

Benefits

The Presbytery provides a variety of health and financial benefits to its employees. The Board of Pensions (BOP) has various benefit packages to support ministers and their families and a menu of options that the Presbytery provides to other full-time employees and eligible part-time employees.

Benefits for Ministers of the Word and Sacrament (ministers) shall be approved by the Commission on Ministry and comply with the Book of Order. Ministers in full-time positions on the presbytery staff may be enrolled in the Pastors Participation Plan. Ministers in part time positions on the presbytery staff who work 20 hours or more for the Presbytery are eligible to be enrolled either through the Pastor's Participation Plan or Minister's Choice benefits package as determined with the Personnel Committee and approved by the Commission on Ministry. Ministers may choose to participate in the flexible medical spending account.

After completing three (3) consecutive months of employment, all full-time employees of PEVA and eligible part-time employees may participate in the PCUSA Board of Pensions (BOP) benefits as follows:

Full-time employees may choose any or all, of the following options from the BOP menu: member-only medical, death & disability, and the Retirement Savings Plan of the Presbyterian Church (U.S.A.) 403(b) and flexible medical spending account.

Full-time employees with more than seven years' tenure on the presbytery staff may also select from the medical options of member plus spouse, member plus children, or member plus family as part of their compensation as well as member-only pension, death & disability, 403b and flexible medical spending plan options. The Presbytery will contribute member family vision coverage towards the selection(s).

Part-time employees of PEVA who work 20 hours a week or more are eligible to participate in the Board of Pensions PCUSA benefits as follows:

Part-time employees who work 20 hours a week or more with less than two years' tenure may choose the following BOP benefits at their own cost: vision and dental.

Part-time employees who work 20 hours a week or more with two years' or more tenure may select any or all of the following options: vision, dental, group term life insurance, flexible medical spending account, and 403(b). The Presbytery will contribute the cost for member-only options for vision and group term life insurance. Those who select group term life insurance through the BOP may be eligible for related options at their own cost.

All staff enrolled in the Board of Pensions may elect to have the cost of additional coverage options, such as dental or family medical coverage, deducted from their pay.

From year to year the Personnel Committee may make other BOP coverage options available at employee expense.

If an insurance carrier other than the PCUSA Board of Pensions is preferred by an employee, that option can be discussed with the presbytery's Personnel Committee and reviewed by the presbytery business manager for comparison.

Worker's Compensation Insurance

All staff are automatically covered by worker's compensation insurance beginning on the date of hire. Benefits for part-time employees may be pro-rated based on the percentage of time worked.

Paid Time Off

Holidays

There will be thirteen (13) holidays per calendar year for employees of the Presbytery of Eastern Virginia. Though adjustment of dates may be made from year to year depending upon the calendar, the days will normally be:

- New Year's Day
- Martin Luther King's Birthday
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- Day after Christmas
- New Year's Eve

When a holiday falls on a Saturday or Sunday, it will be observed as a holiday on the nearest Friday or Monday respectively. If the day after Christmas falls on the weekend, it will be observed on the following Monday. When a holiday occurs during an employee's vacation or sick leave, the employee will be granted an offsetting day off.

Employees on Leave of Absence

Employees on leave of absence are not eligible for holiday pay on holidays that are observed during the period that they are on leave.

Vacation

Vacation leave is available to all full-time and part-time employees. Paid vacation for part-time employees is pro-rated per the percentage of time worked. Volunteers and independent contractors are not eligible for paid vacation. Employees will be encouraged to take their full vacation each year but will be allowed to carry over vacation from one year to the next. The maximum total cumulative carryover of vacation time allowance is ten (10) days and any carryover of vacation days requires the special approval of the General Presbyter, or her/his documented designee, and, where applicable, the Moderator of the Personnel Committee.

Ministers

Vacation is specified according to individual terms of call.

Other Employees

Employees receive annual paid vacation leave based on their credited service with the Presbytery of Eastern Virginia. After the first year of employment, vacation shall be based on the calendar year beginning January 1st of each year. Vacation is earned as follows:

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|---------------------------------|--|
| Less than one year of service* | 10 days, prorated based on number of months worked since January 1st |
| Up to 4 years of service | 10 days per year |
| 5 years to 9 years service | 15 days per year |
| 10 years to 24 years of service | 20 days per year |
| 25 or more years of service | 25 days per year |

*after first three months of service

On Termination

A terminated employee shall be paid for all unused vacation time. The ending balance will be prorated based on time worked during the current/last calendar year.

Scheduling

Vacation schedules shall be coordinated with staff through the supervisor.

Personal Privilege Days

After completion of one (1) year of service, employees who work 20 hours a week or more shall be allowed one paid “personal privilege” day every six (6) months, one of which may be in honor of the employee’s birthday, to be used at the employee’s discretion and in coordination with the employee’s supervisor. This day shall not be counted against the employee’s vacation leave, compensatory time, or medical leave. Only one (1) earned personal privilege day may carry over into the next six (6) months period. No more than two (2) personal privilege days may be used in a calendar year.

Study Leave

Ministers on PEVA staff may take up to two weeks of study leave per year with pay for continuing education, unless otherwise stated in their terms of call or terms of employment. Study leave plans must be approved by the Personnel Committee.

Study leave may be accumulated for up to six (6) weeks with the approval of the Personnel Committee. Continuing education allowance may be accumulated for up to three years.

Medical Leave of Absence

When earned sick leave and vacation time are exhausted, a regular employee may take medical leave of absence in accordance with the Family Medical Leave Act.

Sabbatical Policy

The purpose of the sabbatical is to permit full-time ministers to periodically have the opportunity for time away from normal responsibilities for professional growth, rest and spiritual renewal beyond that which is afforded by annual study leave and vacation. Ministers are eligible for a three-month sabbatical after six (6) years of service, unless otherwise specified in initial terms of call. Salary and other benefits remain unchanged. The minister shall initiate conversation with the Personnel Committee and present a written proposal six months before the anticipated beginning of the sabbatical. The proposal will indicate how the time away will help in his/her continuing service. It should include an estimated budget and any use of continuing education or other funds. Finally, it should include a proposal for staffing to meet the ongoing needs of the Presbytery of Eastern Virginia without undue burden on the remaining staff, as well as the estimated financial implications of such plans. A sabbatical may be combined with vacation or accrued study leave if approved by the Personnel Committee and Council.

On return from sabbatical, a written report of the experience shall be submitted to the Personnel Committee.

Sick Leave

Sick leave is intended for use for personal illness of the employee or immediate family member. Sick leave is earned at the rate of one (1) day per month, or twelve (12) days

per year. Sick leave is cumulative up to 120 days. Sick leave for part-time employees will be pro-rated based on hours worked.

Sick leave may be used for doctor, dentist, and other healthcare or mental-healthcare appointments. However, non-exempt employees may attend healthcare appointments up to two (2) hours in any one week without charging the time to sick leave. Generally, exempt employees are not charged sick leave for attending healthcare appointments.

Upon termination of employment, there shall be no monetary compensation for unused medical leave time.

When taking sick leave, the employee shall notify the supervisor.

Parental Leave

Full-time employees are entitled to parental leave in the period preceding and following the birth, adoption, or awarding of guardianship of a child as specified in this section.

An employee who is the primary caregiver will receive eight (8) weeks of paid parental leave at full pay; an employee who is a secondary caregiver will receive four (4) weeks of paid parental leave. Accrued vacation time (up to four weeks) may be added to supplement the parental leave time and up to twelve weeks unpaid leave may be negotiated/granted without risking job security. The employee should normally apply for leave to the General Presbyter at least two months in advance specifying the amount of leave time desired. Use of paid sick leave will be allowed ordinarily only if a doctor documents a medical necessity.

Jury Duty

It is understood that all employees will serve on jury duty as summoned by the court system, with normal compensation from the presbytery. In turn, the employee is expected to report for work if excused early by the court.

Bereavement Leave

When a death occurs in the immediate family of an employee, the employee shall be entitled to a five- day leave of absence with pay to arrange for and/or attend the funeral. Immediate family members ordinarily include one's spouse, children, parents, grandparents, siblings, as well as one's in-laws. It also includes adopted children and stepchildren.

Consideration shall be given for additional time off to be taken if the situation warrants. A request for additional leave shall be made through the supervisor and approved by the Personnel Committee.

Additional leave may be with pay or without pay, and/or may be charged to vacation or sick leave balances.

Military Leave

Military leave is a leave of absence, without pay, for required military service. The Presbytery of Eastern Virginia complies with applicable state and federal law concerning leaves for military service.

Leave Without Pay

It is the policy of the Presbytery of Eastern Virginia to provide leave without pay, when work situations allow, in those special circumstances which may require employees to take time away from work after paid leave has been exhausted. Such leave may be in compliance with the Family Medical Leave Act or may be related to other special circumstances. Such requests require approval by the General Presbyter.

Upon the employee's return from leave without pay, every effort shall be made to place the employee in a similar position.

Death in Service

In the event of the death of a member of the staff, the salary of that person will be continued for four (4) weeks from the date on which the death occurs, payable to the beneficiary. Death benefits may also be provided through the pension and benefits plan of the Presbyterian Church (USA) depending on the member's coverage.

Reduction in Staff

If the Presbytery of Eastern Virginia, because of a fundamental change in long-range outlook, is required to make a reduction in work force, the decisions and procedures by which staff members will be released will be fairly and consistently applied. Reduction of force will be accomplished in a manner that preserves overall organizational effectiveness.

If a similar position calling for similar qualifications is reinstated within a period of two years, upon application, the individual who was previously employed in the position will be given consideration for employment in that position.

Severance

If there is a reduction in force, severance shall be paid to full-time exempt and non-exempt employees in accordance with the terms set forth below, provided a release prepared by the Presbytery of Eastern Virginia is first executed by the full-time exempt and non-exempt employees:

- Exempt Employees. In addition to the right to receive the notice period pay and any unused vacation pay, a full-time exempt employee who executes a release prepared by the Presbytery of Eastern Virginia will receive in consideration thereof one (1) week's pay for each full year of employment, provided that the severance payments shall be no more than up to six (6) months. This severance pay shall be forfeited if the full-time exempt employee secures employment

elsewhere during the time in which he or she would have otherwise been entitled to receive severance pay hereunder. Unless otherwise agreed to by the employee and the Presbytery of Eastern Virginia, the pay shall be paid on what would have been the regularly scheduled paydays of employees and shall be subject to all tax withholdings required by law, as well as any withholdings authorized by employee.

- Non-exempt Employees. In addition to the right to receive the notice period pay set forth, and unused vacation pay, a full-time non-exempt employee who executes a release prepared by the Presbytery of Eastern Virginia will receive in consideration thereof one (1) week's pay for each full year of employment. The maximum severance and notice period payments that may be received by the full-time non-exempt employee shall be no more than up to six (6) months. This severance pay shall be forfeited if the full-time non-exempt employee secures employment elsewhere during this time in which he or she would have otherwise been entitled to receive severance pay hereunder. Unless otherwise agreed to by the employee and the Presbytery of Eastern Virginia, the pay shall be paid on what would have been the regularly scheduled paydays of employees and shall be subject to all tax withholdings required by law, as well as any withholdings authorized by employee.
- Ordained Ministers. Severance is governed by Commission on Ministry policy.

Any severance pay for part-time employees, including the necessity of the part-time employees to execute a release in exchange for any such severance paid, will be determined by the Personnel Committee.

Standards of Conduct

It is the policy of the Presbytery of Eastern Virginia to maintain high standards of integrity, honesty, impartiality, industry, and conduct by employees.

Conflict of Interest

Avoidance of conflicts of interest, whether real or apparent, by all staff is indispensable to the maintenance of these standards. A conflict of interest arises when an employee becomes involved in a business or activity that might conflict with the best interests of the Presbytery of Eastern Virginia or in any way interferes with the employee's ability to perform her/his responsibilities. Employees who hold other paid positions or are engaged with other clients on a contractual basis should ensure that such outside employment or contractual arrangement shall not interfere with the performance of their duties or produce a conflict of interest in the pursuit of those duties. Any questions regarding this should be reviewed with the General Presbyter and resolved by the Personnel Committee.

Personal Conduct

To provide a productive work environment, the Presbytery of Eastern Virginia expects employees to adhere to the denomination's *Standards of Ethical Conduct* (see

APPENDIX A) and the following Personal Conduct policy to protect the interests and safety of all employees and the organization.

It is not possible to list all forms of behavior that are considered unacceptable in the workplace. The following represent examples of behavior that may result in disciplinary action, up to and including dismissal for misconduct:

- ❖ Theft or inappropriate removal or possession of employee or Presbytery of Eastern Virginia property;
- ❖ Destruction or unauthorized use of employee or Presbytery of Eastern Virginia property;
- ❖ Falsification of records, including employment applications, making false statements in the course of work performance, or the commission of other fraudulent acts;
- ❖ Engaging in the manufacture, sale, distribution, dispensation, possession, use, or being under the influence of unauthorized controlled substances without a medically acceptable prescription or illegal drugs while on Presbytery of Eastern Virginia property (whether or not during work hours);
- ❖ Threatening or engaging in violence in the workplace;
- ❖ Using abusive or threatening language or acting in a disruptive manner in the workplace or while engaged in Presbytery of Eastern Virginia business;
- ❖ Negligence, sabotage, or improper conduct leading to damage of employee or Presbytery of Eastern Virginia property;
- ❖ Knowing and/or willful violation of safety rules;
- ❖ Unlawful or unwelcome harassment, including but not limited to sexual, racial, or disability related harassment;
- ❖ Possession of dangerous or unauthorized materials such as firearms, explosives, or other weapons in the workplace;
- ❖ Unauthorized disclosure of confidential information;
- ❖ Use of restricted computer systems;
- ❖ Unauthorized copying of licensed software and/or unauthorized receipt or disposal of magnetic media.

Personal Public Witness

Representation of Position of Presbyterian Church

All persons employed by the Presbytery of Eastern Virginia, when they are working as or presenting themselves as employees of the Presbytery of Eastern Virginia, are expected to give full and fair representation of the position of the Presbyterian Church (USA) in matters of policy, social witness statements, or theological or doctrinal positions.

However, the possibility of personal dissent is not precluded by employment with the Presbytery of Eastern Virginia and is a reasonable expression of freedom of conscience.

Personal Public Witness Guidelines

Because public actions or expressions of personal belief may affect not only the work environment but also the Presbytery of Eastern Virginia, employee personal public witness is subject to the following guidelines:

- ❖ When making a personal public statement, including but not limited to social media (Facebook, Instagram, Twitter, Snapchat, etc.), an employee shall make it clear that s/he is speaking for her/himself only and not speaking for the Presbytery of Eastern Virginia or the Presbyterian Church (USA);
- ❖ When making a personal public witness, an employee shall not make reference to his or her employee status. If questioned, the employee may acknowledge employee status without using that status to make a claim of authority. Accordingly, it is not permissible for an employee making a personal statement to use professional stationery, claim expertise by virtue of employment in the Presbytery of Eastern Virginia, or hold press conferences on Presbytery of Eastern Virginia property;
- ❖ It is permissible, however, for persons employed by the Presbytery of Eastern Virginia to identify their personal church affiliation or membership while making a personal public witness;
- ❖ Employees must inform their supervisor, when appropriate, of their personal public witness or dissent;
- ❖ In the event that an employee feels that s/he cannot carry out necessary job functions for reasons of conscience, the employee may request a change of assignment, modification of the assignment, or may exercise his/her right to resign the position.

Harassment Policy

The Presbytery of Eastern Virginia is committed to providing a work environment that is free of discrimination. The Presbytery of Eastern Virginia does not authorize and will not tolerate any form of harassment based on the following factors: race, color, gender, sexual preference, national origin, age, disability, religion, or any other characteristic protected by the law. This policy applies to all levels of employees and to non-employees including contractors, temporary staff, vendors, suppliers, guests, etc. who harass employees or are subject to harassment by the Presbytery of Eastern Virginia employees, both on and away from Presbytery of Eastern Virginia property.

It is important for employees to understand that jokes, stories, cartoons, nicknames, pictures, inappropriate staring, comments and other factors including but not limited to references about appearance may be offensive to others. Harassment is further defined as anything that would make a reasonable person experiencing such behavior feel uncomfortable or would interfere with the person's work performance.

Any sexual contact between a supervisor and supervisee, or between an employee who is in a position that is senior to the other party, will be deemed to be sexual harassment by the senior member of the staff.

Sexual Harassment

Sexual harassment of employees by supervisors, co-workers, or vendors is prohibited. Harassment includes unwelcome sexual advances, requests for sexual favors and other verbal, visual, or physical conduct of a sexual nature when:

- ❖ submission to the conduct is made either explicitly or implicitly a condition of employment;
- ❖ submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee;
- ❖ the harassment has the purpose or effect of interfering with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Other Harassment

Harassment based on race, color, national origin, age, disability, or religion warrants specific mention and is also strictly prohibited. Examples of the type of behavior that will be considered harassment based on these characteristics include (but are not limited to):

- ❖ jokes or negative comments about these characteristics;
- ❖ displays of reading materials, pictures containing negative materials about these characteristics;
- ❖ vandalism or "pranks" aimed at these characteristics;
- ❖ name-calling based on these characteristics;
- ❖ punishing an employee for complaining of these types of harassment.

Response to Harassment

Every employee has a duty to IMMEDIATELY report harassment so the Presbytery of Eastern Virginia can try to resolve the situation. Employees must report harassment if they feel they have been harassed, observe someone else being harassed, or receive a report of someone else being harassed. The employee should report the facts of the incident(s) immediately, without fear of reprisal, to a supervisor, the General Presbyter, or the chair of the Personnel Committee. In determining whether the alleged conduct constitutes unlawful harassment, the totality of the circumstances, such as the nature of the conduct and the context in which the alleged incident occurred, shall be investigated.

Procedure

In order to deal promptly, fairly, and as confidentially as possible with alleged incidents of harassment, the following steps shall be taken:

On receipt of a complaint, the chair of the Personnel Committee shall appoint three (3) members of the presbytery (ministers and ruling elders) to serve as a Special Committee on Harassment. The formation of this committee shall be in accordance with the Book of Order section on diversity of representation.

Within five (5) working days, the employee bringing the complaint regarding alleged harassment shall speak confidentially with the Special Committee on Harassment. This committee shall investigate the complaint in a thorough and proper manner. If, after investigation, the Special Committee finds no probable grounds that an actual incident of harassment has occurred, it shall so advise the person making the complaint, and the matter shall be closed. If, after investigation, there is a genuine indication that an incident of harassment has taken place, the Personnel Committee, preferably with the permission of the person making the complaint (though this is not required), shall adopt one or more of the following procedures to resolve the situation:

1. formal grievance procedures outlined in Grievance Procedure of this policy;
2. development and implementation of a program of counseling;
3. up to and including termination of employment of the offending employee.

When a complaint is made against a minister member of the staff, the Moderator of the Commission on Ministry must be informed and shall determine whether procedures outlined in other presbytery policies in accordance with the Constitution should be followed instead of the procedures outlined above.

Alcohol and Drug Abuse

It is the policy of the Presbytery of Eastern Virginia to prohibit the use, possession, manufacture, or distribution of alcohol and illegal drugs in all work locations and to comply with the provision of the federal Drug-Free Workplace Act. The Presbytery of Eastern Virginia will attempt to offer assistance to employees whose work performance, behavior, and/or attendance is impaired by alcohol and/or drug abuse, or who are engaged in the use of illegal drugs. However, if a manager or supervisor has reason to believe that an employee is under the influence of alcohol or illegal drugs during work hours, that employee may be subject to disciplinary action.

All situations involving alcohol or substance abuse will be handled in confidence. While the Presbytery of Eastern Virginia is willing to offer assistance, the employee must first recognize that a problem exists and decide to accept treatment.

The Presbytery of Eastern Virginia may terminate any employee whose job performance, behavior, or attendance is unsatisfactory due to alcohol or drug abuse or the use of illegal drugs, and who makes no attempt to or does not successfully complete rehabilitation.

The elements used in the Sacrament of the Lord's Supper may be considered an exception, and shall be treated in accordance with the *Book of Order*.

Use of Tobacco Products

It is the policy of the Presbytery of Eastern Virginia to prohibit use of any tobacco products in the work place.

Weapons in the Workplace

It is the policy of the Presbytery of Eastern Virginia to prohibit the possession, use, or display of dangerous or unauthorized items such as firearms, explosives, or any type of weapon on Presbytery of Eastern Virginia premises.

Violation of this policy may result in immediate dismissal.

If any employee observes or suspects for any reason that an employee has a weapon, immediately contact your supervisor, manager, or personnel representative.

Workplace Safety

The Presbytery of Eastern Virginia is committed to providing a safe work environment for all employees and visitors. This is a joint responsibility of the Presbytery of Eastern Virginia and its employees. The Presbytery of Eastern Virginia relies on the alertness and personal commitment of all employees to exercise caution in all work activities and maintain a safe and healthy work environment.

The Presbytery of Eastern Virginia makes every effort to comply with federal and state occupational health and safety laws. In an effort to prevent accidents and loss, the following procedures have been established:

Employees are asked to:

- ❖ Exercise maximum care and good judgment at all times to prevent accidents, injuries and job- related illnesses;
- ❖ Seek first aid for all injuries or job-related illnesses, regardless of how minor the injury or job- related illness might appear;
- ❖ Immediately report all injuries or job-related illnesses to a supervisor and supply details about how the injury or illness occurred;
- ❖ Report unsafe conditions, equipment, or practices to a supervisor, manager, or personnel representative;
- ❖ Contact your personnel representative to initiate a Worker's Compensation claim.

Note: In the event of emergency, coworkers and/or management should not transport an employee to a hospital or doctor's office. If the employee needs emergency care, contact the ambulance or emergency services.

Workplace Emergency Evacuation

To ensure safety in case of a fire or other emergency, it is imperative to follow emergency evacuation procedures defined by your local office. Employees should be aware of and adhere to emergency evacuation procedures to facilitate the rapid evacuation of company buildings and to protect all employees.

Complaints and Grievances

PEVA aims to maintain good working relationships with its staff that affirm the importance of each individual and of her/his contribution to the work being done, encourage mutual respect of employee and supervisor, provide prompt answers to questions, minimize misunderstandings, and seek resolution of differences as quickly as possible.

It is the policy of the Presbytery of Eastern Virginia to make every effort to deal promptly and fairly with all complaints and grievances, the aim being the resolution of the situation which has given rise to the complaint or grievance.

Definition

For the purpose of this policy, a complaint or grievance is an alleged violation of an approved personnel policy or practice, an applicable state or federal law not adequately dealt with in these policies or practices, or an unresolved dispute between members of the staff (with the exclusion of sexual harassment complaints, which are dealt with in the Harassment Policy section on page 21).

When a dispute arises, all employees are encouraged to exercise good communication skills. Effective communication includes speaking and listening, actively sharing information, and communicating honestly, openly, and at the right time. Employees are also encouraged to resolve disputes informally. To do so, employees should discuss the matter with their supervisor. In situations where the dispute involves the supervisor, the employee should discuss the situation with the General Presbyter or a member of the Personnel Committee. If the dispute is with a co-worker, the employee is encouraged to resolve the issue with the individual involved. Ordinarily, the General Presbyter will be made aware of any complaints or grievances concerning his/her staff that have been brought to the attention of the Personnel Committee.

Grievance Procedure

If informal methods are not successful in resolving the dispute, the complaining party may begin a formal procedure which shall include the following steps:

- ❖ Within thirty (30) days of the first consultation with the General Presbyter or the Personnel Committee member, the complaining party shall present the grievance in writing to the Personnel Committee.
- ❖ The Personnel Committee shall respond in writing to the grievance within seven (7) days of its receipt.
- ❖ If the complaining party feels the matter has not been resolved in a satisfactory manner, s/he may request a grievance hearing before the Personnel Committee. Request for such a hearing shall be submitted to the chair of the Personnel Committee. The request shall be in writing and include the grievance, the dates of the previous steps taken, and results from previous determinations. At the discretion of the chair of the Personnel Committee, one of the following processes for hearing the grievance shall be taken: a) The full committee may be called to

hear the grievance; b) A review board of not fewer than three (3) persons from the Personnel Committee shall be called to hear the grievance; c) In case of a dispute between employees, the use of an outside, impartial mediator to aid in resolving the dispute may be used.

- ❖ In each of the above, the complaining party is allowed to have an advocate in attendance.

A written response to the grievance shall be given to the complaining party within fifteen (15) days of the final hearing of the grievance. The decision of the Personnel Committee shall be binding upon the complaining party and all persons concerned. All proceedings and subsequent actions will be documented. In the case of clergy employees, the Commission on Ministry becomes an equal party in the grievance process.

Electronic Communications Policy

The Presbytery of Eastern Virginia provides access to electronic communications, including the Internet, electronic mail, and voice mail, to help employees do their job and stay well-informed. The systems which provide that access represent a considerable and costly commitment of resources to telecommunications, networking, software, storage, etc., and are intended to facilitate the operation of the Presbytery of Eastern Virginia. This policy applies to all employees and contractors who are granted access to any of the Presbytery of Eastern Virginia's communication systems - electronic mail, voice mail, the Internet, and the computer network within which these systems operate.

Limited personal use of the Internet and electronic mail will not be considered unreasonable. However, employees are expected to act honestly and appropriately with regard to personal usage. That includes respecting copyrights, software licensing rules, property rights, and privacy of others. Any personal use of the Internet, electronic mail, or telephones should not interfere with work responsibilities.

Excessive or inappropriate use of electronic communications is unacceptable whether during business hours or during the employee's own time. Examples of inappropriate behavior includes composing, accessing, storing, sending and/or circulating any communications which reasonably could cause another employee to feel offended, embarrassed, or harassed including any material relating to race, national origin, gender, sexual preference, age, disability, religion, or any other characteristic protected by the law. Accessing Internet sites that contain sexually explicit materials at any time using PEVA hardware, software, Internet, or network is strictly prohibited.

Electronic mail messages are the property of the Presbytery of Eastern Virginia and should not be considered personal or private in nature. Messages are subject to retrieval even after deletion. Like any form of business correspondence, good judgment should be exercised in sending messages that might disclose sensitive information or be considered offensive, disruptive, or damaging to the Presbytery of Eastern Virginia. Any such actions are a violation of the Presbytery of Eastern Virginia policy and are subject to

appropriate disciplinary action up to and including termination of employment or contract for services.

The Internet gives each individual Internet user an immense and unprecedented reach to distribute organizational messages and disclose operations and business. Because of this power, we must take special care to maintain the clarity, consistency, and integrity of the Presbytery of Eastern Virginia's image and posture. Anything disseminated by the Internet by an employee could be construed as representing the presbytery's corporate posture.

Social Media

Employees may not use social media (Facebook, Instagram, Twitter, Snapchat, etc.) to defame the presbytery, its staff or volunteers, or to post misleading information.

APPENDIX A
PC(USA) Standards of Ethical Conduct

APPENDIX B

Employee Acknowledgment

Regarding my employment at the Presbytery of Eastern Virginia, I understand the following:

- Neither this handbook nor any other Presbytery of Eastern Virginia publication is a contract of employment. As an employee of the Presbytery of Eastern Virginia, I have the right to terminate my employment, with or without notice, at any time, for any reason. The Presbytery of Eastern Virginia retains the same right with respect to the termination of my employment.

- This personnel handbook provides information about Presbytery of Eastern Virginia personnel policies, practices, procedures, benefits, and programs, and overrides and replaces all past handbooks, guides, manuals, and policies. However, the policies, practices, procedures, benefits, and programs set forth in this handbook may be changed at any time by the Presbytery of Eastern Virginia. The information contained in this personnel handbook does not replace or change the meaning of the Presbytery of Eastern Virginia employer-sponsored benefits plan documents. If the descriptions in this handbook conflict with plan documents, the plan documents will supersede the descriptions set forth herein.

- It is my responsibility to read and be familiar with the information contained in this personnel handbook as well as any revisions to handbook information. The handbook does not cover all the terms and conditions of my employment with the Presbytery of Eastern Virginia, nor is it intended to answer every question I might have about my employment. I am aware that I should contact my supervisor or personnel representative with questions about my employment or about this handbook.

Employee Signature: _____

Employee Name (Printed): _____

Date: _____