

Presbytery of Lake Michigan
PERSONNEL POLICY MANUAL



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ARTICLE I. FUNCTION AND STRUCTURE OF PRESBYTERY

The Presbytery of Lake Michigan exists as one of the basic units of the Presbyterian Church (U.S.A.), sharing with other presbyteries, synods, and the General Assembly a ministry which is both unique and also a part of the total ministry of the whole Body of Christ.

Among its unique responsibilities as a Presbytery are the following:

- to enable congregations within its bounds as units of mission;
- to develop the internal ecclesiastical life of the Presbytery and its own specific ministries;
- to relate to the Synod of the Covenant through participation in formulating and supporting its policies and direction;
- to relate to the General Assembly through participation in formulating and supporting its policies and direction.

The Leadership Team is responsible for the overall operation of the Presbytery in accordance with its by-laws.

The Leadership Team Executive Committee through the Executive Presbyter/Head of Staff supports and oversees the work of all the Presbytery staff.

ARTICLE II. EMPLOYMENT CATEGORIES AND TERMINOLOGY

A. Employer

The employer of all Presbytery staff is the Presbytery of Lake Michigan of the Presbyterian Church (U.S.A.), a Michigan corporation.

B. Exempt/Non-Exempt Staff

1. Exempt staff members are in salaried positions and are not eligible for overtime compensation.
2. Non-exempt staff shall be eligible for overtime compensation.

C. Regular/Temporary

1. A regular employee is a person employed either full or part time on a continuing basis.
2. A temporary employee is a person employed for a short period, usually less than three months, and not entitled to benefits.

D. Part-Time/Full-Time

1. A regular part-time employee is hired to work less than 35 hours weekly.
2. A regular full-time employee is hired to work 35 hours or more per week.

E. Consultative/Contract Staffing

Consultative/contract staff are persons performing work on a contractual relationship for the Presbytery. These staff are employed by another organization or are self-employed and not subject to withholding of federal, state, and local taxes from their wages by the Presbytery and are not entitled to any benefits described in this handbook.

F. Executive Presbyter/Head of Staff

The Executive Presbyter/Head of Staff is the chief administrative officer of the Presbytery whose duties include the hiring, overall supervision and termination of exempt, non-exempt and contract staff.

ARTICLE III. STATEMENT OF EQUAL OPPORTUNITY

The Presbytery of Lake Michigan is an equal opportunity employer and will not unlawfully discriminate in the hiring process or in employment practices on the basis of sex, race, color, age, religion, disability, height, weight, marital or veteran status, sexual orientation, or national origin. The Presbytery also complies with the terms of the Americans with Disabilities Act.

ARTICLE IV. AT-WILL EMPLOYMENT

Employment by the Presbytery of Lake Michigan is at will for an indefinite period of time, unless terminated by the Presbytery, Executive Presbyter or the employee, with or without cause. That means either party may end the relationship at any time. This handbook is not a contract of employment and is intended only as an explanation of the Presbytery's employment practices, policies, benefits, and a general guide to working here. The Presbytery reserves the right to make changes to this document at any time.

ARTICLE V. EMPLOYMENT POLICIES

A. Basic Policies

1. Personnel policies are approved by the Leadership Team and reported to the Presbytery upon recommendation of the Executive Presbyter/Head of Staff and/or the Leadership Team Executive Committee.

2. Employment practices shall be in accordance with guidelines established by the Form of Government and policies of the General Assembly, guided by the civil rights, equal employment, and equal pay acts and other applicable provisions of the state and federal governments.
3. All technology equipment and technology provided by the Presbytery of Lake Michigan, including computer systems, networks, presbytery-related work records and other information stored electronically, is the property of the Presbytery. The use of the Presbytery's equipment and technology systems and electronic communications should be job-related; however, minimal personal use is acceptable. The Presbytery reserves the right to examine email and other electronic communications, directories, files and all other content, transmitted by or stored in its technology system.

Email, voicemail, text messages and other electronic communications are considered business records and may be subject to discovery in the event of litigation or ecclesial disciplinary or remedial actions.

4. When job duties or business needs demand, the company may issue a business cellphone to an employee for work-related communications. Personal use of company-owned cellphones should be kept to a minimum.

Employees in possession of company-owned cellphones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection.

5. All employees are to read, sign, and adhere to the Policy on Sexual Misconduct, Conflict of Interest, and Anti-Racism Policies for the Presbytery of Lake Michigan.
6. Allegations of sexual harassment or misconduct shall be treated with full seriousness. Any unwanted sexual advance or demand (verbal or physical) reasonably perceived by the recipient as demeaning, intimidating, or coercive shall be reported to the Executive Presbyter/Head of Staff and/or Facilitator of Administration and Support. The Executive Presbyter/Head of Staff and/or the Facilitator of the Administration & Support Team shall then follow the provisions of the sexual misconduct policy for dealing with allegations of misconduct or harassment.

B. Position Descriptions

1. Exempt staff: A position description, subject to periodic review at least once every five years, will be prepared by the Leadership Team Executive Committee, approved by the Leadership Team, and reported to the Presbytery.
2. Non-exempt staff: The Executive Presbyter/Head of Staff will prepare position descriptions to be reported to the Leadership Team.

C. Review and Evaluation

1. The performance of each employee shall be reviewed at least once a year. The primary purpose of staff evaluation shall be the improvement of staff competence, performance, and morale.

2. The Leadership Team Executive Committee will review the Executive Presbyter/Stated Clerk and the Associate Presbyter.
3. All other staff reviews and evaluations shall be the responsibility of the Executive Presbyter/Head of Staff.

D. Personnel Files

1. Files for all staff will be kept securely in the Presbytery office.
2. Employees may have access to their personnel file by contacting the Executive Presbyter/Head of Staff. The records shall include:
 - a. Position description
 - b. Job application or Personal Information Form
 - c. Salary changes
 - d. Performance records
 - e. Annual review summaries
 - f. Material relative to the employee's qualifications for employment, promotion, additional compensation, or disciplinary action unless exempted under the Bullard Plawecki Employee Right-to-Know Act.

E. Work Week

The standard work week for the Presbytery consists of seven consecutive 24-hour periods beginning at midnight on Saturday. Office hours shall be 8:30 a.m. to 4:30 p.m. Monday through Thursday with a one-hour unpaid lunch period unless otherwise established by the Executive Presbyter/Head of Staff.

F. Grievances

Should an employee feel there has been a violation of an approved personnel policy or practice, he/she shall follow this procedure:

1. Discuss his/her grievance with the Executive Presbyter/Head of Staff or the immediate supervisor, who shall report the alleged violation to the Executive Presbyter/Head of Staff.
2. The Head of Staff shall evaluate the grievance and decide which actions are appropriate. The Head of Staff shall communicate to the aggrieved person what actions, if any, shall be taken.
3. If this informal effort to resolve the grievance fails, a written statement shall be filed within 15 days of the alleged grievance with the Facilitator of the Administration and Support Team, who shall invite two other neutral presbytery members, with teaching elders and ruling elders in as equal numbers as possible, to review the matter with all parties concerned and make a final determination within 15 days of receipt of the written statement.

4. If either the complainant or Head of Staff is dissatisfied with the decision of the Facilitator of the Administration and Support Team, he/she may file an appeal within 15 days to the Leadership Team Executive Committee. The Leadership Team Executive Committee, in consultation with all parties concerned, shall make a final determination within 15 days of receipt of the appeal unless such time shall be extended by the Leadership Team Executive Committee. All parties concerned shall be supplied with a written copy of the Leadership Team Executive Committee's decision.

ARTICLE VI. SALARY ADMINISTRATION

A. Salary Review and Increases

1. Any cost-of-living increases authorized by the Presbytery will be given to all employees at the same time.
2. At the time of the annual salary review, any changes in duties or responsibilities will be noted and the salary may be re-evaluated on the basis of such changes.
3. The Executive Presbyter may grant merit increases or bonuses in consultation with the Facilitator of the Administration and Support Team.
4. Changes in terms of the memo of understanding or call for the Executive Presbytery/Stated Clerk and Associate Presbyter must be approved by the Leadership Team and reported to the Presbytery.

B. Availability of Personnel and Salary Information

Information concerning the position evaluation for each position will be the confidential information of the Head of Staff. Each employee shall have access to his/her own personnel file as provided for in Article V, Section D above.

C. Withholding Taxes

In keeping with the established policy of the Church and in compliance with federal statutes, all ordained clergy are considered self-employed persons engaged in the exercise of their ministry and are not subject to the withholding of certain taxes from their wages. Lay employees of the Presbytery are subject to the normal withholding of federal, state, and local taxes from their wages.

D. Housing Allowance

1. The Internal Revenue Code provides that a minister shall exclude from gross income for income tax purposes any housing allowance paid as part of his/her compensation to the extent that he/she uses it for renting or providing a home. This is intended to apply to any ordained person who has not been provided with a manse.

2. To satisfy this requirement, the amount actually being spent for housing, or the fair rental value of a furnished house, plus utilities (whichever is less) will be designated annually as a manse or housing allowance. If the total amount that is designated for manse allowance is not fully used, it is the recipient's responsibility to report the balance to the Internal Revenue Service as taxable income.

E. Career Opportunities

1. All employees will be given an annual opportunity to review and determine their short and long term career goals and objectives as a part of the annual performance review.
2. When it is demonstrated to be for the good of the Presbytery, as well as for the employee, up to one week of annual study leave/job training with pay may be granted to non-exempt staff by the Executive Presbyter/Head of Staff. This time is not cumulative.
3. In order to enable all Presbytery employees with specific needs or opportunities to give extended study to subject areas that will contribute to the work of the Presbytery, as well as their own technical or professional development, an extended study leave may be granted by the Leadership Team Executive Committee upon recommendation of the Executive Presbyter/Head of Staff. Financial arrangements may be negotiated.

ARTICLE VII. BENEFITS

A. Objective

The following benefits are established to satisfy the needs of employees as long as the needs are consistent with the goals and financial capacity of the Presbytery. Such needs and benefits may be reviewed annually.

B. Social Security/Medicare

All lay employees are covered by Social Security/Medicare. The employee's share of the tax is withheld from their wages. Clergy staff is considered self-employed, and taxes are not withheld nor paid for them.

C. Pension/Major Medical

1. Exempt staff is as per the terms of the memo of understanding or call.
2. Non-exempt regular staff who work at least 35 hours per week shall be enrolled in the Benefits Plan of the Presbyterian Church (U.S.A.) administered by the Board of Pensions upon completion of three (3) months' employment with the Presbytery paying the required dues.

D. Tax-Sheltered Annuities

Any employee may elect to designate a portion of his/her salary to be used for purchase of a tax sheltered annuity through the Retirement Savings Plan of the Board of Pensions. A copy of the related signed contract must be submitted to the executive Presbyter/Head of Staff before any deductions will be made and said copy of signed contract placed in employee's personnel file.

E. Workers' Compensation

The workers' compensation law of Michigan is applicable to the Presbytery. Any work-related injury shall be reported immediately to the Head of Staff.

F. Flexible Spending Arrangement

Any employee may elect to contribute to the program. Enrollment occurs between December 1 and December 15. Employees must re-enroll each year. A copy of the plan is available in the Presbytery office.

G. Holidays

1. The Presbytery shall be closed for the following holidays:
 - a. New Year's Eve Day
 - b. New Year's Day
 - c. Martin Luther King Jr. Day
 - d. Good Friday
 - e. Memorial Day
 - f. Independence Day
 - g. Labor Day
 - h. Thanksgiving Day
 - i. Friday following Thanksgiving
 - j. Christmas Eve Day
 - k. Christmas day
2. Full-time employees shall be paid for these holidays.
3. Part-time non-exempt employees are eligible for holiday pay if the holiday falls on a regularly scheduled workday. Temporary employees are not entitled to be paid for holidays.
4. Temporary employees are not entitled to be paid for holidays.
5. For those holidays falling on a weekend, the Executive Presbyter will determine the office schedule and inform the affected parties in advance.

H. Personal Days

The Presbytery will grant up to three personal days per year for regular full-time employees for personal business that cannot be scheduled outside of working hours. Such personal days shall not be carried from year to year.

I. Vacation

1. Vacation with pay is provided for all regular employees.
2. Vacation time:
 - a. Is not cumulative and must be used within the calendar year, except when special provision has been made with the Executive Presbyter/Head of Staff.
 - b. Shall be by prior agreement with the Executive Presbyter/Head of Staff, based on needs of service.
 - c. All accrued vacation will be paid on a prorated basis at the time of separation.
3. Full-time exempt employees are entitled to an annual paid vacation computed on January 1 each ear with 5 days' vacation after 6 months of service, 10 days after 1 year, and 1 day added for each additional year of service, up to twenty days, except when other vacation terms have been negotiated. Written documentation of the negotiated terms and rationale must be placed in the employee's permanent file for future reference.

Part-time exempt employees will qualify for annual paid vacation on a pro-rated basis based on estimated days worked/week and years of employment. For example, an individual working an average of 20 hours/week would qualify for the following at 15 years, based on a 40-hour work week:

$$20 \text{ hours/week divided by } 40 \text{ hours/week} = .5$$

$$\text{After 5 years, } = .5 \times 15 = 7.5 \text{ days of vacation.}$$

4. Full-time non-exempt employees are entitled to an annual paid vacation computed on January 1 each year with five days' vacation after six months of service, ten days after one year, and one day added for each additional year of service up to twenty days.

Part-time non-exempt employees will qualify for vacation on a pro-rated basis based on the estimated days worked/week and the years of employment. For example, an individual working 20 hours/week would qualify for the following at 15 years, based on a 40-hour work week:

$$20 \text{ hours/week divided by } 40 \text{ hours/week} = .5$$

$$\text{After 5 years, } = .5 \times 15 = 7.5 \text{ days of vacation Days}$$

will be rounded to the nearest half day.

5. Vacation pay may be disbursed before the employee leaves for vacation.

J. Service Credit

If a part-time or temporary employee is later placed on full-time status, prorated service credit will be given from the first day of employment for sick leave and vacation benefits. If a consultant or contract employee joins the regular staff, no credit is given toward vacation and sick leave benefits.

K. Travel and Business Expense Reimbursement

Travel at the current IRS rate and business expenses related to the work of the Presbytery will be reimbursed to employees except for alcoholic beverages. Reimbursement for lodging shall cover only charges for the employee. Any charges for additional person(s) shall be the responsibility of the employee.

L. Death in Service

When the death of an employee not covered by the Board of Pensions occurs, the spouse or dependent(s) shall receive a separation allowance. The amount shall be the equivalent of the salary of the deceased for four weeks from the date of death.

ARTICLE VIII. LEAVES OF ABSENCE

Leaves of absence, with or without pay, may be negotiated with, and granted by, the Executive Presbyter/Head of Staff, who shall consult with the Facilitator of the Administration and Support Team.

A. Bereavement Leave

In the event of a death in the immediate family (spouse, child, brother, sister, parent, parent-in-law, grandparent, or relative in the same household), three consecutive calendar days will be given without loss of pay. If it is necessary to travel to attend the funeral, up to two additional days will be allowed, again without loss of pay.

B. Jury Duty

Any employee called upon to serve jury duty will be granted leave and paid the difference between their jury duty and their regular pay. If called as a witness, leave will be handled in the same way.

C. Sick Leave

Regular employees are entitled to 10 working days of sick leave during each calendar year, cumulative up to 60 days. Sick leave entitlement during the first year of employment will be prorated according to length of employment. At the time of termination of employment (either voluntary or involuntary), an employee shall have no claim for pay in lieu of unused sick leave. Temporary employees are not entitled to sick leave.

D. Family and Medical Leave

Family and medical leave entitle regular employees to take up to 13 weeks of leave per year for the birth, adoption, or guardianship of a child; to care for a spouse or an immediate family member with a

serious health condition; or when unable to work because of a serious health condition. The pay shall be at 60 percent of the employee's normal salary. The employee must take all accumulated sick days and vacation before being eligible for family and medical leave pay. The Presbytery will pay full pension dues for those 13 weeks.

ARTICLE IX . TERMINATIONS AND DISCIPLINARY PROCEDURES

A. Causes for Termination or Discipline

Causes for termination or discipline shall include but not be limited to:

1. Insubordination
2. Dishonesty or neglect in care or use of Presbytery property and/or funds
3. Habitual unexcused absences or tardiness
4. Discourteous treatment of public or employees
5. Falsification of employment application or work record
6. Sexual misconduct

This is not a comprehensive list of all the offenses for which discipline can be imposed but is only for illustration.

B. Progressive Disciplinary Procedures

The progressive steps listed below will normally be followed. However, unsatisfactory performance as listed above or unusually serious violations may lead directly to terminations.

1. Verbal discussion of the problem area with a recap in writing
2. Written warning to the employee that performance must improve or the employee will be subject to discipline up to and including termination.
3. All decisions of termination will be made by the Executive Presbyter after consultation with the Facilitator of Administration & Support Team.

C. Budget Reduction or Reallocation

Termination because of reduction in budget or for other circumstances arising out of no fault of the employee is at the discretion of the Leadership Team acting on the recommendation of the Head of Staff.

ARTICLE X.

REVIEW AND REVISION OF PERSONNEL POLICY MANUAL

The Facilitator of the Administration & Support Team, in consultation with the Executive Presbyter, shall review the personnel policies every 2 years and may recommend changes. The Executive Presbyter may review them at any time.

ACKNOWLEDGMENT

I have received a copy of the Presbytery of Lake Michigan Personnel Policy Manual and reviewed each section. I understand that I am subject to the policies and procedures outlined in the Personnel Policy Manual. I further recognize that this Personnel Policy Manual supersedes and controls all prior policy statements, representations, understandings, or agreements, whether verbal or in writing, dealing with same subject.

The Presbytery intends to provide employees with notice of significant changes in staff policies. However, the Presbytery must reserve the right to change or eliminate any of the procedures or benefits described at any time, with or without notice. Only the Leadership Team can change policy.

I understand that no supervisor or representative of the Presbytery has the authority to make any agreement contrary to the policies stated herein with any employee, without the express written authority of the Leadership Team.

I further understand that nothing contained in this Manual is intended to create a contract of continuing employment.

Date: _____

Employee signature

Employee name (printed)

Please sign, date, and return this page to your supervisor who
will place it in your personnel file.