

Presbytery of Lake Michigan

Commission on Ministry

Paid Administrative Leave Policy

I. Preamble

The Presbytery Church, USA (PCUSA) *Book of Order* provides (G-2.0502) that a pastor has membership in their presbytery by action of the presbytery, which has the authority to establish, change, or dissolve pastoral relationships. In the performance of their ministry, a Minister of Word and Sacrament or Commissioned Ruling Elder is accountable to the presbytery.

The PCUSA *Book of Order* also provides (G-3.0301c) that a presbytery is responsible for nurturing the covenant community of disciples of Christ. In exercising this responsibility, a presbytery has the authority to ordain, receive, dismiss, install, remove, and discipline its members who are ministers of the Word and Sacrament and Commissioned Ruling Elders. The Presbytery has the responsibility and authority to promote the peace and harmony of congregations and to enquire into the sources of congregational discord and disorder.

One of the presbytery's responsibilities, through the Commission on Ministry (COM), is that of *facilitating relations between the presbytery and its congregations, ministers of Word and Sacrament, ruling elders commissioned to pastoral service... and settling difficulties on behalf of the presbytery where possible and expedient.* (G-3.0307). In some circumstances of conflict or disorder within a congregation, COM may discern that it is in the pastor's and congregation's best interest to have distance in order for COM to engage with all parties toward restorative ministry effectively.

The PCUSA Constitution in the Book of Order, Church Discipline, specifically grants councils the authority of oversight of its members (D-7.0301). The Presbytery exercises this authority through an Investigative Committee and its Permanent Judicial Commission, which will have the authority to place pastors on administrative leave for situations when allegations of sexual misconduct have been communicated to their Stated Clerk (D-7.0902). There are other circumstances within the life of a pastor or congregation that may warrant paid administrative leave that do not involve allegations of sexual misconduct or boundary violation of a disciplinary nature. It is the presbytery's responsibility to ensure the health and welfare of its pastors and congregations (G-3.0303). This responsibility includes establishing policies and procedures to address

other difficulties in a manner that is both effective and sensitive to the needs of the parties involved. These difficulties might include such circumstances as leader burnout, unaddressed conflicts, factions, loss of health, mental health issues, competing visions, differing expectations, anger management challenges, violations of the presbytery's Policy on Ethical Standards of Behavior for Teaching Elders and Commissioned Ruling Elders, or any number of other circumstances that can generate significant turmoil and relational difficulties sufficient to warrant Commission on Ministry engagement. In such circumstances, the Commission on Ministry may discern placing the pastor on paid administrative leave is in the best interests of all parties so that the precipitating circumstances can be resolved effectively. For these reasons, the Presbytery of Lake Michigan establishes the following policy for placing ministers of the Word and Sacrament or Commissioned Ruling Elders on Paid Administrative Leave.

II. Administrative Leave Policy

Commission on Ministry Responsibilities

For a defined period of time, a decision to relieve a minister of the Word and Sacrament or Commissioned Ruling Elder from their pastoral responsibilities and congregational involvements may be made by the Commission on Ministry upon the consultation and recommendation of the COM Moderator and the Executive Presbyter/Stated Clerk. [Note - Administrative Leave in response to allegations of sexual misconduct shall be administered in accordance with the Book of Order and the Presbytery's Sexual Misconduct Policy.]

1. The decision to place a minister of the Word and Sacrament or Commissioned Ruling Elder on paid administrative leave must be grounded in the COM's conviction that the welfare of the congregation, the pastor, or both warrants such action.
2. In the Commission on Ministry's discernment, in consultation with the Executive Presbyter/Stated Clerk, compelling circumstances must exist that indicate placing the pastor on paid administrative leave is necessary to prevent or mitigate harm to the pastor, congregation, or the presbytery.
3. A fair hearing and notice must be given in writing to the pastor before the Commission on Ministry makes the decision to place a pastor on paid administrative leave.

4. The Commission on Ministry may make the decision to place a pastor on paid administrative leave by a vote of 2/3 of the members of the Commission on Ministry present at a duly called meeting.
5. The Commission on Ministry shall establish the initial period of leave, which may be up to three months in length.
6. Having made a decision to place a pastor on paid administrative leave, which relieves the pastor of all their pastoral responsibilities and congregational involvement, the Commission on Ministry shall request the Mediation Committee or appoint an Administrative Commission to work with the session to resolve the conflict or disorder.
7. The Commission on Ministry should be clear about the expectations for the leave as well as any methodology to be employed for assessment, counseling, and discernment purposes (including, but not limited to, mental health inventories and financial audits).
8. The session shall pay for pulpit supply and Session Moderator for the period of leave, dependent on the financial circumstances of the congregation and the availability of Presbytery funds. The session should consult with the Commission on Ministry concerning appropriate persons to serve as pulpit supply.
9. Once the Mediation Committee or Administrative Commission has been briefed about its responsibilities, the moderator of the Commission on Ministry will communicate with the pastor and the session, introduce the appointed Mediation Committee to the session and pastor, and initiate the administrative leave.
10. The Moderator of the Commission on Ministry will appoint a Moderator for the session for the period of administrative leave.
11. The moderator of the Commission on Ministry shall also appoint a pastor not associated with the COM to serve as spiritual support to the pastor on administrative leave, seeing to their spiritual well-being.
12. As appropriate, the Commission on Ministry will provide updates through the stated clerk's report concerning actions taken. The language used will be sensitive to the need for confidentiality, particularly for a personal health crisis, and transparency.

Commission on Ministry Responsibilities

The Commission on Ministry shall be responsible for:

1. Meeting with the church's session and pastor to discuss the purpose of the leave and provisions for managing it and the congregation's ministry;
2. Establishing terms for the pastor's compensation and behavior during the time the pastor is on leave (ordinarily, during the initial period of a pastor's leave, a congregation will be expected to honor the terms of compensation it has agreed upon for its pastor). Any change to the terms of call, in particular any change in compensation, must be approved by the congregation, pastor, and Presbytery of Lake Michigan.
3. Working with the session to provide preaching, pastoral care, and administrative support.
4. Support the Mediation Committee as it assists the session in listening and learning, prayer and discernment, for the planning and practice of new ways of behavior by those involved so that difficulties can be resolved.
5. Determining if extensions to the initial period of paid administrative leave are warranted. COM will work with the session to determine the best and most appropriate way to provide for the pastor's compensation. The overall duration of the pastor's paid administrative leave will depend on the time required to resolve the difficulties that led to it. Any change to the terms of call, in particular any change in compensation, must be approved by the congregation, pastor and Presbytery of Lake Michigan.

Church/Session Responsibilities

When the Commission on Ministry acts to place a pastor on paid administrative leave, thus relieving them temporarily of their pastoral responsibilities, the members of the session and congregation will be expected to:

1. Continue compensation for the pastor in accordance with the approved Terms of Call through the period of the paid administrative leave;
2. Cooperate with the Commission on Ministry, Mediation Committee, or Administrative Commission to work with them and comply with its directives and

behavioral expectations;

3. Have no contact with the pastor except as the Commission on Ministry, Mediation Committee, or Administrative Commission specifically permits.

Pastor's Responsibilities

When the Commission on Ministry acts to place a pastor on paid administrative leave the pastor will be expected to:

1. Cooperate with the Commission on Ministry, Mediation Committee, or Administrative Commission and comply with its directives and behavioral expectations, including any requirements for assessment, counseling, discernment processes, mental health inventories, or financial audits;
2. Remain out of all church facilities and off of the church's property, except for the manse, if applicable;
3. Refrain from initiating or having contact with any member of the congregation or its staff, except for a person designated specifically by the Commission on Ministry to deliver mail or messages;
4. Refrain from engaging in any form of pastoral ministry during the period of paid administrative leave. This includes services of worship, weddings (whether in a church or wedding chapel), and funerals (in the church building, in funeral homes, or at gravesides). This includes service within the bounds of the Presbytery of Lake Michigan, in other presbyteries or denominations. Provisions for extraordinary cases can be arranged with the Moderator of the Commission on Ministry in consultation with the Executive Presbyter/Stated Clerk;
5. Not attend or participate in any meetings or activities of the congregation (including Session, meetings of any boards, committees, or organizations of the congregation).
6. Be in relationship with the pastor assigned as spiritual support.

A pastor's violation of the behavioral expectations established by the Commission on Ministry will be reported to the presbytery's Stated Clerk, and the violation may be

considered grounds for initiation of a formal disciplinary process, in accordance with The Rules of Discipline in the Book of Order.

Endnotes

1. All references to “pastor” in this policy should be understood to include Ministers of Word and Sacrament and/or Commission Ruling Elders/ Pastors whether installed or in a temporary pastoral relationship.
2. Administrative Leave in response to accusations of sexual misconduct shall be administered in accordance with the Church Discipline in the Book of Order and this presbytery’s Sexual Misconduct Policy
3. This policy is not intended as a disciplinary policy and is not a substitute for disciplinary actions as prescribed by the Book of Order.
4. Medical Leave is an entirely different form of leave. (See the Family and Medical Leave Policy of the Presbytery).