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**Personnel Policy Manual**  
**The Evangelical Lutheran Church Zion of**  
**Middletown, Maryland**

Newly revised<sup>1</sup>.

(Based upon the CHURCHWIDE ORGANIZATION PERSONNEL POLICIES  
Approved by the ELCA Church Council, November 2019 Effective January 2020)

**The Evangelical Lutheran Church in America**

**April 2023**

1. Supersedes Personnel Manual The Evangelical Lutheran Church Zion of Middletown Maryland, September 2022

## **FOREWORD**

*"Finally, brothers, whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable--if anything is excellent or praiseworthy-- think about such things. Whatever you have learned or received or heard from me or seen in me--put it into practice. And the God of peace will be with you."* Philippians 4:8, 9 (A comment from Paul, in prison, encouraging excellence in ministry through his example.)

### **TO: ALL EMPLOYEES**

The following pages contain policies established for employees and volunteers of Zion Lutheran Church.

Please read this handbook carefully. Although this does not constitute a contractual agreement, we hope it will provide guidance and answer your questions. Any further questions may be directed to the Pastors or your supervisor.

May God bless you in all you do.

Sincerely,

Pastors Matt and Diane Day

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# **1. INTRODUCTION**

## **1.1. Welcome**

Welcome to the Evangelical Lutheran Church Zion (Zion). We are pleased that you have joined our staff. We hope you will find your job challenging, enjoyable, and rewarding, and we wish you success. We believe each employee contributes to this church's ministry and mission, and we hope you will take pride in being a member of Zion.

## **1.2. Nature and Purpose of This Church**

Zion is part of the universal Church of Christ. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of the Church are to be carried out under his rule and authority.

## **1.3. About the Evangelical Lutheran Church in America**

The Evangelical Lutheran Church in America is a nationwide church dedicated to the propagation of the Christian faith in the Lutheran tradition. It began its existence on January 1, 1988, following the merger of three predecessor Lutheran bodies. The name "Evangelical Lutheran Church in America" refers, in general references, to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization, which is the employer. The churchwide organization is a Minnesota nonprofit corporation headquartered at 8765 W. Higgins Road, Chicago, Illinois. The 65 separately incorporated synods of the church constitute the second expression. The thousands of congregations that are separately incorporated constitute the third expression of this church.

The relationships between the three expressions of the ELCA are ecclesiastical in nature. Under the civil law, the churchwide organization, each synod, and each congregation is separate and distinct from the others. This separate legal status allows each entity to function in the secular world by engaging in activities such as making contracts, hiring employees, and owning property. While legally separate, the three expressions together constitute this church.

## **1.4. Important Notice About the Personnel Policies of Zion**

These policies have been approved by the Church Council, which is the board of directors of Zion. This document is designed to provide employees (including volunteers) with information about working conditions, employee benefits, and important policies affecting employment. These policies are published to provide a convenient resource for all employees, to assist in the orientation of new employees, and to promote consistency in the administration of the services provided by the church. Employees are expected to read, understand, and comply with all provisions in this document.

No set of personnel policies can anticipate every circumstance or question or summarize every policy. Therefore, these policies are not intended to create, nor do they create contract rights. Notwithstanding any provision of these policies, this church has the right to make employment-related decisions on a case-by-case and at-will basis. Similarly, this church, has the right to revise, supplement, or rescind any policy or portion of these policies from time to time as it deems appropriate, in its sole discretion and without advance notice. Any such changes shall apply to both current and future employees. The Pastors or their designee will seek to make sure that a current copy of the Personnel Policies Manual is available to all employees. If any provision of these policies is inconsistent with a third-party benefit plan, such as those of Portico Benefits Services or an ELCA governing document, the applicable benefit plan or ELCA governing document will ordinarily be controlling.

This Policy Manual shall be subject for annual review by the Church Council to assure the goals are in alignment with the Congregation Council's goals. Additional reviews may be needed in changing environments and priorities to assure overall alignment.

As a religious institution, Zion has certain protections and rights under the free exercise and establishment clauses of the First Amendment to the United States Constitution and similar provisions of state constitution. Additional rights are granted religious organizations by certain federal and state statutes. These protections are a key element of American law, and nothing in these policies constitutes a waiver of such protections and rights.

The applicability of these policies to ministers rostered by the ELCA or another church body depends on the particular circumstances. Zion employees rostered or otherwise, whose duties are ministerial in nature are not covered by employment discrimination laws or related regulations. The same is true for applicants for employment in such ministerial positions. Further, depending on the particular circumstances, such ministerial employees and applicants for employment may not be covered by other employment-related laws.

In addition, a rostered minister is subject to the standards established and administered by the ELCA and the Maryland/Delaware synod in their respective governing documents. Because of the nature of the ministerial office, the application of these policies to ministers generally is subject to the following guidelines:

- To the extent that a rostered minister functions as a supervisor of other employees, that minister is expected to follow the guidelines of the Personnel Policies relating to supervision.
- This document describes certain benefits and practices—for example, paid vacation, leave benefits, and holidays—available to all employees of the Zion, and those benefits will generally be available to rostered ministers as well.
- This document also describes certain policies—for example, no-smoking

policies, policies relating to computer and email usage and other electronic communications, and policies describing on-the-job behavior and conduct—that are considered applicable to all employees regardless of the ministerial nature of their work. Nothing in these Personnel Policies, however, is intended to detract from a person’s obligations and responsibilities as a rostered minister, including but not necessarily limited to rights and responsibilities under a letter of call or imposed by reason of the governing documents of the ELCA.

## **2. RECRUITMENT AND EMPLOYMENT**

### **2.1. Nature of Employment**

Employment with Zion is voluntarily entered into, and unless a specific written contract containing different terms has been agreed upon, the employment relationship is “at will.” This means that subject to applicable legal provisions and governing document requirements, the employment relationship can be terminated at any time by either party for any reason, with or without cause or notice. The employee is free to resign at any time. Similarly, the church may terminate the employment relationship at any time.

Nothing in these Personnel Policies creates contractual obligations or rights on the part of Zion. By way of illustration, the church retains the following rights:

- To determine the necessary qualifications for employment, and to recruit, select, and hire employees;
- To determine both the extent and the type of work to be performed by all employees and to establish and maintain efficient procedures, standards, and methods necessary to achieve the work;
- To determine the design and size of the workforce, to assign work, and to transfer employees from job to job;
- To classify, promote, and assign employees;
- To take disciplinary action when necessary or appropriate, which may include termination of employment; and
- To determine work schedules, to implement layoffs, and to make all other management decisions.

### **2.2. Application Form**

All applicants for employment with Zion must complete the application procedure as specified by the Pastors or their designee as well as all forms necessary to complete background checks.

An applicant who is rostered must provide their current Rostered Leader Profile to the Office of the Presiding Bishop.

### **2.3. Management Philosophy**

Experience has shown that dealing openly and directly with employees enhances the work environment. This church values and respects integrity, excellence, and

interdependence, and believes these values give a sense of shared purpose and help everyone focus on the needs of the people and institutions we serve. Employees are encouraged to ask questions about their jobs and to express any concerns about job-related issues directly to their supervisor.

## **2.4. Equal Employment Opportunity**

Zion is an equal opportunity employer committed to employing individuals who are qualified to meet the responsibilities of their jobs. Therefore, the church's policy is to employ, retain, promote, and terminate employees and applicants for employment on the basis of merit, qualifications, and competence. Subject to Section 1.4 above and the following paragraph, this policy of nondiscrimination governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

However, as discussed in Section 1.4, under the First Amendment to the U.S. Constitution and similar provisions in state constitutions, federal, state, and municipal antidiscrimination laws and regulations, as well as other employment laws, do not apply to ministerial positions or employees, whether or not rostered. In addition, certain positions require ordination, Lutheran theological training or experience, or membership in an ELCA congregation. The church expressly reserves the right to discriminate on these or similar grounds. Therefore, this equal opportunity policy will be interpreted and applied in accordance with those constitutional and statutory provisions applicable to churches and other religious organizations. Nothing in these Personnel Policies waives any of this church's constitutional or statutory rights.

Any employee with questions or concerns about discrimination in the workplace is encouraged to bring these issues to the attention of their immediate supervisor, any other supervisor, or the pastors. Employees can raise concerns and make good faith reports without fear of reprisal.

## **2.5. Disability Accommodations**

Zion recognizes that disabled individuals have gifts to give and challenges to overcome. To help them overcome these challenges, this church aims to make reasonable accommodations for known disabilities of applicants or employees. Generally, any such accommodation must permit applicants or employees to perform the jobs held or applied for without causing an undue hardship for the church. All accommodation decisions are made on a case-by-case basis, taking into account applicable legal and constitutional requirements, the qualifications, and particular circumstances of the individual in relation to job-related criteria, and this church's resources.

## **2.6. Hiring Procedures**

### **2.6.1. Role of the Pastors**

The pastors must be notified in advance of all vacancies, transfers, promotions, demotions, or terminations.

All discussions with prospective or current employees regarding pay, relocation, or benefits require advance consultation with the pastors. The pastors makes all offers of employment.

### **2.6.2. Restrictions Applicable to Certain Positions**

The church will not hire a person for a position with financial oversight responsibility if, during the previous three years, the person was directly or indirectly involved in an independent audit of the organization or an affiliated entity or had a financial interest in the firm performing the audit.

Members of the Church Council and members of a board or advisory committee will be required to resign from such membership prior to accepting a position with the church.

### **2.6.3. New Hire Act**

By federal law all employers are required to report newly hired employees to the designated state agency in the state where the employees are hired within 20 days of the hire date. This requirement is the result of legislation designed to improve child support enforcement by locating parents who have neglected to pay support.

### **2.6.4. Immigration Reform and Control Act of 1986**

The church is committed to full compliance with the federal immigration laws and will not knowingly hire or continue to employ anyone who does not have the legal right to work in the United States.

As a condition of employment, you will be required to provide documentation verifying your identity and legal authority to work in the United States, which includes the completion of Form 1-9, Employment Eligibility Verification

### **2.6.5. Employment of Minors**

For employees less than 18 years of age, the hours of employment and working conditions strictly follow the regulations set forth by federal and state laws.

## **2.7. Job Posting**

Zion seeks to provide current and prospective employees an opportunity to indicate their interest in open positions. While job openings are normally posted, the pastors may decide that a particular opening will not be posted. Posted job openings will normally remain open until filled. Each job-posting notice will normally include the dates of the posting period, job title, essential duties, and required qualifications and skills.

Job posting is only one way to inform current and prospective employees of openings and to identify qualified and interested applicants who might not otherwise be known. Other recruiting sources may also be used to fill open positions.

## **2.8. Personal Relationships in the Workplace**

The employment of relatives or individuals in a family, partnership, or dating relationship may cause conflicts and problems with favoritism—real or imagined—and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

A relative of a current employee may not occupy a position in which they will directly supervise or be supervised by that employee. An individual involved in a dating relationship with a current employee will not be permitted to supervise or be supervised by that employee. The church also reserves the right to take appropriate action if an actual or potential conflict of interest arises involving relatives or individuals in a dating relationship.

If a family relationship or dating relationship exists between employees who are in a supervisory situation as described above, the supervisor and the supervised employee involved in the relationship must disclose the existence of the relationship to the pastors.

If a conflict or potential conflict arises because of a relationship between employees, even if there is no supervisory relationship, the employees may be separated by reassignment or have their employment terminated.

## **2.9. Ethical Conduct**

Zion's reputation for integrity and excellence requires careful observance of the spirit and letter of applicable laws and regulations, as well as due regard for ethical behavior, standards of conduct, and personal integrity. The church expects its employees to conduct themselves in accordance with the letter, spirit, and intent of relevant laws, regulations, and church procedures and to refrain from any illegal, dishonest, or unethical conduct.

Employees/volunteers are expected to act in a way that will merit the continuation of this trust and confidence. All funds and property received and administered by the church are entrusted to the organization by God through the faithful financial support of Zion's members and friends. All employees are held to high standards of stewardship and fiduciary responsibility regarding the receipt, reporting, and use of funds, property, and time.

### **2.9.1. Duties of Loyalty and Due Care**

Each employee is responsible for acting in the best interests of the church. All employees are expected to make reasonable efforts to inform themselves of the mission and ministry of Zion and to act as a reasonable employee would act under the same or similar circumstances.

### **2.9.2. Avoiding Conflicts of Interest**

Employees are expected to perform their duties in a way that avoids actual or potential conflicts of interest as well as the appearance of conflicts of interest. A “conflict of interest” means any situation in which the employee may be influenced or appear to be influenced in decision-making or business dealings by any motive or desire for personal advantage other than the success and well-being of the church. “Personal advantage” means a financial interest or some other personal interest, whether present or potential, direct, or indirect. This standard applies to both actual and contemplated transactions. All present and potential conflict-of-interest issues must be disclosed.

Employees are required to disclose, in writing, matters and relationships that might appear to conflict with business dealings of the church. Examples include, but are not limited to, financial interests or leadership roles with vendors or other organizations doing business with the organization. The pastors or their designee will evaluate disclosures and determine the appropriate action to be taken.

Business dealings with friends and family are particularly sensitive and are to be disclosed and carefully evaluated because they can create the appearance of impropriety or of tangible or intangible personal advantage. The mere existence of a family relationship or friendship that may be considered an actual or potential conflict of interest does not violate this policy if the employee involved promptly discloses that family relationship or friendship to their supervisor and appropriate safeguards are followed. Any doubts should be resolved in favor of disclosure.

If the actual or potential conflict of interest is known in advance of any meeting, business transaction, contract, or other activity at which issues may be discussed or on which the issues may have a bearing on the employee’s approach, whether directly or indirectly, the conflict must be disclosed prior to the meeting. Normally disclosure is to be made in writing to the employee’s supervisor.

If the conflict is not known in advance, it must be disclosed as soon as it becomes apparent.

When conflict-of-interest issues relate to a particular meeting, disclosure should be made to the person in charge of the meeting and, at the discretion of that person, to all participants in the meeting. The employee must leave the meeting room to avoid all discussion, voting, and deliberation on the issue. Following full disclosure, the other people attending the meeting may decide that no conflict of interest exists and invite the employee to participate. All actions relating to the disclosure and action taken must be recorded in the meeting minutes.

### **2.9.3. Gifts**

To avoid the appearance of impropriety, any gifts, gratuities, or hospitality offered to an employee—such as goods, free travel, or lodging—may be accepted and used only for the benefit of the organization. All gifts must be reported to a



supervisor. Minimal one-time gifts having a value of less than \$75 and given as part of a special event or seasonal holiday are exempt from this reporting requirement. Gifts that benefit the church primarily and not an individual, such as gifts of hospitality given to the church by hotels, conventions, and conferences in relation to official church business, are also exempt. Employees may also participate in reasonable, normal relationship-building activities such as meals, entertainment events, and similar activities. An employee must report such participation to their supervisor.

Employees may not accept gifts from outside vendors or members of Zion. A gift from a vendor is defined as anything offered to any employee directly by or on behalf of a vendor, other than the purchase of a business-related meal and promotional materials of little value such as pens, pencils, calendars, and similar items that are intended for wide distribution and bear the donor company's name or slogan. A gift from a congregational member is anything of value other than a personal trinket or food item. Questions about a gift's propriety or appearance of impropriety should be directed to the pastors or their designee.

#### **2.9.4. Confidentiality**

Subject to applicable legal requirements, certain information must be held in confidence by all employees, including allegations of misconduct under investigation; financial matters; medical, psychological, and family matters pertaining to rostered leaders; and other sensitive information. All such confidential information is not to be discussed with or divulged to anyone, within or outside the church, unless disclosure is required by law or limited disclosure is made for a compelling reason.

#### **2.9.5. Transactions and Reporting**

Each employee is required to prepare, process, maintain, and report complete, accurate, and timely records pertaining to their duties, including but not limited to journal entries, expense reports, disbursement requests, and payroll transactions. All employees required to record their working time must do so accurately, and all employees are required to report all absences properly, regardless of the reason for the absence. Employees must safeguard all physical, financial, informational, and other church assets. In addition, no undisclosed or unrecorded fund or asset will be established, and no artificial or false entries will be made in the financial or other records of the church. The use of Zion's funds for any unauthorized or unlawful purpose is prohibited.

Employees are required to report all violations of this policy by themselves or by others, including misconduct, fraudulent transactions, errors related to overpayment, or any other impropriety. Likewise, employees should factually and objectively report any concerns about the appearance or possibility of violation of this policy. There will be no adverse action for reports made in good faith or for an employee's participation in a follow-up investigation.

Employees may make required reports to their supervisor, the pastors, or the Internal Audit. All reports relating to accounting, internal accounting controls, or auditing matters should also be forwarded to the Internal Audit for further action and reporting to the Audit Committee.

## **2.10. Introductory Period**

Most employees work on an introductory basis during their initial employment with the church.

The introductory period is 90 days. The introductory period is intended to give employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether their position meets their expectations. The organization uses this period to evaluate employees' work habits and overall performance. During the introductory period, an employee is expected to discuss their progress with the appropriate supervisor and to ask questions about the duties they are performing. Either the employee or the organization may end the employment relationship at any time during the introductory period without regard to other provisions of the policies that may apply once the introductory period has been successfully completed.

If the designated introductory period does not allow sufficient time to evaluate the employee's performance, the introductory period may be extended with approval of the pastors. Any absence will automatically extend an introductory period by the length of the absence. Employees who are promoted or transferred within the organization may be required to complete an additional introductory period.

## **2.11. Performance Reviews**

Each employee should receive a performance review near the end of the introductory period. At the discretion of the supervisor, a second review may be conducted upon the completion of an additional 90 days of employment.

After the initial review(s) referred to above, employees generally have their performance appraised on an annual basis. Performance appraisals are used in all aspects of the employment relationship, including promotions, training, or retraining, reassignments, pay adjustments, and disciplinary and discharge decisions. Supervisors are therefore required to use the performance appraisal forms provided by their supervisor. There are no requirements as to the distribution of ratings that would prevent a fair appraisal of performance in relation to established standards.

The best way to energize pastoral and administrative excellence is for the rostered leaders and the congregation to state goals and expectations; to review the outcome; and adjust accordingly. The conversations about compensation flow from a conversation about shared vision, mission, goals and expectations and regular mutual review.

The Pastors shall participate annually in an evaluation conducted by the Mutual Ministry Committee.

## **2.12. Personnel Records**

### **2.12.1. Access to Personnel Documents**

The pastors or their designee maintain a personnel file on each employee. The personnel file includes information such as the employee's job application, résumé, records of training, hours worked and pay information, and other pertinent employment records. Some documents may be stored electronically separate from the personnel file.

Personnel records are the property of the church, and access to the information they contain is restricted. Generally, only appropriate supervisory personnel with a legitimate reason to review information in a personnel file are allowed to do so.

Employees may review and obtain copies of their own personnel documents in accordance with applicable legal requirements. Original records may not be removed from church office.

### **2.12.2. Personal Data Changes**

An employee must promptly report any changes in their personal home mailing address, email addresses, telephone numbers, names and number of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and similar data.

### **2.12.3. Accuracy of Information**

The church relies on the accuracy of information contained in the employment application, including the Rostered Leader Profile when applicable, and additional information provided by the employee as part of the hiring process or during the employment relationship. Any individual who falsifies, misrepresents, or omits material information may be rejected from hiring consideration or, if already hired, terminated from employment.

## **2.13. Reimbursable Expenses**

Employees of Zion who are required to travel or expend funds in connection with the performance of their work will be reimbursed for approved expenses, including transportation, food, and lodging in accordance with Travel policies.

## **3. EMPLOYEE CLASSIFICATIONS**

The church defines employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Unless otherwise required by law, these classifications are subject to change at the discretion of the organization.

As required by the Fair Labor Standards Act, all employees will be designated as either nonexempt or exempt for purposes of overtime pay. Nonexempt employees will receive

overtime pay at the rate of one-and-one-half times their regular rate for hours worked in excess of 40 during a single workweek. The workweek begins on Sunday at 12:01 a.m. and ends the following Saturday at midnight. Exempt employees are not entitled to overtime pay.

All employees will also be classified in the employment categories described below:

**Full-time regular employees** are those not in a temporary status and regularly scheduled to work at least 30 hours per week. Generally, they are eligible to participate in the church's benefit programs, subject to the terms, conditions, and limitations of each program.

**Part-time regular employees** are any worker who works up to 30 hours a week for more than 5 months in a year.

**Temporary employees** are individuals hired for temporary work. They may be full-time or part-time, exempt, or nonexempt. They are not eligible for any of the benefits summarized in this document. However, the pay of temporary employees is subject to Social Security contributions. All arrangements for the retention of temporary employees must be approved in advance by the pastors.

**Independent contractors** are not employees of Zion. Their compensation is not subject to Social Security withholding, and they are not entitled to workers' compensation or other benefits. All arrangements made with an independent contractor must be set out in a written agreement.

## **4. WORKING HOURS**

### **4.1. Core Hours**

Employees are to organize their work schedules within the limits of specified hours, subject to the approval of Church Administrator or Pastors.

The needs of the job must be given appropriate priority. Staff members are expected to be flexible in the accommodation of workplace needs and to come in early or stay late when necessary. Nonexempt employees working outside their normal hours must have their time approved in advance by the appropriate supervisor.

Nonexempt employees will be paid for all hours worked. Nonexempt employees are entitled to an unpaid lunch period of 30 minutes. The lunch break is not work time and is therefore not part of the eight-hour workday.

Nonexempt employees may also take a paid, 15-minute rest break each morning and afternoon. These paid breaks are part of the eight-hour day. They may not be taken at the beginning or end of the day but may be added to the lunch period. Each office or unit should establish a schedule for lunch breaks and rest breaks providing for the effective operation of the office or unit. Nonexempt employees must review any deviation from the approved schedule with the appropriate supervisor.

All employees required to record their working time must do so accurately, and all employees are required to report all absences properly, regardless of the reason for the absence. Supervisors have the responsibility to approve and submit timesheets and time-off requests by the established payroll processing deadlines.

#### **4.2. Overtime**

At times, certain jobs require extra time and effort. There will be times when a staff member will need to come in early or stay late because of workloads or the demand of a particular project. Employees whose job responsibilities require them to work additional hours should accept this as part of the job. Nonexempt employees may not work beyond their normally scheduled hours without advance permission from their supervisor.

Nonexempt employees who are required or permitted to work overtime will receive overtime pay in accordance with the requirements of the Fair Labor Standards Act and applicable state law. Overtime pay is based on one and one-half of the employee's regular rate for all hours worked in excess of 40 hours in each workweek (Sunday through Saturday). "Hours worked" means time actually spent on the job and therefore does not include vacation time, holiday time, sick time, or any other time spent on leave, whether paid or unpaid.

A supervisor may grant a nonexempt employee time off in lieu of overtime pay on an hour-per-hour basis, but only if the time off is taken during the same workweek. For example, if a nonexempt employee worked 40 hours from Monday through Thursday, the employee may be authorized to take off Friday of the same week.

The church intends to follow all applicable requirements of federal and state law concerning overtime pay. Supervisors and employees are encouraged to bring all questions relating to hours worked to the attention of the pastors.

#### **4.3. Attendance and Overtime Records**

All employees required to record time worked must do so accurately. Proper recording of hours worked is especially important when working hours may vary from day to day or week to week. The church is committed to paying employees properly and will promptly correct any errors in paychecks and reimburse employees as required. An employee who believes there has been an improper deduction or other pay error should promptly notify the appropriate supervisor.

The pastors or their designee are responsible for maintaining attendance records suitable for payroll purposes and wage-and hour requirements, including all overtime worked by each nonexempt employee.

#### **4.4. Summer Flexible Schedule**

Summer hours may enable eligible employees to enjoy additional personal time away from the office during the summer months by working additional hours on four days of

the regular workweek. Depending on the number of hours worked during the four-day period, the summer schedule may allow the employee to free up a full day or half day every week.

Only full-time regular employees are eligible for a summer flexible schedule. To participate in a particular year, the employee must obtain written approval of the supervisor and submit the completed approval form to their supervisor no later than one week prior to the first full week of June. Employees who do not obtain the necessary approval will remain on their regular work schedules.

The examples below illustrate potential summer schedules. The first two schedules allow for a half day off each week; the other two allow for a full day off.

- Working Monday through Thursday, 7:30 a.m. to 5 p.m. (30-minute lunch), and Friday, 7:30 a.m. to 11:30 a.m.
- Working Monday, 1 to 5 p.m., and Tuesday through Friday, 7:30 a.m. to 5 p.m. (30-minute lunch).
- Working Monday through Thursday, 7 a.m. to 5:30 p.m. (30-minute lunch), with every Friday off.
- Every Monday off and working Tuesday through Friday, 7 a.m. to 5:30 p.m. (30-minute lunch).

Employees on a summer flexible schedule will work a regular eight-hour day and five-day week during any week that includes a paid holiday or approved vacation time.

The summer flexible schedule is generally available between the first full week in June the last full week in August. Each office and unit will manage the workweek in that office or unit. The summer flexible schedule is not guaranteed, and is subject to amendment or termination at any time.

#### **4.5. Telecommuting**

The church may consider telecommuting as a viable alternative for some employees and some jobs. Telecommuting is defined as working from home or from an approved remote location for all or part of the normal workweek, during normal working hours, for a specified period of time. Telecommuting is a privilege, not an entitlement or a benefit. Except for the location of their work site, employees who are allowed to telecommute are subject to the same terms and conditions of all other similarly situated Zion employees. Any telecommuting arrangement may be canceled at any time by either the church or the affected employee.

##### **4.5.1. Eligibility**

Not every employee is eligible for telecommuting. Some jobs cannot be performed

remotely, and some individuals find it difficult to work away from an office environment. Individuals best suited to telecommuting arrangements are those who are organized, self-motivated, and flexible, and who can work productively on their own. Eligible employees must have a record of satisfactory performance.

#### **4.5.2. Process to Be Followed**

An employee who is interested in telecommuting should notify the appropriate office or unit. All telecommuting arrangements require the advance written approval of the pastors. All telecommuting arrangements will be made on a case-by-case basis, focusing on the needs of the organization first and paying particular attention to the factors mentioned in Section 4.5.1 and to the nature of the position involved.

Jobs best suited for telecommuting are those that require concentration and independent work, and that result in a specific work product that is readily measurable. The position should also involve limited face-to-face interaction with fellow employees.

If the arrangement is approved, the employee is solely responsible for fulfilling all tax and legal restrictions associated with the business use of the employee's home.

Formal telecommuting agreements are not required to work remotely on an occasional basis.

#### **4.5.3. Equipment and Supplies**

The office or unit, in consultation with the pastors, and the affected employee, will determine the appropriate equipment needs for each telecommuting arrangement on a case-by-case basis.

The church will arrange for maintenance of the equipment it provides. Such equipment is to be used for business purposes only. The employee is responsible for safeguarding the equipment and for returning it upon termination of the employment relationship.

#### **4.5.4. Working Environment**

Employees working at home are subject to the same expectations for preserving the security of information as are employees working at the Church. Telecommuters are expected to use locks on desks and file cabinets, update their passwords regularly, and take all other required actions to protect organizational information.

The telecommuting employee must establish an appropriate work environment within the home or remote work location and may be offered appropriate assistance. However, the church is not obligated to be responsible for any costs associated with the initial setup of the employee's home office or for any subsequent repairs or modifications.

Any injuries sustained by the employee while working at home or another remote

work location in conjunction with regular work duties are normally covered by workers' compensation. The employee must promptly notify their supervisor of any such injury. The employee is liable for any injuries sustained by visitors to the work site.

#### **4.5.5. Working Hours**

The pastors will determine the number of days of telecommuting allowed each week, the work schedule the employee will customarily maintain, and the manner and frequency of communication. Telecommuting employees are required to be accessible by telephone and email during the specified work schedule and to arrange to attend staff meetings—whether by telephone or in person—as specified by the office or unit.

As is the case for all nonexempt employees—see Sections 3 and 4.2—nonexempt employees who telecommute are expected to obtain advance approval for overtime work and to record all working hours accurately

## **5. COMPENSATION AND BENEFITS**

### **5.1. Compensation Philosophy**

Zion believes it is in the best interest of both the organization and its employees to compensate employees adequately for the value of their work. To the extent permitted by budgetary and funding constraints, the church uses a compensation system that determines the current market value of a position based on the skills, knowledge, and behavior required of a fully competent employee. All compensation decisions require the approval of the Church Council.

The system incorporates the following criteria:

- Local and industry-specific survey market data where such data is available, focusing primarily on not-for-profit organizations and addressing specialized job differences and market differences due to geographical location.
- An evaluation of external equity, which is the relative worth of a church job directly compared to similar jobs in the local economic marketplace.
- An evaluation of internal equity, which is the relative worth of a church job when comparing its required level of competency, formal training and experience, responsibility, and accountability to those of other jobs within the church.
- Sufficient flexibility to permit the organization to recruit and retain a qualified workforce while providing the structure necessary to manage the overall compensation program.

### **5.2. Pay Adjustments and Merit Pay**

The Personnel Committee has the responsibility for making budgetary recommendations regarding staff salaries to the Finance Committee. The wage and salary structure for employees of the congregation are reviewed annually, proposed by the Personnel Committee, and approved by the Church Council. An annual cost-of-living increase in staff benefits requires council approval. Typically, Council members



approve the annual proposal to couple staff wage increases with Social Security benefits increases. Social Security benefits, on the other hand, are adjusted based on an automatic formula that is triggered whether lawmakers vote on it or not.” This action will “ensure staff benefits are keeping pace with the changing economy.

Annual pay increases are not guaranteed. Any pay adjustment will be based on the individual’s improved or sustained performance and the organization’s financial resources. All adjustments require the approval of the Church Council. Employee salary reviews will be held in conjunction with performance reviews.

Generally, an employee must have completed at least nine months of satisfactory service in the position before being eligible for a merit increase.

Employees who are not ordained Ministers for tax purposes must have various deductions taken from their pay. These deductions include federal and state income taxes and Social Security and Medicare taxes. The Internal Revenue Service and each state Department of Revenue publish withholding tables annually based on personal earnings and the number of exemptions claimed by each worker to satisfy income tax withholding requirements. The worker, by use of the W-4 Form, states the number of exemptions claimed and any additional dollars wished withheld beyond the amount indicated in the tax withholding tables. The amounts withheld for Social Security and Medicare taxes are at a fixed percentage of earnings.

**5.3. Pay Periods** Zion has adopted the following pay schedule: Payday for part time employees is the 30<sup>th</sup> of the month. Full-time employees are paid bimonthly on the 15<sup>th</sup> and 30<sup>th</sup> of each month except February, when the second payment will be on the 28<sup>th</sup>. If a scheduled payday falls on a nonworking day, employees will normally be paid on the last working day proceeding the scheduled payday. The workweek begins on Sunday at 12:01 a.m. and ends the following Saturday at midnight.

Direct deposit of pay is encouraged for all employees.

There will be no pay advances to any employee for any reason.

#### **5.4. Fees for Services and Honorariums**

Full-time, nonexempt employees will be paid for part-time work performed in their off hours for another office or unit within the church. If the nature of the part-time work performed for the second office or unit is similar to or an extension of the employee’s regular job, the payment must be at one and one-half times the employee’s regular hourly rate for all hours worked in excess of 40 during the workweek. If the part-time work is totally different from the employee’s regular job responsibilities, then the employee and the second office or unit, upon approval of the Church Council, may negotiate a fee for the part-time services.

Exempt employees will not be paid for part-time work performed for another office or unit within the church if (i) the part-time work is similar to or an extension of the

employee's regular job responsibilities, (ii) the part-time work is to be performed when the employee is carrying out their regular job responsibilities, or (iii) the part-time work becomes part of the performance expectations in the employee's work plan and performance review. If the part-time work is totally different from the exempt employee's regular job responsibilities, is carried out apart from the employee's regular work setting and is outside of the normal expectations for the employee's position, then the employee and the second office or unit, upon approval of the Church Council, may negotiate a fee for the part-time services.

An employee is not to expect additional income for performing the normal duties and responsibilities of their position. Any employee who receives an honorarium for performing such duties and responsibilities or for representing the church is required to remit the honorarium to the Treasurer for crediting to the employee's office or unit.

### **5.5. Garnishments and Wage Assignments**

The church must honor garnishments and wage assignments. A garnishment is a court order to withhold and pay out a specified amount from the employees' earnings. A wage assignment is a direction by the employee to the same effect. In either case the organization will comply with applicable legal requirements. The affected employee is responsible for seeking to obtain any desired release or adjustment and providing the church with required legal documentation.

### **5.6. Housing Allowance**

An ordained employee of the church may request that a portion of their annual salary be designated as a housing allowance, in accordance with Internal Revenue Service regulations. The employee assumes full responsibility for compliance with IRS definitions of "costs to provide a home." Requests for housing allowances, on the form provided, must be forwarded to the church council annually for the ensuing year, with sufficient time allowed for the request to be approved and recorded in the official files.

### **5.7. Employee Benefits—in General**

Several of the ELCA's benefit programs are described below. Benefits involving time away from work are described in Section 6. 21

The church provides a comprehensive benefit program, administered by Portico Benefit Services, for its full-time employees. The program includes health coverage, the ELCA Retirement Plan, a life insurance benefit, long-term disability benefits, and tax-advantaged accounts. Benefits eligibility depends on a variety of factors, including employee classification. Further information is available directly from Portico Benefit Services ([www.porticobenefits.org](http://www.porticobenefits.org) and 800-352-2876).

Enrollment: You will be asked to fill out an Enrollment Form and Beneficiary Form, and these forms will be forwarded to the PORTICO Benefit Services office for processing. The Plans office will then mail you a letter confirming enrollment as well as your own booklets and other informational materials.

**Termination of Benefits:** Coverage for you and your dependents through the PORTICO Benefit Services will be discontinued effective at the end of the calendar month in which termination of employment occurs. Information about extension of coverage on an individual basis will be mailed to you by the Plan's office.

The church has the right to change benefit programs or to modify eligibility requirements or coverage at any time. Further, as stated in Section 5.15, the **church** is not required to participate in unemployment compensation insurance. Therefore, employees separated from employment with Zion are not eligible to receive unemployment insurance benefits. Any benefits offered to an employee outside of the normal hiring and employment practices of the church or the summaries in these policies must be in a written document approved in advance by the Church Council.

### **5.8. Health Coverage**

Through Portico Benefit Services, the church offers health coverage, including hospital and medical, dental, prescription, vision, and behavioral health, as well as an employee-assistance program. Separate plan documents explain each benefit in detail, and the benefits are controlled by the language of the plan documents and summary plan descriptions. The same is true for the church's long-term disability and flexible spending plans.

### **5.9. Retirement Contributions**

Zion provides a retirement benefit for eligible employees through Portico Benefit Services. Detailed information is available to all employees on the Portico website.

### **5.10. Death Benefit**

If an employee dies, four additional weeks of their salary will be added to their final paycheck.

### **5.11. Training and Educational Opportunities**

Heads of offices and units are encouraged to promote opportunities for growth, both personal and professional, for Zion's employees. Discussion of ongoing educational needs and support should be part of employee performance appraisals. Educational opportunities are based on the need to enhance the work of the church, the needs of the employee's office or unit, and the aptitude and skills of the employee. Necessary licensing, certification or re-certification requirements for certain employees and continuing education requirements for rostered leaders should also be considered. The head of an office or unit may, at their discretion, offer special training opportunities within that office or unit.

Employees may contact their supervisor about taking a limited number of days off each year for continuing education if approved by their supervisor. The supervisor may also offer matching funds for approved continuing education and professional development opportunities, up to an annual limit.

## **5.12. Social Security**

Consistent with the Social Security Act, the church makes contributions based on the earnings of non-ordained employees. No contributions are made for ordained employees, nor are ordained employees reimbursed for their own contributions.

## **5.13. Workers' Compensation**

The church provides workers' compensation insurance coverage for all employees. Workers' compensation laws are designed to protect employees and their families from the financial consequences of accidental injury, disease, or death arising out of and in the course of employment. Workers' compensation laws vary from state to state, but in general they pay for medical expenses and a percentage of lost income while the employee is disabled, as well as death benefits and rehabilitation benefits. A waiting period will apply before income benefits are paid. The length of the waiting period depends on the state.

Employees who sustain work-related injuries or illnesses, no matter how minor, must inform their supervisor promptly. If necessary, an employee reporting an injury will be sent for medical treatment. The supervisor or the employee must promptly notify the Treasurer to complete the necessary documentation.

The employee is responsible for providing the workers' compensation insurer with the treating physician's name and contact information and other information requested, such as medical bills and related information. The employee must also keep the supervisor informed of any temporary work restrictions and current medical status.

**5.14. Unemployment Insurance** As a religious, not-for-profit organization, the church is not required to participate in unemployment compensation insurance. Therefore, employees separated from employment with Zion are not eligible to receive unemployment insurance benefits.

## **6. TIME AWAY FROM WORK**

### **6.1. Prompt Notification of Absence Required**

An employee who expects to be absent from work for any reason must inform their supervisor as soon as possible of the nature and expected duration of the absence. As specified in Section 10.5, an absence of three consecutive days without notification from the employee may be considered job abandonment.

### **6.2. Absence Due to Illness**

#### **6.2.1. Sick Leave**

Pay continuation when an employee is ill is a privilege and not a right. Consequently, all employees are expected to be at work except when actually ill or when their absence is specifically approved for some other valid reason.

Employees eligible to receive benefits will begin to accrue paid sick leave at the rate of one day per month, commencing on the first day of employment. Sick leave may accrue up to a maximum of 360 hours. Sick leave may be carried over from

year to year, up to a 360-hour maximum. Employees will not be paid for accrued sick leave upon termination of employment. Sick leave accruals will be prorated for part-time regular employees based on the ratio of their regularly scheduled hours to a 40-hour week.

An employee who is absent five or more successive business days due to an illness or injury must furnish a physician's statement confirming the illness or injury to Human Resources on the day they plan to return to work. Failure to provide such a statement may result in the employee being sent home.

### **6.2.2. Family Illness**

An employee may use accrued sick leave due to the illness or injury of a member of the employee's immediate family, but only if the employee's absence is due to the necessity of providing care (including emotional support) to the family member who is ill or injured. The definitions of "family member" in Section 6.19 apply for purposes of this Section 6.2.2.

### **6.3. Paid Vacation**

Ministerial staff, upon employment, shall be eligible for vacations consistent with the terms of Call. Regular full-time employees will be given vacation on their anniversary date based on their length of continuous service with the congregation, as follows:

Length of Continuous Service	Vacation
After 1 years	6 Days
After 1 through 3 years	10 Days
After 4 through 14 years	15 Days
After 15 years or more	20 Days

An employee's anniversary date corresponds to the month and day the employee was hired as a regular full-time employee.

Requests for vacation time must be made in writing and should be submitted to the appropriate supervisor for approval at least one (1) month in advance for vacations of at least five (5) days. Shorter notice may be allowed for vacations of four (4) days or less provided it does not interfere with scheduled work. Seniority will apply when more than one person requests the same vacation day(s).

Vacation is a reward for faithful service and employees are encouraged to use all their vacation time as a means of rest and recuperation. Unused vacation will not be carried over into the following year. In no case will pay be granted in lieu of vacation.

Holidays that fall during a scheduled vacation will be paid as holidays and will not be charged against the employee's vacation.

Regular full-time employees will receive pay for unused vacation time for the current year upon termination of employment.

#### **6.4. Paid Personal Days**

Three paid personal days are allowed on an annual basis. Persons employed on Jan. 1 or who begin employment with the church during January, February, March, or April will be eligible for three personal days for that year. Persons who begin employment during May, June, July, or August will be eligible for two personal days for that year. Persons who begin employment during September, October, or November will be eligible for one personal day that year. All personal days must be approved in advance by the employee's supervisor. Unused personal days do not accrue and may not be carried forward to the following year. Employees will not be paid for unused personal days upon termination of employment. Personal days will be prorated for part-time regular employees based on the ratio of their regularly scheduled hours to a 40-hour week.

#### **6.5. Paid Holidays**

The congregation observes the following holidays for which all regular full-time employees will receive regular pay:

January 1	Labor Day	Easter Monday and the week after Easter
President's Day	Thanksgiving	Friday after Thanksgiving
4th of July	Memorial Day	Christmas Day and the week after Easter
Juneteenth		

Full-time regular employees will receive their regular rate of pay for eight hours for each paid holiday. Part-time regular employees who are regularly scheduled to work at least 20 hours per week will receive holiday pay based on the ratio of their regularly scheduled hours to a 40-hour week, but only if a particular paid holiday falls on a scheduled workday. No holiday pay will be paid to a part-time employee who would not normally have worked on the day the holiday is observed. A holiday falling on Saturday will normally be observed on the preceding Friday.

A holiday falling on Sunday will normally be observed on the following Monday. If an employee's religion requires the observance of a holiday other than those listed above and the employee is scheduled to work on that day, appropriate arrangements will be made on a case-by-case basis to accommodate the situation.

#### **6.6. Compassionate Leave**

An employee who must be absent because of the death of a member of their immediate family may be allowed a paid absence of up to five working days. The definitions of "immediate family" and "children" in Section 6.19 apply for purposes of this Section 6.6. The length of the paid leave will be determined by the Church Administrator and will be based on the overall circumstances.

### **6.7. Jury Duty**

An employee required to serve on a jury will continue to receive their normal pay during the period of such service and may retain payments made by the court associated with such service.

### **6.8. Maternity/Paternity**

Maternity leave will be granted for up to six (6) weeks with pay. Paternity leave will be granted for up to one (1) week with pay.

Employee Notification: An employee who expects or anticipates taking family or medical leave is required to notify the Church Administrator preferably in writing of the expected date of commencement and expected duration of the leave at least 30 days in advance of the leave, or if the need for the leave is not foreseeable, as soon as practicable. In cases where need for the leave is foreseeable, an employee's failure to provide 30 days' notice prior to taking leave may result in denial or delay of leave. An employee requesting leave under this policy should submit a completed Application for Leave Form to the Church Administrator.

An employee who anticipates the possibility of taking family or medical leave, or has any question about the application of this policy to your particular situation, should contact the Church Administrator.

### **6.9. Parental Leave**

The church will grant eligible nonexempt employees up to eight hours of unpaid leave per school year to attend primary or secondary school conferences or classroom activities that are related to the employee's children and cannot be scheduled during nonworking hours. To be eligible, an employee must have used all accrued vacation and personal days and must have worked at least 20 hours per week during the six-month period preceding the requested leave. An employee may take no more than four of the eight hours on any one day and will be required to provide verification of the school visit upon their return to work.

### **6.10. Leave Under the Family and Medical Leave Act**

The Family and Medical Leave Act ("FMLA") provides an eligible employee with unpaid leave:

- Because of the birth of the employee's child;
- Because of the placement of a child with the employee for adoption or foster care;
- Because the employee needs to care for their spouse, child, or parent with a serious health condition;
- Because the employee is not able to perform job duties due to their own serious health condition;
- Because the employee needs to deal with certain exigencies associated with their spouse, child, or parent on active duty or called to active-duty status in the National Guard or Reserves in support of a contingency operation; or

- Because the employee needs to provide care for their spouse, child, parent, or next of kin who has an injury or illness incurred on active duty in the armed forces.

The FMLA sets forth detailed provisions relating to eligibility for leave, the definition of important terms, the necessity of obtaining the certification of a health care provider, the scheduling of leave, the substitution of accrued paid leave, the continuation of benefits during leave, and reinstatement upon the conclusion of leave.

### **6.11. Personal Leave**

An employee who has exhausted all types of paid leave available may be considered for personal leave. All personal leaves are unpaid. Whether such a leave is granted depends on the overall circumstances, including the work requirements of the employee's office or unit. While the normal length of a personal leave is from one to three months, a leave of up to one year may be granted in extraordinary circumstances.

If the employee has been on a personal leave for medical reasons, the employee's treating physician must provide the supervisor a medical release confirming the employee's fitness to return to work.

An employee returning from an approved personal leave on a timely basis may be reinstated to the same or an equivalent position. All decisions regarding a personal leave require the concurrence of the supervisor.

### **6.12. Ministerial Sabbatical Leave**

A sabbatical is a period of rest with a purpose. Pastors find sabbaticals to be transformative experiences that strengthen and develop the clergy's ability to serve the congregation.

The results of a well-planned "re-creation" may include:

- Spiritual renewal
- Rest
- Education
- Gaining a new perspective

The pastor, in consultation with the Personnel Committee and the Mutual Ministry Committee, will develop a proposal to include:

- A rationale for the sabbatical, including personal goals and potential value for the congregation.
- A detailed outline of the intended use of time.
- An outline of the financial implications of the sabbatical.

The proposal for Sabbatical will be presented to the church council within a reasonable time well in advance of the sabbatical leave.



Within six weeks of the completion of the leave, the pastor will present to the congregation and the bishop a detailed reflection of the experience of the sabbatical leave. A Sabbatical of up to three months is recommended following 6 years of service to the congregation.

### **6.13. Leave to Attend Synod Assembly**

An ELCA-rostered employee of the church is granted paid leave time to permit attendance on normal workdays at the synod assembly of the synod in which their membership is maintained. A non-rostered employee who is elected by the church to serve as a lay voting member of a synod assembly will be granted paid leave time to attend the synod assembly on normal workdays. In both cases, the employee's supervisor must grant approval prior to attendance at the synod assembly.

### **6.14. Military Leave**

The church grants military leave to employees who perform military service on a part-time and regularly occurring basis or who perform military service on a full-time but temporary basis. An employee with a military obligation should notify their supervisor and submit copies of military orders as soon as practical.

The church complies with the requirements of the federal Uniformed Services Employment and Reemployment Rights Act, as applied to churches and religious organizations, and with applicable provisions of state law, as well as regulations adopted pursuant to the applicable federal and state laws.

## **7. PERFORMANCE AND BEHAVIOR EXPECTATIONS**

At Zion Lutheran Church it is important that all employees work together as a team so that the rights and interests of both the congregation and employees are assured. Common sense, good judgment, and acceptable personal behavior on the part of all employees will make Zion Lutheran Church a desirable place to work. The Personnel Committee has the responsibility for supporting the Pastor's efforts to meet the needs of the congregation.

The policies set forth below apply to all Zion employees and supplement, but do not supplant, the policies set forth elsewhere in these policies. Because these Personnel Policies cannot anticipate every circumstance or question that may arise or summarize every policy that might be necessary, the church has the right to revise or add to these policies and adopt additional policies at any time.

### **7.1. Safety**

Each employee is expected to obey safety rules, to exercise caution in all work activities, and to report promptly any unsafe condition to the appropriate supervisor.

### **7.2. Attendance and Punctuality**

Absenteeism and tardiness place a burden on other employees. The **church** expects employees to be reliable and punctual in reporting for scheduled work and, except for prior authorization or a legitimate reason, to remain throughout the scheduled shift. Employees who cannot avoid being late to work or who are unable to work as scheduled must notify their supervisor promptly, normally before their scheduled starting time.

Acceptable attendance is an essential requirement of every job, and absenteeism and tardiness problems are performance issues. All employees must establish and maintain acceptable attendance and punctuality standards. If attendance issues are due to a medical condition, the employee should contact their supervisor.

Depending on the circumstances, an employee who is absent five or more consecutive workdays may be required to present a statement from a health care provider before returning to work.

Employees are not permitted to work at home or away from the office without approval of the appropriate supervisor.

### **7.3. Personal Appearance, Grooming, and Fragrances**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image the church presents to the public. During business hours or when representing the church, employees are expected to present a professional appearance and to dress according to the requirements of their positions and accepted social standards.

Employees should also be aware that other individuals may suffer physical reactions to fragrances found in cologne, after-shave lotion, perfume, perfumed hand lotion, fragranced hair products, air fresheners and similar items. Therefore, employees are expected to be considerate and to refrain from using any particular products that irritate visitors or other employees.

The following clothing items are not permitted during business hours:

- Sexually provocative, impudent, vulgar, or revealing clothing;
- Clothing that references alcohol, drugs, or tobacco, or that bears obscene, offensive or inappropriate language, graphics, or logos;
- Athletic tank tops, halter-tops, or other tops baring the midriff; and
- Spandex or leggings unless the top covers to mid-thigh

### **7.4. No Use of Tobacco, Vaping, or Cannabis in the Workplace**

Smoking is prohibited in the building and the areas immediately around all entrances. This policy is established to provide a smoke-free environment for us and for all our visitors to the building.

### **7.5. Safeguarding Property**

Employees are responsible for safeguarding all property issued or otherwise made available to them by the church during their employment, including computer hardware, software, and manuals; cell phones; and keys and access cards.

All incidents of theft or damage involving organizational or personal property should immediately be reported to a supervisor. All purses and valuables should be secured in a file or desk drawer during working hours.

On or before their last day of work, employees must return all property belonging to the organization. The organization may take all legally appropriate steps to recover or protect its property.

## **7.6. Inclement Weather or Emergency**

### **7.6.1. Inclement Weather**

Weather conditions such as snow, ice, and extreme cold are part of winter. Employees should make every reasonable effort to report to work unless weather and road conditions indicate otherwise. Exempt staff is expected to work remotely. A nonexempt employee who makes a personal judgment not to come to work due to weather on a day the office is open may use paid personal time or accrued vacation time to cover the hours missed, or may be allowed to make up the hours missed under arrangements approved by Church Administrator.

### **7.6.2. Other Emergencies**

If some other emergency occurs, employees may call the church office or their supervisor at any time to check whether or when to report to work. Employees may also be notified of developments by telephone, email, or text message. Each employee is responsible for keeping up to date on developments during an emergency.

## **7.7. Dealing With the News Media**

Only an authorized representative may speak to reporters on behalf of the Zion. Reporters seeking a church representative must be referred to the pastors or council president. Employees should attempt to alert these individuals in advance that a reporter or media outlet is or may be seeking to contact them concerning a particular matter or issue.

## **7.8. Sexual Harassment and Other Inappropriate Behavior**

A fundamental policy of Zion is that the workplace is for work. Our goal is to provide a workplace where employees behave courteously and professionally and always feel safe. Tension created by conduct not related to work—including ethnic, racial, or sexual remarks, unwelcome sexual advances, requests for sexual favors, loud swearing or yelling, or similar conduct—does not belong in our workplace. Similarly, inappropriate displays of affection or sexually related conduct, even if welcome, are inappropriate at work and will not be tolerated.

### **7.8.1. Harassment**

Harassment of employees or applicants for employment is prohibited. Harassment is defined as persistently bothering, disturbing, or tormenting another person. Harassment may be based on a variety of factors, such as race, color, religion, sex, national origin, disability, or personal dislike. The reason for the harassment does not matter. The church prohibits all forms of harassment, including but not limited to:

- Verbal and electronic communication harassment, such as making derogatory statements, epithets, or slurs to or about another person or group;
- Visual harassment, such as displaying offensive posters, cartoons, or drawings; and
- Physical harassment, such as threatening, assaulting, or physically interfering with another person or making other inappropriate or unwelcome physical contact.

### **7.8.2. Sexual Harassment**

Sexual harassment is unwelcome conduct of a sexual nature, including sexual advances, requests for sexual favors, sexually motivated physical contact, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to such conduct is explicitly or implicitly made a term or condition of employment;
- Submission or refusal to submit to such conduct is used as the basis for a tangible employment action; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or work environment.

Sexual harassment is prohibited. Individuals cannot be forced to submit to sexual harassment as a basis for any employment decision. In addition, the church attempts to prevent and promptly eliminate any conduct that creates an intimidating, hostile, or offensive work environment for our employees.

### **7.8.3. Examples of Prohibited Conduct**

The following conduct, when occurring in the workplace or when it may adversely affect the work environment, will be considered to be harassment or inappropriate behavior:

- Sexually suggestive or off-color comments or jokes;
- Sexual flirtation, innuendo, advances, or propositions, or other sexual activities;
- Unprofessional touching, such as massages, or inappropriately putting an arm around another employee;
- Repeated and unwelcome invitations for social interactions outside of the workplace;
- Sexual or racial slurs, derogatory remarks, or offensive gestures;

- Swearing or loud yelling;
- Displaying or distributing sexually explicit or otherwise off-color materials, including books, magazines, articles, pictures, greeting cards, photographs, drawings, cartoons, and email messages; and
- Including or excluding any individuals from workplace activities, assignments, or responsibilities based on their refusal to participate in or tolerate sexual or other forms of harassment or based on other factors not related to job performance or legitimate reasons.

This list is not intended to be exhaustive.

A consensual relationship does not justify inappropriate displays of affection or other sexual statements or activities during working hours or at work-related functions.

Any questions about whether particular conduct is prohibited under this policy should be discussed with the appropriate supervisor or the Church Administrator.

#### **7.8.4. Reporting Harassment or Other Inappropriate Behavior**

If an employee believes that any sort of sexual or other harassment or other inappropriate conduct is interfering with their work or creating an intimidating, hostile, or offensive work environment, they are urged to contact any supervisor or council member and make a report. The employee may be asked to sign a written complaint or other summary of the information reported.

Employees receiving a threatening telephone call or voicemail at work should attempt to get a caller ID number and as much information as possible about the caller, and promptly notify their supervisor. Employees receiving threatening emails, text messages, or letters should promptly notify their supervisor and save copies of all such communications. Whenever threats are received by any means, reports may be made to law enforcement authorities.

#### **7.8.5. Investigation and Follow-Up**

Complaints of harassment will be promptly and thoroughly investigated, and the reporting employee will be advised of the results of the investigation. The church understands these matters are sensitive and will therefore attempt to keep all employee complaints and communications, such as interviews and witness statements, in confidence.

The organization may take appropriate disciplinary action, up to and including discharge, against any employee who engages in sexual or other harassment or who otherwise violates this policy. Further, the organization may correct any adverse employment action any employee experienced due to conduct forbidden by this policy.

If an individual involved in harassing or inappropriate conduct is not employed by Zion, the individual will be informed of our policy and appropriate action will be taken in an attempt to prevent further misconduct. In all cases, the church will make follow-up inquiries to confirm that the inappropriate behavior has stopped. If an employee is not satisfied with the results of the investigation or follow-up action, or if further harassment or other unacceptable conduct occurs, they should contact any supervisor.

#### **7.8.6. Retaliation**

Zion will not tolerate retaliation against any employee who in good faith complains of sexual or other harassment or who provides information in connection with any such complaint. If an employee believes that they have been retaliated against for bringing a complaint or providing information related to a complaint, the employee should report this to any supervisor.

#### **7.8.7. Employee Responsibilities**

Employees of the **church** are responsible for:

- Behaving courteously and professionally toward fellow employees;
- Reading this policy and understanding fully its requirements;
- Refraining from conduct forbidden by this policy;
- Reporting promptly any incidents of sexual or other harassment or other inappropriate behavior; and
- Cooperating in any investigation conducted under this policy by providing accurate and complete information about any incidents with which an employee is familiar.

#### **7.9. Use of Telephone and Mail Systems**

Zion needs to maintain effective telephone communications, and employees should always use an approved greeting and speak in a courteous and professional manner. Personal use of the telephone system for long-distance and toll calls is not normally permitted. Personal calls should be limited to mealtimes and other breaks and should be kept brief. Employees should practice discretion when making local personal calls and may be required to reimburse the organization for any charges resulting from their personal use of the telephone.

The use of church-paid postage for personal correspondence is not permitted.

#### **7.10. Safe Use of Cell Phones, Computers, and Other Electronic Devices**

Whether their cell phone, tablet, computer, or similar electronic communication device is provided by the ELCA or supplied personally, ELCA staff members are expected to observe the following guidelines in their use of such devices for ELCA-related business:

- Employees are required to abide by the law or ordinance of a particular jurisdiction with regard to the use of electronic communication devices while driving a motor vehicle and will be solely responsible for any traffic violations relating to such use.

- Safety must always be of paramount concern, and employees operating a motor vehicle should never place themselves or others at risk to fulfill work-related needs.
- Employees should never attempt to send or review text or email messages while operating a motor vehicle.
- Employees should place calls either prior to driving or while on rest breaks, and should drive to a safe parking location before accepting a call.
- Employees should always be conscious of their surroundings and refrain from discussing confidential matters in a public setting or under circumstances where their conversation could be overheard, or their electronic screen viewed by others.

## **7.11. Electronic Communications Policy**

### **7.11.1. Policy Overview**

Zion is committed to an environment that encourages the use of technical resources and other forms of electronic communications as essential tools to support the church's mission and ministry. The term "technical resources" includes, but is not limited to, all electronic communications systems, computer hardware and software, smartphones, tablets, data, information, email, instant messages, social media sites, Intranet, Extranet and Internet services, domain name registrations, and related systems. All employees are required to abide by Section 7.11 in their use of the church's technical resources as well as with Section 7.12, which deals specifically with social media. In particular, technical resources are to be used in a manner that is consistent with good stewardship and the mission and ministry of the church; that is responsible, professional, and legal; and that does not compromise the security or confidentiality of proprietary or other sensitive information or the church's technical resources.

Employees are expected to use their church-provided email address only when representing Zion, unless authorized by their supervisor. Employees are personally responsible for any activities they conduct with a church-provided email address, and for any of their activities that can be traced back to the Zion's domain or assets.

Employees will be held responsible for their use of a church-provided email address or Zion's technical resources to engage in any social media or professional social-networking activity, including but not limited to Twitter, Facebook, LinkedIn, and personal blogs. Employees must obtain written approval from the Church Administrator and for Information Technology before establishing any external social media or professional social networks identified with or utilizing equipment or resources of the church.

### **7.11.2. Acquiring Technical Resources**

All technical resources provided by or through the church are assets of Zion and must be acquired only with the written approval of their supervisor. No employee

may load, download, or receive software on the church's technical resources without the prior written approval of their supervisor.

### **7.11.3. No Expectation of Privacy**

Zion employees do not have a personal privacy or proprietary right in any matter created, received, sent, or stored on church's technical resources, telephones, or equipment, or on third-party resources used for work related matters, whether or not the matter is designated as private or confidential.

The church has the right, at any time and without prior notice, to monitor employees and to read, listen to, and copy all files or data contained on any technical resource, including but not limited to email messages, instant messages, Internet access records, voice messages, faxes, official employee content on Internet discussion groups, and personal file directories.

The **church** also has the right in its complete discretion to access all technical resources for the purpose of supporting its mission and ministry, complying with statutory requirements and internal policies regarding internal investigations, and any additional issues that may arise in connection with the management of the church's electronic communications systems.

### **7.11.4. Prohibited Activities**

The following behaviors are examples of previously stated or additional activities that are prohibited in the use of Zion's equipment or technical resources. They include, but are not limited to:

- Violating any law, statute, regulation, or ordinance;
- Violating any church policy or procedure or otherwise interfering with the mission and ministry of Zion;
- Jeopardizing the safety and security of church members, employees, or technical resources;
- Jeopardizing the tax-exempt status of the church including transmission of political or partisan campaign materials;
- Violating the legal rights of any person or entity;
- Stealing, using, or disclosing someone else's code or password without authorization;
- Copying, pirating, or downloading software and electronic files without permission;
- Creating unauthorized contractual liability for the church;
- Giving the impression that personal views are those of the organization;
- Sending anonymous email messages;
- Sending or posting discriminatory, harassing, or threatening messages or images;
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities, or using the Internet for any sort of gambling;



- Sending or posting messages that defame any other individuals or organizations;
- Attempting to break into the computer system of another person or organization; and
- Downloading or participating in the viewing or exchange of pornographic or sexually explicit materials unless specifically authorized for an investigation or other extraordinary, work-related purposes.

#### **7.11.5. Avoiding Harassing Behavior**

When communicating about the church or church-related matters, employees must never send or display any information that may be construed as offensive or harassing. Offensive or harassing messages include, but are not limited to, pornographic images; sexual references; racial slurs; comments regarding an individual's gender, age, sexual orientation, religious beliefs, national origin, disability, or any other characteristic protected by law; and comments that threaten or intimidate others.

#### **7.11.6. Speaking on Behalf of the Organization**

Unless specifically instructed or authorized, employees are restricted from speaking to the news media or others while purporting or appearing to represent the church.

Employees are responsible for ensuring that all information they share in work-related Internet discussion groups, chat rooms, blogs, or social networking sites is accurate, and that any personal opinions they express are clearly identified as personal and not attributed to the church.

#### **7.11.7. Posting Recommendations for Colleagues**

Online recommendations and comments about current and former employees could have unanticipated consequences, even if made personally by an employee and not on behalf of the organization. Therefore, employees must clear all potential recommendations and comments with the church Administrator if they refer to anyone who is or was ever associated with the church.

#### **7.11.8. Safety and Mission**

Electronic communications that negatively affect an employee's job performance, the safety of others, the church's mission and ministry, or the business interests of the church may be treated as employment-related, regardless of whether the communication took place during or outside of working hours.

#### **7.11.9. Reporting Violations**

Employees are expected to report any actual or perceived violations of this policy to their supervisor.

## 7.12. Social Media

Zion understands that social media can be helpful and rewarding ways to share one's life and opinions with family, friends, and co-workers around the world. Nonetheless, the use of social media also presents certain risks and carries with it certain responsibilities. This policy, which applies to all church employees, is intended to assist employees in making responsible decisions about use of social media. The church has additional requirements for people who are employed to create and use social media communications as part of their employment responsibilities.

For purposes of this policy, "social media" is defined as all means of communicating or posting information or content of any sort on the Internet, whether or not associated with Zion, including postings to one's own or someone else's blog, journal, diary, personal website, social networking or affinity website, web bulletin board, or chat room.

The same principles and guidelines found in these Personnel Policies apply to activities online. Ultimately, each employee is solely responsible for what they post online.

Maintain confidentiality. Never divulge information that would be considered confidential.

Observe all other policies of the church. Refrain from postings that contain discriminatory remarks, harassment (sexual or any other type), or threats of violence, or that constitute inappropriate or unlawful conduct.

Be respectful. Always be fair and courteous to fellow employees, members, suppliers, and other people who work with the church. Keep in mind that resolving work-related complaints by speaking directly with co-workers or supervisors is more effective than by posting to a social media outlet. Nevertheless, an employee who decides to post complaints or criticism must avoid posting anything that reasonably could be viewed as malicious, obscene, threatening, or intimidating; that disparages fellow employees; or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation and posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other legally protected status.

Be honest and accurate. Make sure that posted information or news is honest and accurate, and if a mistake is made, make sure that it is corrected quickly. Be open about any previous posts that have been altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any rumors or information known to be false about the church or other employees.

Represent yourself accurately. When participating in an online community and commenting on topics related to the **church**, employees must make clear that they are speaking for themselves and not on behalf of the church. Do not create a link from any blog, website, or other social media site to a church website without identifying yourself as an Zion employee.

Do not post at work. Refrain from using social media while on work time or on church equipment unless such activities are related to your duties or have been specifically authorized by a supervisor. Employees may not use their church email address to register on social networks or other sites for personal use without permission.

Check comments by others. Any photos or messages that are linked or “tagged” from “friends” and attached to employee site(s) or profile(s) that violate these guidelines are not permitted and, if not promptly removed from the employee’s own page or site, will be attributed to the employee.

No Retaliation. The church prohibits taking negative action against any employee for reporting possible deviation from this policy or for cooperating in an investigation of a possible deviation.

Nothing in this policy or any other church policy should be interpreted in a manner that unlawfully prohibits any right employees may have to engage in protected concerted activity.

### **7.13. Use of Facilities and Property**

Office supplies or equipment are not for personal use unless the employee has obtained advance written permission from a supervisor.

Equipment, documents, official records, or other property belonging to Zion may not be removed from the church for any reason without advance permission.

### **7.14. Security Inspections**

Zion wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the church prohibits the possession, transfer, sale, concealment, or use of such materials in the workplace.

Desks, file cabinets, and other storage locations may be provided for the convenience of employees but remain the sole property of the church. Employees should have no expectation of privacy with respect to the contents of their desks or other storage locations on the organization’s premises. Accordingly, any authorized agent or representative of the organization may inspect such desks or storage locations, as well as any articles found within them, at any time, either with or without prior notice.

The church seeks to discourage theft or unauthorized possession of the property of employees, vendors, and visitors. Any authorized church agent or representative may also inspect people entering or leaving the workplace and any packages, briefcases, backpacks, or other belongings in the possession of such people. Any employee who wishes to avoid inspection of any articles or materials should not bring them to work.

### **7.15. Preventing Workplace Violence**

All employees, visitors, guests, independent contractors, and other individuals should be treated with courtesy and respect. Fighting, “horseplay,” or other conduct that may be dangerous is prohibited. All threatened or actual violence, both direct and indirect, should be reported as soon as possible to any supervisor. This includes threats by employees, as well as threats by visitors, vendors, solicitors, or members of the public. All suspicious individuals or activities should also be reported as soon as possible. When making such a report, be as specific and detailed as possible.

The pastors or their designee will promptly investigate all reports of actual or threatened violence and of suspicious individuals or activities. The identity of the individual making a report will be protected to the extent practical. To attempt to maintain workplace safety and the integrity of the church’s investigation, the church may suspend employees, either with or without pay, during any investigation.

The Church Council encourages employees to bring any disputes or differences with other employees to the attention of their supervisors before the situation escalates into potential violence.

The **Personnel Committee** will assist in the resolution of employee disputes.

### **7.16. Weapons Policy**

Zion prohibits weapons of any type on the premises of the church or any buildings owned or rented by the church, or at any Zion-sponsored event. This general prohibition includes visible or concealed weapons, even those for which the owner has a valid permit. This policy applies to all church employees and also to contractors, vendors, and visitors. Prohibited items include any form of weapon, as well as any explosive that is illegal under federal, state, or local laws or ordinances.

To ensure that prohibited weapons and other contraband are not present on its property, the church reserves the right to inspect work areas, desks, and personal belongings (including but not limited to employee packages, purses, backpacks, or lunch bags) when it has a reasonable suspicion of possession of prohibited weapons or substances.

Employees who observe or have knowledge of any violation of this weapons policy should immediately report it to any supervisor.

### **7.17. Vehicle Use and Insurance**

Employees who use their personal vehicles for church-related business must first provide proof of adequate insurance coverage and maintain the appropriate driver’s license. Such employees must promptly inform their supervisor of any restriction or revocation of their driver’s license and of any cancellation or modification of their personal vehicle insurance coverage.

### **7.18. Drug and Alcohol Use**

Zion seeks to provide a drug-free, healthful, and safe workplace. To promote this goal, **church** employees are required to report to work capable of performing their jobs in a satisfactory manner.

While in the church, no employee may abuse, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. Illegal drug use includes the unauthorized use or possession of a legal drug as well as the unauthorized use or possession of a controlled substance. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a manner that does not endanger other individuals in the workplace. Depending on the circumstances, employees may consume alcoholic beverages at church-related functions but are expected to use common sense and to avoid intoxication.

Violations of this policy may lead to notification of the appropriate law enforcement authorities, disciplinary action up to and including discharge, or required participation in a substance abuse rehabilitation or treatment program.

The **church** believes it is in the public interest to provide a program to assist employees suffering from alcoholism or other chemical dependencies, through proper referral to appropriate community and professional agencies for help. Employees with drug or alcohol problems that have not resulted in or are not the immediate subject of disciplinary action may request approval to take time off to participate in a rehabilitation or treatment program. Sick leave may be granted if the employee agrees to abstain from use of the problem substance; if the employee abides by the **church's** policies, rules, and prohibitions relating to conduct in the workplace; and if the leave will not cause undue hardship on the church. An employee in these circumstances may be requested to sign a conditions-of-continued-employment agreement.

Employees with questions about either this policy or issues related to drug or alcohol use in the workplace should contact their supervisor.

### **7.19. Additional Employment**

Employees may not accept additional employment that will conflict with their present job responsibilities. Employees may not conduct other business or employment during church business hours, on church premises, or utilizing church offices or equipment. Such inappropriate additional employment includes employment that interferes with the efficient performance of the employee's duties or creates a conflict of interest. Failing to disclose additional employment or continuing to work at an additional job that interferes with employment with the church may be determined to be a conflict of interest for purposes of Section 2.10.2.

### **7.20. Solicitation Prohibited**

To provide a productive and harmonious work environment, Zion prohibits non-employees from soliciting or distributing literature in the workplace at any time for any purpose.

The church recognizes that employees may have interest in events and organizations outside the workplace. Nonetheless, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include meal periods, work breaks, or any other periods in which employees are not on duty.)

## **8. DISCIPLINE AND DISCHARGE**

### **8.1. Progressive Discipline**

Disciplinary action ordinarily follows counseling by the supervisor and may call for any of four steps—verbal warning, written warning, suspension with or without pay, and termination of employment—depending on the severity of the problem and the number of previous occurrences.

With respect to most disciplinary problems, the four steps mentioned above will normally be followed:

- A first offense may call for a verbal warning;
- The next offense may be followed by a written warning;
- Another offense may lead to a suspension; and
- Still another offense may then lead to termination of employment.

By using such progressive discipline, Zion seeks to correct most employee problems at an early stage. The policy of progressive discipline does not change the employment-at-will relationship, however. The church may bypass any one or more of the progressive disciplinary steps. Problems that are serious enough to justify either a suspension or discharge will be dealt with accordingly even if counseling or warnings were not previously given.

Generally, in the administration of discipline, the church will give primary consideration to the employee's disciplinary record for the past two years. Depending on the frequency, pattern, and seriousness of previous violations, however, the church may consider the employee's total employment record with the organization.

### **8.2. Grounds for Discipline or Discharge**

It is not possible to list all the forms of behavior that are not acceptable at work; many are detailed throughout these policies. The actions listed below are additional examples of conduct that may result in disciplinary action up to and including termination of employment. They include, but are not limited to:

- Unsatisfactory job performance;
- Unauthorized disclosure of any confidential information;
- Violating any of the church's policies or rules, whether described in these Personnel Policies or elsewhere;
- Excessive tardiness, absenteeism, or absence without call (no call, no show);
- Theft of, or inappropriate removal or possession of, property or money;
- Falsifying time records or other organization-related documents, including

but not limited to an application for employment, a request for a leave, or any business document;

- Violating safety or health rules at work;
- Working or attempting to work under the influence of alcohol or illegal drugs;
- Possessing, distributing, selling, transferring, or using alcohol or illegal drugs at work, while on duty, or while operating employer-owned vehicles or equipment;
- Fighting or threatening violence in the workplace;
- Boisterous or disruptive activity in the workplace, including malicious gossip;
- Negligence or improper conduct that causes or could have caused injury to other person(s) or damage to property, equipment, or vehicles;
- Intentionally injuring or damaging, or attempting to injure or damage, other people or property, equipment, or vehicles;
- Insubordination or other disrespectful conduct toward managers or supervisors;
- Smoking or using other tobacco products at work;
- Sexual or other unlawful or unwelcome harassment or inappropriate behavior;
- Possession of dangerous or unauthorized materials, such as explosives or firearms, at work;
- Unauthorized absence from your workstation during the workday;
- Unauthorized use of computers, telephones, the Internet, or other electronic communications systems, the mail system, or other equipment;
- and
- Other unsatisfactory performance or conduct, whether or not described in these Personnel Policies.

This list is not comprehensive and does not alter the at-will status of Zion's employees. The church has and will exercise the right to take appropriate action based on the individualized circumstances of a particular case. The church's action may include any level of discipline up to and including discharge based on conduct that warrants that action, whether or not the conduct is described in these Personnel Policies.

## **9. PROBLEM RESOLUTION PROCEDURE**

All Zion employees are expected to treat each other with respect and to offer positive and constructive criticism. The church encourages an atmosphere in which any job-related problem, complaint, suggestion, or question receives a timely response. Not every problem can be resolved to everyone's total satisfaction, but the church will consider complaints in accordance with the following procedure.

Employees who disagree with established policies, practices, or rules of conduct, or a particular decision or action, may express their concern through the problem resolution procedure described below. No employee acting in a reasonable manner will be penalized for voicing a complaint or using this problem resolution procedure. The steps

described below are intended to facilitate an informal resolution, and attorneys are not allowed to participate directly in the process.

Step 1. The employee describes the problem to the immediate supervisor within five days after the problem arises. If the supervisor is unavailable or is the source of the problem, the employee may describe the problem to any other supervisor. If the matter is not resolved to the employee's satisfaction, they may proceed to Step 2.

Step 2. The employee presents a written complaint to the supervisor within five days of the occurrence of the discussion referred to in Step 1. The supervisor has ten days to give a written reply. If the written reply does not resolve the complaint to the employee's satisfaction, they may proceed to Step 3.

Step 3. Within five days after receiving the written reply referred to in Step 2, the employee sends the written complaint and the reply to the chairperson of the personnel committee with an explanation of why Step 2 is not sufficient or fully satisfactory. The chairperson of the personnel (or their designee) will try to send a written reply to the employee within ten days. If the written reply does not resolve the complaint to the employee's satisfaction, they may proceed to Step 4.

Step 4. Within five days after receiving the written reply referred to in Step 3, the employee sends a written statement, together with all prior documentation, to the president of the church council requesting their consideration of the complaint and reasons why there has been no satisfactory resolution or treatment. The president of the church council may, but is not required to, consult with the chairperson of the personnel committee and may, but is not required to, meet personally with the employee and others while considering the matter. The president of the church will send a written decision to the employee normally within 30 days after the receipt of the employee's written statement requesting their consideration. The president's decision is final.

## **10. ENDING THE EMPLOYMENT RELATIONSHIP**

This Section 10 reviews the various ways the employment relationship may come to an end. Regardless of the reason for termination, **Zion** requests that the employee cooperate in the transition process and participate in an exit interview. This is especially true when an employee resigns or retires. In addition, the church asks that, on the effective date of the resignation or retirement, all work assignments be completed to the extent possible and all files be brought up to date. Termination checks shall be released upon return of all building keys and other congregational property which may have been entrusted to the care of the employee.

Exit interviews provide a way for the employee to reflect on their experience at **Zion** and to offer comments, advice, or suggestions regarding the organization's policies and practices.



### **10.1. Resignation or Retirement**

Resignation or retirement is a voluntary decision on the part of the employee to terminate the employment relationship. The **church** asks that employees give at least two weeks' advance notice. The last day of employment must be a day on which the employee is working.

### **10.2. Completion of a Specific Term**

Employees of Zion serving for a specific term—whether because of a term call, election to an office with a specific term, a written employment agreement for a specified time, or other reason—will be separated from employment at the end of that period. The preceding sentence does not preclude employment in a different capacity.

### **10.3. Discharge Based on Performance or Behavior**

Subject to any applicable restrictions and procedures in Zion's governing documents, there may be situations where the **church** decides the employment relationship must be terminated for disciplinary reasons. The **church's** preference for progressive discipline (see Section 8) does not alter the existence of an at-will relationship or preclude the imposition of discharge if the **church** determines that discharge is the appropriate action.

The church considers employment-related decisions on a case-by-case basis, and these Personnel Policies cannot address every situation that may arise. Therefore, nothing in this document prevents the dismissal of an employee where dismissal is in the best interest of the church. For example, personal misconduct by an employee that could adversely affect the church's relationship with the synod, or the general public or the church's ability to communicate its mission and message would lead to the prompt termination of employment.

All involuntary terminations must be approved by the Pastor(s). Depending on the particular circumstances, it is generally appropriate to consult with the chair of the Personnel Committee or with an officer of this church.

### **10.4. Termination for Other Reasons**

There may be situations where this church decides to separate an employee or group of employees based on program changes or budgetary reasons having nothing to do with job performance. This church recognizes the difficulty of such separations, especially because, as noted in Section 5.15, unemployment insurance benefits are not available. Therefore, this church will attempt to achieve mutually acceptable termination arrangements with the separating employee. Depending on the particular situation, such arrangements might include salary continuation for a specified period, a lump-sum payment, subsidized health benefits for a specified period, outplacement assistance, or a combination of such benefits. No terminating employee will be provided more than the equivalent of one month's pay without executing a full release of all claims in a written agreement approved by the Church Administrator and the general counsel.

### **10.5. Job Abandonment**

If an employee fails to report to work or call their supervisor for three consecutive days when scheduled to work, the organization may determine the employee's job has been abandoned as of the first day of absence.

### **10.6. Rehire**

A former employee's eligibility for rehire may depend on past performance. Former employees are not guaranteed rehire. Generally, rehired employees start over with respect to eligibility for benefits if the break in the employment relationship lasted more than a year.

**EMPLOYEE ACKNOWLEDGEMENT FORM**

By signing this form, I acknowledge that as of the date of my signature as shown below, I have received a copy of Zion’s Personnel Policies dated April 2023 and as updated from time to time, from my employer, the Evangelical Lutheran Church Zion. I understand that Zion’s Personnel Policies describe important information about working for the church and that it is my responsibility to read and become familiar with the contents of Zion’s Personnel Policies and to comply with these policies. I also understand that the church may change or add to these policies or adopt or change other policies as it deems appropriate, with or without advance notice, and it is my responsibility to become familiar with such revisions. I further understand that I should ask my supervisor or the Church Administrator any questions not answered in Zion’s Personnel Policies.

I acknowledge that I have entered into my employment relationship with Zion voluntarily and that I am an employee at will. I understand that, subject to applicable law, the employment relationship of an employee at will can be terminated at any time for any legal reason, with or without cause or notice. I understand that no manager or supervisor has any authority to change this employment-at-will relationship.

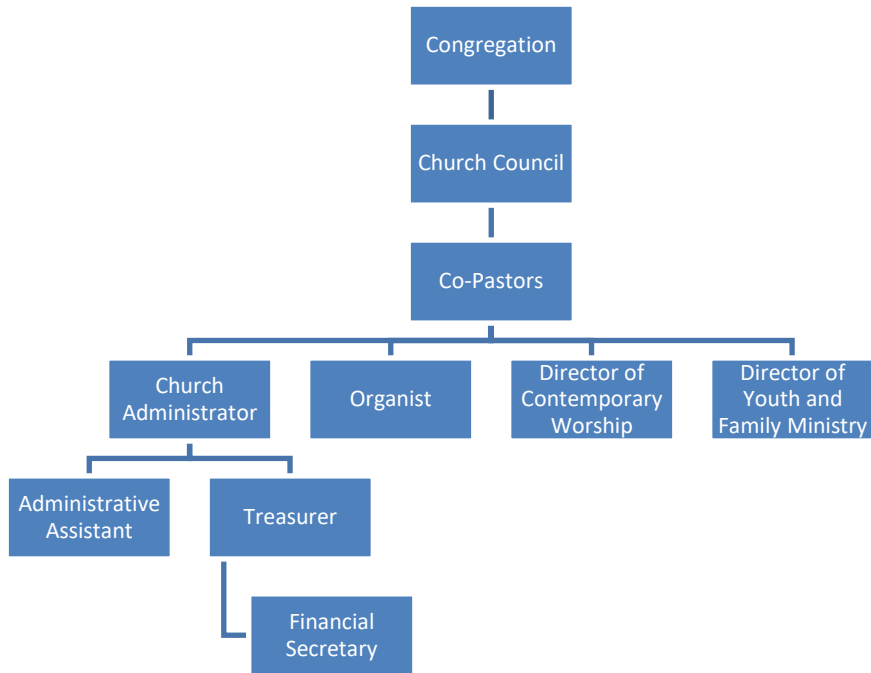
If I am on an ELCA roster I acknowledge that Zion’s Personnel Policies are not a contract of employment, and I understand that the church has and will exercise the right to take necessary action, including discharge, for conduct that requires such action, whether or not such conduct is referred to in this document.

\_\_\_\_\_  
Employee’s Signature

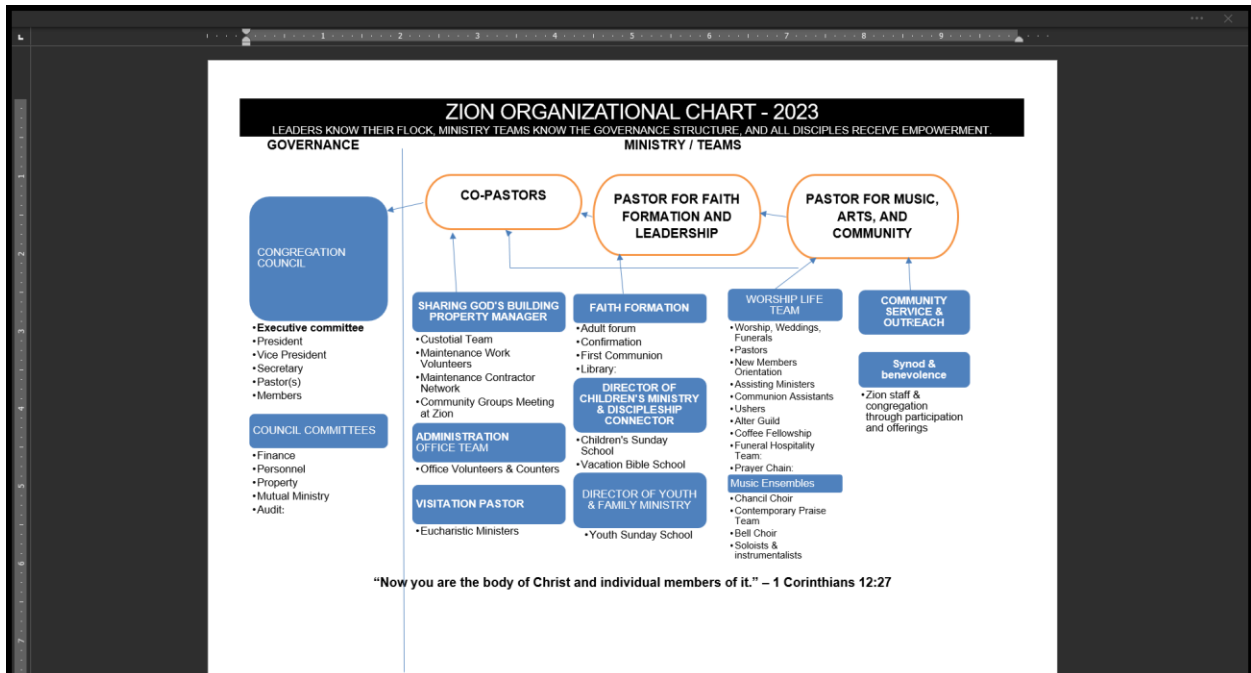
\_\_\_\_\_  
Date Signed

## Appendix A Organizational Charts (Supervision of individual employees is identified in the employee's job description.)

### Supervision



### Ministry Teams



**Appendix B  
Standard Format for Job Descriptions**

**EVANGELICAL LUTHERAN CHURCH ZION**

**JOB DESCRIPTION**

**POSITION:**

**POSITION SUMMARY:**

**SUPERVISION:**

**WORK SCHEDULE:**

**DUTIES AND RESPONSIBILITIES:**

**Consent to Criminal Background Search:** Because the position of involves interaction with all types of members of the church, the church requires all prospective employees to voluntarily submit to a criminal background check through the State Attorney General's Office. By signing this agreement, the employee specifically consents to said background check and waives any claim against the church for performing said background check.

**Change of Duties:** It is specifically understood by the employee that from time to time, the specific duties of the \_\_\_\_\_ may change and this agreement shall be modified accordingly.

**Acknowledgement:** By signing this agreement, the employee states that he/she has read the document in its entirety, that he/she understands each and every provision contained herein, and that he consents to be bound by its contents and give the church permission to perform the Criminal Background Check as set forth above.

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Supervisor

Date

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Reviewer

Date

**Appendix C  
Performance Appraisals**

**Church Staff Evaluation  
(sample)**

**Part I - Administrative Data**

**A. Employee's Name** \_\_\_\_\_

**B. Period Covered** From \_\_\_/\_\_\_/\_\_\_ thru \_\_\_/\_\_\_/\_\_\_

**C. Beginning Salary** \_\_\_\_\_ **Current Salary** \_\_\_\_\_

**Part II Verification** of Initial Face-to-Face Discussion

An initial face to face discussion of duties, responsibilities and performance objectives for the current rating period took place on \_\_\_\_\_.

Date

Employee's Initials \_\_\_\_\_

Evaluator's Initials \_\_\_\_\_

**Part III - Job Description**

**A. Job Title** \_\_\_\_\_

**B. Please review your job description and express any recommended changes you would make and why those changes are needed:**

**Part IV - Performance Evaluation**

1. During this evaluation period were there any personal challenges that you faced that affected your work performance?

2. What were the largest accomplishments you made during this review period?

3. Are there any adjustments you would make to your current workload?
  
4. Are there tasks that other church staff members could do to help you with your job?
  
5. What are your overall goals for the next review session?

How would you rate your own personal performance over this last review period?

- Above Expectations
- Met Expectations
- Needs Improvement

**Part V Evaluator: Review and comment on Part IV above.**

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Employee Signature

Date

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Supervisor Signature

Date

## Alternate Church Staff Evaluation

Employee Performance Self Evaluation	
Employee Goals For Upcoming Year	Met
<p>&lt;Provide a list of goals you plan to achieve over the next 6 months. For example, you may have goals to improve your overall work effectiveness, goals related to a specific task or duty, or goals related to training or special classes you'd like to receive&gt;</p>	<p>&lt;Leave this blank initially until 6-month review&gt;</p>
<b>STRENGTH</b>	
<b>DEVELOPMENT NEEDS</b>	

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date



**Performance Evaluation Form**

<b>Employee Name</b>	<b>Description</b>
<b>Job Title</b>	3-month review
<b>Evaluation Period</b>	6-month review
<b>Date Prepared</b>	yearly review

**Job Knowledge**

<b>Job Knowledge</b>	<p>Consider knowledge of skills, procedures, methods, equipment and materials required to do the job.</p> <ul style="list-style-type: none"> <li><b>0. Below Job Requirements -- Inadequate job knowledge. Insufficient understanding of the skills, procedures and methods required for job.</b></li> <li><b>1. Achieved Job Requirements - Understands and effectively completes normal job routine.</b></li> <li><b>2. Successful - Performance fully meets standards and expectations. Duties are performed in a thorough and comprehensive manner. Completely understands all aspects of the job and related jobs.</b></li> <li><b>3. Outstanding - Performance consistently exceeds standards and expectations. Superior job knowledge.</b></li> </ul>
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**Productivity**

<b>Productivity</b>	<p>Consider the amount of work the individual actually produces during an extended period of time.</p> <ul style="list-style-type: none"> <li><b>0. Below Job Requirements -- Works at extremely slow pace.</b></li> </ul>
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	<p>Rarely meets deadlines. Needs constant follow-up.</p> <ol style="list-style-type: none"> <li>1. <b>Achieved Job Requirements - Works at a steady pace. Output definitely meets requirements. Occasionally completes work ahead of deadlines.</b></li> <li>2. <b>Successful - Works fast. Produces more than most. Often work is completed ahead of deadlines.</b></li> <li>3. <b>Outstanding - Exceptional producer. Consistently completes work ahead of deadlines.</b></li> </ol>
<p><b>Quality of Work</b></p>	<p>Consider the accuracy and thoroughness of employee's work. Assess work results in terms of rejections, errors and overall neatness.</p> <ol style="list-style-type: none"> <li>0. <b>Below Job Requirements -- Excessive errors and mistakes. Requires constant checking and rework.</b></li> <li>1. <b>Achieved Job Requirements - Meets standards for accuracy and neatness. Makes some mistakes, but of a tolerable level. Needs normal supervision.</b></li> <li>2. <b>Successful - Consistently high degree of accuracy and neatness. Work can be relied upon. Seldom needs supervision.</b></li> <li>3. <b>Outstanding - Consistently highest level of quality. Final output is virtually perfect.</b></li> </ol>

<p><b>Initiative</b></p>	<p>Consider the degree to which employee is a self-starter, works with minimum supervision; seeks new and better methods to do the job.</p> <ul style="list-style-type: none"> <li>0. Below Job Requirements -- Shows little initiative. Never volunteers. Must be told to do everything.</li> <li>1. Achieved Job Requirements - Voluntarily solves non-routine job problems when necessary. Effective worker.</li> <li>2. Successful - Seeks new tasks and responsibilities. Resourceful in familiar situations. Self-starter</li> <li>3. Outstanding - Goes out of way to accept responsibility. Highly resourceful and constructive in new situations. Creative and independent worker</li> </ul>
<p><b>Dependability</b></p>	<p>Consider the extent to which the employee can be relied upon to be available for work and to do it properly.</p> <ul style="list-style-type: none"> <li>0. Below Job Requirements -- Frequently undependable. Often fails to deliver a complete job. Leaves routine tasks incomplete.</li> <li>1. Achieved Job Requirements - Dependable. Can be relied on to complete all aspects of job. Needs normal supervision.</li> <li>2. Successful -Very dependable and persistent despite possible</li> </ul>

	<p>difficulties. Completes normal work and occasional special projects with little supervision.</p> <p>3. Outstanding - Highly motivated and trustworthy. Can be counted on to go beyond limits of duties with little or no supervision when needed.</p>
<p><b>Planning &amp; Execution</b></p>	<p>Consider the employee's ability to organize work and work area.</p> <p>0. Below Job Requirements -- Frequently disorganized with work area in disarray. Results in high degree of lost time and inefficiency.</p> <p>1. Achieved Job Requirements - Work is sufficiently organized to efficiently perform job.</p> <p>2. Successful - Highly organized and efficient worker.</p> <p>3. Outstanding - Exceptionally precise in organization of work. Has immediate access to anything needed. Extremely efficient.</p>
<p><b>Attendance</b></p>	<p>Consider the employee's record of being at work regularly and on time.</p> <p>0. Below Job Requirements -- Unacceptable attendance record. Continual lateness or absences from work.</p> <p>1. Achieved Job Requirements - Occasionally is absent or tardy. Reports absence or tardiness in</p>

	<p>advance.</p> <p>2. <b>Successful - Seldom absent or tardy. Always reports absence or tardiness in advance.</b></p> <p>3. <b>Outstanding - Excellent attendance record. Always at work and on time.</b></p>
<p><b>Communication</b></p>	<p>Consider the employee's effectiveness and timeliness of relaying information to fellow employees and managers.</p> <p>(Speaking with impact, listening, open communication).</p> <p>0. <b>Below Job Requirements -- Unable to communicate information to peers and managers, resulting in delays, redundancy and/or other issues.</b></p> <p>1. <b>Achieved Job Requirements - Demonstrates effective oral and written communications skills and conveys information in a clear and concise manner.</b></p> <p>2. <b>Successful - Demonstrates strong oral and written communications skills and conveys information in a clear and concise manner.</b></p> <p>3. <b>Outstanding - Demonstrates outstanding oral and written communication skills.</b></p>

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Employee Signature

Date

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Supervisor Signature

Date