

PRESBYTERY OF WEST VIRGINIA
PERSONNEL HANDBOOK 2019

Table of Contents

1			
2			
3			
4	Table of Contents.....		1
5	PREAMBLE.....		3
6	I. EMPLOYMENT CLASSIFICATION.....		5
7	A. Regular full-time.....		5
8	B. Regular part-time.....		5
9	C. Temporary.....		5
10	II. EQUAL OPPORTUNITY POLICY.....		6
11	III. EMPLOYMENT PROCEDURES.....		6
12	A. Recruitment/Selection Process.....		6
13	B. Terms of Appointment.....		6
14	C. Probationary Employment.....		7
15	IV. RIGHTS AND RESPONSIBILITIES.....		7
16	A. Employer (Presbytery of West Virginia) Rights and Responsibilities.....		7
17	B. Employee Rights and Responsibilities.....		9
18	V. WORK TIME, COMPENSATION, AND BENEFITS.....		10
19	A. Work Time.....		10
20	B. Compensation.....		10
21	C. Benefits Plan of the Board of Pensions.....		11
22	D. Cafeteria Medical Plan-Section 125 Medical Reimbursement Plan.....		11
23	E. Travel Accident Insurance.....		11
24	F. Travel Expenses.....		11

25	G.	Social Security	12
26	H.	Taxes	12
27	I.	Unemployment Benefits	12
28	J.	Legal Holidays and Personal Days Granted with Pay	12
29	K.	Leave of Absence	13
30	L.	Jury Duty or Court Appearances	13
31	M.	Vacation	14
32	N.	Continuing Education and Job-Related Training.....	15
33	O.	Sabbatical Leave.....	16
34	P.	Medical Leave	18
35	Q.	Bereavement Leave	19
36	R.	Parental Leave.....	20
37	S.	Presbytery of West Virginia Presence in Congregations/Pulpit Supply	21
38	VI.	PERFORMANCE REVIEW.....	21
39	A.	Position Descriptions	21
40	B.	Annual Performance Review.....	21
41	C.	Unsatisfactory Performance	22
42	D.	Exit Interviews.....	23
43	VII.	GRIEVANCE/COMPLAINT PROCEDURE	23
44	A.	Preliminary Grievance/Complaint Procedure	23
45	B.	Formal Complaint Procedure	23
46	C.	Remedial or Disciplinary Cases	24
47	D.	Written Records	24
48	VIII.	TERMINATION GUIDELINES.....	24
49	A.	Voluntary Terminations	24

50	B.	Involuntary Terminations.....	25
51	C.	Separation Agreement.....	27
52	D.	Suspension	28
53	IX.	EMPLOYEE RECORDS.....	28
54	A.	Confidentiality of Employee Records.....	28
55	B.	Principles Regarding Personnel Records.....	28
56	X.	SEXUAL AND OTHER UNLAWFUL HARASSMENT	29
57	XI.	SEXUAL MISCONDUCT POLICY	31
58	XII.	COMMUNITY RELATIONS AND MEDIA ANNOUNCEMENTS.....	31

59

60 **PREAMBLE**

61

62 The Presbytery of West Virginia in partnership with other governing bodies of the Presbyterian
63 Church (USA), is called to proclaim the Gospel of Jesus Christ, provide compassionate and
64 special ministries for the people of God, provide leadership in mission interpretation and
65 stewardship within its bounds, and equip members for ministry. The Presbytery votes to elect a
66 General Presbyter, Stated Clerk, and Treasurer; its Administration Committee appoints other
67 professional and support staff members and oversees the work of all staff members.

68 The General Presbyter is responsible for the staffing and supervision of the Presbytery of West
69 Virginia office and serves as head of staff. The Stated Clerk and Treasurer also report to the
70 General Presbyter.

71 In conjunction with the General Presbyter, the Administration Committee will ensure that the
72 Presbytery of West Virginia has the appropriate staff to carry out the mission of the Presbytery of
73 West Virginia in light of available funding. The Committee will oversee staff compensation as
74 well as the office facilities and equipment so that the staff can carry out their work affectively
75 and faithfully.

76 In consultation with the Treasurer and General Presbyter, the committee will make
77 recommendations to the Stewardship Committee for the annual budget. The Leadership Team

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78 will consult with the General Presbyter to establish annual goals for that position based on the
79 goals and objectives of the Presbytery of West Virginia with a copy to the Administration
80 Committee. The General Presbyter, in turn, will work with each staff member to establish yearly
81 goals to further support the mission of the Presbytery of West Virginia. Annually the General
82 Presbyter shall provide a written report of the results of the goals for his/her assignments and an
83 oral report of the results of the goals of the staff to the Administrative Committee and Leadership
84 Team. Among its responsibilities, the Presbytery of West Virginia's Administration Committee
85 is charged with developing and maintaining staffing plans that implement the mission of the
86 Presbytery of West Virginia and with providing staff members the support and communication
87 they need to assure the successful functioning of the Presbytery of West Virginia. For example,
88 the committee sets terms of employment, adjusts to changing needs of the staff and the
89 Presbytery of West Virginia, prepares job descriptions for each staff position, and monitors
90 progress toward the achievement of stated goals.

91

92 This handbook provides information about the terms of employment that apply to professional
93 and support staff members of the Presbytery of West Virginia, developed in accordance with the
94 Presbytery of West Virginia's commitment to the fulfillment of its mission, fairness in all of its
95 dealings, and respect for the dignity due all sisters and brothers in Christ Jesus. This handbook
96 seeks to be as accurate, current, and complete as possible; however, it cannot anticipate all
97 eventualities. As special circumstances arise, the Administration Committee shall serve as the
98 Presbytery of West Virginia's designated body to propose and enact resolutions. In the event of
99 inconsistencies in this handbook and federal or state law, the applicable federal or state law shall
100 take precedence.

101

102 **It should be noted that professional and support staff members serving as employees of the**
103 **Presbytery of West Virginia serve as employees-at-will, and further, that no individual or**
104 **individuals are authorized to commit the Presbytery of West Virginia, orally or in writing,**
105 **to terms of employment other than those outlined in this Personnel Handbook without**
106 **written documentation of approval by the General Presbyter and/or its Administration**
107 **Committee. The Presbytery of West Virginia acting through the office of its General**
108 **Presbyter reserves the right to terminate employment or to eliminate positions at any time.**

Approved by the Administration Committee –February 13, 2019

109

110 **This Personnel Handbook is not a contract. The Presbytery of West Virginia may change**
 111 **its provisions or interpretation of provisions at any time without notice or consideration.**

112 Once a Personnel Handbook is approved by the duly authorized Administration Committee, it
 113 supersedes all previous personnel handbooks/manuals for all staff members currently in the
 114 employ of the Presbytery of West Virginia. Information contained in appendices or attachments
 115 to this handbook has the same force as information included in the main body of the handbook.

116

117 **I. EMPLOYMENT CLASSIFICATION**

118 There are three (3) classifications of employees as follows:

119 **A. Regular full-time** - An employee elected or appointed for an indefinite period of
 120 time to a position in which he/she normally works at least 38 hours per week.

121 1. Exempt full-time employees serve in positions of a managerial,
 122 administrative, or professional nature as prescribed by federal and state
 123 labor statutes and are exempt from mandatory overtime payments;

124 2. Non-Exempt full-time employees serve in positions of a clerical,
 125 technical, or service nature, as defined by statute, which are covered by
 126 provisions for overtime payments.

127 **B. Regular part-time** - An employee elected or appointed for an indefinite period of
 128 time to a position in which he/she is normally scheduled to work no more than 30
 129 hours per week.

130 1. Exempt part-time employees serve in positions of a managerial,
 131 administrative or professional nature as prescribed by federal and state
 132 labor statutes. Persons are exempt from mandatory overtime payments;

133 2. Non-Exempt part-time employees serve in positions of a clerical,
 134 technical, or service nature, as defined by statute, which are covered by
 135 provisions for overtime payments.

136 **C. Temporary** - An employee hired for a period not exceeding six months who, by
 137 virtue of his/her brief period of service, is not granted benefits extended to
 138 employees serving in positions considered ongoing. An extension of a temporary
 139 work classification for up to an additional three-month period may be granted if,

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140 upon review by the General Presbyter, the assignment is clearly found to be
141 necessary. A temporary employee may be full-time or part-time, exempt or non-
142 exempt.

143 **II. EQUAL OPPORTUNITY POLICY**

144 The Presbytery of West Virginia will seek to give equal opportunity for
145 employment to qualified applicants regardless of race, color, sexual orientation,
146 marital status, national origin, ancestry, age, veteran status, or physical or mental
147 disability. So long as a person's creed, religion, or belief system is not contrary to
148 the specific nature of the work of this Presbytery of West Virginia, he/she may be
149 considered eligible for employment. As a governing body of the Presbyterian
150 Church (USA), the Presbytery reserves the right to vote to elect or appoint
151 individuals to leadership positions within the organization who satisfy stated
152 ecclesiastical or administrative criteria.

153 **III. EMPLOYMENT PROCEDURES**

154 **A. Recruitment/Selection Process**

155 Three positions are elected by the Presbytery - General Presbyter, Stated Clerk,
156 and Treasurer. All other positions are appointed by the General Presbyter in
157 consultation with the Administration Committee. Position descriptions for all
158 employees, including desired characteristics of candidates, are prepared before an
159 opening is posted. When a vacancy is to be filled, professional positions are
160 normally announced and filled using the open process of selection within the
161 Presbyterian Church (USA). Support staff vacancies are announced regionally
162 and are filled according to an open process conducted by the Administration
163 Committee. All positions shall be filled in accordance with the Equal
164 Employment Opportunity Policy and, where applicable, with attention to special
165 criteria required for positions of leadership.

166 **B. Terms of Appointment**

167 Each staff member shall be provided a written Letter of Appointment that shall
168 specify the employee's job title, starting date, Probationary period, initial monthly

169 salary, status (exempt/non-exempt, full-time/part-time/temporary), and any
170 special provisions or conditions of employment—e.g., eligibility for study leave.
171 Each staff member shall also receive a position description approved by the
172 Administration Committee, or, in the case of elected staff members, a position
173 description approved by vote of the Presbytery in consultation with the
174 Administration Committee. Each staff member shall acknowledge in writing
175 receipt of the Presbytery of West Virginia’s Personnel Handbook.

176 **C. Probationary Employment**

177 The initial 90 days of employment with the Presbytery of West Virginia shall be
178 considered Probationary Employment. The intent of this period is to give the
179 employee and the General Presbyter an opportunity to evaluate interest and
180 qualifications for the position under actual working conditions. Training will be
181 provided as appropriate and performance will be monitored. Toward the end of
182 this 90-day period, the General Presbyter shall prepare a performance appraisal
183 and discuss the assessment with the employee. The Probationary Employment
184 period may be extended up to an additional 30 days, should the General Presbyter
185 deem such action appropriate. If during Probationary Employment the General
186 Presbyter decide to do so, he/she may terminate employment without stated
187 reasons. When all requirements for regular employment are completed
188 satisfactorily, regular employment shall begin with the next pay period.

189 **IV. RIGHTS AND RESPONSIBILITIES**

190 **A. Employer (Presbytery of West Virginia) Rights and Responsibilities**

- 191 1. Rights
- 192 a. to establish basic work goals consistent with the purpose of the
193 Presbytery of West Virginia;
- 194 b. to establish an overall structure designed to best accomplish the
195 basic goals;
- 196 c. to establish and administer a personnel system which can meet the
197 personnel needs of the structure;

- 198 d. to establish position descriptions and qualifications for particular
199 functions and determine who is qualified to perform such
200 functions;
- 201 e. to establish and administer processes for compensation, career
202 development, benefits, working conditions, promotions, transfers,
203 dismissals, and other conditions and aspects of employment;
- 204 f. to expect employees to be productive in their assigned functions;
205 and,
- 206 g. to exercise appropriate and reasonable discipline.
- 207 2. Responsibilities
- 208 a. to be faithful to the purpose of the organization as reflected in the
209 Mission Statement;
- 210 b. to assure that policies and administration of the personnel system
211 are consistent with the rights of the employee and support a
212 positive, productive work environment;
- 213 c. to provide adequate and equitable compensation to employees;
- 214 d. to conduct regular performance reviews and evaluations for all
215 employees that relate their work objectives to the goals of
216 Presbytery of West Virginia and that give them opportunity to
217 participate in evaluating their own performance in relation to these
218 objectives;
- 219 e. to provide benefits and working conditions for the general welfare
220 and well-being of all employees in an equitable manner;
- 221 f. to establish and maintain open communication with employees on
222 matters concerning their welfare and the Presbytery of West
223 Virginia's interests so that the implementation of personnel
224 policies, procedures, and practices is a process in which both
225 employer and employees may participate and cooperate; and
- 226 g. to establish and administer a process (in compliance with the Book
227 of Order G-3.0110) that provides for the hearing and resolution of
228 complaints and grievances.

229 **B. Employee Rights and Responsibilities**

230 1. Rights

- 231 a. to receive sufficient information in order to allow the employee to
232 develop an understanding of his/her role and function in the total
233 structure of Presbytery of West Virginia;
- 234 b. to receive information on the quality of his/her performance;
- 235 c. to have the right to assess and request support for his/her own
236 career development;
- 237 d. to be kept informed of proposed changes in personnel procedures
238 in order to provide input into the process;
- 239 e. to participate in the administration of personnel policies, where
240 appropriate, to insure objectivity and fairness (i.e., grievance
241 procedures, job classifications, performance review);
- 242 f. to have working conditions that promote safety, general welfare,
243 and productivity; and
- 244 g. to receive compensation and other benefits applicable to the
245 position.

246 2. Responsibilities

- 247 a. to give his/her best possible performance in the assigned functions;
- 248 b. to participate fully in any committee or group to which employees
249 are assigned;
- 250 c. to provide suggestions for improvements of assigned tasks;
- 251 d. to understand his/her role and function in the context of Presbytery
252 of West Virginia's goals;
- 253 e. to honor his/her commitment to goals and objectives as outlined in
254 the person and position description and as agreed upon by his/her
255 participation in the personnel system.

256 **WORK TIME, COMPENSATION, AND BENEFITS**

257 **A. Work Time**

- 258 1. Full-time exempt employees are expected to work a minimum 38 hours
259 weekly; however, salary is paid for completing work, regardless of the
260 number of hours required.
- 261 2. Part-time exempt employees are expected to work the number of hours
262 weekly specified in their Letter of Appointment, but at least 20 hours per
263 week; however, salary is paid for completing work, regardless of the
264 number of hours required.
- 265 3. Full-time non-exempt employees ordinarily work 38 hours weekly—
266 currently four 9.5-hour days with ½ hour unpaid lunch period daily.
- 267 4. Part-time non-exempt employees are expected to work the number of
268 hours weekly specified in their Letter of Appointment and are
269 compensated at an hourly rate for additional hours that they may from
270 time to time be scheduled to work.
- 271 5. Adjustments to the workweek, ordinarily beginning on Monday and
272 ending on Thursday, may be scheduled by prior agreement between the
273 employee and the General Presbyter.
- 274 6. The General Presbyter shall maintain work records for each employee
275 adequate to determine eligibility for personal days, vacation, medical
276 leave, parental leave, bereavement leave, continuing education, number of
277 days taken, number of days remaining, etc. These records shall constitute
278 the Presbytery of West Virginia’s valid authority for determining the
279 disbursement of salary and wages, appropriate leaves, and benefits as
280 applicable.

281 **B. Compensation**

- 282 1. The Administration Committee shall review employee compensation
283 annually and make budgetary recommendation to the Stewardship
284 Committee.

- 285 2. Compensation for Ministers of Word and Sacrament (Teaching Elders)
 286 and Certified Church Educators will comply with the terms of their
 287 election/appointment as approved by the Presbytery.
- 288 3. Compensation for all other employees will comply with Federal wage and
 289 hour and applicable labor laws.
- 290 4. Exempt employees do not qualify for over-time compensation.

291 **C. Benefits Plan of the Board of Pensions**

292 All employees, both exempt and non-exempt, who are employed for a minimum
 293 of 20 hours per week will be enrolled in the Benefits Plan of the Board of
 294 Pensions of the Presbyterian Church (USA).

295 **D. Cafeteria Medical Plan-Section 125 Medical Reimbursement Plan**

296 All employees are provided the option to participate in a Cafeteria Medical Plan.

297 **E. Travel Accident Insurance**

298 Employees are provided coverage by the Presbytery of West Virginia 's general
 299 liability insurance policy.

300 **F. Travel Expenses**

- 301 1. In general, decisions regarding employee travel will be based on the best
 302 interests of the Presbytery of West Virginia. Employees will be reimbursed for
 303 staff travel at the current IRS business mileage rate and related, approved out-
 304 of-pocket expenses with appropriate documentation. Employees are strongly
 305 encouraged to carpool and/or to use rental cars for their staff travel whenever
 306 the cost will be lower than the reimbursement for the trip at the current IRS
 307 business mileage rate.
- 308 2. Travel expenses from home to the employee's primary, designated office is
 309 not eligible for reimbursement or charge against a Presbytery of West Virginia
 310 budget. Eligible mileage is normally calculated from the Presbytery of West
 311 Virginia office to the approved destination. However, if an employee's home
 312 is 30 or more miles from the Presbytery of West Virginia office and the

313 employee departs from home on business-related travel, mileage will be
 314 calculated from home to the approved destination.

315 **G. Social Security**

- 316 1. Exempt employees who are ordained Ministers of Word and Sacrament
 317 (Teaching Elders) normally will have one half of Social Security self-
 318 employment tax reimbursed in accordance with the approved terms of
 319 their election/appointment. The exception will be those persons who have
 320 opted out of the Social Security program. Such persons shall show proof
 321 of compliance with the regulations concerning said options.
- 322 2. Other exempt and non-exempt employees shall have the appropriate
 323 amount of Social Security taxes withheld.

324 **H. Taxes**

- 325 1. Exempt employees who are ordained Ministers of Word and Sacrament
 326 (Teaching Elders) are considered self-employed. At their request, state
 327 and federal income taxes may be withheld and paid for them.
- 328 2. Other exempt and non-exempt employees shall have the appropriate share
 329 of federal and state income taxes withheld.

330 **I. Unemployment Benefits**

331 Churches and church organizations are not subject to federal and state
 332 unemployment benefits.

333 **J. Legal Holidays and Personal Days Granted with Pay**

- 334 1. The Presbytery of West Virginia grants its employees paid days off for the
 335 following:
 336 New Year's Day—one day
 337 Martin Luther King Jr. Day—one day
 338 Good Friday—one day
 339 Memorial Day—one day
 340 Independence Day—one day
 341 Labor Day—one day

342 Thanksgiving—two days

343 Christmas—two days

344 If a legal holiday falls on a day of the week when the office of the
345 Presbytery of West Virginia is normally closed—currently Friday,
346 Saturday or Sunday—the holiday will be observed as a day off with pay
347 on the nearest Thursday or Monday.

348 2. Employees receive one personal day with pay in honor of their birthday.
349 This personal day may be taken in the year earned and is not cumulative
350 beyond that year. Employees will not be compensated for unused personal
351 days at the end of the year or upon cessation of employment, regardless of
352 the reason for cessation (e.g., termination, resignation, etc.).
353 Arrangements for taking personal days are to be made with the General
354 Presbyter so that workflow may be maintained. The reasons for choosing
355 to use a personal day need not be given.

356 **K. Leave of Absence**

357 Leave of absence is time off in a no-pay status. An employee must submit a
358 request for leave of absence in writing to the General Presbyter. The employee is
359 expected to request leave of absence with as much advance notice as possible.
360 Each case shall be evaluated on its own merit. The employee shall advise the
361 General Presbyter of the leave situation and contact him/her at least one (1) week
362 prior to the expiration of the approved leave to discuss return to work. If the
363 employee desires voluntary termination, this should be reported as soon as
364 possible. The same or similar position cannot be guaranteed more than six (6)
365 months, unless an exception exists under federal and or state laws.

366 **L. Jury Duty or Court Appearances**

367 Employees will be granted time off for mandatory jury duty or court appearances
368 as a witness when the employee must serve or is required to appear as a result of a
369 court order or subpoena. A copy of the court order or subpoena must be supplied
370 to the General Presbyter when requesting time off. The employee is entitled to full
371 pay for each day (as defined in terms of employment) of jury duty or service as a

372 witness up to a maximum of ten (10) days per year in addition to other paid leave.
373 Any compensation received for jury duty other than expenses shall be reimbursed
374 to the employer for those days for which the employee qualifies for full pay by
375 the employer. However, time off for court appearances as a party to a civil or
376 criminal litigation shall not be compensated. The employee must arrange for time
377 off without pay or use accrued annual leave for such appearances. Any exception
378 to this practice will be considered by the General Presbyter.

379 **M. Vacation**

- 380 1. Exempt employees shall accrue paid vacation leave at the rate of 1.33 days
381 per month (16 work days/4 workweeks per annum), prorated as
382 appropriate for part-time exempt employees and/or for partial months
383 worked; however, they may take accrued vacation days only after
384 successful completion of Probationary Employment. At the time of
385 termination, an exempt employee may elect compensation in lieu of
386 unused accrued vacation leave.
- 387 2. Full-time non-exempt employees accrue paid vacation leave according to
388 the following schedule:
 - 389 a. On the anniversary of six (6) months of service – one work week
390 (38 working hours) per annum.
 - 391 b. On the anniversary of one (1) year of service – two work weeks
392 per annum.
 - 393 c. On the anniversary of five (5) years of service – one (1) additional
394 vacation day (9.5 working hours) per annum for each additional
395 year of service up to a maximum of four (4) workweeks.
- 396 3. Non-exempt employees who work less than full-time accrue paid vacation
397 leave according to the schedule for non-exempt employees above, but
398 prorated to reflect the actual number of hours they are scheduled to work
399 per week. For example: An employee entitled to two weeks of paid
400 vacation leave who ordinarily works twenty (20) hours per week would be
401 entitled to two (2) 20-hour weeks of paid vacation leave.

- 402 4. Temporary employees do not accrue paid vacation leave.
- 403 5. Vacation is expected to be used in the year in which it is accrued. With the
- 404 approval of the General Presbyter, exempt and non-exempt employees
- 405 may carry over up to one (1) workweek of accrued vacation leave to the
- 406 next year. Any additional unused accrued vacation leave shall be forfeited
- 407 without compensation to the employee.
- 408 6. Advance approval of vacation dates by the General Presbyter is required
- 409 to assure that work flow of the Presbytery of West Virginia may be
- 410 maintained.

411 **N. Continuing Education and Job-Related Training**

- 412 1. Exempt employees who are also a Minister of Word and Sacrament
- 413 (Teaching Elder) or Certified Christian Educator and thus are subject to
- 414 review by the Ministry Committee shall receive annual study leave as may
- 415 be specified in their respective Letters of Appointment, the time of such
- 416 leaves to be coordinated with the General Presbyter. Both time and dollars
- 417 designated for continuing education may accrue for up to three
- 418 consecutive years. Employees will not be compensated for unused study
- 419 leave.
- 420 2. Non-exempt employees may be granted study leaves by special
- 421 arrangement in order to enhance job skills for the benefit of Presbytery of
- 422 West Virginia. Such leaves must be approved by the General Presbyter
- 423 and the Administration Committee and may, or may not, be eligible for
- 424 full or partial financial support, depending on the nature of the skills-
- 425 enhancement program approved.
- 426 3. Exempt and non-exempt employees are expected to participate in work-
- 427 related training events and conferences, governing body and staff
- 428 meetings, and professional career events. Presbytery of West Virginia staff
- 429 may be asked to give leadership to these events. Non-exempt employees
- 430 will be compensated for hours related to these events in excess of their
- 431 regularly scheduled hours. Attendance at job-related events and

432 conferences is approved by the General Presbyter and reported to the
433 Administration Committee. The General Presbyter will report his/her
434 participation in such events to the chair of the Administration Committee.

435 **O. Sabbatical Leave**

- 436 1. The purpose of a Sabbatical Leave procedure within the Presbytery of
437 West Virginia is to allow time away from normal job responsibilities for
438 personal and professional growth, spiritual renewal, and a revitalization of
439 vision and hope. The leave should offer a time of refreshment for the
440 benefit of both the participant in the leave and his/her staff or Presbytery
441 of West Virginia. It would also be appropriate for the Presbytery of West
442 Virginia to consider how the sabbatical time could be an opportunity for
443 its own growth and renewal.
- 444 2. A Sabbatical Leave is a break and change from the everyday routine and
445 therefore would include a balance of reflection and prayer, rest, study and
446 travel. It is not to be considered a vacation. Nor may the employee
447 granted a Sabbatical Leave accept work for pay during the leave period. It
448 is not intended to be used as a chance to escape difficulties within the
449 work place nor is it a substitute for annual study leave.
- 450 3. Eligibility for a Sabbatical Leave is limited to full-time exempt employees
451 of the Presbytery of West Virginia who have completed at least seven (7)
452 consecutive years of employment and for whom at least seven (7) years
453 have lapsed since any previous Sabbatical Leave.
- 454 4. Specific requirements include:
- 455 a. The length of a Sabbatical Leave shall be a maximum of three (3)
456 months in any one year and may be approved for a shorter period
457 of time, depending on the nature of the sabbatical proposal.
458 Ministers of Word and Sacrament (Teaching Elders) and Certified
459 Christian Educators who are eligible for study leave (see V.N.1.
460 above) will include any unused accrued study leave as part of the
461 maximum three-month Sabbatical Leave. Ordinarily, annual study

- 462 and/or vacation leave may not be taken contiguous with a
463 sabbatical.
- 464 b. Adequate attention to planning activities to be undertaken during a
465 Sabbatical Leave and for sharing results after the leave are vital to
466 its success. Prior to the beginning of the leave, there should be at
467 least one year's notice to the General Presbyter and the
468 Administration Committee outlining the purpose of the sabbatical
469 as stated in O.1 above. Nine months prior to the leave, a written
470 proposal detailing its purpose and content should be submitted to
471 the Administration Committee for approval.
- 472 c. Being granted a Sabbatical Leave is not an entitlement for a full-
473 time exempt employee of the Presbytery of West Virginia. Rather,
474 it constitutes a significant investment by the Presbytery of West
475 Virginia in the spiritual and professional development of an
476 individual in order to strengthen future leadership of the Presbytery
477 of West Virginia. Sabbatical Leaves shall be approved based on
478 the merits of the proposal submitted and the availability of funding
479 to address staffing adjustment that may be required for the duration
480 of the requested leave.
- 481 d. Proposals for interim staff leadership shall be developed and
482 presented for approval by the requesting staff member.
- 483 e. During the period of the Sabbatical Leave, full salary and benefits
484 will be provided by the Presbytery of West Virginia. Payments for
485 travel expenses and other administrative expenses will be
486 suspended during the period of the Sabbatical Leave.
- 487 f. Upon returning from Sabbatical Leave, the staff member is
488 expected to remain in his/her position for at least one (1) year. A
489 staff member considering changing jobs is not eligible for a
490 Sabbatical Leave.

- 491 g. There will be a detailed report and reflections along with re-entry
492 plans which will allow the Presbytery of West Virginia and the
493 staff member to share their different journeys.
- 494 h. In all cases, the staff member will be restored to his/her former
495 position and status, or to a position of approximately similar status,
496 and shall receive a salary at the level he/she would have had had
497 he/she not taken the Sabbatical Leave.

498 **P. Medical Leave**

- 499 1. Medical leave is defined as an absence due to personal illness or injury,
500 which keeps the employee from his/her regular work. Leave for illness is
501 allowed to an employee only in the cases of actual illness or disability of
502 the employee.
- 503 2. At the time of employment, a regular full-time employee will accrue
504 medical leave at a rate of one (1) work day (as defined in employees'
505 terms of employment) per month, twelve (12) work days per calendar
506 year. Medical leave is accrued on the last workday of the month.
507 Employees must be in active pay status on the last day of the month to
508 accrue medical leave for that month. An individual employed with a
509 starting date on or before the 15th of the month will be given credit for the
510 entire month; one employed with a starting date after the 15th day will not
511 receive credit for the month. Unused accrued medical leave may be carried
512 over for a combined total of eighteen (18) work weeks (as defined in terms
513 of employment.). New employees begin accrual of medical leave at the
514 time of employment; however, they may not use such accrued leave until
515 they have successfully completed Probationary Employment. Part-time
516 employees will be granted medical leave based on the hours at work on a
517 proportional basis (e.g. 1/2 time = 1/2 time pro-rated for medical leave.)
- 518 3. An employee is expected to notify the General Presbyter at the beginning
519 of each work day during illness or injury. Exceptions to this include a

- 520 serious accidental injury, hospitalization, or when known in advance that
 521 the employee will be absent for a certain period of time.
- 522 4. A Medical Release Statement is to be submitted to the General Presbyter
 523 for review before the employee returns to work in the following situations:
- 524 a. Five (5) or more consecutive work days (as defined in employees'
 525 terms of employment) of absence due to illness or injury;
- 526 b. In all cases of work-related injury when the employee has been
 527 unable to work after the time of the injury; or
- 528 c. When returning from medical leave of absence.
- 529 5. It is in the best interest of an employee who is ill or injured that the
 530 employee not remain at work.
- 531 6. When absence occurs due to work-related injuries, compensation is
 532 available through Worker's Compensation Insurance. Payment is made
 533 according to West Virginia Worker's Compensation regulations.
- 534 7. At the discretion of the General Presbyter, a doctor's excuse for any
 535 medical leave taken may be required. Medical leave is not to be used to
 536 extend weekends, holiday periods, or vacation.
- 537 8. Time for routine doctor or dentist appointments is not to be charged to
 538 medical leave. Employees are encouraged to make such appointments
 539 before arriving for work or after leaving work for the day, if possible. If
 540 time off is required for such appointments, arrangements should be made
 541 in advance with the General Presbyter to make up the hours missed.
- 542 9. Unused medical leave will be forfeited without compensation upon
 543 cessation of employment, regardless of the reason for cessation (e.g.,
 544 termination, resignation, retirement, etc.).

545 **Q. Bereavement Leave**

546 In the event of the death of a member of the immediate family (spouse, parent,
 547 parent-in-law, grandparent, grandchild, sister, brother, children/step-children, or
 548 any individual for whom the employee is legal guardian) up to four (4) days of

549 paid leave may be granted annually by the General Presbyter. These days may
550 not be accumulated.

551 **R. Parental Leave**

552 All employees of the Presbytery of West Virginia shall be eligible for Parental
553 Leave—either Maternity Leave or Paternity Leave, as it may apply.

554 1. Maternity Leave

555 a. Employees desiring maternity leave must submit a written request
556 to the General Presbyter, ordinarily thirty (30) days prior to the
557 start of leave.

558 b. Maternity Leave is for two (2) contiguous months without pay, but
559 with continuation of benefits, excluding travel expenses or
560 allowance.

561 c. Maternity leave begins ordinarily at or around the time of delivery
562 or when appropriate in an adoption procedure. Complications
563 related to a pregnancy will be considered medical leave.

564 2. Paternity Leave

565 a. Employees desiring paternity leave must submit a written request
566 to the General Presbyter, ordinarily thirty (30) days prior to the
567 start of leave.

568 b. Paternity Leave is for three (3) contiguous weeks without pay, but
569 with continuation of benefits, excluding travel expenses or
570 allowance.

571 c. Paternity leave begins ordinarily at or around the time of delivery
572 or when appropriate in an adoption procedure.

573 3. The Presbytery of West Virginia is unable to accommodate children in the
574 workplace (where workplace is defined as the Presbytery of West Virginia
575 office). Employees of the Presbytery of West Virginia are expected to
576 make appropriate arrangements for child-care. However, in an
577 emergency, and with the General Presbyter's prior permission on the day
578 in question, a staff member may bring a child to the work place for one

579 work day only. Employees with children are encouraged to secure reliable
580 and consistent child-care so that bringing children into the workplace will
581 not happen on a regular or frequent basis.

582 **S. Presbytery of West Virginia Presence in Congregations/Pulpit Supply**

583 **A.** The mission of Presbytery of West Virginia is advanced when staff members engage with
584 congregations and members in the fulfillment of their respective jobs. By call, the
585 General Presbyter is charged to participate in the life and/or worship of congregations of
586 the Presbytery of West Virginia on a regular basis and when available accepts
587 opportunities to preach and lead worship. No honorarium or reimbursement for expenses
588 should be accepted. However, if the church chooses to cover expenses, the contribution
589 will be submitted to the Presbytery of West Virginia.

590 **B.** On special occasions it may be appropriate for other staff members to preach in
591 conjunction with their assigned duties. Employees performing Pulpit Supply as a
592 condition of employment shall not accept an honorarium or reimbursement for expenses.
593 However, if the church chooses to give an honorarium and cover expenses, the
594 contribution will be submitted to the Presbytery of West Virginia. Sermon preparation
595 may occur during work time when such preaching is performed in conjunction with the
596 staff member's assigned duties.

597 **VI. PERFORMANCE REVIEW**

598 **A. Position Descriptions**

599 All employees of the Presbytery of West Virginia shall have written position
600 descriptions.

601 **B. Annual Performance Review**

602 The Administration Committee is charged with assuring that an annual
603 performance review of employees is conducted, based upon the position
604 descriptions. It is the expectation of Presbytery of West Virginia that the
605 employee shall perform the essential duties for which the employee was hired and
606 outlined in the position description to the best of the person's ability.

607 Regular review of staff performance will be the responsibility of the General
 608 Presbyter. Monitoring conversations, held at multiple times throughout the year,
 609 will provide employees with feedback on performance and provide the Presbyter
 610 with an opportunity to coach, counsel, and encourage employees as they together
 611 discern goals and align employee work with the ends of the Presbytery. The
 612 conversations will assist in informing job descriptions, future tasks, and possible
 613 salary increases, as well as helping to assess a need/desire for employee training
 614 or continuing education.

615 Guideline:

616 The performance of all staff elected by vote of the Presbytery or otherwise hired,
 617 will be evaluated and as a minimum, receive an annual review. The
 618 Administrative Committee shall conduct an annual performance review of the
 619 General Presbyter. Two members of the Leadership Team (appointed by its Chair)
 620 shall actively participate in the review.

621 Future Year Goal Setting:

622 Goals for the up-coming year are discussed and agreed to during the performance
 623 review. The employee, in turn, shares their goals for the next year along with any
 624 suggestions, comments or requests for additional training. A Plan of Correction
 625 must be created if the employee's performance is less than expected.

626 **C. Unsatisfactory Performance**

- 627 1. As the result of a scheduled performance review, or as needed, a
 628 corrective plan may be instituted for, but not limited to, the following
 629 reasons:
- 630 a. Unsatisfactory work;
 - 631 b. Insubordination;
 - 632 c. Neglect in the care and use of Presbytery of West Virginia
 633 property and funds.
- 634 2. The General Presbyter will inform the employee of the problem. Together
 635 they will develop a plan to improve performance. (In especially egregious
Approved by the Administration Committee –February 13, 2019)

636 cases, immediate termination may be warranted. See “Involuntary
637 Terminations, VIII.B,” below.) A written report of this consultation will
638 be developed by the General Presbyter, presented to the employee, and
639 placed in the employee's personnel file.

640 3. If after an improvement period, not to exceed thirty (30) days, the problem
641 is not corrected then the General Presbyter may terminate the
642 employment. The matter should be presented to the Administration
643 Committee Chair and reported to the whole committee at its next meeting.

644 **D. Exit Interviews**

645 The General Presbyter will normally conduct an exit interview when a staff
646 member resigns, retires, or is terminated from employment. The results of which
647 are reported to the Administration Committee.

648 **VII. GRIEVANCE/COMPLAINT PROCEDURE**

649 For the purpose of this Personnel Handbook, a grievance is an alleged violation of any
650 portion of the Personnel Handbook or of an applicable federal or state law; any other
651 allegation of wrong-doing constitutes a complaint. Both grievances and complaints are
652 considered according to the same procedure.

653 **A. Preliminary Grievance/Complaint Procedure**

- 654 1. The complaining party must discuss his/her problem with the General
655 Presbyter, who will seek to resolve the issue in consultation with all
656 parties involved.
- 657 2. In the event that the General Presbyter is perceived to be party to the
658 grievance/complaint, the matter will be taken to the Administration
659 Committee, which will seek to resolve the issue in consultation with all
660 parties.

661 **B. Formal Complaint Procedure**

- 662 1. If the matter is not resolved by the preliminary grievance/complaint
663 procedure, within 5 days of the General Presbyter's written decision, the

664 employee may submit a written statement to the Administration
665 Committee with copies provided to the General Presbyter.

666 2. The Administration Committee shall determine the disposition of the complaint
667 and shall provide all parties with a written report of the decision. The decision of
668 the Administration Committee will be final.

669 **C. Remedial or Disciplinary Cases**

670 Provisions established in the Rules of Discipline of the *Book of Order* shall apply.

671 **D. Written Records**

672 A written record of all complaints and decisions shall be maintained. Letters of
673 decision shall provide for the complaining party to indicate his/her acceptance or
674 rejection of the decision.

675 **VIII. TERMINATION GUIDELINES**

676 **A. Voluntary Terminations**

677 1. Resignation

678 a. Elected and exempt employees who are terminating voluntarily
679 should give written notice 30 days in advance of separation
680 excluding accrued vacation to the General Presbyter.

681 b. Non-exempt employees should provide a written notice two weeks
682 in advance of voluntary termination.

683 c. Professional expenses will not be provided beyond the date of
684 termination.

685 d. On the final day of work, the employee will relinquish all keys and
686 Presbytery of West Virginia property to the General Presbyter
687 prior to leaving.

688 e. The employee will receive a final paycheck on the last day of
689 work.

690 2. Retirement

691 Employees should provide written notice at least six (6) to nine (9) months
692 prior to retirement.

693 **B. Involuntary Terminations**

694 1. Dismissal for Poor Performance

695 a. When dismissal is for poor performance (which includes but is not
696 limited to absences and tardiness), the staff member may or may
697 not receive notice.

698 b. The staff member will receive pay for time worked plus
699 compensation for unused accrued vacation.

700 2. Dismissal for Disciplinary Reasons

701 a. Employment may be terminated without notice for disciplinary
702 reasons including, but not limited to: insubordination; theft and/or
703 embezzlement; neglect in the care and use of the funds or property
704 of the Presbytery of West Virginia; sexual misconduct; illegal,
705 dishonest, or unethical conduct; or failure or refusal to follow
706 employer policies.

707 b. The General Presbyter will notify the employee and will provide
708 the details of the conditions of separation.

709 c. The General Presbyter will notify the Treasurer to prepare the final
710 paycheck. All outstanding advances will be deducted from the
711 final paycheck, provided the employee executes a valid wage
712 assignment.

713 d. The General Presbyter and will meet with the employee
714 concerning the conditions of termination. Ordinarily, a second staff
715 member (Officer) will also be present.

716 e. On the final day of work, the employee will relinquish all keys and
717 Presbytery of West Virginia property to the General Presbyter
718 prior to leaving.

719 f. Ordinarily, the employee will receive a final paycheck on the last
720 day of work or within 72 hours of his/her final day of work.

721 g. Staff members who are dismissed for disciplinary reasons will
722 receive pay for time worked and payment for unused accrued
723 vacation leave.

- 724 3. Termination without Prejudice
- 725 a. A staff member's employment may be terminated without cause or
- 726 for reasons other than poor performance or general dismissal.
- 727 b. Staff members terminated without prejudice will receive notice and
- 728 may receive Notice Pay and Severance Pay in exchange for signing
- 729 a Separation Agreement with a legal release. (See section VIII.C.)
- 730 4. Reduction of Work Force; Reorganization; Job Elimination
- 731 a. If, because of a change in objectives, organizational structure, or
- 732 finances, the Presbytery of West Virginia initiates a reduction in
- 733 work force, reorganization, or the elimination of jobs, the
- 734 procedures by which employment is terminated shall be applied
- 735 consistently.
- 736 b. Reduction in force and reorganizations shall be accomplished in a
- 737 manner that, at the sole discretion of the Presbytery of West
- 738 Virginia, best preserves overall organizational effectiveness. In a
- 739 reduction in force, decisions about which jobs are affected will be
- 740 based on the functions being eliminated or changed.
- 741 c. Where choices must be made among current staff members,
- 742 decisions shall be based on criteria such as job performance,
- 743 individual experience, qualifications for the jobs that remain, the
- 744 need for specific skills, and the number of people with similar
- 745 skills.
- 746 d. The Administration Committee shall make these decisions in
- 747 consultation with the General Presbyter and, when appropriate,
- 748 Presbytery of West Virginia's legal counsel.
- 749 e. Employees whose jobs are terminated due to reduction in force,
- 750 reorganization, or position elimination shall be given at least one
- 751 month's notice. Paid benefits including vacation and medical leave
- 752 shall not continue to accumulate during the notice and severance
- 753 periods.

754 **C. Separation Agreement**

755 1. A Presbytery of West Virginia staff member who leaves his/her position,
756 whether by resignation, retirement, or involuntary termination, including a
757 staff member who leaves to take a position with a congregation or with
758 another organization, shall refrain from any involvement in, or comment
759 on, the work associated with his/her former staff position unless requested
760 by his/her successor in that position with the approval of the General
761 Presbyter.

762 2. An employee whose position is to be eliminated due to a reduction in
763 force, reorganization, job elimination, or termination without prejudice,
764 and who is not offered another position of similar status within the
765 Presbytery of West Virginia, shall be informed of the decision in a timely
766 fashion. Notice will include the fixing of his/her final day of employment.
767 Upon signing a Separation Agreement containing a legal release, regular
768 full-time and part-time staff members shall be eligible to receive severance
769 pay according to the schedule below.

770 a. Severance Pay based on continuous years of service as set forth in
771 the schedule below and at the employee's normal, current weekly
772 rate of pay is paid in regular installments twice per month,
773 beginning following the final day of employment.

774 **Severance Schedule**

775	<u>Years of Continuous Service</u>	<u>Weeks of Severance Pay</u>
776	Less than 1 year	0
777	At least 1 year	2
778	At least 2 years	4
779	At least 3 years	5
780	At least 4 years	6
781	At least 5 years	7
782	At least 6 years	8
783	At least 7 years	9
784	At least 8 years	10

785	At least 9 years	11
786	At least 10 years, up to 15	12
787	At least 15 years, up to 20	13
788	At least 20 years, up to 25	14
789	At least 25 years, and above	15

- 790 b. Once employer-provided benefits cease, the staff member whose job
791 has been eliminated may purchase continuation of major medical
792 benefits through the Board of Pensions. Former employees will not
793 accrue medical and/or vacation leave during this period following
794 employment.
- 795 c. Outplacement assistance: up to \$1,000 for those with 10 or more
796 years of service on the staff of the Presbytery of West Virginia.

797 **D. Suspension**

798 An employee found to be engaged in activities showing willful disregard of
799 Presbytery of West Virginia interests or policies may be suspended by The
800 General Presbyter with pay while the matter is being investigated. Such matters
801 will be investigated by the General Presbyter in accordance with the *Book of*
802 *Order* and/or any appropriate policy currently approved by the Presbytery of West
803 Virginia. The General Presbyter shall report suspensions to the Chair of the
804 Administration Committee.

805 **IX. EMPLOYEE RECORDS**

806 **A. Confidentiality of Employee Records**

807 Official personnel records for each employee of the Presbytery of West Virginia
808 shall be maintained by the General Presbyter. Information contained in employee
809 records is considered confidential.

810 **B. Principles Regarding Personnel Records**

- 811 1. The collection of employee information will be limited to that needed by
812 the Presbytery of West Virginia for business or legal purposes;

- 813 2. The confidentiality of all personal information in employee records will be
814 protected to the extent practicable.
- 815 3. All employees involved in such record keeping will be required to adhere
816 to these policies and practices. Violations of this procedure will result in
817 disciplinary action.
- 818 4. An employee may examine his/her personnel records. Records exempt
819 from this inspection include potential job assignments or projection of
820 future salary and personnel planning information. An employee has a right
821 to ask for a correction or deletion in records or to write a statement of
822 disagreement with any item in his/her file. This must be done in the
823 presence of the General Presbyter. The employee may not remove but may
824 request copies of any item.
- 825 5. Internal access to employee records will be limited to those employees
826 having an authorized "need to know." Access may also be given to third
827 parties, including government agencies, pursuant to court order or
828 subpoena.
- 829 6. The Presbytery of West Virginia will refuse to release personal
830 information to outside sources without the employee's written approval
831 unless legally required to do so. The General Presbyter will determine to
832 whom and under what circumstances records will be provided.

833 **X. SEXUAL AND OTHER UNLAWFUL HARASSMENT**

- 834 **A.** Sexual harassment in the workplace is illegal. Similarly, harassment based on
835 race, sexual orientation, national origin, disability, marital status, religion, creed,
836 age, as well as any legally protected class is illegal. Such conduct violates
837 federal, state and local laws.
- 838 **B.** The Presbytery of West Virginia is committed to providing a work environment
839 free from sexual harassment and intimidation. The Presbytery of West Virginia
840 will not tolerate unlawful harassment by any employee, manager, supervisor, or
841 non-employee. With respect to sexual harassment, all employees are prohibited

842 from demanding or requesting, either directly or indirectly, sexual favors of any
843 kind.

844 **C.** The Equal Employment Opportunity Commission Guidelines deal clearly with
845 sexual harassment:

846 "Unwelcome sexual advances, requests for sexual favors, and other verbal or
847 physical conduct of a sexual nature constitute sexual harassment when:

- 848 1. "submission to such conduct is made either explicitly or implicitly a term
849 or condition of an individual's employment;
- 850 2. "submission to or rejection of such conduct by an individual is used as the
851 basis for employment decisions affecting such individuals; or
- 852 3. "such conduct has the purpose or effect of unreasonably interfering with
853 an individual's work performance or creating an intimidating, hostile, or
854 offensive work environment."

855 **D.** Sexual harassment refers to behavior that is unwelcome, that is personally
856 offensive, or that fails to respect the rights of others. Sexual harassment may take
857 different forms.

- 858 1. Verbal harassment: Sexual innuendoes, suggestive comments, jokes of a
859 sexual nature, sexual propositions, threats.
- 860 2. Non-verbal harassment: Sexually suggestive objects, pictures, suggestive
861 or insulting sounds, leering, whistling, or making obscene gestures.
- 862 3. Physical harassment: Unwanted physical contact, including unnecessary
863 touching, patting, pinching; or subtle or overt pressure for sexual activity.

864 **E.** Any employee who believes that he/she is the victim of harassment—and any
865 employee who witnesses harassment—must immediately report such conduct to
866 the General Presbyter. If the General Presbyter is alleged to be a perpetrator or
867 harasser, then the employee must report the conduct to the Stated Clerk. The
868 Presbytery of West Virginia, through its Administration Committee, will
869 promptly, discretely and thoroughly investigate the complaint and will keep the
870 employee's complaint confidential to the extent practicable. If through the
871 investigation the Presbytery of West Virginia concludes that an employee
872 engaged in harassment in violation of this procedure, then it will mete out

873 discipline up to and including immediate termination of employment or take other
874 action appropriate to remedy the complaint.

875 **XI. SEXUAL MISCONDUCT POLICY**

876 **A.** The Presbytery of West Virginia Policy on Preventing and Responding to Sexual
877 Misconduct shall apply to all employees regarding any allegation of sexual
878 misconduct. It is available in the Presbytery's policy documents.

879 **B.** For members of the Presbyterian Church (USA) who are employed by the
880 Presbytery of West Virginia, an allegation of sexual misconduct will trigger the
881 applicable procedures outlined in the *Book of Order*, D-10.000 (Disciplinary
882 Cases), with a written statement of alleged offense being sent to the Stated Clerk
883 for Ministers of Word and Sacrament (Teaching Elders) or the Clerk of Session of
884 the church where an individual is a member. Procedures outlined in the
885 *Personnel Handbook* will still be in effect for the employment relationship and
886 may be used concurrently with any *Book of Order* disciplinary inquiry or charges.

887 **C.** All employees of the Presbytery of West Virginia are required to sign the
888 acknowledgement that they have received and read Presbytery of West Virginia's
889 Policy on Preventing and Responding to Sexual Misconduct. The signed receipt
890 shall be kept in the files of Presbytery of West Virginia.

891 **XII. COMMUNITY RELATIONS AND MEDIA ANNOUNCEMENTS**

892 **A.** Staff loyalty to the Presbytery of West Virginia is expected. Good public relations
893 are the responsibility of all employees. An organization is often judged by the
894 quality and dedication of its staff.

895 **B.** All relations with news media shall be the responsibility of the General Presbyter
896 or one who has been authorized to be the spokesperson to release or make to the
897 media any statement which purports to be, or could be construed as, an official
898 statement on behalf of the Presbytery of West Virginia.

899 **C.** All employees are expected to follow the Social Media Policy of the Presbytery of
900 West Virginia available in the Presbytery's policy documents.