

#5.5

EMPLOYMENT PRACTICES

POLICY: Chapel by the Sea is committed, both by the Gospel and by law, to employment practices that do not discriminate on the basis of race, ethnicity, color, national origin, gender, age, marital status, sexual orientation, disability, creed or religious affiliation (except where either creed or religious affiliation is a bona fide occupational qualification). It shall further be the policy of Chapel by the Sea to comply with all employment, wage and compensation laws, while maintaining an ethical and equitable work environment.

SCOPE: Employment and termination of lay employees and handling of grievances fall within the scope of this Policy & Procedure. The Book of Order sets forth procedures for both creating and dissolving pastoral relationships.

PART I – EMPLOYMENT

1. **Eligibility.** No member of Chapel by the Sea shall be hired as an employee, nor shall any employee of the church be allowed to become a member of Chapel by the Sea.
2. **Job Description.** The job descriptions of individual staff members are generally the responsibility of the Chairperson of that Session Committee under which the staff person is assigned. The Chairperson of the Personnel Committee shall assist in the writing of all job descriptions to assure that the written job position description accurately reflects the job functions. Upon approval by Session the position may be advertised.
3. **Search Committee.** The Pastor/Head of Staff and the Chairperson of the Personnel Committee will appoint a committee to conduct the search for a new staff member. Generally this committee will be comprised of the Elder having responsibility for the area under which the staff person will primarily function, a representative of the Personnel Committee, and one or more persons possessing knowledge of the skills required in the position being filled. During the course of the search the Pastor/Head of Staff may also participate in committee meetings.
4. **Advertisement of Position.** The search committee will advertise in appropriate venues. Advertisements will state that Chapel by the Sea is an Equal Employment Opportunity employer and the Equal Employment Opportunity policy of the church shall be followed in consideration of applicants for interviews and employment. See also, Policy & Procedure #5.3 (Age Discrimination in Employment) and Policy & Procedure #5.4 (Americans with Disabilities Act, ADA).
5. **Employment Application.** All persons interviewed for a lay position at Chapel by the Sea must complete an application, including permission for a criminal background check and fingerprinting. A resume must be submitted by exempt applicants. See Policy & Procedure #5.1 (Employee Classifications). The applications of individuals not hired must be kept on file for six (6) months.

6. **Review of Applications and Reference Checks.** Members of the search committee read and review applications and the committee will check references. The search committee then conducts interviews and selects the candidate to be offered the position.
7. **Job Offer.** Upon receipt of a clean background check, the job may be offered by transmitting two copies of an offer letter to the candidate. Included with the offer letter will be two copies of the job description, notice of the start date, salary or hourly wages, the probationary period, the date of first salary review, policies regarding vacation leave, and other pertinent personnel Policies & Procedures. Availability or non-availability of benefits shall also be stated to include the fact that Chapel's employees are not eligible for state unemployment benefits.
8. **Job Acceptance.** The candidate will accept the job by signing both the offer letter and the job description and returning them to either the Pastor/Head of Staff or the Chairperson of the Personnel Committee. If hired, the returned copy of the signed offer letter will be filed in the employee's personnel file. Once known, the candidate will be informed when the Session is scheduled to meet to confirm the hiring.
9. **Session Action.** Thereafter, the Session will be informed of the candidate's acceptance (if the position is being vacated by an existing employee the notice to Session may be delayed until after a public announcement of the out-going staff member's departure/resignation). If the Session votes to confirm the hiring, an announcement will be made as soon as possible to the congregation.
10. **Prior to Start Date.** The Office Administrator shall: (a) introduce new hire to congregation through church newsletter, Sunday bulletins and announcements; (b) set up email account and passwords; (c) provide appropriate business cards; (d) process employment paperwork (e.g., W4 forms, I-9 Forms, etc.); (e); facilitate access to ACS database system (if appropriate); (f) arrange for Facilities Manager to enable alarm access to office, provide required keys and prepare office space.
11. **Probationary Period.** The first three months of employment constitute a probationary period. See Policy & Procedure #5.6 (Probationary Period).
12. **Orientation.**
 - a. The Office Administrator shall provide orientation, to include:
 - i. Introduction to computer and password for the network.
 - ii. Introduction to email, and retrieval of email off-site.
 - iii. Availability of Personnel Handbook.
 - iv. Reimbursement procedures.
 - v. Policy as regards not conducting personal business on church computers.
 - vi. There is very little office privacy—as staff and volunteers have access to most areas.
 - vii. Personal items and funds should be secured appropriately.
 - viii. Telephone procedures.
 - ix. Instruction on the use of office equipment.

- x. Use of personal mail box.
 - b. The Facilities Manager shall provide orientation, to include:
 - i. Office Access – Security pad, code and instructions, and how to handle a false alarm.
 - ii. Office security rules, including what to do when alone in the office, how to view security cameras.
 - c. The Parish Nurse shall provide orientation, to include:
 - i. “Safe Place” program – explain nature of program.
 - ii. God’s Table – giving money to participants and those in crisis is prohibited. Refer these individuals to the Pastor/Head of Staff, Parish Nurse, God’s Table or St. Vincent De Paul.
13. **Employment Eligibility Verification Form.** The Employment Eligibility Verification Form (USCIS Form I-9) shall be completed by the Office Administrator.
14. **Employee’s Personnel File.** Each employee’s personnel file shall include:
 - a. Job description,
 - b. Employment application,
 - c. Resume for all exempt employees,
 - d. Current W-4, and
 - e. Relevant documents from the Chairperson of the Personnel Committee related to the hiring of the staff member.

PART 2 - GRIEVANCES

15. Employment concerns or problems are to be presented to the staff member’s immediate supervisor, and if not resolved, to the Pastor/Head of Staff. If still not resolved, the concern may be presented to the Chairperson of the Personnel Committee in writing. The Personnel Committee may meet with the employee or direct the Pastor/Head of Staff and/or Chairperson of the Personnel Committee, or representatives of the Committee, to attempt a resolution. If the concern is still not resolved, the employee may appeal in writing to the Session of the church.

PART 3 - TERMINATION

16. **Employment at Will.** Employment at Chapel by the Sea is on an "at-will" basis. This means that either party can end the employment relationship at any time and for any reason. This includes termination with or without cause, and with or without notice.
17. **Voluntary Resignation.** Voluntary separations are initiated by the employee, often to pursue other employment or for purposes of retirement. The employee is expected to give at least two weeks written notice of employment termination. If such notice is given the employee will be

paid for unused earned vacation, otherwise no payment will be made for unused earned vacation. No severance allowance will be paid.

18. **Reduction/Restructure of Workforce.** Involuntary separations are initiated by the employer due to reorganization, reduction of programs, or other circumstances arising out of no fault of the employee. The employee will be paid for unused earned vacation. A severance allowance may also be paid in relation to length of service provided the employee has been employed for at least one year. A recommendation for payment of a severance allowance may be forwarded to the Session for approval upon recommendation of the Pastor/Head of Staff and approvals of the Chairperson of the Personnel Committee and the Chairperson of the Finance Committee. Part-time employees must work at least twenty (20) hours per week to be eligible for payment of a severance allowance.
19. **Termination for Cause.** Terminations for cause are involuntary separations due to a variety of reasons that may include, but are not limited to, unsatisfactory performance, refusal to do work required by employee's position description, incompetence, repeated unexcused absences, repeated tardiness, or illegal, dishonest or unethical conduct. The employee terminated for cause will be paid for unused earned vacation. No severance allowance will be paid.
20. **Termination Process.** With **voluntary** separations, the individual employee should initiate the process by writing a letter of resignation, with copies to both the Pastor/Head of Staff and the Chairperson of the Personnel Committee. With **involuntary** separations and terminations for cause the Pastor/Head of Staff and the Chairperson of the Personnel Committee confer and discuss any decision to terminate an employee. After consultation with the Session a termination date is set and a date for public announcement is determined (with most involuntary terminations the employee is terminated immediately). A letter of termination is sent to the employee specifying the last day of work and directing the terminated employee to turn in keys, access codes, credit cards and all other church property (a copy of this letter is placed in the employee's personnel file). The Facilities Manager deactivates the separating employee's alarm code. The Office Administrator deletes the employee's ACS access codes. If a voluntary separation under paragraph #17 above, the final check shall be prepared in the next payroll period. If an involuntary termination under paragraphs #18 or #19 above, the final paycheck shall be given to the employee on his or her last workday. The amount of unused vacation leave is determined and the separating employee is advised regarding any issues related to benefits.

Policy #4.19, ver. 01 (approved by Session on 12-13-15) replaced:

1. Policy #4.9a ver. 02 titled "Hiring and Application Procedures"
2. Policy #4.9i ver. 02 titled "Resignations and Terminations" and
3. Policy #4.19 ver. 01 titled "Procedures for Employee Hiring and Termination."

Policy #4.19 ver. 01 renumbered as Policy #5.5 ver. 02

Policy #5.5 ver. 02 approved by Session: May 9, 2017