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HEARTLAND PRESBYTERY EMPLOYEE HANDBOOK

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I. PREFACE: A THEOLOGY OF EMPLOYMENT

The Presbyterian Church (U.S.A.) is a community of faith called into being by God’s grace in Jesus Christ. As such it is a community of people known by its convictions as well as its actions.

- This community of faith celebrates creation as an ongoing phenomenon of God in the world. It acknowledges the sovereignty of God over the world and the Lordship of Jesus Christ over the Church.
- This community of faith is made up of people called by God into a covenant relationship. Here gifts are recognized and used for the purpose of God. This community of faith values the contributions of all its employees.
- This community of faith is a servant community. It offers its life for the world.
- This community of faith is an interdependent community within which particular responsibilities are accepted and acted upon.

A covenant agreement is the proper expression of a mutually agreed-upon functional order in relationships. Employment is such an agreement in which two parties agree to function together in a certain way to achieve an agreed-upon objective or purpose. As an employer, the Church must recognize and incorporate into its particular personnel system these basic assumptions of faith or it risks the possibility of being unfaithful to its own witness.

The Heartland Presbytery Employee Handbook (“Employee Handbook”) sets forth the policies, procedures, expectations, privileges and obligations of employment with Heartland Presbytery, including “at-will” employment. None of the policies or guidelines in this Employee Handbook is intended to give rise to contractual rights or obligations, or to be construed as guarantee of employment for any specific period of time, or for any specific type of work. This Employee Handbook and its policies supersede all prior oral and written communications, including previous versions of employee handbooks. These policies are subject to modification, amendment or revocation by Heartland Presbytery at any time and in its sole discretion, without advance notice.

Heartland Presbytery will provide each employee a copy of this Employee Handbook upon employment. All employees are expected to abide by it. The highest standards of personal and professional ethics and behavior are expected of all employees. Further, Heartland Presbytery expects each staff member to display good judgment, diplomacy and courtesy in their professional relationships with other employees, church members, councils, committees, and the general public.

II. DEFINITIONS USED IN THIS HANDBOOK

1. Employer – the Presbytery

The corporate employer of all Presbytery staff is Heartland Presbytery (“the Presbytery”), a corporation organized and existing under the laws of the State of Missouri. Heartland Presbytery is a presbytery of the Synod of Mid-America and the Presbyterian Church (U.S.A.).

2. PC(USA)

“PC(USA)” shall refer to the Presbyterian Church (U.S.A.).

3. Personnel Committee

The “Personnel Committee” is appointed by and reports to the Council of Heartland Presbytery. Manual of Operations, 3.11.1 and 3.11.5 (12/3/2013).

4. Supervisor

The Executive Presbyter serves as head of staff, and is the direct supervisor of all regular staff. Manual of Operations, 3.5.0 (12/3/2013). In exceptional circumstances, such as the employment by the Presbytery of a relative of the Executive Presbyter, the Personnel Committee will designate another elected employee to supervise a particular employee. Such employee should confer with the Moderator of the Personnel Committee regarding any questions in this matter. For purposes of personnel matters, the Executive Presbyter and Stated Clerk are supervised by the Personnel Committee. The Associate Executive Presbyter is supervised by the Executive Presbyter, subject to oversight if needed by the Personnel Committee.

5. At-Will Employment

All employees of the Presbytery are “at-will.” This means the employment relationship with the Presbytery may be terminated at any time, for any reason or for no reason at all, either with or without prior notice. This Employee Handbook is not intended to create any contractual rights in favor of any employee. The policies in this handbook are also not intended to determine the duration of any individual’s employment. No policy set forth in the manual shall change in any way the “at-will” relationship between the Presbytery and any employee.

6. Teaching Elder

“Teaching Elder” is a PC(USA) Minister of the Word and Sacrament who is an active member of the Presbytery.

7. Regular Staff/Regular Employees

The terms “regular staff” or “regular employees” refer to all employees (including exempt, non-exempt, temporary, part-time or full-time), other than elected employees.

8. Elected Positions/Elected Employees

The terms “elected positions” or “elected employees” refer to employees who serve and are elected under the provisions of the *Book of Order* and the Manual of Operations (*i.e.* Executive Presbyter, Associate Executive Presbyter and Stated Clerk). Elected employees are exempt employees.

9. Temporary Employees

“Temporary employees” are those persons hired for a period of less than three months or hired with a stated designation as temporary. Temporary employees are not entitled to the benefits provided under the Benefits section of this Employee Handbook.

10. Permanent Employees

“Permanent employees” are those employees who are not temporary and are hired to work on a continuing basis. The term “permanent employee” is not intended to suggest that there is a permanent or defined term of employment. Permanent employees are at-will employees.

11. Exempt and Non-Exempt Employees

Certain salaried employees are exempt based on their salary and duties. Exempt employees are not entitled to overtime pay for hours worked over 40. Non-exempt employees are all other employees and are paid hourly. Elected employees are exempt. In determining whether an employee is exempt or non-exempt, the Presbytery, through the Personnel Committee, shall be guided by the federal standards set forth in the Fair Labor Standards Act and the regulations established by the United States Department of Labor. Employees with questions as to whether they are exempt or non-exempt should contact the Executive Presbyter.

12. Full-Time Employees

Full-time employees are employed to work 37.5 hours or more in a workweek. Full-time employees may be employed on either a permanent or temporary basis.

13. Part-Time Employees

Part-time employees are employed to work less than 37.5 hours in a workweek.

- Permanent part-time employees who work 20 hours or more per week are eligible, on a pro rata basis, for the same benefits given to full-time employees.
- Permanent part-time employees who work less than 20 hours per week are eligible for holiday pay (if the holiday falls on one of their regularly scheduled work days), merit increases in pay, paid vacation, paid medical leave, but are not eligible for participation in the Medical Plan, the Dental Plan, the Pension Plan and the Death and Disability Plan.
- Temporary part-time employees are not eligible for benefits.

14. Manual of Operations

“Manual of Operations” refers to the Manual of Operations of Heartland Presbytery. This manual is available on the Heartland Presbytery website.

15. Book of Order

References to the “*Book of Order*” refer to the most recently updated *Book of Order, Constitution of the Presbyterian Church (U.S.A.)*.

III. EQUAL EMPLOYMENT OPPORTUNITY POLICY AND PRACTICES

A. Equal Employment Opportunity Policy

The Presbytery is an Equal Employment Opportunity employer. It is our policy to recruit and employ the most qualified Christian personnel and to provide equal employment opportunities to all individuals who abide by the *Book of Order* and the beliefs and doctrines of the Presbyterian Church. Because the Presbytery is a religious organization devoted to serving God and God’s people, many of our employment practices and decisions will be based on the doctrines and teachings of the Presbyterian Church. We seek committed Christians during the recruitment process and may require membership in PC(USA) for certain positions.

The policy of the Presbytery is to hire, promote, transfer, terminate and make all other employment-related decisions without regard to race, color, gender, age, national origin, disability, military service, pregnancy, marital status or any other basis protected by local, state or federal law. Detailed information about equal employment opportunity, fair labor practices, and occupational safety are posted in the employee workroom.

B. Disability

If an employee has, or develops, a disability and feels he/she needs a reasonable accommodation to enable the employee to safely and effectively perform some or all of the essential functions of his/her job, the employee should request assistance from his/her supervisor. It is the employee’s responsibility to request any reasonable accommodation that the employee believes may be medically necessary to allow the employee to perform one or more of the essential functions of the job. If a request for reasonable accommodation is made, the supervisor, in consultation with the Personnel Committee, will evaluate the disability and the essential functions of the position to determine if a reasonable accommodation can/should be made. The employee may be requested to provide medical information or to submit to a medical examination by a physician to assist the Presbytery in evaluating and accommodating a disability. It is the employee’s responsibility to assure that the employee’s physician provides the necessary medical information to support the requested accommodation. If an employee believes that the Presbytery has not complied with this policy or with any legal obligation under federal, state or local laws governing disability discrimination and/or reasonable accommodation, the employee should make a complaint under Section III(E) of this Employee Handbook. If the employee’s disability does not impact the ability

to perform the employee's job duties, it is not necessary for the employee to inform any Presbytery employee about the disability.

C. Harassment

The Presbytery seeks to make its workplace as pleasant and professional as possible by creating and maintaining a work environment that is free from all forms of harassment, whether sexual in nature or not. Harassment based on an individual's race, color, religion, national origin, disability, age, sexual orientation, marital status, military status, pregnancy and/or gender is strictly prohibited. Violations of this policy will result in disciplinary action up to and including termination of employment. Employees of the Presbytery may not engage in harassment of other employees, or of third parties, such as parishioners, vendors, and other visitors. The Presbytery will not allow any form of harassment or any other improper conduct that has the purpose or effect of interfering with an individual's work performance or that creates an intimidating, hostile or offensive work environment.

Any unwelcome or harassing conduct based on race, sex or any other protected category is prohibited, specifically including any of the following:

- Sexual assaults, advances, or propositions – whether they involve physical touching or not;
- Sexually oriented, suggestive, obscene, or insulting comments, language, or jokes, written or oral references to sexual conduct, comments about an individual's body, sexual activities, experiences, deficiencies, or sexual preference;
- Displaying or possessing in the workplace sexually suggestive, revealing, or pornographic objects, pictures, graffiti, or cartoons;
- Physical horseplay, practical joking, leering, unnecessary touching such as patting, pinching, or intentional brushing against another's body, or sexual gestures;
- Disparaging remarks, epithets, graffiti or other offensive or inflammatory conduct based on an individual's race, sex or other protected category;
- Threats, or promises of preferential treatment, designed to induce submission to or toleration of any of the above conduct; or
- Any other conduct, which if unwelcome and sufficiently severe and widespread, may constitute unlawful harassment.

The Presbytery takes allegations of harassment seriously, and will take all steps reasonably required to prevent, investigate and promptly correct any harassment or other improper conduct in the workplace or in settings in which employees may find themselves in connection with their employment.

D. Retaliation

Retaliation against an individual who has complained about, or participated in an investigation of, alleged discrimination, harassment or other improper conduct is strictly prohibited. If the employee feels that he/she is being retaliated against in violation of this policy, the employee should contact

the Executive Presbyter or the Moderator of the Personnel Committee and the employee's concerns will be promptly and thoroughly reviewed.

E. Complaint/Investigation Procedure to Address Discrimination, Harassment and Retaliation Complaints

All employees have a responsibility to come forward and report offensive, harassing, discriminatory or other improper behavior they believe may constitute discrimination, harassment and/or retaliation. Failure to report such conduct in a timely manner may make it difficult for the Presbytery to take effective corrective or other appropriate action.

1. Reporting Offensive Conduct

If an employee believes he/she or another Presbytery employee has been subjected to discrimination, harassment or retaliation, the employee should make a complaint by submitting a written statement to the Executive Presbyter. If the complaint deals with the Executive Presbyter, the complaint should be given to the Moderator of the Personnel Committee. If the employee fails to make a complaint, it will be impossible for the employee to obtain the protection of this policy.

If at any time the employee feels the complaint has not received prompt and adequate attention, the employee should contact the Moderator of the Personnel Committee. If the issue is with the Personnel Committee Moderator's prompt and adequate response to the complaint, then the employee should contact the Moderator of the Presbytery Council. While it may take time to review and investigate the employee's concerns, the employee may inquire at any time about the status of the investigation.

2. Investigation

When an employee complains about discrimination, harassment, retaliation or other improper conduct, the Personnel Committee will designate the appropriate Presbytery entity to promptly and thoroughly investigate the employee's concerns. While it will be necessary to discuss the employee's complaint with the alleged offender and possibly other employees, the Presbytery will attempt to conduct the investigation as confidentially as possible. Upon completion of the investigation, the investigating entity will inform the person making the complaint and the alleged offender of the results of the investigation and, to the extent appropriate, any remedial or disciplinary action to be taken.

If it is determined that the terms of the Presbytery's equal employment, harassment and/or retaliation policy has been violated, the Presbytery will take reasonable steps designed to prevent reoccurrence of the offending conduct. Any employee who is determined, after an investigation, to have engaged in discrimination, harassment or retaliation in violation of this policy will be subject to appropriate remedial action and/or discipline, up to and including discharge.

In some cases, despite thorough investigation, it may be impossible to determine whether the alleged violation of these policies has, in fact, occurred. In such cases, the Presbytery may take

non-disciplinary action designed to reinforce the effectiveness of these policies and to prevent future violations.

Once the Presbytery has addressed concerns raised with respect to discrimination, harassment or other improper conduct, it will assume that the problem is not continuing in nature unless it is informed otherwise. If the employee is once again subjected to discrimination, harassment or retaliation, the employee must report this conduct immediately. A prompt and thorough investigation will be conducted.

IV. IMMIGRATION LAW

The Presbytery is committed to employing only United States citizens and aliens who are authorized to work in the United States, and does not unlawfully discriminate on the basis of citizenship or national origin. Employees with questions or seeking more information on immigration law issues are encouraged to contact their supervisor. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

V. PERSONNEL POLICIES AND PROCEDURES

A. Personnel Guidelines and Policies

Personnel policies are written guidelines, rules and procedures, governing the employees of the organization. Personnel policies are recommended by the Personnel Committee, reviewed and approved by the Church Order and Listening Committee, then approved by the Presbytery upon joint recommendation of the Personnel Committee and the Church Order and Listening Committee. The Presbytery is free to change any terms of the personnel policies at any time and in its sole discretion. The Presbytery will advise employees of new or revised policies.

Responsibility for the implementation of the policies stated in this Employee Handbook is assigned to the Executive Presbyter working with the Personnel Committee. Employees should consult with the Executive Presbyter or the Moderator of the Personnel Committee with any questions regarding the application or meaning of these policies. Any infraction of the Presbytery's policies and guidelines could result in discipline, up to and including immediate discharge.

B. Personnel Files

Employee files are confidential and as such will be kept in a secure location with access limited to the Moderator of the Personnel Committee and the Executive Presbyter. The Executive Presbyter shall keep personnel files in a secure location, make sure the personnel files are complete and follow the record retention policy. Copies of performance evaluations will be retained in the employee's personnel file. The Executive Presbyter shall keep medical records, worker's compensation files, background checks, federal I-9 forms, OSHA documents and complaints of discrimination, harassment, or retaliation segregated from personnel files.

All current employees shall have access to and shall be permitted to obtain and examine a copy of their personnel file. Access shall be limited to a time agreed upon by the employer and employee. The review will take place in the presence of the Executive Presbyter or the Moderator of the Personnel Committee. Excluded from the review will be any written employment references and materials not contained in the employee's personnel file. The employee shall have the right to respond in writing to all reviewable materials contained in said file. The employee response shall be attached to the related report and become a permanent part of the report. The employee's prerogative to respond to file contents shall not be construed as changing the status of their at-will employment.

Former employees shall not have a right to review their personnel file without an order of the court or other legal mandate.

Any complaints or commendations directed toward an employee, which are to be placed in their file, shall be promptly given to the employee in writing. If the employee disagrees with a document, the employee may submit a written response as above.

C. Position Descriptions

A position description, subject to periodic review, shall be required for each position. Position descriptions for elected employees are approved by the Presbytery. Position descriptions for other exempt staff are approved by the Presbytery Council. Position descriptions for non-exempt staff are approved by the Personnel Committee. All new and vacant elected positions shall be approved by the Presbytery in consultation with the Synod of Mid-America prior to any search process.

D. Supervision of Relatives

It is the policy of the Presbytery that employees do not report to another family member.

E. Services to an Employer other than the Presbytery

No regular employee may regularly provide services to another employer without the written approval of the employee's supervisor. No elected employee may regularly provide services to another employer without the written approval of the Moderator of the Personnel Committee. Subject to such approval, an employee may hold an outside job, as long as the employee meets the performance standards of the job with the Presbytery. All employees will be evaluated by the same performance standards for their position and will be subject to the Presbytery's scheduling demands, regardless of any existing outside work requirements.

Outside employment that constitutes an actual or perceived conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the Presbytery for materials produced or services rendered while performing the employee's Presbytery job.

If the Presbytery determines that an employee's outside work interferes with the employee's job performance or ability to meet the requirements of the Presbytery as they are modified from time

to time, the employee may be asked to terminate the outside employment if the employee wishes to remain employed with the Presbytery.

F. Honoraria

Presbytery employees shall **not** keep honoraria or fees received for work or activities performed for local churches if such work or activity is within the scope of their job duties for the Presbytery. Any long-term commitment beyond normal job-related duties must be approved in accordance with Section V(E) of this Employee Handbook.

G. Social Security Withholdings

All employees except Teaching Elders are covered by the Federal Old Age and Survivors Benefits Act (Social Security). The employee's share of the tax is withheld from the wages of all staff, except Teaching Elders who are considered self-employed for the purpose of Social Security.

VI. EMPLOYMENT PRACTICES SPECIFIC TO REGULAR STAFF

A. Hiring

Regular staff are hired by the Executive Presbyter, in consultation with the Personnel Committee.

B. Performance Evaluations

Performance evaluations are given to optimize employee job performance, acknowledge success and proficiencies, and address problems or concerns on a regular and timely basis and allow employees the opportunity to communicate regarding their ongoing job performance.

1. Annual Performance Evaluations

Regular staff are evaluated on an annual basis by their supervisor. Evaluations are written evaluations addressing job performance on key job duties, areas of expected improvement, additional training needs, and future objectives. If deficiencies are noted in the evaluation, then it should include suggestions and/or alternative methods to improve quality of work to an acceptable level. The evaluation shall be given in a meeting between the employee and the supervisor. The employee shall be given a copy of the written evaluation. Both the supervisor and the employee will sign the evaluation. The employee's signature is an indication the employee received the evaluation, but it shall **not** be interpreted to mean agreement with the contents. The Executive Presbyter will review and sign all performance evaluations. In addition to the annual performance evaluation, the employee's supervisor may conduct an unscheduled informal or written evaluation at any time to address deficiencies in job performance or other concerns.

If the employee disagrees with the written evaluation, the employee may submit a written response within five days, which shall be attached to the file copy of the evaluation.

As a final step, the supervisor will share with the Personnel Committee the employee's written evaluation along with any written response.

2. Evaluations for New Employees

New employees are evaluated after their first three months. Unless a hiring agreement exists, no salary adjustment will be made at this time.

C. Compensation

The Presbytery, through the Personnel Committee, will establish and administer a process of compensation wherein the individual employee's compensation is related to a system of job evaluation and classification, uniform and equitable compensation, and increments determined in light of an annual performance review. The availability of Presbytery funds must be a major determinant in considering compensation.

1. Initial Compensation

For regular staff, initial compensation for a position will be determined by the Executive Presbyter in consultation with the Personnel Committee, subject to review/approval by the Presbytery Council.

2. Changes in Compensation

Changes in compensation will be based on four factors: employee job performance, cost-of-living, the Presbytery's ability to pay, and market. Compensation changes will normally occur at the beginning of the fiscal year. Occasionally, however, a change may be indicated at another time. Examples include lower than market wage, change in status, credentials or promotion, or significant change in responsibilities.

3. Overtime Compensation

Overtime is defined as any hours worked over 40 in a normal workweek. Non-exempt employees will be paid at least the federal and state minimum hourly wage and shall be paid overtime compensation at a rate of 1 ½ times their regular rate of pay for each hour worked over 40 in a normal workweek. A normal work week begins on Sunday and ends on Saturday. Hours which are not actually worked (i.e. vacation, medical leave, holidays, etc.) are not used in calculating overtime.

Overtime must be recorded, annotated and approved. All overtime must be authorized by the employee's supervisor. The employee's supervisor may authorize the overtime as an emergency measure to meet unusual circumstances of such urgency that the work cannot be completed within the scheduled 40-hour workweek or as necessitated by Presbytery programs or special projects or duties. Supervisors should not authorize overtime on a recurring basis. Non-exempt employees must record their time worked for each work day, specifically annotating all hours worked over 40 per week. Annotating means explaining on the time sheet the reason the overtime was required.

Exempt employees are not eligible for overtime because their compensation is based on performing a job, not based on the numbers of hours worked to perform a job.

D. Separation of Regular Employees

All employees of the Presbytery are at-will. This means employment may be terminated by either the employee or the Presbytery at any time, for any reason or no reason at all, either with or without notice. The employee's continued employment is based on the employee satisfactorily carrying out the employee's assigned duties and responsibilities, and maintaining proper personnel relationships. However, this does not mean that an employee can only be separated for cause. Employees may be separated from employment in the following manner: (1) separation for cause; (2) voluntary resignation or retirement; (3) job abandonment; or (4) involuntary separation without cause or lay-off.

Employees, other than elected employees, may be discharged by their supervisor after consultation with the Moderator of the Personnel Committee. Employees separated for cause forfeit all accrued vacation.

The Presbytery is not required to show cause as a condition to an involuntary separation nor is it necessary for the Presbytery to give any prior notice or warning before separation occurs. If practical and for separations that are not for cause, the Presbytery will give two (2) weeks' notice to employees whose services are no longer required.

Employees who voluntarily separate should give at least two weeks' notice to the Presbytery. Failure to provide sufficient notice may result in forfeiture of some or all of the employee's benefits upon separation.

E. Unemployment Benefits Exemption

The Presbytery is exempt from paying unemployment insurance. This means that persons who leave the Presbytery employ for any reason will not be eligible for State unemployment benefits.

VII. EMPLOYMENT PRACTICES SPECIFIC TO ELECTED EMPLOYEES

A. Hiring/Election

Elected employees shall be elected in accordance with the *Book of Order* and the Presbytery's Manual of Operations in a process that complies with Heartland Presbytery's Affirmative Action and Equal Employment Opportunity Policy. Manual of Operations, Administrative Policy 2 (1-10-2014); *Book of Order* F-1.0403.

Election of the Stated Clerk shall be accomplished in accordance with the procedure set forth in Section 3.4.4 of the Manual of Operations.

For other elected positions (Executive Presbyter and Associate Executive Presbyter), the Nominating Committee shall name and present a slate for the search committee, subject to approval (and nominations from the floor) of the Presbytery. The search committee shall solicit

applications from interested ruling elders and teaching elders and submit their recommendation to the Presbytery for approval.

If an elected position is vacated, the Personnel Committee should make a determination whether it is appropriate to fill the position on an interim basis, based on the needs of the office, the Presbytery's finances, and the time needed to fill the elected position. If the Personnel Committee determines the position should be filled on an interim basis, they should submit to the Presbytery Council their recommendation along with an interim position description. If approved by the Presbytery Council, the Personnel Committee will hire a qualified person to perform the interim job. The compensation and benefits of the interim position shall be set forth in the terms of call.

B. Compensation and Benefits

Terms of Call establish the compensation, duration of employment and benefits for elected employees. More detail about benefits is provided below in the Benefits section. For a Teaching Elder who serves as an elected employee, initial terms of call are recommended by the Committee on Ministry, then reviewed and approved by the Presbytery. For a non-ordained person who serves as an elected employee, initial terms of call are recommended by the Presbytery Council, then reviewed and approved by the Presbytery. The Personnel Committee shall consider, at least annually, adjustments in compensation for merit or cost-of-living, subject to the Presbytery's ability to pay, and make recommendations to the Presbytery for approval.

C. Performance Evaluations

The Personnel Committee shall conduct annual evaluations of the Executive Presbyter, the Stated Clerk and the Associate Executive Presbyter, after soliciting input from up to 10 Teaching Elders and/or Ruling Elders who serve or served on the Presbytery Council or on a committee also served by the person being evaluated or otherwise have direct personal knowledge of the past year's work record. Utilizing the evaluation form, the elected employee shall complete a written self-evaluation for consideration in the evaluation. The evaluation shall be in writing and address job performance on the specific duties of the elected employee's position, including strengths and areas for improvement. The written evaluation shall be reviewed and approved by the Personnel Committee. A copy shall be provided to the employee in a meeting with the Personnel Committee to allow discussion of the matters addressed in the evaluation. The written evaluation shall be signed by the Moderator of the Personnel Committee and the elected employee (indicating receipt of the evaluation) and maintained in the personnel file. The employee may submit a written response to the evaluation within five workdays.

Elected employees are expected to work as professionals serving the mission of the Presbytery, and to fully perform the duties set forth in their terms of call and position description. Particular concerns about an elected employee's job performance may be addressed informally in meetings between the employee and the Executive Presbyter and/or the Personnel Committee. If the concerns are not fully addressed, the employee should be given a written statement addressing the concerns or deficiencies. This written statement may be given in the annual performance evaluation or at another time. Continued failure or refusal to perform the duties of the job or comply with written expectations given by the supervisor or the Personnel Committee shall result

in discipline, up to and including discharge. In the event the employee and the Personnel Committee reach sufficient discord that discharge is being considered, both parties should consider alternative options, such as voluntary separation, before undertaking formal disciplinary action.

D. Separation of Elected Employees

An elected employee who wishes to voluntarily resign should provide to the Personnel Committee a letter of resignation, providing at least four weeks' notice. The Personnel Committee will then submit the letter to the Presbytery, along with its recommendation that the Presbytery approve the resignation.

For non-voluntary separations of elected employees, the Personnel Committee should advise the elected employee in writing (through the performance evaluation process or otherwise) of the separation and the reasons for separation, then submit its recommendation to the Presbytery for approval. Such employee may challenge the termination through the Problem Resolution Procedure set forth in Section X below.

VIII. BENEFITS

The benefits available to permanent employees are explained in this section.

A. Reimbursement of Expenses

The Presbytery, through the Personnel Committee, will establish and administer a process wherein authorized expenses incurred by employees in the performance of their work assignments are reimbursed in an adequate and uniform manner, utilizing a voucher system. Any employee who falsifies information related to expense reimbursement is subject to discipline, up to and including discharge.

B. Pension and Disability Plans

Permanent full-time employees and permanent part-time employees who work 20 or more hours per week are enrolled in the Pension Plan and Death and Disability Plan administered by the Benefits Plan of the Presbyterian Church (U.S.A.) for which dues are paid by the Presbytery. The terms and conditions of the Plan documents shall govern the employee's rights and responsibilities under each Plan.

C. Medical Plan and Dental Plan

Permanent full-time employees and permanent part-time employees who work 20 or more hours per week are enrolled in the Medical Plan and the Dental Plan administered by the Benefits Plan of the Presbyterian Church (U.S.A.). The terms and conditions of the Plan documents shall govern the employee's rights and responsibilities under each Plan. Employees enrolled in the Medical Plan at the time of separation may continue with the Plan according to Plan procedures and applicable law.

D. Holidays

Full-time and part-time permanent employees (if the holiday falls on a regularly scheduled working day for that employee) will be granted the day off with pay on the following holidays:

- Martin Luther King Day
- Presidents Day
- Memorial Day (last Monday in May)
- Independence Day
- Labor Day (1st Monday in September)
- Thanksgiving Day (4th Thursday in November)

If the above listed holidays fall on Saturday or Sunday, the Executive Presbyter will determine the day which will be observed as a holiday.

The Presbytery Offices will be closed starting Christmas Eve and ending New Year's Day. Employees will be paid their regular work hours during this time period.

E. Paid Vacation – Other than Elected Employees

A vacation with pay for rest, refreshment and relaxation is provided for all permanent full-time and part-time employees, other than elected employees. Vacation time is not cumulative, and therefore must be used within the calendar year, except when special provision has been made by the supervisor. Employees who voluntarily leave their employment will be compensated for any unused earned vacation time prorated for that calendar year.

Newly hired permanent employees earn two weeks annual vacation after completing six months of continuous service. For the first year of employment, the employee will receive the pro rata portion of the calendar year worked. Thereafter, the annual vacation earned accrues at the beginning of each calendar year. Employees earn an additional third week of vacation on January 1 following their 5th year of service. Employees earn an additional fourth week of vacation on January 1 following their 15th year of service. Part-time employees earn vacation pro rata based on their weekly scheduled hours. Non-exempt employees must take vacation in increments of 4.0 hours.

Elected employees shall receive such vacation time as stated in their terms of call.

F. Jury Duty

All employees will be excused from scheduled work for time necessary to respond to a jury summons, sit for jury selection, or serve as a juror. Employees should give reasonable notice of their jury service obligation.

Permanent full-time or part-time employees selected for jury duty will receive their regular compensation. Fees or mileage paid to an employee for jury duty will remain with the employee.

Employees excused from jury duty for the day, or excused early shall report to work when there are 4 or more hours remaining in the workday. Documentation of jury duty shall be provided to the employee's supervisor by the employee.

G. Bereavement Leave

Permanent full-time and part-time employees are entitled to bereavement leave with pay of five (5) workdays in the event of a death in an employee's immediate family (spouse/life partner, child or parent) and three (3) workdays for grandparent, sister or brother, father-in-law, mother-in-law, or grandchildren. If an employee wishes to take time off due to the death of a family member, the staff member should notify the Executive Presbyter immediately. A staff member may use, with the approval of his/her supervisor, available paid vacation leave for additional time off as necessary and in accordance with operating needs.

H. Paid Medical Leave

Paid Medical Leave is available to all permanent full-time and part-time employees. Medical leave is not to be taken unnecessarily. It is to be taken only for actual personal illness or medical appointments of the employee or the employee's immediate family (i.e. children, spouse or parent). It may be granted for a partial day to several days as needed, all to be charged to total medical leave to which the employee is entitled. Medical leave is provided upon the approval of the employee's supervisor.

Medical leave will accrue at the rate of one working day per month of full-time employment, not to exceed a maximum accumulation of 66 working days (prorated for part-time employees). At the time of termination of employment (either voluntary or involuntary), an employee will not be paid for unused medical leave.

I. Paid Parental Leave

1. Maternity Leave

Maternity leave should ordinarily begin with the physician's certification that the employee can no longer perform her duties and end when she is medically released by her physician to return to her professional duties. This is ordinarily an eight (8) week period, during which time the employee shall receive her regular compensation and benefits. An employee may lengthen the period of maternity leave at her discretion by using accrued sick leave and/or vacation leave. In the event of medical complications, the employee may utilize accrued sick leave, or confer with her supervisor regarding additional unpaid leave. The employee should advise her supervisor of the need for maternity leave at least three months in advance.

2. Paternity Leave

If an employee's spouse bears a child, the employee may take paternity leave for a period of up to two (2) weeks, during which time the employee shall receive regular compensation and benefits. The employee should request paternity leave at least 30 days in advance.

If additional leave is necessary, the employee may utilize available sick leave or vacation leave, or confer with the his supervisor regarding unpaid leave.

3. Adoption

An employee who is the primary caregiver shall be granted leave in accordance with maternity leave described above; an employee who is the secondary caregiver shall be granted leave commensurate with paternity leave described above. The time of the leave begins when the child is placed in the employee/parent's custody. An employee may utilize accrued sick leave or vacation leave to take additional time off, or confer with his/her supervisor regarding unpaid leave.

J. Unpaid Leave of Absence for Extreme Circumstances

Any employee may request a leave of absence without pay when extreme circumstances make it necessary to be absent beyond the normal provisions for absence or illness and when all accrued paid vacation, paid medical leave if applicable, and other leave options have been depleted. The request must be approved by the employee's supervisor and the Personnel Committee. Normally, such a leave will not exceed ten consecutive working days. During this approved absence, the employee's participation in the medical, dental, pension and death and disability plans will be continued at the normal level. The maximum leave granted in a 12-month period will be three months total leave, including any time on medical leave or parental leave. If the need for leave is due to a medical condition, the employee should confer with the Board of Pensions regarding the availability of disability benefits.

K. Benefits for Temporary Employees

Temporary regular employees are not eligible for the benefits described in this section, including paid holidays, medical leave, parental leave, or other leaves. They are not eligible to participate in the medical, dental, pension and death and disability plans. With respect to any elected employee hired on a temporary or interim basis, the terms of call will establish compensation and benefits.

L. Leave Policies Specific to Elected Employees

1. Study Leave

For elected positions, a minimum of two (2) weeks annual study leave with pay shall be offered for the purpose of spiritual, physical and emotional renewal, research in relation to the aims and purpose of the position held, and recreating and restoring perspective and objectivity in work and life. The timing of study leave must be approved by the Executive Presbyter (for the Associate Executive Presbyter) or the Personnel Committee (for the Executive Presbyter and Stated Clerk).

2. Sabbatical Leave

A three-month sabbatical is available for full-time elected positions following every six years of service and upon approval of the employee's supervisor and the Personnel Committee. Sabbatical

time may be utilized for professional development, spiritual renewal, and/or in-depth study. The benefits of a sabbatical include nurturing of the body and soul, time for fun and relaxation with family and friends, increased spiritual vitality, renewed commitment to ministry and the church, improvement in one or more competencies, enhanced job performance, replenished energy stores and personal growth. *See* Manual of Operations, Administrative Policy No. 14 (Sabbatical Leave) (1/6/2014). Employment for a minimum of one year following the sabbatical is expected. The employee and supervisor should make plans for completing or delegating essential job duties and provide lines of responsibility during the sabbatical. Hiring of temporary assistance may be required.

To request sabbatical leave, the employee will submit a brief written outline of the activities of the sabbatical and explain how it will achieve the intended benefits of sabbatical. This request must be signed and include a statement that, absent extraordinary circumstances, the employee will work at least one year after return from sabbatical leave.

Regular salary and benefits will continue during the sabbatical. The employee will not accept other pay for tasks performed during the sabbatical. The maximum length of time out of the office will be four consecutive months. Sabbatical leave may be taken in conjunction with earned vacation within a particular year. Time used for vacation and time used for sabbatical should be clearly identified.

The Presbytery will be apprised of the approved sabbatical plans at least three months prior to the approved dates. Following the sabbatical, the employee will provide to the supervisor, the Personnel Committee and the Presbytery Council a written report addressing the impact of the sabbatical on the employee's call and how the sabbatical fulfilled the goals of the sabbatical.

M. Military Leave

The Presbytery will provide military leave for all full-time employees (exempt and non-exempt) to the extent required by the Uniformed Services Employment and Reemployment Rights Act and the Heroes Earnings Assistance and Relief Tax Act. Employees taking military leave may use accrued paid vacation and sick leave, but the balance of the leave is unpaid.

More detailed information concerning benefit rights available during military leave and upon returning to employment after taking military leave is available from the Benefits Plan of the Presbyterian Church (U.S.A.) and/or the Personnel Committee.

1. Health Benefit Rights during Military Leave

Employees on military leave may elect to continue health coverage for up to 24 months or until the first day after the employee fails to apply for reemployment, whichever is shortest. This coverage depends on the employee paying the normal cost (amount paid by the employee during regular employment) if the leave is less than 31 days and 100 percent of the actual cost if the leave is 31 days or longer.

2. Reemployment Rights Following Military Leave of Absence

Members of the Armed Forces, National Guard and Reservists are entitled to reemployment rights if they meet the following requirements:

- The employee was employed as a regular (not temporary) employee.
- The employee is on cumulative leave of absence from the Presbytery in the uniformed services for a period not longer than five years.
- The employee received an honorable discharge.
- The employee gives proper, advance written or verbal notice, submits necessary documentation, and applies for reinstatement within the required amount of time as follows:
 - On the first work day following eight hours after the elapse of safe travel time from the place of service to the person's residence if the service in the uniformed service was fewer than 31 days;
 - Within 14 days of the completion of the period of service if the service in the uniformed services was more than 30 days but fewer than 180 days;
 - Within 90 days of the completion of the period of service if the service in the uniformed services was 180 days or longer.
- A person who is hospitalized or convalescing under written doctor's instructions from an injury incurred in or aggravated during the performance of uniformed services will report at the first opportunity to the Presbytery and submit an application, except that such period may not exceed two years.
- Failure to report for employment on the first workday within 24 hours following the expiration of an approved leave of absence will be considered job abandonment and will result in termination of employment.

To attain the right to reemployment, the employee must give advance notice of the need for military leave and make a timely application for reemployment. Generally, for military leave of less than 91 days, the employee will be returned to the same position he/she would have attained by remaining continuously employed. For longer leaves (but shorter than 5 years), the employee will be reinstated to the position that would have been attained by remaining continuously employed, or to a position of like seniority, pay and status. If the returning employee suffers from a disability, the employee must be able to perform the essential functions of the new position, either with or without reasonable accommodation, without imposing undue hardship on the Presbytery. The Presbytery may not reemploy an employee if circumstances have so changed as to make reemployment impossible or unreasonable or create an undue hardship on the employer.

3. Benefit Rights upon Returning from Military Leave

An employee who is reemployed after taking military leave will receive benefits equivalent to benefits that would have been received had the employee been continuously employed during the military service. For example, vacation time tied to length of service will be calculated as though

the employee had remained employed during the military leave. Upon proper reinstatement, benefits available under any plan administered by the Board of Pensions Benefits Plan will be handled according to the terms of the plan.

4. Discrimination

The Presbytery will not discriminate in hiring, reemployment and retention in employment, promotion and any other benefit of employment or retaliate against employees who serve in the uniformed services or exercise their rights under this law.

5. Military Training

Employed members of the National Guard or the Reserves should apply for a leave prior to fulfilling their summer camp requirements. The first ten working days will be granted as leave with pay. The second ten working days will be granted as leave without pay or as vacation at the choice of the employee. The employee must sign a waiver indicating that use of vacation time was by choice.

IX. PERSONAL CONDUCT

A. Employee Responsibility for Gracious Conduct

Working for the Presbytery presents the opportunity and the challenge of service to others. As employees deal with people, they will present an image of the Presbytery in the eyes of the members of the Presbytery and congregations and the community at large. It is expected that employees speak charitably and gently to everyone with whom they have contact and that employee conduct in general is held to a higher level of standard than secular businesses. As representatives of the Presbytery, it is important that all employees display concern and sympathetic understanding in their day-to-day contact with people. All church officers (Teaching Elders, Ruling Elders and Deacons) are called to live out their lives in the pattern of Jesus Christ and conform their behavior to the standards set by the Church and the Presbytery. Manual of Operations, Administrative Policy 3 (Ethical Behavior for Church Officers) (3/5/2014).

B. Dress, Appearance and Conduct

Employees are expected to be neat and clean and to maintain appearance appropriate for their job.

C. Employee Confidentiality

Any information an employee learns about the Presbytery as a result of working for the Presbytery that is not otherwise publicly available constitutes confidential information. Confidential information includes information about the business and operations of the Presbytery, church members, church leadership and clergy, as well as personal, health and family matters. Staff may not disclose confidential information to anyone who is not employed by the Presbytery or to other persons employed by the Presbytery who do not need to know such information to assist in rendering services. The disclosure, distribution, electronic transmission or copying of the Heartland Presbytery's confidential information is prohibited. Any employee who discloses

confidential information will be subject to disciplinary action, even if he or she does not actually benefit from the disclosure of such information. Employees agree to maintain confidentiality following separation from employment by the Presbytery.

In addition, conflicts within the staff or issues related to employment are not to be shared with Presbytery members. Circumventing the supervisory relationship by communicating staff issues directly with Presbytery members is a serious violation of policy. The Discipline and Problem Resolution Procedures in this Employee Handbook outline the appropriate process to follow concerning conflicts. The staff will present a unified appearance to the Presbytery at all times.

Except for addressing terms of call of Teaching Elders at Presbytery Council and Presbytery meetings, salary information is confidential. Salaries and wages are not to be disclosed between employees or between employees and Presbytery members.

D. Work Attendance

Employees should work their scheduled work hours. An employee's failure to appear for work for more than two (2) days without proper notice will be considered job abandonment and will be grounds for immediate discharge and forfeiture of all accrued vacation.

E. Child Abuse Reporting

All employees are required to comply with state laws regarding child abuse and neglect reporting. Missouri law requires any minister, clergy person, or other person serving in a similar capacity for any religious organization who is responsible for or who has supervisory authority over one who is responsible for the care, custody, and control of a child or who has access to a child, to report reasonably suspected incidents of child abuse or neglect. Copies of Missouri Revised Statutes §§ 352.400 and 210.115 are available in the Presbytery office. All employees who work with children should be familiar with these codes, and mandatory reporters must have a verified understanding of these laws.

F. Smoking

No smoking is allowed in the Presbytery offices, or at any meeting attended by an employee on behalf of the Presbytery.

G. Drug and Alcohol Policy

The Presbytery will not tolerate illegal drug or alcohol use in the workplace or that otherwise interferes with the performance of an employee's job duties. Except as a bona fide cooking ingredient or for the sacrament of the Lord's Supper, no alcohol is permitted in the Presbytery office.

1. Prohibitions under the Drug and Alcohol Policy

The following acts are violations of this policy:

- Use, possession, distribution or being under the influence of illegal drugs, controlled substances, alcohol or drug paraphernalia while in the Presbytery offices, during working hours or at any church event in which the employee is working for or otherwise representing the Presbytery;
- Use, possession, distribution or being under the influence of illegal drugs or controlled substances outside the office that adversely affects an employee's job performance, the safety of an employee of a co-worker or the overall operations of the Presbytery;
- Refusing an inspection, refusing to consent to testing, refusing to proceed without delay to a designated testing facility, refusing to submit any sample for testing, refusing to complete medical questionnaire and consent form prior to testing;
- Switching or adulterating any sample submitted for testing;
- Conviction or entry of a guilty plea under any criminal drug or alcohol statute, law, regulation or ordinance;
- Failing to notify the Presbytery within the time set by this policy of any conviction or plea of guilty under any criminal drug or alcohol statute, law, regulation or ordinance;
- Failing to report to the employee's supervisor the use of a prescribed drug which may alter the employee's behavior or physical or mental ability in the workplace; or
- Testing positive for the presence of alcohol, illegal drugs or unauthorized prescription medications, or otherwise violating this Drug and Alcohol policy.

2. Authorized Use of Prescribed Medicine

Employees may maintain prescription drugs on the Presbytery's premises provided the following conditions have been met:

- The drugs have been prescribed by a doctor for the person in possession of the drugs; and
- The employee has notified the employee's supervisor concerning the prescription drugs if use of the prescribed drug can affect or interfere with the employee's ability to perform the employee's job.

Any prescription drugs not meeting the above requirements shall be considered an "illegal drug" and/or "controlled substance" under this policy.

3. Convictions under of a Criminal Drug or Alcohol Law

Employees must notify their supervisor within 5 days of any conviction or entry of a guilty plea under any criminal drug or alcohol statute, law, regulation or ordinance. Failure to report a conviction or guilty plea will result in termination of employment.

4. Testing

Prospective employees who have received an offer of employment may be required to submit to drug testing. An offer of employment by the Presbytery is conditioned on the prospective employee testing negative for drugs and alcohol.

Whenever the Presbytery reasonably suspects that an employee's work performance, or on-the-job behavior, may be or may have been affected in any way by alcohol or drugs, or that an employee has otherwise violated this policy, or at any other time in the discretion of the Presbytery, the Presbytery may require the employee to provide a breath, saliva, hair, urine, and/or blood sample for alcohol and drug testing. Any employee injured on the job may be required to submit to drug and alcohol testing. An employee who tests positive for alcohol, illegal drugs or controlled substances as a result of such test will be in violation of this policy. An employee who admits controlled substance or improper alcohol use after being requested to take a test shall be considered to have tested positive for purposes of this policy.

Applicants and employees subject to testing must sign, prior to testing, an approval form consenting to the testing and consenting to the release of the test results to the Presbytery. Test results will be kept confidential to the maximum extent possible.

5. Consequences for Violation of this Policy

Any employee who violates this policy will be subject to discipline up to and including immediate discharge. Compliance with this policy is a condition of employment. Failure or refusal of an employee to cooperate fully, sign any required document or submit to any inspection or test constitutes insubordination and will result in discipline up to and including discharge.

In the sole discretion of the Personnel Committee, an employee who has violated this policy by failing a controlled substance and/or alcohol test may be allowed one chance to complete a program of rehabilitation approved by the Personnel Committee. The employee or any applicable employee insurance coverage must pay for such program. Additionally, if any employee voluntarily comes forward to the Presbytery to seek rehabilitation prior to a request by the Presbytery to be tested or before the employee engages in conduct that would have given the Presbytery cause to request testing, the employee will not be discharged for admitting to a drug and/or alcohol problem and seeking rehabilitation but instead may be allowed one chance to complete a program of rehabilitation. This exception shall be applied only one time.

H. Fraud Policy

This fraud policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud and similar misconduct against the Presbytery. This policy applies to any fraud, misappropriation, irregularity, or suspected irregularity, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies and/or other parties with a business or church relationship with the Presbytery.

1. Actions Constituting Fraud

Fraud is the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Misappropriation and other fiscal irregularities refer to, but are not limited to:

- Any dishonest or fraudulent act;
- Disclosing confidential and proprietary information to outside parties;
- Accepting or seeking anything of material value from contractors, vendors, or persons providing services/material to the Presbytery (exception: gifts less than \$100 in value);
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment;
- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Profiteering as a result of insider knowledge of Presbytery activities; and/or
- Any similar or related irregularity.

Elected employees will be familiar with the types of improprieties that might occur within his or her area of responsibility and be alert for any indication or irregularity. Irregularities concerning an employee's moral, ethical or behavioral conduct should be resolved by the Executive Presbytery in consultation with the Personnel Committee. If there are any questions as to whether an action constitutes improper conduct under this policy, employees should contact the Executive Presbyter for guidance.

2. Confidentiality, Reporting and Investigation

Employees must report immediately to the Executive Presbyter any detected or suspected dishonesty, fraud or irregularity. Employees shall not contact the suspected individual in an effort to determine facts or demand restitution, or discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Executive Presbyter. Employees should not attempt to personally conduct investigations or interviews.

The Executive Presbyter coordinates all investigations with legal counsel and other affected areas, both internal and external. The Executive Presbyter shall treat confidentially any allegations of fraud received. Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. The Executive Presbyter should advise the reporting individual that he/she shall not contact the suspected individual in an effort to determine facts or demand restitution, and shall not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Executive Presbyter.

All inquiries concerning the activity under investigation from the suspected individual, the individual's attorney or representative, or any other inquirer should be directed to the Executive

Presbyter. No information concerning the status of an investigation will be given out. The proper response to any inquiry is: “I am not at liberty to discuss this matter.” Under no circumstance should any reference be made to “the allegation,” “the crime,” “the fraud,” “the forgery,” “the misappropriation,” or any other specific reference.

Any investigative activity required will be conducted without regard to the suspected wrongdoer’s length of service, position/title, or relationship to the Presbytery.

I. Zero Tolerance for Violence in the Workplace

The Presbytery has zero tolerance for workplace violence. It is the intent of this policy to ensure that no one associated with this Presbytery, including employees and visitors, ever feels threatened by an employee’s actions or conduct. Violence includes physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. No talk of violence or joking about violence will be tolerated. Appropriate disciplinary action will be taken against any employee who violates this policy. Violence or threats of violence in the workplace will result in immediate termination for cause.

The Presbytery prohibits the possession of weapons by any employee while on Presbytery property. Weapons include guns, knives, explosives, and other items with the potential to inflict harm. This ban includes keeping or transporting a weapon in a vehicle in a parking area, whether public or private. Employees are also prohibited from carrying a weapon while performing services off the Presbytery’s business premises. This ban expressly includes all guns, whether the employee has a valid permit to carry the weapon or not.

Employees shall report to the Executive Presbyter any incident of workplace violence or threat of violence; employees are encouraged to report conduct of a co-worker that causes concern for potential workplace violence. All reports will be investigated and information will be kept confidential to the extent possible.

J. Computer Equipment and Internet Access

The Presbytery’s computer network services and worldwide Internet access are available to employees as a business tool for the purpose of promoting and advancing church programs and mission. Guidelines for use of this technology have been developed to enhance office productivity and to protect the integrity of the Presbytery work product files and data. Misuse of Presbytery computers or the Internet can have serious and expensive consequences, and will result in discipline up to and including discharge.

1. Ownership of Computer and Office Equipment and Records

All equipment and furniture in the office, including desks, telephones, and computers, are the property of the Presbytery. All computer hardware, software and information created, sent or received are the property of the Presbytery. All computerized information, email or voice mail messages, including information obtained with the use of the Presbytery’s Internet access, are

considered Presbytery records. Employees have no expectation of privacy for information contained in Presbytery computers or property.

2. Monitoring and Inspections

The Presbytery reserves the right to enter or inspect the employee's work area including, but not limited to, desks, computers, phones and computer storage disks, with or without notice. The Presbytery reserves the right to access, inspect, catalog, monitor, audit and review all computer, network and Internet activity and information (including email), without notice, including, but not limited to, data stored, sites visited, duration of use and data transmitted and may disclose information regarding the employee's use of the service to satisfy existing laws. Audit trails of computer and Internet usage may not be modified by users and may be deleted only by the system administrator. All deleted or erased files are subject to the same regulations. Under conditions approved by the Personnel Committee, telephone conversations and email communications may be monitored and retrieved. Any private conversations overheard during such monitoring, or private messages retrieved, that constitute improper conduct, such as threats against other individuals or racially inappropriate comments, can and will be used as the basis for discipline up to and including discharge.

3. Personal Use

Office equipment, including fax, copier, and computers are intended for business use. Some personal Internet use by employees is acceptable, limited to a few minutes per day. Acceptable use includes limited email, limited research, and review of personal pension or retirement portfolios. Personal use is subject to the same regulations as business use.

Accessing pornography is never acceptable. If an employee accidentally visits a prohibited Internet site, the employee should promptly notify the Executive Presbyter in writing.

4. Internet Use by Minors

Children and teens that are granted Internet access by employees through the Presbytery computer system are required to be supervised by those who grant access. Independent and unsupervised use of Internet resources by minors requires parental consent.

5. Prohibited Uses of Computers and Internet

Specifically prohibited computer use includes but is not limited to:

- Intentional disruption of our computer system or the system of another organization;
- Unauthorized remote access of our system or authorized remote access of our system without a secure connection;
- Circumventing user authentication or security of any host, network or account;
- Sharing passwords or sharing the use of an employee's account with others without authorization by the employee's supervisor;

- Using ineffective passwords, for example passwords containing less than six characters or passwords containing obvious information such as birth dates, social security numbers, nicknames, the employee’s initials, the employee’s license plate, names of family members or pets;
- Creating works for sale, private day-trading, or any use for personal profit;
- Dissemination of employee, member, financial information or other church confidential or privileged information without authorization;
- Hacking, cracking, snooping or gaining access to unauthorized data, programs or folders;
- Loading unauthorized software to individual workstations or the server;
- Modifying or deleting audit trail information; and
- Copying, saving or re-distributing copyrighted materials like music, photographs, software, cartoons, art, videos or copyrighted written compositions, without permission.

Specifically prohibited internet use includes but is not limited to:

- Game playing;
- Viewing, uploading or downloading sexually explicit materials;
- Violating copyright laws including downloading copyrighted software (except shareware or trial-version software) without written permission (piracy);
- Visiting or participating in chat-rooms not related to church business;
- Not giving credit for copyrighted works during legitimate re-distribution;
- Violating any policies of the Presbytery’s Internet Service Provider (ISP);
- Gambling, job searching by non-ordained staff, or building non-Presbytery web pages;
- Non-church related browsing or surfing, except as noted in acceptable use above;
- Forging email headers, spamming, bulk-mailing non church related messages, or bombing any site;
- Harassment in any form, including via email;
- Forwarding any email without the author’s permission;
- Creating, sending or forwarding communications which are offensive, purposely misleading, vulgar, abusive, unprofessional, discriminatory or threatening;
- Sending anonymous communications;
- Propagating chain letters, or pyramid schemes, even to willing recipients;
- Knowingly creating, sending or receiving viruses, bombs, Trojan horses, macros, worms, droppers or any other malicious or disruptive programs;
- Subscription to non-authorized services;
- Accessing websites that outline or detail how to perform illegal activity; or
- Any illegal use.

6. Computer Software

The Presbytery and its employees shall use software only in accordance with its license agreement. Unless otherwise provided in the license, any duplication of copyrighted software, except for backup and archival purposes, is a violation of the law. No employee will make any unauthorized copies of any software under any circumstances.

No employee shall give Presbytery software to any outsiders, including parishioners or family members. No employee shall install any software on the Presbytery computers except the software provided by the Presbytery for installation. No employee shall establish a password or encryption protection on a Presbytery computer without authorization from the Presbytery or without providing such password or the key to such encryption to the Presbytery.

Any employee who determines that there may be a purposeful or accidental violation of the software policy within the Presbytery shall notify their supervisor.

7. Tape Recording

Tape recording in any meeting is prohibited unless authorized in advance by the Executive Presbyter and all participants in the meeting are advised that the meeting will be recorded.

K. Driving Policy

Employees should exercise reasonable care when operating a vehicle while performing duties for the Presbytery. This driving policy applies to any employee who has a “driving position” in which the employee is required to drive a vehicle (either Presbytery or personal) as a part of the employee’s job (other than traveling to/from work). This includes traveling to/from meetings, running errands on behalf of the Presbytery, visiting parishioners, or any activity that requires an employee to travel outside of the office using a personal or Presbytery automobile.

When operating a vehicle during the course and scope of employment with the Presbytery, all employees are expected to use reasonable care and abide by all applicable federal, state and local laws. Employees having a driving position shall report to the Executive Presbytery within one workday any of the following incidents:

- The employee’s driving privileges are revoked or suspended for any reason;
- The employee is charged or convicted of driving while under the influence of alcohol or drugs;
- The employee is involved in a motor vehicle accident while driving a company vehicle or while performing duties in the course and scope of the employee’s employment (report immediately);
- The employee is involved in a motor vehicle accident in which the employee received a citation for violating any federal, state or local law;
- The employee’s car insurance (on the vehicle used for Presbytery business) has been cancelled or suspended for any reason; or

- The employee has received three or more moving violations within a three-year period of time.

The Presbytery reserves the right to periodically check an employee's driving record maintained by the State that issued the employee's license to drive. Upon request, employees are required to give written consent to allow the Presbytery to inspect the employee's driving record, including all related personal information contained therein.

If, in the sole discretion of the Personnel Committee, it is determined that an employee in a driving position creates a safety risk or financial risk to the Presbytery, then that employee may be removed from the employee's driving position and discharged.

L. Financial Conflict of Interest Policy

No employee shall accept any gift of more than \$100 from any entity or person connected with their duties with the Presbytery.

In addition, if any employee is called upon to participate in a decision in which the interests of the Presbytery conflict with the employee's personal financial interests, the employee shall immediately disclose the conflict and abstain from participating in the decision.

All employees shall avoid even the appearance of financial conflict of interest, special interest or any other conduct inconsistent with this policy. Employees discovering that they may be in a position of financial conflict of interest shall immediately report this conflict to their supervisor.

X. DISCIPLINE AND PROBLEM RESOLUTION

All employees are expected to conduct themselves in accordance with the theology of employment in the preface as well as applicable laws, regulations, policies, and generally acceptable work behaviors. Elected employees are expected to set an example by their own conduct, attitudes and work habits.

A. Discipline

Failure to perform your job or violation of any Church law or Presbytery policy or procedure may result in disciplinary action, including termination. Disciplinary actions are written warnings, suspensions and discharge. The supervisor should consult with the Moderator of the Personnel Committee in determining whether disciplinary action is appropriate. For charges such as a threat to the safety and/or well-being of an employee, stealing, insubordination, overt sexual harassment, or reporting to work under the influence of drugs or alcohol, a temporary suspension may be imposed while fact-finding is conducted. There are some circumstances where, in the sole discretion of the supervisor, progressive discipline may be appropriate to address ongoing and unresolved work deficiencies. The supervisor may provide the employee first with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, take such action as is appropriate, up to and including discharge. However, the Presbytery is not required to engage in progressive discipline and may discipline or discharge an employee where

he/she violates workplace policies and conduct rules, or where the quantity, quality or value of their work fails to meet expectations. Each offense must be judged on a case-by-case basis and consideration given to the employee's past record. Depending on the circumstances, employees may be disciplined or terminated without any prior warning or procedure.

The employee should be advised in writing of the discipline imposed and the reason(s) for the discipline. The employee will be required to acknowledge receipt (not agreement) of disciplinary action by signature. The employee may submit a written response to the disciplinary action within five days. Documentation of disciplinary action will be retained in the employee's personnel file indefinitely.

Disciplinary action may be appealed through the problem resolution process outlined below.

B. Problem Resolution Procedure

The Presbytery encourages good working relationships that affirm the importance of each individual and his/her contribution to the organization in an atmosphere of mutual respect.

Both an informal process and a formal process are available to employees. The informal process is to be used by employees to address non-disciplinary work-related complaints. The formal process is available to employees to appeal disciplinary actions. By mutual agreement at any time in this process, the employee and employer may resolve the matter. During these processes, all participants shall conduct themselves in a professional manner.

The problem resolution procedures may not be used to address:

- acts or policies implemented by management to comply with General Assembly or Presbytery actions, or with applicable laws and governmental regulations;
- management and/or insurance carrier decisions regarding worker's compensation and benefits claims such as short-term and long-term disability claims; or
- any matter that is subject to specific administrative review set out in any employee benefits plan.

Complaints involving discrimination, sexual harassment or any other form of harassment are to be processed under the provisions of the Equal Employment Opportunity policy stated in this Employee Handbook.

1. Informal Process/Open Door Policy

Employees are encouraged to discuss informally their concerns first with their supervisors (open door policy). If an employee is not satisfied with his/her supervisor's response or if the nature of the problem makes a supervisory discussion uncomfortable or awkward, such employee may contact the Moderator of the Personnel Committee.

2. Formal Complaint Process

This formal complaint process is available for appeals to disciplinary actions or serious concerns not able to be resolved informally. **Employees who desire to file an appeal under the formal complaint process must do so within 5 business days of receipt of the disciplinary action.**

- **Step One.** Within 5 working days after being notified of a disciplinary action, the employee can request a meeting with his/her supervisor by submitting a written complaint. The supervisor must meet with the employee within 5 working days. The employee will be given an opportunity to explain why he/she believes the discipline was unjust or improper. The employee should present any evidence and names of witnesses who can support his/her position. Following the meeting, the supervisor shall review the appeal and gather any necessary information. The supervisor should reply to the employee in writing within 5 working days after the meeting.
- **Step Two.** If the employee is not satisfied with supervisor's response, the employee can request review by the Personnel Committee. The Moderator of the Personnel Committee or designee may arrange a meeting with the employee or review the written documents. The Personnel Committee will complete the review as soon as practicable and issue the final decision. There is no appeal from the Personnel Committee's decision.

The above time limits may be extended by the employer to meet circumstances beyond the control of the employer (e.g., vacations, holidays, medical absences, business travel and weekends). Employees will not lose pay for any time not on the job when their presence is required at these meetings.

No retaliation will be taken against employees who pursue their rights to appeal disciplinary action.

The complaint process shall be confidential and only open to the complainant and their advocate; the supervisor, the Personnel Committee and their advocate. Any investigation, administrative records, reports, or findings that are related to the allegations shall remain confidential and will be placed in the care and custody of the Executive Presbyter. Breach of confidentiality will be cause for disciplinary action, up to and including termination.

EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I acknowledge receipt of my copy of the Heartland Presbytery Employee Handbook. I have read and understand the Employee Handbook. I understand that my employment relationship with Heartland Presbytery is “at will”, which means that I may resign at any time and for any reason and the Presbytery may end my employment at any time with or without cause or notice. I understand this handbook is not a contract for employment nor is it an offer of a contract for employment. Any oral or written promises I may have received to the contrary are expressly disavowed and will not be relied upon by me.

I understand that this Employee Handbook and its policies supersede all prior oral and written communications, including previous versions of employee handbooks, and are subject to change or elimination at any time at the discretion of Heartland Presbytery.

Signature _____

Date _____

Print Name _____

CONFIDENTIALITY POLICY AND PLEDGE

Any information that an employee learns about Heartland Presbytery as a result of working for Heartland Presbytery that is not otherwise publicly available constitutes confidential information. Employees may not disclose confidential information to anyone who is not employed by Heartland Presbytery or to other persons employed by Heartland Presbytery who do not need to know such information to assist in rendering services. The disclosure, distribution, electronic transmission or copying of Heartland Presbytery’s confidential information is prohibited. Any employee who discloses confidential information will be subject to disciplinary action (including possible separation), even if he/she does not actually benefit from the disclosure of such information. The confidentiality obligation continues after separation from employment.

I understand these expectations and pledge not to disclose confidential information.

Signature _____

Date _____

Print Name _____