

Employee Handbook



National Capital
P R E S B Y T E R Y
MISSIONAL · PASTORAL · PROPHETIC

NATIONAL CAPITAL PRESBYTERY

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WELCOME

We welcome you to our staff and hope that you will be challenged and fulfilled in a work environment characterized by cooperation, competence, and professionalism. We expect employees will be dedicated to fulfilling their responsibilities to the best of their abilities, while keeping in mind our mission to serve and honor Jesus Christ.

The Church is the creation of Jesus Christ and a vehicle for the Mission of God in the world. Aspiring to be a manifestation of the realm of God, the Church, and its service organizations such as the Presbytery have responsibilities to our staff members even as we do to our members. As a Presbytery, we are subject to requirements imposed by the most current *Book of Order* of the Presbyterian Church (U.S.A.). The Personnel Committee has prepared, and the Presbytery Leadership Council has approved this Employee Handbook (referred to as the “Handbook”) to be effective as of the time of adoption.

This Handbook has been prepared and-distributed to all staff to set forth general statements of the policies and procedures the National Capital Presbytery (“the Presbytery” or “NCP”). This Handbook is not part of an employment agreement or contract with any of the Presbytery’s staff, and the Presbytery reserves the right in its sole discretion to alter, amend, waive, or withdraw any of these policies, procedures, and benefits at any time without notice.

“Supervising Board” refers to positions which are supervised by a separate board, such as the Young Adult Volunteer Program Board, or the session equivalent for an Immigrant Fellowship. When the term supervisor is used, this should be understood to refer to the Supervising Board, where applicable.

All staff members are expected to be familiar with and to conform to and follow all Presbytery policies, procedures, and rules and regulations contained in this Handbook. Questions or clarifications should be addressed to the General Presbyter or the Director of Business Affairs. Employees are required to sign the Employee Handbook Acknowledgement and Receipt at the end of this Handbook.

The General Presbyter is responsible for the implementation and administration of the policies and procedures provided in this Handbook. If difficulties in interpretation or application should arise, the Personnel Committee will resolve them. These policies will be reviewed as needed, at a minimum of once every three years, by the Personnel Committee. Revisions will be submitted for final approval to the Leadership Council.

Welcome!

John Molina-Moore
General Presbyter

I. ETHICAL BEHAVIOR AND CONDUCT

A. Principles

1. The success of the National Capital Presbytery relies on the principles of fair dealing and the ethical conduct of our employees.
2. All employees must be treated with dignity and respect.
3. Employees owe a duty to the Presbytery to act in a way that will merit our trust and confidence.

B. Ethical Conduct

1. The Presbytery expects its employees to conduct its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.
2. If you observe any illegal or unethical behavior, report it to the General Presbyter.
3. All staff persons are subject to National Capital Presbytery's Conduct and Ethics Policy.

II. EMPLOYMENT

A. Employment Categories

1. The National Capital Presbytery is an equal opportunity employer and maintains a policy of nondiscrimination on the basis of race, color, religion, sex, ancestry or national origin, age, gender, marital or veteran status, sexual orientation, family responsibility, physical appearance, physical or mental disability (that does not render the person, with or without reasonable accommodation, unable to perform the essential duties of the job), or any other reason which is unlawful under any applicable state, local or federal statute. The Presbytery, as a religious organization, may give preference in employment to members of the Presbyterian Church (U.S.A.) (PCUSA).
2. All new staff members are subject to criminal background and reference checks.
3. Harassment of any of the foregoing characteristics will not be permitted or condoned. Racial, sexual, age-related, or ethnic slurs or insults are wholly inappropriate and violate the Presbytery's equal employment opportunity policy.

4. Each staff person, except for installed clergy, is an employee at will. Therefore, both the Presbytery and the employee have the freedom to choose to end the employment at any time with or without cause.

B. Exempt/Non-Exempt and Full-Time/Part-Time Definitions

1. The Federal Fair Labor Standards Act (FLSA) determines whether a position is defined as exempt or non-exempt. You will be notified of your status in your offer of employment letter.

2. Exempt (compensated based on an annual salary): Persons employed in exempt positions are not required to be paid overtime for work performed beyond 40 hours in a workweek.

3. Non-exempt (compensated on the basis of an hourly wage): Persons employed in non-exempt positions are required to be paid for overtime at the rate of time and one-half their regular rate of pay for all hours worked beyond 40 hours in a workweek.

4. Full-Time Staff Persons are those who are hired to work a full 37.5 hours per week.

5. Part-Time Staff Persons are those who are employed to work less than 37.5 hours per week. If they are not temporary and are employed at least 20 hours per week they are eligible for benefits on a pro-rated basis. If they are later placed on a full-time basis, prorated credit will be given from the first day of part-time employment for sick leave and vacation benefits.

6. Temporary Staff Persons are those who are hired to work full or part-time with the understanding that their employment is for a limited period with the further understanding that even during this period of time, their employment may be terminated at any time with or without cause. These positions are not eligible for benefits.

C. Criteria Established by the PCUSA

1. Installed Clergy are ordained teaching elders of the Presbyterian Church (USA) who have independently negotiated terms of call.

2. Other Clergy are non-PCUSA ordained clergy that may be hired by the Presbytery, or PCUSA ordained teaching elders that are serving in non-installed positions.

3. Non-clergy are persons who are not ordained teaching elders.

D. Position Descriptions

1. You will be given a written position description which is subject to periodic review and revision. Your position description defines the specifics of responsibility and authority but may not be all-inclusive.

2. Your performance will be reviewed annually based on agreed to performance goals and duties as outlined on the job description.

E. Recruitment and Selection

1. All staff will be recruited in accordance with the provisions of the constitution of the Presbyterian Church (U.S.A.) and applicable laws of the USA. Non-exempt positions will be advertised and appointed by the General Presbyter and/or Director of Business Affairs (and/or Supervising Board). Positions which would provide lateral movement, or would constitute a promotion, may be filled by current non-exempt staff who wish to apply for consideration.

2. Exempt new hires will be approved by vote of the Presbytery (for General Presbyter, Stated Clerk or Treasurer) or Leadership Council (for all others). There may be positions, such as YAV Coordinator, that may need approval by the Leadership Council or the Supervising Board.

F. Offer of Employment Letter

1. Formal offer letters are given to all new-hires whose position does not require a written contract. This letter identifies the position, the salary, the starting date, the staff person's supervisor(s), and other pertinent conditions of employment.

2. Employment will not become effective until the individual returns a signed copy to the Director of Business Affairs.

G. Work Hours

1. The regular workweek is 37.5 hours. You and your supervisor will agree on a schedule for your position as well as if and when your position requires you to physically be in the office. Generally, the work week is five days a week with two days off per week.

2. From time to time, non-exempt staff may be required to assist with registration at Presbytery meetings and will be compensated with time for assistance at evening meetings.

3. Non-exempt full-time staff will be paid overtime wages at the regular hourly rate for hours worked up to 40 hours a week and at the rate of one and a half times their regular hourly rate for any additional hours a week. Non-exempt part-time and temporary staff will be paid at the regular hourly rate for all hours worked up to 40 hours per week and at the rate of one and a half times the regular hourly rate for any additional hours a week.

4. The workweek begins on Monday and ends on Sunday. Paid time off during the workweek, such as vacation time, sick, and administrative leave (jury duty, funeral leave, inclement weather), does not count towards "hours worked" for the purpose of calculating the 40-hour minimum. Non-exempt employees must work 40 hours before the hours will be considered overtime. Hours worked between 37.5 and 40 (2.5) in a week are considered compensatory time and, at the option of the employee and with approval of the Director of Business Affairs, can be credited toward an absence for a portion of a day during the same pay

period. If the time off is not used within the same pay period, the employee will be paid for the hours at the regular rate.

H. Dress Code

1. The National Capital Presbytery is the professional office and headquarters for Presbyterian churches in the surrounding metropolitan area.

2. Presbytery staff persons are, in effect, representing the Presbytery and are therefore expected to reflect this in their personal dress and behavior within the office.

I. Holidays

1. The Presbytery observes the following paid holidays each year:

New Year's Day	Labor Day
Martin Luther King Jr.'s Birthday	Thanksgiving Day
President's Day	Thanksgiving Friday
Good Friday	Christmas Eve
Memorial Day	Christmas
Juneteenth	New Year's Eve
Independence Day	

2. In addition, one floating holiday may be chosen by the staff person with prior approval of your supervisor or the Director of Business Affairs.

3. If the holiday falls on a Saturday, it will be observed on Friday and if the holiday falls on Sunday, it will be observed on Monday.

J. Employee Assistance Program

1. National Capital Presbytery views alcoholism, drug and substance dependency as illnesses that should be treated. The Board of Pensions offers employee assistance for mental health and substance abuse dependency through the Employee Assistance Program.

2. The Employee Assistance Programs is open to all staff persons of National Capital Presbytery. Information on this program can be obtained directly from the Board of Pensions, or through the Director of Business Affairs.

K. Unemployment Compensation and Workers' Compensation

1. National Capital Presbytery, as a non-profit organization, does not participate in unemployment insurance programs.

2. All employees are covered by the Worker's Compensation Law of the State of Maryland.

III. MISCONDUCT AND GRIEVANCE POLICIES AND PROCESSES

A. Workplace Bullying

1. NCP defines bullying as “repeated, threatening, and/or coercive behavior with an intent to abuse, intimidate, or dominate others, at the place of work and/or in the course of employment.”

2. Such behavior violates our policy that all employees are to be treated with dignity and respect. We will not tolerate this type of behavior and employees found in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

3. Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given any consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. We consider the following types of behavior examples of bullying:

a. Verbal bullying: Slandering, ridiculing, or maligning a person or their family, persistent name calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes, abusive and offensive remarks.

b. Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property.

c. Gesture bullying: Nonverbal threatening gestures or glances that convey a threatening message.

d. Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

B. Unlawful Discrimination and Sexual Harassment

1. NCP intends to maintain a work environment in which business is conducted in a professional atmosphere that promotes teamwork and attainment of goals. NCP employees are expected to treat their coworkers and others in the workplace with courtesy and respect. All forms of unlawful discrimination and harassment are expressly prohibited. NCP prohibits sexual harassment by its employees and against its employees. No employee, either male or female, should be subjected to unsolicited or unwelcome sexual advances, either verbal or physical.

2. We encourage reporting all perceived incidents of discrimination or harassment. We strongly suggest the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived harassment.

3. If it happens to you, speak up immediately to the harasser and tell them to stop immediately. If that doesn't resolve the situation, report it to your supervisor or the Director of Business Affairs or the General Presbyter. If the harasser is a member of management, the incident should be reported to the chair of the Personnel Committee.

4. You can report unlawful discrimination and harassment without fear of reprisal or retaliation. Anyone found to be engaging in any type of unlawful discrimination or harassment will be subject to disciplinary action up to and including termination. Employees who observe conduct they believe amounts to unlawful discrimination or harassment, as well as any other inappropriate or unprofessional behavior by any employee, vendor, or other person in the workplace, should report that information promptly.

5. Every reported incident will be reviewed, and every effort will be made to maintain confidentiality. However, other employees may need to be interviewed to determine if there were witnesses to the action.

6. False and malicious complaints of harassment, discrimination, or retaliation may be the subject of appropriate disciplinary action, up to and including termination of employment.

7. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature on the part of supervisors, employees, and non-employees. Sexual harassment also encompasses conduct of a sexual nature where submission is either expressly or implicitly a term or condition of employment or submission or rejection is used as a basis for affecting an individual's work performance or creating an intimidating, hostile or offensive working environment. Conditions that might even be perceived as being of a sexual nature must be strictly avoided.

C. Grievance Policy

1. NCP expects all employees to be treated fairly. If you feel as if you have been treated unfairly, you should let the other person know your feelings to see if it can be resolved between the two of you. If not, talk with your supervisor or the Director of Business Affairs or the General Presbyter.

2. If at any time an employee feels unfairly or inappropriately treated or is dissatisfied with a decision of the General Presbyter in administering personnel policies, the employee may present a grievance in writing to the Chair of the Personnel Committee. The General Presbyter also may choose to subsequently meet with the aggrieved employee to fully understand the issue. The General Presbyter will reply to the grievance in writing within 30 days and may choose to discuss their decision with the employee who submitted the grievance.

3. If an initial grievance is not satisfactorily resolved, the employee then may submit the complaint in writing to the Chair of the Personnel Committee. The Chair will prepare a reply within 30 days following the next Committee meeting and any required investigation or consultation. The Personnel Committee will make a final determination on the issue raised.

IV. SALARY ADMINISTRATION

A. Principles

1. The Presbytery is committed to salary administration principles which provide fair pay for the work performed.
2. Information concerning the salaries for particular positions is confidential.

B. Paydays

1. The Presbytery issues payroll checks on the 15th of each month and on the last working day of the month for the hours worked since the last payday.
2. Except for Social Security and Federal, State and Local Taxes, ordained clergy are included in all other policies which apply to NCP staff.

C. Social Security

1. All NCP staff persons are covered by Social Security. The staff person's share of the tax is withheld from the wages of non-clergy staff.
2. Clergy. In accordance with the Social Security Administration and Church policy, all ordained clergy are considered self-employed persons engaged in the exercise of their ministry and are not subject to withholding for certain taxes. The Presbytery does not pay the employer's portion of Social Security for ordained clergy. However, ordained clergy will be reimbursed by the Presbytery for this amount (7.65%). Ordained clergy are responsible for paying their own self-employment tax (SECA).
3. Non-clergy. The Presbytery pays one half of FICA (Social Security and Medicare taxes) for all non-clergy staff. An equal amount is paid by the staff person and is withheld from the staff person's pay.

D. Federal, State and Local Taxes

1. Clergy. Clergy are not required to have taxes withheld from their salary. Taxes are withheld for clergy only at their request. Clergy are responsible for their own tax withholding.
2. Non-clergy. All applicable Federal, State and local (county) taxes will be withheld from pay based upon the exemption claim forms which are completed at the time of employment. Exemptions may be changed at any time, provided exemptions claimed do not exceed the number to which a staff person is legally entitled.

E. Adjustment of Salary Ranges

1. From time to time, salary surveys are conducted to ensure we are paying market price for positions.

2. A salary review will be made whenever any changes in duties or relationship call for a re-evaluation of the position.

3. Exempt Staff. Review will be conducted by the Personnel Committee which makes its recommendation to Presbytery (for installed PCUSA clergy) or the Leadership Council (for other exempt positions) for action.

4. Non-Exempt Staff. Review will be made by the Director of Business Affairs and General Presbyter and recommended to the Personnel Committee for action.

5. Merit salary increases may be granted according to the following criteria:

a. Non-Exempt Staff. Upon the recommendation of the Director of Business Affairs and the General Presbyter to the Personnel Committee for action.

b. Exempt Staff. Changes in compensation for exempt staff persons must be approved by Presbytery (for installed PCUSA clergy) or the Leadership Council (for other exempt positions) before implementation.

V. LEAVE

A. Annual (Vacation) Leave

1. Vacation with pay is provided at the rate indicated in paragraph 3 below for eligible staff persons. Staff persons are encouraged to take accumulated annual (vacation) leave in the year in which it is earned. However, a maximum of 10 working days earned annual leave may be carried over to the following year. Requests for use of earned leave must be approved in advance by the and/or the Business Affairs as appropriate in order that proper coverage may be arranged.

2. Paid vacation may not be used before it has been accrued unless approved by the General Presbyter and the Director of Business Affairs, or the Supervising Board. Upon termination or resignation, accrued vacation will be paid.

3. Full Time Staff. Full time staff will be entitled to four weeks of annual (vacation) leave each year (20 workdays).

a. During the first year of service, annual leave days are accrued at two days per month, for each calendar month, to a maximum of four weeks.

b. After the first year of service, the accrual rate is one quarter of the total of allotted annual leave, at the start of each quarter.

c. Example: In January of Year 2 of service (and subsequent years of services afterwards), Staff Person A is entitled to four weeks of vacation time. They will receive one week available to them on each of the following dates: January 1, April 1, July 1, October 1.

d. Part time staff who are eligible will accrue prorated annual leave (vacation) leave based on the days/hours worked.

B. Sick Leave

1. Sick leave is defined as time off required by an employee due to his or her own illness or injury, the illness or injury of an immediate family member (spouse, child, parent, grandparent, or those *in loco parentis* relationship), his or her own medical or dental treatment or the medical or dental treatment of an immediate family member.

2. The use of sick leave to care for anyone beyond the immediate family as defined above would require the approval of both the General Presbyter and the Chair of the Personnel Committee, or the Supervising Board.

3. Sick leave is not to be used as additional vacation time. Abuse of sick leave is grounds for disciplinary action, up to and including discharge from employment.

4. If an employee uses more than the sick leave accrued and is not eligible for and able to apply either unpaid family leave or unpaid medical leave to his or her absence from employment, the employee will apply the time off to accrued vacation. If accrued vacation is unavailable, the employee will take leave without pay. The Presbytery reserves the right to request a physician's certificate or other proof of illness from an employee for an absence of three consecutive days or more

5. Exempt and Non-Exempt Staff. Full-time staff persons are entitled to 12 working days of paid sick leave for each calendar year, earned at the rate of one day for each month of employment as completed, cumulative up to 90 days. At the time of termination of employment (either voluntary or involuntary), unused sick leave will not be paid.

6. Part-Time Staff. The amount of sick leave will be pro-rated based on the regular days scheduled to work.

C. Study Leave

1. All staff persons are encouraged to take advantage of opportunities for continuing education through seminars, classes, or other events which would directly enhance their job performance. The specific events, the amount of time, the timing, and the availability of funds will be determined by consultation between the staff person and their immediate supervisor.

2. Study Leave for Exempt Staff. All exempt staff are eligible for study leave of at least two weeks per year (10 workdays). The Personnel Committee may approve in advance additional time at its sole discretion.

a. A minimum study leave allowance will be provided each year in the same amount as that provided in the Presbytery-approved Compensation and Benefits Policy for Pastors and Associates. Additional funds may be granted by the Personnel Committee.

b. Study leave time and allowance may be accumulated to a maximum of four weeks with approval of the Personnel Committee.

c. Study leave for the first year of employment is pro-rated based on employment date. Thereafter, study leave is granted based on calendar year.

3. Study Leave for Non-Exempt Staff. Non-exempt staff may be granted study leave under certain conditions as approved by the General Presbyter, the Director of Business Affairs, and their immediate supervisor. Both time and funds will be provided.

D. Sabbatical Leave for Exempt Staff

1. Sabbatical leave is a planned time of intensive enhancement for ministry and mission. It is an opportunity for the pastor/educator to strategically disengage from regular and normal tasks so that ministry and mission may be viewed from a new perspective because of a planned time of focus. To enable the pastor/educator to devote a significant time to their spiritual, technical, or professional development, sabbatical leave may be granted with the following guidelines:

a. After each six years of continuous, full-time service on the staff of the Presbytery, an eligible staff member will qualify for a sabbatical. Staff members considered eligible by reason of the nature of their responsibilities are the General Presbyter and Director of Congregational Development and Mission.

b. Other staff members, including those employed on a less than full-time basis, may be eligible for sabbatical leave, if such has been negotiated and approved by the Personnel Committee at the time of employment, or negotiated later as a result of a change in the staff member's responsibilities.

c. Ordinarily, a sabbatical will last no longer than ninety calendar days. During the sabbatical period, full pay would be provided, but without additional allowance for expenses.

d. Study leave will not accrue during a year in which a sabbatical is taken.

e. A written statement of identified goals for the sabbatical must be approved by the Personnel Committee, long enough in advance so that budgetary and staffing issues can be adequately addressed. In addition, a brief report will be submitted to the Personnel Committee within two weeks following the conclusion of the sabbatical.

f. Ordinarily, it is expected that a staff member will remain in his or her position for at least a year following a sabbatical.

E. Leave of Absence with and without Pay

1. Leaves of absence, *with pay*, are provided for exempt and non-exempt staff under the following circumstances with approval by the General Presbyter or Director of Business Affairs (or the Supervising Board, where appropriate). Leave time will be prorated for eligible part-time and temporary staff based on usual days worked.

a. For a regular training period of the U.S. Armed Forces (up to two weeks annually).

b. For jury duty (as required).

c. For marriage of a staff person who has been employed by the Presbytery for 90 days or longer (up to three days of leave).

d. For personal or family emergencies which cannot be handled outside of regular working hours (up to three days annually).

e. For a death in the immediate family (up to three days).

f. When possible, requests for such leave should be made well in advance, initiating with the immediate supervisor and the concurrence of the Director of Business Affairs.

g. In general, such leave, when approved, do not affect the amount or use of the staff person's earned Annual Leave. When a staff person receives compensation for jury duty or for U.S. Armed Forces training duty, their wages from the Presbytery for the same period will be reduced by the amount of that compensation.

2. Leaves of absence *without pay* are provided under certain extenuating conditions with approval of the General Presbyter in consultation with the Personnel Committee and the Director of Business Affairs where appropriate.

F. Family Leave

1. Paid family leave may be granted to a staff person who has had at least one year of continuous employment by the Presbytery, for the period immediately preceding and following the arrival (birth, adoption, foster placement, or guardianship) of a child.

2. The staff person should apply for the leave at least one month prior to the beginning of the leave, specifying the amount of leave time desired.

3. The leave can be for up to three months (12 weeks) at the sole discretion of the General Presbyter (or the Supervising Board). The leave may include a period in advance of the expected arrival of the child and leave time may be taken after the child has arrived.

4. Any approved leave beyond the reimbursement period will be leave without pay.

5. Up to half of an employee's accrued paid leave (sick and/or vacation) at the time of the start of the leave must first be used and substituted for that portion of the leave. (For example, if a person has accrued 10 days of vacation and 12 days of sick time at the start of their three month leave period, they would use five days of vacation and six days of sick time towards the three months of paid leave.)

6. Benefit coverage (except vacation and sick leave accrual) and service credit will continue during the entire leave. Noncontributory health insurance will continue to be provided by the Presbytery. Contributory coverages will only continue, provided the employee makes direct payments.

7. If both parents are employed by the Presbytery, only one family leave can be granted. However, leave may be shared by the two parents.

8. Upon return to duty, every effort will be made to place the staff person in an equivalent position if it is not possible to hold open the identical position.

9. Any cost-of-living adjustment to salary for which the staff person may become eligible in the course of the leave will be effective on return to employment.

10. Only one period of paid family leave is available per employee per 12-month period.

VI. PERFORMANCE

A. Goals, Objectives, and Performance

1. You and your supervisor will work together to establish goals and objectives for your position. If your performance doesn't meet the established goals for your position, you will receive feedback and counseling to help you improve, but if it becomes necessary to terminate your employment, all actions will be carefully documented in writing by the General Presbyter with copies to the Personnel Committee.

2. Separation decisions will be made without discrimination based on race, color, sex, national origin, age, disability, marital status, sexual orientation, ordination status, or appearance.

3. The reasons for termination will be furnished in detail. All records regarding the proposed discharge of a Presbytery staff person will be treated with strictest confidentiality.

4. If you choose to resign from your position, we ask respectfully that you send a letter to the General Presbyter who will forward it to the Personnel Committee. You will be paid the cash equivalent of your unused earned annual leave as of the official date of separation. No payment will be made for unused sick, study or sabbatical leave.

B. Separation due to Reorganization or Reduction in Force

1. Separation because of the discontinuance of a project, reorganization or reduction in budget or personnel, or for other circumstances arising out of no fault of the staff person, is at the sole discretion of the Presbytery.

2. The Committee on Ministry is authorized to act on the Presbytery's behalf upon a recommendation by the Leadership Council regarding PCUSA clergy in exempt positions. The Leadership Council is authorized to act on the Presbytery's behalf for all other exempt staff. Written notice of such separation will come from the Leadership Council after consultation with the Personnel Committee. Six months' notice or pay in lieu of notice will be given. Should re-employment by the Presbytery take place before the expiration of the notice period, salary payment for the terminated position will continue only to the actual date when re-employment is achieved.

C. Separation and "At Will" Employees

1. "At Will" Employees. All employees, with the exception of clergy, are "at will" employees and can resign or be terminated at any time. The Presbytery has established certain rules and regulations for the guidance of employees. To prevent any misunderstanding, please remember that the violations of the Presbytery's rules listed below, and other actions may, at the exclusive discretion of the Presbytery, result in disciplinary action ranging from a warning to employment termination. The Presbytery recognizes the following forms of termination:

2. Resignation. The Presbytery Personnel Committee will accept, without prejudice, any written notice of resignation submitted by a staff person for any stated reason. Two week's advance notice is requested to complete separation procedures. Resigning staff persons will be paid the cash equivalent of their unused and accrued annual leave as of the official date of separation. The staff person will not be paid for accumulated, unused sick leave.

3. Reorganization or Reduction in Force. If termination is caused by reorganization or a position being abolished, the Presbytery may pay the staff person unused, accrued leave plus severance pay.

4. Severance Pay: Less than One Year. For employees serving less than one year, severance pay will be two weeks of salary.

5. Severance Pay: More than One Year. For employees serving more than one year, severance pay in the amount of one week of salary for each full year of service with a minimum of six weeks to a maximum of twelve weeks.

6. Discharge. Discharge is a termination initiated by the Presbytery Personnel Committee in which the employee is not eligible for rehire. An employee may be discharged for any one or more of numerous offenses without prior notice or warning. See section VII, “Misconduct and Disciplinary Action,” for a sample list.

D. Separation Clearance Procedures

1. Two Weeks’ Notice. Employees desiring to terminate their employment with the Presbytery are requested to give at least two weeks’ notice, in writing, to the General Presbyter.

2. Last Day. On the employee’s last day, the Director of Business Affairs will conduct an exit interview. The employee will be informed of rights to continue medical insurance with the Board of Pensions under COBRA. At that time the employee may make any comments regarding their job or their supervisor or the Presbytery in general. The employee’s comments, based on their firsthand experience, can be extremely helpful and to the extent possible will be kept confidential.

3. Return of Presbytery Property. *During the exit interview, the employee is required to return all keys and Presbytery property.*

E. Reference Checks and Release of Employee Information

1. In the absence of specific written authorization, the Presbytery will release only information concerning an employee’s dates of employment and job title. Requests for other information will be honored only if accompanied by the employee’s written authorization to release such information that also releases the Presbytery from liability.

2. All requests for employee information should be referred to the General Presbyter to assure that the appropriate releases are signed, and only documented information is released.

VII. MISCONDUCT AND DISCIPLINARY ACTION

A. Disciplinary Action

1. Although we look forward to a mutually satisfactory working relationship with each employee, we reserve the right to discipline anyone up to and including termination. Supervisors are encouraged to provide frequent feedback so that employees are acknowledged for their successes and counseled on areas where their performance could be improved. Whenever possible in cases of poor performance, these progressive disciplinary steps will be used to include:

a. Verbal Warning. The employee is told as quickly as possible of a performance issue and the supervisor offers assistance to improve the performance. There is no definitive

number of verbal warnings that should be issued before moving to the next step. Sometimes timelines will be agreed on to measure progress.

b. Written Warning. The manager issues a written disciplinary notice and meets with the employee to explain the warning. All the steps used in the verbal warning are also utilized. A timeline is definitely set for progress with the employee being notified that if progress is not made, further disciplinary action will be taken up to and including termination.

c. Suspension. Suspension is rarely used but it can be in complicated situations.

d. Termination. If, after every effort, performance has not improved to the desired level, termination is the final course of action. Approvals must be gained from the appropriate entity which depends on the level of the person being terminated. Termination action will be conducted to maximize the impacted employee's privacy and will be conducted by the General Presbyter with a second person in the room to serve as a witness.

3. Any disciplinary action will be documented and placed in the employee's file. Every effort will be made to resolve the issue in a mutually satisfactory manner but there will be times when warnings will be skipped, and immediate termination will be the appropriate action.

4. The following list, while not all inclusive, provides examples of the conduct that may result in a warning, suspension, or immediate termination which will be determined by NCP in its sole discretion:

- a. Engaging in any dishonest or unlawful conduct.
- b. Insubordination (refusing to perform a reasonable service or assignment).
- c. Inaccurate record keeping of work hours.
- d. Performing personal work during office hours.
- e. Harassing or bullying another employee.
- f. Indulging in immoral or indecent behavior on Presbytery property.
- g. Using threatening, abusive, or profane language.
- h. Willfully destroying Presbytery property.
- i. Removing Presbytery or coworker property.
- j. Possessing firearms, ammunition, explosives on Presbytery property.
- k. Possessing, using, or selling illegal drugs on Presbytery property.

l. Falsifying information on the employment application or any reports and/or records.

m. Engaging in disorderly conduct on Presbytery property.

n. Excessive unexcused absenteeism.

o. Leaving the workplace without authorization during working hours.

p. Smoking, ingesting illegal drugs, misusing prescription drugs, or drinking alcohol on Presbytery property.

q. Sleeping on the job.

r. Gambling on Presbytery property.

B. Document Confidentiality, Subpoenas, Privacy

1. Confidential Information. An employee who terminates their employment with the Presbytery may not copy or subsequently use or disclose, directly or indirectly, any confidential or proprietary information acquired during his or her employment. All documents and other materials relating, directly or indirectly, to any confidential or proprietary information that is used, prepared, or learned by employees during their employment with the Presbytery are, and remain, the sole and exclusive property of the Presbytery, and must be returned (together with any copies that may have been made) at the termination of employment.

2. Subpoenas. Subpoenas or other formal requests for information about the business or activities of the Presbytery must immediately be directed to the General Presbyter. Except as otherwise provided by law, employees may not respond to any such subpoenas or requests without the express written authorization of the General Presbyter. An employee who discloses confidential and proprietary information in violation of the policy will be subject to disciplinary action, up to and including termination of employment, even if the employee does not actually benefit from the disclosure.

3. Privacy Guidelines. All personnel and employment information will be kept secure and access thereto will be controlled. Data in an individual's personnel file will be released outside the Courts of the Church only under court order or subpoena or when the person has given written consent. When such information is released as a result of a court order or subpoena, the staff person will be notified prior to the release of the information.

4. Review of Own Files. All staff persons have the right to review their own individual files during regular office hours but not to remove any items from their file.

5. *All staff persons are subject to National Capital Presbytery's Conduct and Ethics Policy.*

VIII. SAFETY, OFFICE EQUIPMENT, AND OTHER TOPICS

A. Safety

1. Presbytery staff persons are directed to alert the Director of Business Affairs to any situations that present safety hazards. Should an accident occur during working hours, please report it immediately. Minimum first aid supplies are available.

2. In the event of an accident or health related incident, the first person who is on the scene should call 911 and then alert the Director of Business Affairs and/or the General Presbyter.

3. Staff persons are reminded to learn where the fire extinguishers are located as well as to become familiar with the closest exits in case of emergency.

4. All possible precautions should be taken to avoid creating dangerous work situations.

B. Personal Use of Office Equipment

1. Use of Presbytery office equipment for personal needs is permitted within reasonable limits, and in the case of copying machines, with the payment of the charge as determined by the Director of Business Affairs.

2. Postage Metering Machine. Use of the postage metering machine for personal mail is regulated by the U.S. Post Office and is *not* authorized.

3. Personal Telephone. The Presbytery is a business office and as such, staff persons are asked to limit their use of their cell phones for personal calls or business lines to five minutes. Excessive usage of any line for prolonged and/or numerous personal calls will be monitored.

4. Computer Security. The Presbytery operates a fully integrated, networked computer system that contains virtually all the information necessary to the business of the Presbytery. All employees are expected to follow basic security practices to avoid introducing viruses or malware into the system.

5. Reproduction of Software. According to U.S. copyright law, illegal reproduction of software can be subject to civil damages and criminal penalties, including fines and imprisonment. The Presbytery does not condone the illegal duplication, acquisition, or use of software. Staff persons who make, acquire or use unauthorized copies of computer software will be disciplined as appropriate under the circumstances. Such discipline may include discharge from employment.

6. Internet Access. Internet access is provided as a business tool to enhance communication with churches and individuals. Access to the internet or email should not be used for excessive personal or other non-business-related communication or activities. The employer has the right to monitor email and computer files.

7. Computer Games. Computer games are not permitted during working hours.

8. Email and Voice Mail. The contents of any employee's computer as well as messages on voice mail are the sole property of the Presbytery. The Presbytery may override any individual passwords and/or codes or require employees to disclose any passwords and/or codes to facilitate access. Email and voice mail are intended to be used for business purposes only and any other use by any employee may subject the employee to discipline up to and including termination. Additionally, downloading, distributing, or sending obscene materials is strictly prohibited and will result in disciplinary action, up to and including termination. Policies regarding courtesy, solicitation, and harassment all apply to use of email and voice mail. Any communication via email or voice mail that may constitute verbal abuse, slander, or defamation, or may be considered offensive, harassing, vulgar, obscene, or threatening is prohibited. *Employees should not expect that e-mail or voice mail is confidential or private.* Employees should not attempt to use another employee's e-mail or voice mail without their permission.

C. Miscellaneous Policies

1. Service on Presbytery Committees. Staff members may be asked to serve as *ex-officio* resource staff to one or more Presbytery committee but may not serve as active members of any Presbytery committee.

2. Policy for Snow and/or Inclement Weather. In general, the Presbytery will follow the policy implemented by the Federal Government. These policies are announced over many local radio and television stations early in the morning. The Presbytery office will be closed when Federal offices are closed. The Presbytery will also follow guidelines when "liberal leave policies" for Federal employees are announced.

3. Smoking Policy. The National Capital Presbytery office is a smoke-free environment. Smoking is not permitted anywhere in the office or anywhere in the building as dictated by Montgomery County Regulations.

4. Substance Free Workplace

a. The Presbytery has a responsibility to provide a safe environment for its staff members of the general public and to promote the safe performance of duties by its staff when outside Presbytery premises. The Presbytery is committed to establishing and maintaining a substance-free workplace. The abuse of alcohol or prescription drugs and the use of illegal drugs on the Presbytery property or while carrying out the work of the Presbytery will not be tolerated. Under no circumstances will any employee report for duty or carry out any of the responsibilities of his or her employment with the Presbytery while he or she has any illegal drug in his or her system or is impaired by any prescription drug or alcohol. Employees are prohibited from the unauthorized manufacture, use, possession, transfer, distribution, or sale of alcohol or controlled substances at any time on the Presbytery's premises or while carrying out the duties of their employment with the Presbytery.

ADDENDUM 1: BENEFITS

A. Medical Expense Escrow Fund

1. The Presbytery has established an escrow fund from which staff persons and their eligible dependents may be entitled to reimbursement for medical expenses not covered by the Medical Plan (The Plan) of the Presbyterian Church (U.S.A.) for deductible provisions, during the fiscal year of the Presbytery, on the following basis:

a. The staff person (and where applicable, dependents) must be enrolled in the Plan and eligible for benefits.

b. The staff person must pay the first \$50.00 of medical expenses incurred in the fiscal year.

c. Any expenses arising because of a lack of conformity to the expectations and guidelines of The Plan will not be eligible for reimbursement.

d. Dental expenses are not subject to reimbursement under this provision.

e. Expenses reimbursed by The Plan or other insurance coverage, other payment(s) and/or settlement(s) will not be covered by this provision, so that not more than 100 percent of actual expenses will be reimbursed.

f. This reimbursement policy is intended to apply to initial medical expenses for the amount considered reasonable and customary, and not those which exceed the maximum provisions of The Plan.

2. Complete details of The Plan can be obtained from the Board of Pensions.

B. Pension/Major Medical, Including Hospitalization

1. The Board of Pensions PC (USA) provides both pension and major medical benefits. All staff persons working 20 hours or more per week may be enrolled in the denominational Benefits Plan. The Presbytery deposits to the Board of Pensions PC (USA) an amount based on the prevailing percentage as required by the Plan.

a. Clergy. The staff person does not contribute to the plan but is fully vested on the date of employment.

b. Non-clergy. The staff person does not contribute to the plan but is fully vested after three years of participation in the plan.

2. Complete details can be obtained from the Board of Pensions.

C. Consolidated Omnibus Budget Reconciliation Act (COBRA)

1. COBRA ensures that a staff person who separates from National Capital Presbytery has the option to continue health insurance coverage. If the staff person resigns or is terminated from the Presbytery's employ or if the staff person's work hours are reduced, and if this event makes the staff person or their dependents no longer eligible to participate in one of the Presbytery's group health insurance plans, the staff person and eligible dependents may have the right to continue to participate in the group health plans for 18 months or more at the staff person's (or staff person's dependents') expense. If the staff person qualifies for disability under the Social Security Act at the time of termination or during the first 90 days of COBRA coverage or a reduction in hours, the staff person may be entitled to continuation coverage for up to 29 months.

2. In the event of a staff person's death, divorce, legal separation, or entitlement to Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan, the eligible dependents may also extend coverage, at their expense, for up to 36 months in the Presbytery's group health insurance plans. The 18-month continuation coverage period provided in the event of termination or reduction in working hours may be extended to 36 months for the staff person's spouse and dependent children if, within that 18-month period, the staff person should die or become divorced or legally separated, or if a child ceases to have dependent status. In addition, if the staff person becomes eligible for Medicare during the 18-month period, their spouse and dependent children may be entitled to extend their continuation period to 36 months, starting on the date that the staff person becomes eligible for Medicare.

3. Should the staff person or eligible dependents elect to continue as members of the Presbytery's plan, the staff person must pay the applicable premium charged the Presbytery by its carriers plus an additional two percent. Staff persons who are disabled, however, will be charged an additional 50% of the applicable premium during the nineteenth through the twenty-ninth month of continuation coverage. The premium is subject to change if the rates being charged the Presbytery increase or decrease. If this election for continuation of coverage is made, the staff person has the right to convert this coverage to an individual policy with National Capital Presbytery's insurance carriers at the end of the continuation period.

4. Continuation coverage may end, however, if any of the following events occur:

- a. failure to make timely payments of all premiums;
- b. assumption of coverage under another group health plan, which does not exclude, or limit coverage provided to the staff person on account of a pre-existing medical condition;
- c. employer's termination of its group health plans.

5. If the staff person becomes entitled to Medicare, he/she will no longer be eligible for continued coverage, but, as noted above, the employee's spouse and dependent children may be entitled to extend their continuation coverage.

6. *Questions about continuation of coverage should be directed to the General Presbytery. Also, staff persons who have changed marital status or address should notify the Director of Business Affairs.*

D. Tax Deferred Annuity.

1. Full-time staff members are eligible to participate in a tax deferred annuity plan and can deposit a specified amount each pay period into one or more investment options.

2. Contact the Director of Business Affairs for complete details.

E. Bonds

1. Staff persons may wish to invest a portion of salary in U.S. Savings Bonds through payroll deduction.

2. Contact the Director of Business Affairs for details.

F. Section 125 Flexible Spending Accounts

1. Staff persons may choose to set aside a portion of salary in a section 125 plan for pre-taxable use for medical/dental expenses, dependent care expenses or other related costs.

2. Up to \$500 of unused health FSA funds can be carried over to reimburse expenses incurred the next year. These funds, if unused, will not be paid to the staff person.

G. Disability Leave

1. Disability leave is temporary separation due to physical or mental inability to function on the job.

2. The decision to grant disability leave will be made by the Personnel Committee or the Supervising Board in consultation with the General Presbyter, based upon the recommendation of a physician(s).

3. During the first three months, the staff person will receive full salary and if applicable, housing. After three months, all disability coverage must be arranged through the Board of Pensions. After six months, the staff person must return to work, retire, or terminate employment without further compensation.

4. Any disability coverage from Board of Pensions continues at its determination.

ADDENDUM 2: CLERGY

A. Clergy Moving Expenses [if any. or as negotiated]. Clergy moving expenses are addressed by the Internal Revenue Service. See IRS Publication 1828, *Tax Guide for Churches and Religious Organizations*, for more information

B. Clergy Housing Allowance

1. The Internal Revenue Code provides that a teaching elders can, for tax purposes, exclude from gross income any allowance paid as part of their compensation to the extent that he/she used it for renting or providing a home. In order to satisfy the requirement of the Internal Revenue Service relative to the Housing Allowance for ordained teaching elders, it is understood that a portion of salary may be designated for housing. This amount will be approved by the Leadership Council in conjunction with the Personnel Committee acting in this regard on behalf of the Presbytery.

2. If the amount which is designated for the housing allowance is not fully used for housing, it is the recipient's responsibility to report the balance to the Internal Revenue Service as taxable income.

3. Whenever an exempt staff person is required to move their place of residence in order to carry out the duties of their Presbytery position due to new employment or a transfer, the Presbytery will pay reasonable moving expenses. Staff persons are asked to provide three estimates. These costs will be negotiated within the terms of the staff person's employment.

4. Transportation expenses for the staff person and family will be paid to the new location by air (coach fare), rail or automobile, or some reasonable combination thereof. In the event that travel is by automobile, reimbursement will be made at the rate currently being paid by the Presbytery for work related travel and will cover one automobile with mileage computed by the most direct route.

5. House hunting expenses (transportation, lodging and meals) will be paid to the transfer site for the staff person and spouse for one round trip covering a period not to exceed three days in addition to travel time. In unusual circumstances additional time may be made available upon authorization by the General Presbyter.

C. Clergy Retirement

1. Retirement benefits are provided through the Board of Pensions.

2. *Information can be obtained directly from the Board of Pensions.*

D. Clergy Terminations. All conditions for separation for installed clergy will be compatible with the provisions of the Book of Order.

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*[Receipt of the Handbook to be signed by each employee
and retained in the employee's file.]*

ADDENDUM 3: EMPLOYEE HANDBOOK ACKNOWLEDGEMENT RECEIPT

The Employee Handbook describes important information about The National Capital Presbytery (NCP). I understand that I should consult my supervisor or the Director of Business Affairs regarding any questions I have about the contents.

I have entered into my employment with NCP voluntarily and acknowledge that there is no specified length of employment promised to me. Accordingly, either I or NCP can terminate the relationship at will or without cause, at any time, without notice so long as there is no violation of applicable federal or local law. I understand and agree that nothing in the Employee Handbook creates or is intended to create a promise or representation of continued employment. I acknowledge that this Handbook is neither a contract of employment nor a legal document.

This Handbook, and the policies and procedures it contains supersedes any previously distributed materials or prior practices. By distributing this Handbook, NCP expressly revokes any and all previous policies and procedures that are inconsistent with those contained in this document.

I understand that, except for the employment-at-will status, any and all policies and practices may be changed at any time by NCP.

I have received my copy of the Employee Handbook, and I understand it is my responsibility to read and comply with the policies contained in the Handbook, and any revisions made to it.

Signature and Date: _____

Printed Name: _____