



**UNITED CHURCH OF CHRIST**

21455 Birch Street  
Hayward, CA 94541

**PERSONNEL POLICIES MANUAL**

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**EDEN UNITED CHURCH OF CHRIST (CONGREGATIONAL)  
HAYWARD, CALIFORNIA  
PERSONNEL POLICIES MANUAL**

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**1.0 INTRODUCTION**

For purposes of this Manual, “Employer” is defined as Eden United Church of Christ of Hayward, California, or may be noted as “Eden Church.”

This Manual is intended to be a ready reference to the Eden Church personnel policies; updates to the Manual will be prepared and distributed when changes occur. In the interest of brevity, the Manual is not exhaustive. If clarification of any policy is needed, or if some concerns are not covered, ask the Senior Minister for clarification.

The materials contained in this Manual are presented for informational purposes and can be changed at any time by Eden Church without prior notice. These materials do not constitute an employment contract, expressed or implied.

All employees of Eden Church are employees-at-will and either the employee or Eden Church can terminate the employment relationship at any time, with proper notice, for any reason not prohibited by law. No representative of Eden Church has the authority to enter into an agreement with an employee that is contrary to the provisions stated in this paragraph.

**1.1 Employer Responsibilities**

Eden Church will:

- 1.1.1** Employ people in accordance with the applicable federal and state laws including equal employment opportunity;
- 1.1.2** Provide salaries and employee benefits which are reasonable in light of the job to be performed and the overall financial condition of the church;
- 1.1.3** Establish reasonable hours of work; maintain safe and healthful working conditions;
- 1.1.4** Welcome constructive suggestions which relate to methods, procedures, working conditions, and the nature of the work performed;
- 1.1.5** Permit each employee as much discretion and responsibility as is consistent with his or her job assignment and a well-coordinated and effective operation.
- 1.1.6** Provide written descriptions for each employee position. This description will describe the duties, general qualifications, and classifications of the position.

## **1.2 Employee Responsibilities**

The employee will:

- 1.2.1** Work productively;
- 1.2.2** Observe the work schedule outlined by his or her supervisor, and follow his/her direction.
- 1.2.3** Demonstrate a considerate, friendly, and constructive attitude towards fellow employees, congregants, and members of the community.
- 1.2.4** Fulfill the duties outlined in his or her position description, and letter of agreement or letter of call.

## **1.3 Table of Organization**

See Appendix A.

## **2.0 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY**

### **2.1 EEO/AA Policy**

Eden is an equal employment opportunity and affirmative action employer as indicated in the following guidelines:

- 2.1.1** Eden affirms its moral and legal commitment to support and implement a program of equal employment opportunity, in accordance with the law, does not discriminate against any employee or applicant because of race, color, religion, national origin, sex, age, sexual orientation, disability, or marital status.
- 2.1.2** Eden affirms its moral commitment to support and implement an Affirmative Action program. The affirmative action program intentionally seeks to recruit, hire, call, train, and promote individuals who are representative of the Eden area community, having due regard for the qualifications and employment records of all applicants and employees.
- 2.1.3** Eden is committed to reasonably accommodating persons with mental or physical disabilities as long as the accommodation does not cause the church undue hardship.

### **2.2 Sexual Harassment Policy**

Eden Church is committed to a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual harassment. At Eden, sexual harassment, whether verbal, physical or environmental, and whether in the workplace itself or in outside Eden-sponsored settings, is unacceptable and will not be tolerated. This policy applies to all Eden Church employees, whether related to conduct engaged in by fellow employees, or by someone not employed by the church.

- 2.2.1** Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined as it is in the Equal Opportunity Commission Guidelines promulgated in 1980 as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment, (2) submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting that employee, or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.
- 2.2.2** Each supervisor has an affirmative duty to maintain his or her workplace free of sexual harassment. This duty includes discussing this policy with the employees whom they supervise, and assuring them that they are not required to endure insulting, or exploitative sexual treatment. Supervisors shall make every effort to ensure that complaints or sexual harassment are resolved promptly and effectively.
- 2.2.3** Any employee who believes that he or she has been the subject of sexual harassment should report the alleged act immediately to his or her supervisor. If the complaint is against the supervisor the employee should, instead, report the alleged act to the Senior Minister. Alleged acts against the Senior Minister should be reported to the Moderator of the Church.
- 2.2.4** Employees should use the informal and/or formal Grievance Procedure as outlined in this Manual.
- 2.2.5** Confidentiality will be maintained to the extent practicable and appropriate under the circumstances to protect the privacy of persons involved.
- 2.2.6** Any employee who retaliates against another employee for filing a bona fide harassment complaint will be subject to appropriate administrative action.
- 2.2.7** In the event that an ordained employee is charged and found guilty of sexual harassment, the church shall report this matter to the Committee on the Ministry of the Northern California Nevada Conference (NCNC) of the United Church of Christ).

### **2.3 Other Types of Harassment**

It is the policy of Eden Church to prohibit harassment of its employees based on such factors as race, color, national origin, sex, age, sexual orientation, disability, religion, or marital status by any person in any form. All charges or complaints should be addressed using the same procedures as those found under sexual harassment.

### **3.0 EMPLOYMENT AND DISMISSAL**

The Eden Church Council (the church's governing body) employs and dismisses all personnel as provided by Eden United Church of Christ Bylaws (Article VIII § 2 (4)): "Employing and dismissing personnel on recommendation of the Minister;" except as provided in Article VII § 1 (c).

#### **3.1 Classification**

The staff of the church is divided into three categories, the first two (Ministerial and Program) are professional and/or management in nature, are salaried employees, and are classified as EXEMPT employees, since their positions meet the specific tests established by California's Fair Labor Standards Act. The third, Support Staff, are hourly in nature and classified as NON-EXEMPT, since their positions do not meet the exemption tests established by California's Fair Labor Standards Act.

#### **3.2 Definitions**

- 3.2.1 Ministerial Staff:** All qualified personnel in Christian service as defined in their Job Description and Letter of Call.
- 3.2.2 Program Staff:** All personnel qualified to perform specialized services (e.g., Music Director, Office Manager, Bookkeeper, etc.) as defined in their Job Description.
- 3.2.3 Support Staff:** All personnel not specifically fitting into either the Ministerial or Program categories as defined above.

#### **3.3 Work Week, Pay Periods and Overtime**

- 3.3.1 EXEMPT Work Week:** EXEMPT employees shall have, with the approval of their supervisor, some discretion in how they conduct their workweek, and where they conduct their work for the church.
  - 3.3.1.1** The targeted full-time workweek for EXEMPT Ministerial Staff is approximately 50 hours per week. EXEMPT ministerial staff may elect to spend a portion of their workweek off-site for sermon preparation, hospital and home visitation, denominational and community meetings, and other professional activities that fall within the bounds of their letter of call.
  - 3.3.1.2** EXEMPT Program Staff, both full-time and part-time, have a targeted number of hours per week that they work at the church. The targeted full-time workweek for EXEMPT Program Staff is approximately 37.5 hours per week. The targeted part-time workweek is as described in their letter of agreement or amendments thereto. EXEMPT Program Staff may, with the approval of the Church Council, spend a portion of their workweek off-site for rehearsals, professional meetings, worship preparation, or other professional activities that fall

within the bounds of their job description and letter of agreement with the church.

- 3.3.2 NON-EXEMPT Work Week:** NON-EXEMPT employees, both part-time and full-time, have a fixed schedule or specific number of hours per week that they work at the church. This will include all regularly scheduled hours and additional hours for special functions. Additional hours are those hours worked for and chargeable to another organization, group, or tenant, such as meetings, memorials, or weddings.
- 3.3.3 Part-Time Employees Definition:** Individuals who routinely work less than 37.5 hours per week.
- 3.3.4 Introductory Period:** All new full-time and part-time EXEMPT and NON-EXEMPT employees shall be in an introductory period for 90 days, during which time the mutual opportunity exists to evaluate applicable needs and expectations. New employees during this period are not eligible for paid leaves, except holidays. Upon successful completion of this introductory period, the employee will be given regular status. Either party may terminate the relationship during this introductory period at any time for any reason not prohibited by law.

#### **3.4 Employee Classification**

- 3.4.1 Temporary Employees Definition:** A temporary employee is one who is employed for a limited period of time, 12 months or less, either full-time or part-time, or who work “on call.” They supplement the regular work force during periods of peak workload, employee absences, employee vacancies, or other situations as may be determined.
- 3.4.2 Regular Employees Definition:** A regular employee is one who is not classified as Temporary, and does not include EXEMPT or NON-EXEMPT employees during their introductory period. Regular employees are entitled to vacation, sick leave, holidays, insurance and health/dental benefits, and enrollment in the retirement plan in accordance with Eden Church policy as described in this Manual. EXEMPT employees are provided with paid time off. NON-EXEMPT employees are provided with unpaid time off.
- 3.4.3 Employee-At-Will:** All employees at Eden Church are employees-at-will. Nothing in this Manual, or in any of the employee’s terms of employment shall be construed as a guarantee that any employee’s employment will continue for any specific period of time; or will end under any specific conditions. Employees are free to resign at any time, for any reason, with notice. (See Section 5.4.2.) Similarly, Eden Church is free to terminate the employment relationship at any time, for any reason.
- 3.4.4 Independent Contractors (Consultants) Definition:** A person engaged to perform distinct functions on an independent basis, not as an employee of the church. Independent contractors are not employees; therefore, they do not receive benefits.

## **4.0 COMPENSATION**

### **4.1 EXEMPT salaried employees**

The position description and employee's hiring agreement will include the targeted number of hours or days that he or she is expected to work at the church and for which he or she will be compensated. This will include pro-rata adjustments for vacation, sick leave, and holidays.

**4.1.1** EXEMPT employees will submit a work plan to the Senior Minister for coordination purposes at the beginning of each month of employment reflecting a reasonable estimate of the days and hours when the employee expects to report for work. Any substantive changes in the work plan should be communicated to the Senior Minister for preapproval, e.g., a change in the EXEMPT employee's ability to report for work on a given day. Copies of each EXEMPT employee's work plan will be distributed at monthly staff meetings and retained in the church's personnel files.

**4.1.2** EXEMPT employees will be compensated in accordance with the terms of the letter of agreement and any amendments made to those terms by the Church Council (for lay employees) or Congregation (for ordained employees), and provided to the employee in writing and signed by an officer of the church and the Senior Minister.

### **4.2 NON-EXEMPT employees**

NON-EXEMPT employees are compensated on an hourly basis. At the end of each two-week period the employee will submit a timesheet listing the days and hours worked during the period. This will include all hours; regularly scheduled and special function, indicating overtime (over 37.5 hours per week) and re-billable hours (time worked, but chargeable to another organization, group, or tenant such as meetings, memorials, or weddings).

### **4.3 Flexible Benefits Account (FBA)**

Each employee is provided with a TOTAL COMPENSATION PACKAGE, and may at his or her discretion designate a portion of his or her compensation for health and dental benefits. This designation must be in keeping with Internal Revenue Service rules, Eden's FBA provider's policies, and the employee's chosen benefits plan. Each employee may choose to use a portion of his or her pre-tax cash compensation to participate in an Eden UCC-sponsored health and or dental insurance program, or enroll in another health and/or dental program that is not sponsored by Eden Church. Each employee interested in participating in Eden's FBA program should consult the Treasurer to secure a copy of the Eden-sponsored provider's policies and application materials. Employees who are considering enrollment in Eden's FBA program are encouraged to consult a tax professional or

benefits advisor prior to enrollment. The church cannot and will not act in such a role.

#### **4.4 Flexible Spending Account (FSA)**

Each employee is given the option on an annual basis of designating a portion of his or her wages toward medical and/or dependent care benefits using pretax dollars. This designation must be within the bounds of Internal Revenue Service rules and Eden's FSA provider policies. Each employee who is interested in participating in Eden's FSA program should consult the Treasurer to secure a copy of the Eden-sponsored provider's policies and application materials. Employees who are considering enrollment in Eden's FSA program are encouraged to consult a tax professional or benefits advisor prior to enrollment. The church cannot and will not act in such a role.

#### **4.5 Cost of Living and Performance Merit Increases**

**4.5.1** Each year the Personnel Committee may recommend a "COLA" (Cost Of Living Adjustment) that may be appropriate in conjunction with the regular budgeting process.

**4.5.2** The Personnel Committee may also recommend budgeting an amount that may be used for "MERIT" adjustments, based on the results of employee's annual review, the recommendation of the Senior Minister, and the financial capabilities of Eden Church. The Church Council may also award a merit increase to the Senior Minister. Normally merit increases will be awarded as part of the regular budgeting process.

#### **4.6 Miscellaneous Compensation**

**4.6.1 Honoraria:** Employees may receive honoraria directly from church members or through payroll for performing additional duties at Eden Church beyond their normal work periods. The responsibility for reporting income received directly from church members, for tax purposes, lies with the employee.

**4.6.2 Billable Service Fees:** These are fees that are charged to a third party.

**4.6.3 Overtime Pay:** Any overtime work must have the prior approval of the person's supervisor.

### **5.0 CONDITIONS OF EMPLOYMENT**

#### **5.1 Requirements**

**5.1.1** All prospective hires and employees must complete and submit a consent form for criminal record checks and registered sex offender checks.

**5.1.2** Eden Church will conduct a criminal record check and a registered sex offender check of all prospective hires and Reserves the right to conduct a criminal record check and a registered sex offender check of any employee at any time during their employment with the Church.

**5.1.3** Eden Church reserves the right to verify the Social Security number and

conduct credit checks on all prospective and current employees.

**5.1.4** All employees are required to participate in annual Safe Congregation training.

**5.1.5** If employees are expected to drive children or other vulnerable individuals in private vehicles, they will satisfactorily complete and submit a Transportation Agreement.

## **5.2 Performance Evaluation**

Although employment is “At-Will,” one important factor of continued employment is based on satisfactory job performance. Each employee will be given an initial and an annual evaluation based on performance goals mutually established by the employee, his or her supervisor, and the primary boards or committees with whom he or she serves. The Ministerial Relation(s) Committee will conduct evaluations for the Ministers. The Senior Minister and the direct supervisor will conduct evaluations for the lay employees.

**5.2.1** Each employee will be evaluated at the end of the first 90 days of employment.

**5.2.2** The Senior Minister (or direct supervisor) shall annually thereafter, conduct an evaluation of all church employees.

**5.2.3** Evaluation meetings shall include evaluation from the employee’s supervisor, a self-evaluation from the employee, and performance goals for the coming year that reflect input from both the employee and supervisor.

**5.2.4** A written evaluation from the employee’s supervisor shall be provided to each employee during a conference with his or her direct supervisor, or (in the case of the clergy) with the Ministerial Relations Committee.

**5.2.5** Each employee and supervisor (or Ministerial Relations Committee chair person) will sign the final document. A signed copy of each employee’s evaluation will be placed in the employee’s personnel file. A summary of all personnel evaluations will be shared with the Church Council. These documents will be protected from casual review by individuals not in the evaluation sphere.

**5.2.6** Written evaluations will be kept in a locked file in the Senior Minister’s office.

**5.2.7** Nothing in this section precludes termination “At-Will,” where appropriate.

## **5.3 Outside Employment**

Outside employment by Eden Church employees may be done on the person’s own time, but shall not interfere, nor create a conflict of interest, with his/her employment with Eden Church.

## **5.4 Termination of Employment**

A decision to terminate employment with Eden Church will be the result of the employee’s decision, an action by Eden Church, or by mutual agreement.

- 5.4.1 Employees-At-Will:** All employees of Eden Church are employees at-will and may be terminated at anytime, without cause.
- 5.4.2 Resignation and Retirement:** The terms of employee resignation are governed by the Eden Church Bylaws in the case of the clergy, and by the letter of agreement for all other employees. The Senior Minister and the Associate Minister must give at least sixty (60) calendar day's notice of resignation. EXEMPT Program Staff members must give at least thirty (30) calendar day's notice, and all other employees must give at least fourteen (14) calendar day's notice of resignation.
- 5.4.3 Discharge:** The discharge of a minister is governed by the bylaws of the church. The discharge of all other employees will be determined by a vote of the Eden Church Council, upon recommendation of the Senior Minister.
- 5.4.4 Reduction in Work Force:** Termination of an employee may occur because of the discontinuation of a position, retrenchment in budget, or for other circumstances arising through no fault of the employee. If the employee has served at least one year, the following shall apply:
  - 5.4.4.1** The official termination date will be established by Church Council.
  - 5.4.4.2** Termination of NON-EXEMPT regular employees shall take effect with at least fourteen (14) calendar days' notice, or payment of equivalent salary in lieu of such notice.
  - 5.4.4.3** Termination of EXEMPT ministerial employees shall take effect with at least sixty (60) calendar days' notice, or payment of equivalent salary in lieu of such notice.
  - 5.4.4.4** Termination of EXEMPT regular employees shall take effect with at least fourteen (14) calendar days' notice, or payment of equivalent salary in lieu of such notice.
  - 5.4.4.5** Payment will be made for accrued vacation up to the date last worked.
  - 5.4.4.6** Outplacement services information may be made available to affected employees.
- 5.4.5 Severance Pay:** An employee may be eligible for severance pay if he or she is terminated after one full year or more of service, and if in the discretion of the Church Council, a severance payment is acceptable to the church. Upon termination of employment all prorated unused vacation will be calculated and paid, subject to withholding required by law.

## **6.0 BENEFITS**

### **6.1 Vacations**

An employee's vacation dates must be approved by the Senior Minister to assure adequate coverage of the existing needs of the church during the employee's absence.

Vacation Time Off can be used in increments of 0.25 hours or more. Any vacation balance remaining upon the end of employment with Eden Church will be paid to the former employee by a separate check issued approximately two weeks after the employee's last day.

**6.1.1 Senior Minister and Associate Minister:** Beginning after three months of continuous employment, Eden Church offers the Senior Minister and Associate Minister accumulating paid Vacation Leave in hours per month equal to 4 weeks per year times the hours per week as stated in the minister's compensation letter divided by 12 months per year. Vacation Leave can be accumulated up to a cap of 4.0 weeks times the hours per week as stated in the minister's compensation letter. Vacation Leave shall not be accumulated, carried over, or paid once reaching the cap. The use of Vacation Leave is limited to 4.0 times the hours per week as stated in the minister's compensation letter during any period of 12 consecutive months. In no case shall vacations be taken on more than four Sundays in any 12 consecutive months. Scheduling of ministers' vacations should be done with the Church Council's approval upon recommendation by the Senior Minister, and every effort should be made to avoid an overlap in the ministers' vacations.

**\*MINISTER VACATION EXAMPLE\***

**Minister** with 55 hours per week as stated in their compensation letter **AND a minimum of three months** of continuous employment

Vacation Leave accumulation =  $(4 \times 55) / 12 = 18.33$  Hours per Month

Vacation Leave Cap =  $4.0 \times 55 = 220$  Hours

Vacation Leave utilization limit per 12 months =  $4.0 \times 55 = 220$  Hours

**6.1.2 EXEMPT Employees:** Beginning after three months of continuous employment, Eden Church offers all EXEMPT employees accumulating paid Vacation Leave in hours per month equal to 2 weeks per year times the hours per week as stated in the employee's compensation letter divided by 12 months per year. Vacation Leave can be accumulated up to a cap of 2.0 weeks times the hours per week as stated in the employee's compensation letter. Vacation Leave shall not be accumulated, carried over, or paid once reaching the cap. The use of Vacation Leave is limited to 2.0 times the hours per week as stated in the employee's compensation letter during any 12 consecutive months. In no case shall vacations be taken on more than two Sundays in any 12

consecutive months. (All employees employed by Eden Church prior to May 2004 will be entitled to retain their current vacation allowance.)

**\*EXEMPT VACATION EXAMPLE\***

**EXEMPT** Employee with 30 hours per week as stated in their compensation letter **AND a minimum of three months** of continuous employment

Vacation Leave accumulation =  $(2 \times 30) / 12 = 5.00$  Hours per Month

Vacation Leave Cap =  $2.0 \times 30 = 60$  Hours

Vacation Leave utilization limit per 12 Months =  $2.0 \times 30 = 60$  Hours

- 6.1.3 EXEMPT Employees after 4 years:** Beginning after 48 months of continuous employment, Eden Church offers all EXEMPT employees accumulating paid Vacation Leave in hours per month equal to three weeks per year times the hours per week as stated in the employee's compensation letter divided by 12 months per year. Vacation Leave can be accumulated up to a cap of 3.0 weeks times the hours per week as stated in the employee's compensation letter. Vacation Leave shall not be accumulated, carried over, or paid once reaching the cap. The use of Vacation Leave is limited to 3.0 times the hours per week as stated in the employee's compensation letter during any 12 consecutive months. In no case shall vacations be taken on more than three Sundays in any 12 consecutive months. (All employees employed by Eden Church prior to May 2004 will be entitled to retain their current vacation allowance).

**\*EXEMPT VACATION after 4 years EXAMPLE\***

**EXEMPT** Employee with 30 hours per week as stated in their compensation letter **AND a minimum of four years** of continuous employment

Vacation Leave accumulation =  $(3 \times 30) / 12 = 7.50$  Hours per Month

Vacation Leave Cap =  $3.0 \times 30 = 90$  hours

Vacation Leave utilization limit per 12 Months =  $3.0 \times 30 = 90$  hours

- 6.1.4 NON-EXEMPT and HOURLY Employees:** Beginning after three months of continuous employment, Eden Church offers all NON-EXEMPT and HOURLY employees (full and part-time) accumulating paid Vacation Leave at the rate of 1 hour for every 26 hours worked and PTO used. Vacation can be accumulated up to a cap of 1 hour for every

26 hours worked and PTO used per 12 consecutive months of continuous service. Vacation shall not be accumulated, carried over, or paid once reaching the cap. The use of vacation is limited to the vacation cap during any 12 consecutive months.

- 6.1.5 NON-EXEMPT and HOURLY Employees after 4 years:** Beginning after 48 months of continuous employment, Eden Church offers all NON-EXEMPT and HOURLY employees (full and part-time) accumulating paid Vacation Leave at the rate of 1.5 hours for every 26 hours worked and PTO used. Vacation can be accumulated up to a cap of 1.5 hours for every 26 hours worked and PTO used per 12 consecutive months of continuous service. Vacation shall not be accumulated, carried over, or paid once reaching the cap. The use of vacation is limited to the vacation cap during any 12 consecutive months.
- 6.1.6 All TEMPORARY employees,** beginning with the first-year anniversary of employment, are granted vacation commensurate with their respective employee classification.

**6.2 Holidays**

The following are the holidays observed by Eden Church:

|   |  |
|---|--|
| New Year’s Day - Jan. 1                         | Labor Day - as observed                        |
| Martin Luther King Jr.’s Birthday - as observed | Thanksgiving Thursday and Friday - as observed |
| President’s Birthday - as observed              | Christmas Day - Dec. 25                        |
| Memorial Day - as observed                      | December 26                                    |
| Independence Day - July 4                       |  |

- 6.2.1 EXEMPT Employees** are offered Holiday Paid Time Off in hours per holiday equal to the number of hours per week as stated in the employee’s compensation letter divided by 5.

\*EXEMPT HOLIDAY EXAMPLE\*

**EXEMPT** Employee with 30 hours per week as stated in their compensation letter

Holiday Paid Time Off = 30 / 5 = 6.0 Hours per Holiday

- 6.2.2 NON-EXEMPT and HOURLY Employees** are offered Holiday Paid Time Off for each holiday falling in a given month equal to 1.2 hours for every 26 hours worked and PTO used during the month in which the holiday falls. Payment for holiday time will be made on the payroll after all timesheets for the month in which the holiday falls have been submitted and approved.
- 6.2.3 Holiday Paid Time Off** cannot be accumulated, carried over, or paid past the calendar year in which it is earned and Holiday Paid Time Off

must be utilized within the month in which the holiday falls unless approved otherwise in writing by the Senior Minister. The use of any Holiday Paid Time Off must be approved by the Senior Minister to assure adequate coverage of the existing needs of the church during the employee's absence. Holiday Time Off can be used in increments of 0.25 hours or more. Any Holiday Paid Time Off balance remaining upon the end of employment with Eden Church will not be paid.

### **6.3 Sick Leave / Unable To Report For Work**

**6.3.1 EXEMPT Employees:** Beginning after three months of continuous employment, Eden Church offers all EXEMPT employees accumulating paid Sick Leave in hours per month equal to 2 weeks per year times the hours per week as stated in the employee's compensation letter divided by 12 months per year. Sick Leave for EXEMPT employees can be accumulated up to a cap of 2.0 weeks times the hours per week as stated in the employee's compensation letter. The use of Sick Leave for EXEMPT employees is limited to a cap of 2.0 times the hours per week as stated in the employee's compensation letter during any continuous 12 months.

**\*EXEMPT SICK LEAVE EXAMPLE\***

**EXEMPT** Employee with 30 hours per week as stated in their compensation letter

Sick Leave accumulation =  $(2 \times 30) / 12 = 5.00$  Hours per Month

Sick Leave Cap =  $2.0 \times 30 = 60$  Hours

**6.3.2 NON-EXEMPT and HOURLY Employees:** Beginning after three months of continuous employment, Eden Church offers all NON-EXEMPT and HOURLY employees accumulating paid Sick Leave equal to 1 hour for every 26 hours worked and PTO used. Sick Leave for NON-EXEMPT and HOURLY employees can be accumulated up to a cap of 1 hour for every 26 hours worked and PTO used per 12 months of continuous service. The use of Sick Leave for NON-EXEMPT and HOURLY employees is limited to 1 hour for every 26 hours worked and PTO used per 12 consecutive months of continuous service.

**6.3.3 Sick Leave** shall not be accumulated, carried over, or paid once reaching the cap. Sick Leave may be used in increments of 0.25 hours or more. Any Sick Leave balance remaining upon the end of employment with Eden Church will not be paid.

**6.3.4** Employees who are ill and/or unable to report for work are required to notify their direct supervisor or the Senior Minister immediately upon knowing that they will be unavailable for their scheduled work period

and in no case later than before each day of their scheduled work period.  
FAILURE TO DO SO WILL BE GROUNDS FOR IMMEDIATE  
DISMISSAL BY THE SENIOR PASTOR.

- 6.3.5** A doctor's statement is required for more than 5 consecutive days' absence.
- 6.3.6** A record of all sick leaves taken will be kept in the employee's file.

#### **6.4 Disability Leave**

**6.4.1 Short Term Disability** benefit may be provided for eligible employees who are unable to work because of illness or non-work-related accident.

**6.4.1.1 Eligibility:** An employee is eligible for short-term disability benefit after four consecutive weeks of full-time employment or following 25 days of regular part-time employment, subject to the terms of the provider chosen by the Church Council.

**6.4.1.2 Coverage:** Short-term disability leave begins on the eighth calendar day of disability as certified by a physician.

**6.4.1.2.1** Successive periods of disability separated by less than one week of active work shall be considered as one period of disability, unless the subsequent disability is due to an injury or illness entirely unrelated to the cause of the previous disability and commences after return to work.

**6.4.1.2.2** Short-term disability benefits are subject to the terms of the policy chosen by the Church Council

**6.4.1.3 Limitation and Exceptions**

**6.4.1.3.1** Short-term disability benefits are effective after the employee has exhausted all available sick leave.

**6.4.1.3.2** Credit for service for vacation and sick leave is not earned during a disability leave.

**6.4.1.4 Documentation:** A Notice and Proof of Claim for Disability Benefits form must be completed by the employee and his or her physician and approved by the Senior Minister before disability benefits can be paid.

**6.4.2 Long Term Disability:** Eden Church shall provide long-term disability insurance as provided for eligible employees through the UCC pension boards or other provider approved by the Church Council.

#### **6.5 Emergency Leave**

Emergency leave, including bereavement leave, may be granted by the Senior Minister in cases of extreme emergency. An employee granted emergency leave may receive pay of up to three days' duration per year. Emergency leave is not cumulative year-to-year, and is not taken out of sick leave. Emergency leave for NON-EXEMPT employees will be unpaid leave.

## **6.6 Family Leave**

During periods of significant family change an employee may request leave to provide for the needs of other family members. At the discretion of the Senior Minister, an employee may be granted up to 12 weeks of family leave without jeopardizing their job. This time will be unpaid. Prior approval must be secured from the Senior Minister, and the Church Council must be promptly notified of his or her decision.

## **6.7 Absence Exceeding Paid Time Off (PTO) Totals**

Exempt employees who exceed their paid time off accumulations for sick leave and vacation leave shall take all subsequent leave as unpaid.

## **6.8 Leave of Absence**

A leave of absence without pay may be requested in writing, stating the reason and period of time, and shall require the Senior Minister's approval. Requests for periods longer than 30 days shall require Church Council approval. Approval of any request for a leave of absence is subject to the absolute discretion of the Church Council.

## **6.9 Absence for Civic Duty**

Employees who are called for jury duty or military service should provide these notices to the Senior Minister at the earliest opportunity so that alternate arrangements for job coverage can be made in his or her absence. The church will endeavor to hold a position of employment for persons impaneled for lengthy trials, or when called for military duty. The church is not obligated to compensate its employees for time off due to jury duty that exceeds 5 consecutive days. Those employees called for military duty will receive no compensation during their absence.

# **7.0 RETIREMENT**

## **7.1 Normal Retirement Benefits**

The normal retirement age is the age at which full Social Security benefits begin.

## **7.2 Early Retirement Benefits**

Employees should consult the terms of their retirement plan(s) for guidance.

## **7.3 Annuity Plan**

The authorized ministers will be enrolled in the denominational Annuity Plan as recommended by the General Synod. Eden Church pays the full contribution to the Pension Boards recommended by the United Church of Christ. It is also recommended that the Ministerial Staff participate in Social Security (FSDA) as self-employed persons as provided in the federal laws.

## **7.4 Social Security**

- 7.4.1** All staff members will participate in Social Security (FICA) according to provisions of the federal laws.
- 7.4.2** All ministers' compensation packages will include an account designated as employer's contribution to FICA, which is subject to taxation.

## **8.0 OTHER BENEFITS**

### **8.1 Special Allowances**

All personnel may receive allowances to cover conferences, professional supplies, travel and incidental expenses necessary to the pursuance of his or her responsibilities to the church and as specified in the annual budget.

### **8.2 Housing Allowance**

The ministers are eligible to designate a portion of their remuneration for housing allowance in accordance with federal and state tax law. Proposals should be brought to the Church Council prior to the start of each fiscal year, and the Church Council's action should be reported to the treasurer and payroll service in a timely manner.

### **8.3 Advanced Study**

The ministers are allowed up to two weeks annually for advanced study with pay. Both time and funds for advanced study are cumulative for two years but shall not be used for terminal vacation or terminal pay. Advanced study shall be scheduled through the Church Council. Once every five years this advanced study leave may be extended to a twelve-week sabbatical with the stipulation that the employee will continue his or her employment with the church for at least one full year subsequent to the return from the sabbatical. Council will appoint a subcommittee to develop a sabbatical agreement with the minister who is eligible for this benefit, before any sabbatical leave is approved.

### **8.4 Medical and Dental Benefits**

- 8.4.1** Eden Church offers group health and dental insurance for the ministers, which includes family coverage for those with dependents, and individual plans for those without dependents. The Church Council, in consultation with the Senior Minister, determines the church's health and dental insurance providers. A minister who does not wish to participate in the health and dental plan chosen by the Church Council may receive a cash equivalent toward the purchase of coverage from another provider, which may be subject to state and federal income tax.
- 8.4.2** Regular employees who work 20 hours per week or more are eligible to participate in Eden's group health and dental insurance.

## **8.5 Workers Compensation**

Workers compensation is provided according to California law.

## **9.0 TERMINATION OF SERVICES**

### **9.1 Minister**

Provisions for the Senior Minister's and the Associate Minister's termination are governed by the Eden Church Bylaws.

### **9.2 Employees**

All other employees are expected to provide two weeks' notice to the Senior Minister who will promptly notify the Church Council and others as appropriate. Anything to the contrary stated in an employee's letter of hire will take precedent over this policy.

### **9.3 Final Pay**

A departing employee's final pay will include the cash value of unused vacation time.

### **9.4 Severance Pay**

The Church Council, at its discretion, may grant severance pay equal to the terms of notice, per section 9.2.

### **9.5 Lack of Proper Notice**

An employee leaving voluntarily without giving proper notice, per section 9.2, will be paid only through the day of separation.

## **10.0 REVIEW AND REVISIONS OF THE PERSONNEL POLICIES**

The Church Council will periodically review these personnel policies and make revisions in these policies after consultation with the Personnel Committee.

## **11.0 DISTRIBUTION OF THE PERSONNEL POLICIES**

A copy of these personnel policies shall be given to each employee upon his or her hire and when the Church Council approves any revisions of these policies. A signed, "received" copy shall also be kept in each employee's personnel file.

## **12.0 STANDARDS OF CONDUCT AND CORRECTIVE ACTION**

Groups of people who are working together for any purpose require certain guidelines pertaining to their conduct and relationships. Accordingly, employees must be aware of their responsibilities to their supervisors and co-workers.

## 12.1 Violations

Violation of the standards of Eden Church will result in one of the following forms of corrective action: discharge, suspension, oral warning or written warning. In arriving at the decision for proper action, the seriousness of the infraction, past record of the employee and the circumstances surrounding the matter will be considered.

## 12.2 Infractions

Although there is no way to identify every possible infraction of standards of conduct, the following is a partial list of infractions which will result in corrective action:

- 12.2.1 Violation of Safety and Welfare:** If the welfare of the church, other employees, or the employee is threatened in any manner whatsoever by the continued employment of an employee, dismissal shall be effected immediately by reason of such threat to the welfare and safety of others.
- 12.2.2 Unsatisfactory Performance:** Failure to perform assigned work duties or to meet standards of performance defined by the church and the employee's immediate supervisor including absenteeism, tardiness, lack of application to the job or position, or adverse attitude.
- 12.2.3 Misconduct:** Deliberate and willful violation of church policies and regulations including insubordination, dishonesty, unauthorized use of church material, time, equipment, communications systems, or property, or other serious breaches of acceptable professional behavior.
- 12.2.4 Lack of Qualifications for the Job/Position:** An employee's inability to do the work assigned to him/her or to meet prescribed goals and objectives as specified for/by the church.
- 12.2.5 Changes Requirements of the Job/Position:** An employee's inability to do the work assigned or meets prescribed job/position goals and objectives where the nature and/or scope of the job he/she has held has changed.
- 12.2.6 Conflicts of Interest:** Where conflicts of interest exist, corrective action may be appropriate.
- 12.2.7 Harassment:** Harassment in any form is against church policy. It will not be tolerated and provides grounds for corrective action.
- 12.2.8 Attendance Standards:** Punctuality and regular attendance are essential to proper operation of the church. Failure to do so will lead to corrective action.
- 12.2.9 Telephone/Voice Mail Use:** Church telephones and all other electronic communication equipment are to be used for church business purposes in serving the interest of the church community. On occasion personal calls may be necessary; they are to be limited to emergencies or essential personal business and brief. Use of the church telephones for personal long distance calls require pre-approval by the Senior Minister or Associate Minister, and reimbursement to the church for the costs incurred.

**12.2.10 Computer Hardware/Software Security:** Church equipment, including computer hardware and software, is a valuable asset. It is to be used for church business only. An employee should not consider their computer usage patterns to be private. Copying of church purchased/leased software is not permitted, nor is adding private or illegally acquired software to church computers permitted.

## **13.0 GRIEVANCE PROCEDURES**

### **13.1 Objective of Procedures**

Eden Church shall encourage fair and prompt resolution of employee complaints about work-related situations. Employees will be provided with an opportunity to present their complaints and appeal their supervisor's decisions through informal and/or formal grievance procedures.

### **13.2 Definition of a Grievance**

A grievance is defined as an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by supervisors or other employees. Examples of actions which may be causes of grievances include:

- 13.2.1** Application of Eden Church policies, practices, and procedures believed to be unfair;
- 13.2.2** Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;
- 13.2.3** Alleged discrimination because of race, color, national origin, sex, age, sexual orientation, disability, marital status, religion, or any other non-merit factor; and,
- 13.2.4** Alleged improper or unfair administration of employee benefits or conditions of employment such as vacations, fringe benefits, promotions, retirement, employee performance evaluation, or salary administration.

### **13.3 Rights of Employees**

Employees are encouraged to use the Grievance Procedure and must not, under any circumstances, be penalized for doing so. Eden Church management is responsible for ensuring that each grievance is fully processed until the employee is satisfied with the decision or until the employee's right of appeal is exhausted. Employees are encouraged to address grievances as defined above with their supervisor first and not any church board or the Church Council.

### **13.4 Informal Grievance Discussions**

Employees are encouraged to informally and confidentially discuss their concerns with their supervisor. If a satisfactory resolution cannot be reached, an informal appeal may be made to the Senior Minister. If a grievance is with the Senior Minister, then the employee should take the matter to the chair of the Personnel Committee.

### **13.5 Formal Grievance**

**13.5.1 Formal Grievance Channels:** Whenever an employee believes that he/she has a work-related problem which the informal complaint and grievance procedure did not resolve, or when that process is deemed inappropriate, and the employee wishes to initiate a formal grievance, he/she should submit a written complaint to his/her supervisor. Should the grievance involve the employee's supervisor, the matter should be referred to the Senior Minister of Eden Church. Should the grievance involve the Senior Minister, then the employee should take the matter to the chair of the Personnel Committee. All Formal Grievances must be submitted promptly in writing.

**13.5.2 Appeal Process:** If the aggrieved employee is not satisfied with the decision, he/she may appeal to the Personnel Committee of the church. This appeal must be submitted in writing no later than ten days after receipt of the decision on the original Formal Grievance. The decision of the Personnel Committee is final.

### **13.6 Confidentiality**

Information concerning an employee grievance will be received in strict confidence. Supervisors and other members of the staff and reviewing bodies will discuss a grievance only with those individuals who are involved in processing the grievance.

## **14.0 ALCOHOL, DRUGS, NARCOTICS AND DANGEROUS WEAPONS**

### **14.1 Use**

An employee who is in the workplace and shows evidence of being under the influence of drugs or alcohol to a degree that impairs his/her performance, is subject to immediate termination.

### **14.2 Dispensing**

An employee dispensing or selling alcohol, drugs, or narcotics in the workplace is subject to immediate termination.

### **14.3 Work Performance**

A supervisor who suspects that an employee's work performance is impaired because he or she is under the influence of alcohol or drugs on the job may require the employee to submit to a drug test or a medical assessment at the church's expense.

### **14.4 Repeated Impairment**

An employee whose work performance is repeatedly impaired because of alcohol or drug abuse may be required to seek and successfully complete a rehabilitation treatment program as a condition of continued employment. The employee will not be

permitted to return to work until evidence is presented certifying to the successful completion of the treatment program and fitness to continue in the job. An employee who is unwilling or unable to successfully complete a treatment program, or who, while on the job, abuses drugs or alcohol following treatment is subject to disciplinary action and possible termination of employment. Employees absent from work because of enrollment in a rehabilitation treatment program will be subject to leave of absence policies.

#### **14.5 Weapons**

Dangerous weapons are not allowed on the premises of Eden Church except by law enforcement personnel. "Dangerous Weapons" are defined as those that may harm others, including guns, explosives, sharp knives, etc. Discovery of weapons may be cause for termination.

### **15.0 DISCIPLINARY PROCEDURES**

#### **15.1 Serious Misconduct**

Any Eden Church employee who, in the judgment of the Senior Minister, is involved in serious misconduct on the job, is subject to immediate dismissal.

#### **15.2 Disciplinary Actions**

Disciplinary actions are of several levels, including oral and written warnings, disciplinary probation, suspension, or termination. The frequency and/or severity of misconduct determines the specific level of disciplinary action used.

#### **15.3 Behaviors**

Other behaviors, such as excessive absenteeism, tardiness, excessive personal use of the telephone, email, Internet, etc. will also result in disciplinary action from warnings up to and including termination of employment.

#### **15.4 Written Report**

The supervisor shall prepare a full written report of any incident and resulting action(s). A copy shall be placed in the employee's personnel file and a copy given to the employee.

#### **15.5 Appeal**

Any employee who believes she/he has been improperly disciplined can appeal the decision by using the grievance procedure.

## **16.0 GENERAL INFORMATION**

### **16.1 Open Door Policy**

Eden Church encourages communication between employees and especially between employees and supervisors.

### **16.2 Personnel Records**

Important events in each employee's history with the church are recorded and kept in the employee's personnel file.

**16.2.1** Performance reviews, change of status records, recommendations, and corrective action warnings are examples of records maintained. Payroll records are kept in the business office.

**16.2.2** An employee's personnel file is available for inspection by the employee in the business office.

**16.2.3** The business office is to be notified of changes in address, telephone number, and/or family status (births, marriage, death, divorce, legal separation, etc.) since income tax status and group insurance may be affected by these changes. This responsibility includes employees on leaves of absence.

### **16.3 Verification of Employment Eligibility**

In compliance with federal law, Eden Church verifies that every new employee is either a U.S. citizen or is authorized to be employed in the U.S. All employees are required to provide document(s) necessary for verifying employment eligibility.

### **16.4 Employment of Minors**

When minors are hired for part-time positions, a valid work permit must be obtained in advance of employment. A copy of a valid work permit will be kept in the individual's personnel files to verify that they are legally employed.

### **16.5 Dress for Office/Personal Appearance of Employees**

An employee's dress and grooming should be appropriate to the work situation.

### **16.6 Work Environment**

**16.6.1 Safety and Health:** Employees are expected to support Eden Church's objective to provide a safe and healthy work environment for all employees. Employees are expected to comply with all safety and health requirements whether established by church policy or by law.

**16.6.2 Smoking ;** Eden Church provides a smoke-free environment. Smoking is not allowed anywhere on the church campus.

**16.6.3 Children in the Workplace:** Eden Church seeks to provide an environment that is conducive to the productivity of all employees. In

the best interest of employees and children, the workplace is not an appropriate location for childcare outside of the home.

**RECEIPT OF PERSONNEL POLICIES MANUAL**

*I have received a copy, read, and understand this Personnel Policies Manual.*

\_\_\_\_\_  
Employee signature

\_\_\_\_\_  
Date

# APPENDIX A

## Eden UCC Staff & Consultants (Full-time Staff, Part-time Staff, Contract Workers)

