

PERSONNEL

Policies in this section were approved by the Board of Directors on April 9, 1987 (86-87 BD 43) unless otherwise indicated. (Amended 4/19/01, 4/5/03, 6/8/12, 10/31/15; 4/7/2018)

200 PURPOSE

The purpose of this Personnel Policy is to define the personnel administration provisions of the Penn Central Conference of the United Church of Christ; to provide for the administration of the policy; and to insure that the employment, supervision, development, recognition and separation of all Penn Central Conference employees is fair, uniform, and within the guidelines of the constitution and By-Laws of the Penn Central Conference of the United Church of Christ and the policies established by its Board of Directors.

The Penn Central Conference of the United Church of Christ was established to aid and assist the Associations, local congregations, and clergy within its boundaries in the performance of ministry. Penn Central Conference both affirms the opportunity and accepts the necessity to be an organizational model to those persons and institutions by demonstrating sound personnel practices in dealing with all members of its staff.

201 GENERAL POLICIES

201.1 ADMINISTRATION

- a) The Conference Minister of the Penn Central Conference shall administer this policy on behalf of the Conference.
- b) In matters pertaining to the Conference Minister, the chairperson of the Board of Directors and of the Personnel Committee shall act, and when appropriate, consult with the General Minister and President of the United Church of Christ.
- c) No exceptions to the provisions of this policy shall be authorized without prior approval of the Conference Minister, subject to review by the Personnel Committee of the Board of Directors.
- d) Decisions on personnel matters which are not included in this policy shall be made by the Conference Minister, subject to review by the Personnel Committee of the Board of Directors.

201.2 SELECTION AND EMPLOYMENT

(amended 4/5/03)

- a) Penn Central Conference shall employ staff on the basis of merit and competence.
- b) Continued employment of personnel shall be subject to the requirements of the program of the Conference, availability of funds, appropriate standards of personal conduct and acceptable performance of assigned responsibilities.

- c) "Penn Central Conference is an Equal Employment and Affirmative Action Employer. We affirm a moral and legal commitment to support and implement a program of equal employment opportunity for all, and shall not discriminate against any employee or applicant because of race, color, national origin, sex, sexual orientation, age, ancestry or handicap/disability."

The Conference further commits itself to an Affirmative Action Program to increase the employment opportunities for racial minority persons and women on all levels.

The Conference shall cooperate with the Affirmative Action Officer of the United Church of Christ in developing and implementing the Affirmative Action Program.

- d) Penn Central Conference shall maintain, for each employee, personnel files containing necessary and appropriate information and records, including a Confidential Employee History and Benefit Days Record Form. An employee will have access only to his/her personnel file through the Administrative Assistant upon approval of the Conference Minister.
- e) The Conference Minister shall be called by a vote of the Conference at a regular or special Conference meeting upon recommendation of the Board of Directors. The Conference minister is elected to serve a term of six years and is eligible for re-election. Upon a forthcoming Conference minister vacancy, the Personnel Committee may be expanded to include additional representation, thereby creating a Special Personnel Committee for the purpose of securing a candidate to be presented for approval by the Board of Directors.

The Board of Directors may employ an intentional Interim Conference Minister for a specified period of time who shall have all the rights and responsibilities of a called Conference Minister.

If the position of the Conference Minister becomes vacant in the event of an emergency, the Board of Directors may employ a person to give temporary professional leadership until the next Annual meeting of the Conference. Such persons shall not thereby become an officer of the corporation.

- f) Conference Associate Ministers shall be called by a vote of the Board of Directors upon recommendation of the Personnel Committee and the Conference Minister. They shall have no specific terms of office. Upon a forthcoming Conference Associate ministry vacancy, the Personnel Committee may be expanded to include additional representation, thereby creating a Special Personnel Committee for the purpose of securing a candidate to be presented for approval by the Board of Directors.
- g) The Conference Associate for Youth, Young Adults and Outdoor Ministries shall be called by a vote of the Board of Directors upon recommendation of the Personnel Committee and the Conference Minister. S/he shall have no specific term of office. Upon a forthcoming Conference Associate for Youth, Young Adults and Outdoor Ministries vacancy, the Personnel Committee may be expanded to include additional representation, including

representation from the Hartman Center Advisory Council, thereby creating a Special Personnel Committee for the purpose of securing a candidate to be presented for approval by the Board of Directors.

- h) Conference program staff shall be hired by the Conference Minister in consultation with the Personnel Committee.
- i) All administrative staff shall be hired by the Conference Minister in consultation with the Personnel Committee.
- j) Hartman Center staff shall be hired in accordance with policies for Hartman Center Personnel (see Section F).

201.3 CLASSIFICATION OF EMPLOYEES

(10/02/99)

- a) The Penn Central Conference, for payroll and benefit purposes recognizes two (2) classifications of employees:
 - 1) Those who are exempt from the wage and hour provisions of the Federal Fair Labor Standards Act (FLSA) and
 - 2) Those who are not exempt from the provisions of the Federal Fair Labor Standards Act.
- b) The Conference recognizes the following additional classifications of staff:
 - 1) Temporary Part-time or Temporary Full-time – An employee with an established or tacitly understood termination date, or who works “on call.” The employee is paid at an hourly rate. Temporary employees are not entitled to employee benefits.
 - 2) Regular Part-time – An employee who works less than full-time, and is employed on a continuing basis. This employee is compensated as agreed upon, in writing at employment.
 - 3) Probationary – An employee during the first sixty (60) days of employment, who is expected to become a regular employee, subject to favorable performance appraisals. This employee is graded according to the position, salaried, and entitled to appropriate employee benefits from the first day of employment.
 - 4) Regular – An employee who has successfully completed the probationary period, works full-time, and is eligible for employee benefits.

201.4 POSITION DESCRIPTIONS

- a) Position descriptions shall be written for all paid employees, whether full-time or part time, exempt or non-exempt, temporary or regular.

- b) A copy of the applicable position description shall be given to each employee at the time of his/her employment. A copy of the position description will also be included in his/her personnel file.
- c) Copies of each position description shall be included in the office copy of the Policy Manual.

202 COMPENSATION

(1/13/94; amended 4/7/18)

202.1 WORK WEEK, PAY PERIODS AND COMPENSATION OF EMPLOYEES

- a) Thirty-five (35) hours per week shall be the minimum for full-time employment.
- b) Salary pay periods shall be semi-monthly.
- c) Salary ranges will be maintained for each position which assure equitable and uniform treatment of comparable positions, recognize current economic conditions and reflect quality of work performance.
- d) Compensation shall be at the salary determined by mutual agreement at the commencement of employment, subject to subsequent adjustments as may be determined from time to time, in keeping with the Conference salary policies.
- e) Salary ranges shall be reviewed at least once (1 time) annually by the Personnel Committee.
- f) All patents and copyrights resulting from the investment of Penn Central Conference resources shall be the property of Penn Central Conference unless a written arrangement providing otherwise has been signed by the Conference.
- g) Work for compensation by exempt staff which is external to the staff person's responsibility to the Penn Central Conference shall be done on the person's own time. Work external to the staff person's responsibility to the Conference shall not interfere with his/her performance for the Conference. Compensation for such external work may be retained by the staff person. All expenses for such work will be borne by the staff person.
- h) If an exempt staff member's travel expense is covered by conference, the assignment will be considered part of the staff member's conference responsibilities and it will be appropriate for the staff member to donate their honorarium for such assignment to OCWM. If the travel expense is not covered by conference, it is acceptable for the staff member to keep the honorarium. (Updated 4/7/18)
- i) All Conference work related expenses shall be paid by the Penn Central Conference.

202.2 COMPENSATORY TIME AND OVERTIME COMPENSATION

- a) Exempt employees are not eligible for compensatory time or overtime compensation.

- b) It is understood and assumed that administrative staff work responsibilities will be completed within the normal work week. Recognizing that there are times when it is not desirable or possible to maintain the normal work week schedule the privilege of earning and redeeming compensatory time or overtime compensation is extended. All use of compensatory time or overtime compensation must be approved by the Conference Minister, in writing upon appropriate forms.

Annual meeting compensatory days are excluded from this policy. They are benefit days and should be requested on the Benefit Days Request Form.

The policy regarding use of compensatory time or overtime compensation by office personnel is subject to the following provisions:

- 1) Compensatory time or overtime compensation for hours exceeding 40 hours per work week will be given at the rate of one and one-half (1.5) times per hour worked over 40 hours.
 - 2) Compensatory time and overtime compensation will be given only if requested during the pay period in which they were earned. Forms are provided upon which to request credit and upon which to request redemption. The forms must be signed by the Conference Minister.
 - 3) Compensatory time for overtime must be taken within the same pay period in which the overtime was accumulated.
- c) Other non-exempt regular employees will be paid time and one-half for hours worked in excess of 40 in one week.

203 PERSONNEL DEVELOPMENT

203.1 TRAINING

- a) The Conference shall encourage and assist all employees with the development and implementation of a program plan for their growth, in appropriate relationship to assigned duties.
- b) The Conference shall provide time off and cover payment of fees and expenses for individual job-related growth experiences, upon the approval of the Conference Minister, subject to the availability of funds.
- c) Dues for professional memberships for exempt staff shall be paid by the Penn Central Conference, upon the approval of the Conference Minister, subject to the availability of funds.
- d) A plan for sabbatical leaves for staff will be administered by the Conference Minister, in consultation with the Personnel Committee, and consistent with Section 204.9.

203.2 SUPERVISION

- a) A system of performance appraisal and review will be administered by the Conference Minister for all employees. The Conference Minister will meet annually with each employee directly supervised by him/her for the purpose of an in-depth evaluation on the basis of position description, additional assigned responsibilities, goals and objectives, feedback from others and an overall contribution to staff teamwork.
- b) A system of performance review and evaluation of the Conference Minister will be administered by the Personnel Committee.
- c) A consultation will be held at least annually between each staff member and his/her supervisor to review position description and work performance, to assess strengths and weaknesses, and to plan the employee's development program.
- d) An annual evaluation of the job performance of the Conference Minister and Conference Associate Ministers will be made by the Personnel Committee and the Conference Minister. This review may include annual individual staff interviews conducted at the convenience of the Personnel Committee and include recommendations concerning salary adjustments to the Budget Committee and the Board of Directors. A more extensive evaluation, including consultation, will be made every five (5) years.
- e) Other Conference employees may be interviewed by the Personnel Committee.

204 BENEFITS

204.1 VACATION

(6/20/97; amended 4/7/18)

- a) The Conference shall provide vacation with full pay for all regular exempt and non-exempt staff.
- b) Vacation time can be taken at the discretion of the employee upon the approval of the Conference Minister or immediate supervisor, with regard to the efficient operation of work demands and requirements, and shall be recorded in the personnel records.
- c) Vacation time is not cumulative from year to year.
- d) Pay in lieu of vacation time will be allowed only in those instances when an employee is laid off, discharged, or resigns with due notice. In such instances, vacation time will be prorated. (Updated 4/7/18)
- e) Holidays falling within vacation or unavoidable work time are credited as additional days of leave.
- f) Vacation policy for regular non-exempt staff employed less than one (1) year: Vacation time shall be granted on a one-day-per two months worked basis.

- g) The Conference Minister and Conference Associate Ministers receive one (1) month (23 weekdays, 4 Saturdays, 4 Sundays) vacation per calendar year.
- h) Beginning on January 1 following the year of employment other staff accrue vacation at the following rate:

Year #	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>25</u>
# Days Vacation	10	11	13	14	15	16	17	18	19	20	15 day Bonus*

(*The 15-day bonus is granted one time only.)

204.2 PERSONAL AND EMERGENCY DAYS (1/9/97)

- a) Each regular employee of the Conference is entitled to a maximum of three personal days with pay during a calendar year.
- b) Personal days are to be used for such absences as:
 - Attendance at weddings and funerals
 - Medical and dental appointments
 - Religious observances
 - Personal business
- c) Personal days are not cumulative from year to year.
- d) Personal days are to be scheduled with the Conference Minister or immediate supervisor, are subject to his/her approval, and shall be recorded in the personnel records.
- e) In addition to the above, a maximum of five consecutive days with pay may be allowed in an emergency arising from the death or serious illness of an immediate member of an employee's family.
- f) The following policy will be followed in relation to weather emergencies: The office will be officially closed if announcement is made through the media that Central Dauphin School District (in which the office is located) schools are closed. Office staff will not be expected to be in the office those days but will receive pay. Office staff doing Conference work at home (or in the office) those days will receive overtime credit for hours worked. In case of an announced school delay in opening, staff members are to use their own discretion regarding time of traveling to the office but will be expected to make up time lost in late arrival.

204.3 HOLIDAYS

- a) The Conference recognizes certain days during the year as paid holidays for its regular employees. On those days the Conference Office will be closed.

The holidays schedule includes the following:

New Years Day	January 1
Martin Luther King's Birthday	January 15
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Holiday	4 th Thursday & Friday in November
Christmas Day	December 25
Employee's Birthday	

- b) Any holiday which falls on a Sunday will be observed on the following Monday. Any holiday which falls on a Saturday will be observed on the preceding Friday. The Conference Office will be closed on Fridays immediately following New Year's Day, Independence Day, Thanksgiving Day, and Christmas Day when those holidays fall on a Thursday.
- c) If work is required of office or non-exempt staff on a holiday, it shall be compensated at the rate of time-and-a-half.
- d) Ordinarily, an employee is required to work the regularly scheduled hours preceding and following the holiday in order to receive holiday pay, unless the day(s) before or after is/are part of vacation time. The Conference Office will be closed at 12:00 noon on Christmas Eve and New Year's Eve.
- f) Parental Leave
 - a) Parental leave may be granted to all regular employees.
 - b) The Conference Minister is empowered to authorize parental leave, with full salary, for up to five (5) consecutive weeks' duration.
 - c) Additional parental leave, without pay, may be granted by the Personnel Committee, in consultation with the Conference Minister, up to a maximum of four (4) months.
 - d) Parental leave may be requested following the birth of a child, adoption of a child, or placement of a foster child with the employee. Parental leave also may be requested for the care of a family member (spouse, child, parent) who has a serious health condition and/or personal crisis.

204.4 SICK LEAVE

- a) The Conference shall provide twelve (12) days sick leave, with full salary, for all regular employees.
- b) A maximum of twelve (12) sick days is allowed in any one calendar year of service.
- c) Sick leave is not cumulative from year to year.

- d) In the event that an employee with at least one (1) year of service has exceeded the allowed sick days (12 working days; two weeks salaried staff) in a given year, the Conference Minister is empowered to authorize continuance of full salary during illness up to an additional 20 working days; 4 weeks for salaried staff. The Personnel Committee may authorize additional sick leave to a maximum of 60 working days; 12 weeks for salaried staff. Board of Directors' authorization is required for any period longer than 60 working days; 12 weeks for salaried staff.
- e) In the instance of the illness of the Conference Minister, the Personnel Committee is empowered to arrange for full salary up to four (4) weeks; and the Board of Directors for any period longer than four (4) weeks.
- f) Part-time employees are eligible for sick leave on a pro-rated basis, according to the terms of their employment.

204.5 LEAVE OF ABSENCE

An employee who is not able to continue employment, or who chooses to interrupt his or her employment for a period of time may be granted a leave of absence by the Conference Minister (upon recommendation of the supervisor) according to terms to be negotiated. During the leave of absence, salary and benefits are not paid.

204.6 COURT RELATED LEAVE

Leave from work with pay shall be allowed in order to permit a regular staff member necessary time to serve as a juror or witness when summoned. Jury or witness fees paid to employees shall be retained by the employee.

204.7 SABBATICAL LEAVE

- a) In its commitment to growth and development of its employees in particular relation to assigned duties, the Penn Central Conference, through its Conference Minister, shall administer a sabbatical leave program to be applied to all regular employees according to specifically developed plans, and as may be appropriate to the responsibilities of the employee.
- b) Regular Conference exempt staff, after five years of service, are permitted to apply for a sabbatical leave with full salary, for up to and the equivalent of three months (3) months, plus regular accrued vacation, or half salary for six (6) months, plus regular accrued vacation.
- c) A proposal for the use of the sabbatical leave shall be presented to the Conference Minister and the Personnel Committee for approval by each. A proposal by the Conference Minister for him/herself shall be subject to the approval of the Personnel Committee.
- d) The period allowed for sabbatical leave may be taken on a flexible basis, in less than three (3) months full time, or six (6) months half time blocks, at the discretion of the employee

and the approval of the Conference Minister. Other elements of this provision would still apply to a flexible program.

- e) Only one staff member shall be granted sabbatical leave at any one given period. When the Conference Minister is on sabbatical, another staff member will be designated President pro tem by the Board of Directors.
- f) A report on the sabbatical experience will be submitted to the Conference Minister and, through him/her, to the Board of Directors.
- g) It is normally expected that a person will continue in the service of the Conference for a period of at least one (1) year following the sabbatical leave. Should a staff member elect to leave the employment of the Conference before one year following his/her sabbatical, s/he shall return to the Conference a pro-rated share of sabbatical leave salary based on the number of months in Conference employment following sabbatical.
- h) Sabbatical leave shall not be cumulative. Regular exempt staff become eligible for subsequent sabbatical leave(s) after five years of service following previous sabbatical leave(s).
- i) Expenses for the sabbatical leave, beyond the regular salary responsibilities and benefits, shall not be the obligation of the Conference.

204.8 ANNUITY AND RETIREMENT FUND

- a) All eligible employees shall be enrolled in the appropriate pension plan, subject to the policies, rules and provisions of the Pension Boards of the United Church of Christ.
- b) Exempt and ordained employees shall be enrolled in the appropriate pension plan with the Pension Boards of the United Church of Christ, effective on the day of employment, at the rate agreed upon at time of employment, subject to future adjustments.

SOCIAL SECURITY

- a) The Conference shall pay the employer's share of the Social Security Tax for all non-ordained employees, as required by law.
- b) Ordained employees are eligible to enroll in Social Security on a self-employed basis, and are required by law to pay the Social Security tax directly. The Conference shall compensate ordained employees who are enrolled in Social Security an amount equal to the difference between the employee's percentage share for non-ordained employees and the self-insured ordained employee's percentage share.

204.9 WORKER'S COMPENSATION INSURANCE

The Conference shall provide Worker's Compensation Insurance coverage to all employees who qualify under the law.

204.10 HEALTH INSURANCE

- a) The denominational medical insurance plan shall be carried by the Conference on all regular (exempt and non-exempt) employees and their families.
- b) Every regular (exempt and non-exempt) staff person shall be enrolled in the denominational medical insurance plan unless s/he is adequately covered by another policy and chooses not to be included.

204.11 LIFE INSURANCE AND DISABILITY INCOME BENEFIT PLAN

The denominational Life Insurance and Disability Income Benefit Plan shall be carried by the Conference on all regular (exempt and non-exempt) employees.

204.12 EXECUTIVE TRAVEL INSURANCE

The Conference Minister, Conference Associate Ministers and other Conference leaders while traveling on Conference business shall be covered by a blanket accident insurance policy, with premiums paid by the Conference, through the Insurance Board.

205 COMPLAINT AND GRIEVANCE PROCEDURES

- a) All employees of Penn Central Conference are entitled to a review of employment-related complaints in those instances in which the employee believes a policy is unfair to him/her, or the employee feels aggrieved by the implementation of the policy or by actions inconsistent with the policy.
- b) Penn Central Conference is committed to making every effort to resolve problems prior to the initiation of a formal complaint.

205.1 COMPLAINT PROCEDURE

- a) The complaint procedure is as follows:
 - Oral or written complaints will be submitted to and received by the employee's immediate supervisor.
 - The immediate supervisor will document efforts made to resolve the issue.
 - If the supervisor fails to resolve the complaint to the satisfaction of the employee, the employee may put the issue in writing and submit it to the Conference Minister. The Conference Minister will make a decision and submit it to the employee in writing.
- b) The preceding steps will take place at intervals not to exceed five working days, unless extenuating circumstances exist for either the employee or the employer.

205.2 GRIEVANCE PROCEDURE

- a) If all internal efforts fail to satisfy the employee, s/he may proceed to grievance. Written grievances may be submitted to the Chairperson of the Personnel Committee of the Penn Central Conference Board of Directors. Such grievances must be submitted within fourteen (14 days) of the conveyed written decision of the Conference Minister.
- b) The Personnel Committee will gather information from all parties involved, and make its decision within fourteen (14) days of receipt of the written grievance.
- c) If satisfaction is not reached, the employee may submit the grievance in writing to the Board of Directors of the Conference through the Moderator, for resolution. Upon receipt of the grievance, the Board of Directors will investigate and render its decision within thirty (30) days of receipt of the written grievance. The Board of Directors' decision will be final.

205.3 SEXUAL HARASSMENT

(9/29/01)

- a) Penn Central Conference employees and volunteers shall not engage in conduct that constitutes sexual harassment, as that term is defined in federal and state law.
- b) Allegations of sexual harassment by Penn Central Conference employees and volunteers should be referred as defined in Section 205.1, Complaint Procedure. All allegations of sexual harassment will be investigated, and the results will be communicated to the person reporting the incident and the person accused of sexual harassment.
- c) If the investigation determines that an employee engaged in sexual harassment, appropriate disciplinary action (up to and including termination) will be taken. If the investigation determines that a volunteer engaged in sexual harassment, appropriate actions will be taken (up to and including removal of the volunteer from any board, committee, office, or other Conference position). The results of the investigation may be reported to other church organizations and entities, as necessary and appropriate.

- d) If the investigation determines that an employee or volunteer did not engage in sexual harassment, the file on the allegation will be closed and all information gathered during the investigation shall be kept confidential, to the extent permitted by law.
- e) Any disciplinary action taken pursuant to paragraph c) may be submitted to the complaint and grievance process by the employee or volunteer.
- f) Sexual harassment training resources shall be made available to employees and volunteers.

206 SEPARATIONS

206.1 RETIREMENT

- a) While normal retirement age is considered to be 65, all employees shall be encouraged to retire at least by December 31 of the calendar year in which they reach the age of (70). The Personnel Committee will provide consultation toward that end.
- b) Employees may choose to receive retirement benefits at the age of sixty-two (62) subject to the rules, policies, and provisions of the Pension Boards of the United Church of Christ, and the laws pertaining to Social Security, as may be appropriate.

206.2 RESIGNATION

(4/16/98)

- a) The Conference Minister may resign by submitting a resignation at least ninety (90) days before the effective date, or otherwise by mutual agreement with the Board of Directors.
- b) Conference Associate Ministers may resign by submitting their resignation at least ninety (90) days before the effective date, or otherwise by mutual agreement.
- e) The Conference Associate Minister for Youth, Young Adults and Outdoor Ministries may resign by submitting his/her resignation at least ninety (90) days before the effective date, or otherwise by mutual agreement.
- d) All other employees may resign by submitting a resignation at least two (2) weeks in advance.
- e) No severance pay is given to employees who resign.

206.3 UNSATISFACTORY PERFORMANCE

- a) Separation of employees for unsatisfactory performance is a last resort, and will be undertaken only after all other efforts to enable an employee to meet the requirements of employment have failed.
- b) Separation of the Conference Minister, Conference Associate Ministers will take place after two (2) months written notice, or payment of equivalent salary in lieu of such notice.
- c) Separation of other employees because of unsatisfactory performance will take effect after at least two (2) weeks notice, in writing, or payment of salary in lieu of such notice.
- d) No severance pay is given to employees who are separated for unsatisfactory performance.

206.4 REDUCTION OF WORK FORCE

- a) The separation of the Conference Minister, Conference Associate Ministers, due to a necessary reduction in work force will take effect after at least three (3) months notice, or payment of equivalent salary in lieu of such notice.
- b) The separation of other staff due to a reduction in the work force will take effect after at least four (4) weeks notice, or payment of equivalent salary in lieu of such notice.
- c) All employees being separated due to a reduction in the work force will be given assistance and support in seeking other employment.
- d) Employees leaving the employment of the Conference during the notice period will not be paid beyond the last day of actual service.
- e) Severance pay will be given in the amount of one (1) week's salary for each full year of service for up to fifteen (15) weeks of unemployment.
- f) Severance pay provisions will cease either when an employee secures another position, or up to the end of fifteen (15) weeks of unemployment, whichever comes first.
- g) At the time of separation, employees separated due to reduction in the work force will receive vacation benefits computed as of the time of service, pro-rated from the beginning of employment.

207.1 PREAMBLE

When allegations concerning fitness for ministry are raised of a Conference Minister, this situation raises a number of special issues and concerns. The Council on Conference Ministers offers this protocol to inform an understanding of the roles and responsibilities of various parties to each other in regard to the procedures used in the fitness review of a Conference Minister.

The following perspectives are offered as modifications to a conference's or association's policies and procedures on a clergy fitness review, should a Conference Minister be charged with an allegation which questions her or his fitness for ordained ministry. These perspectives identify and describe other United Church of Christ entities that may assume the roles and responsibilities usually assigned to the Conference Minister and/or other conference or association staff in a fitness review proceeding.

RECOMMENDED GUIDELINES FOR A CONFERENCE MINISTER FITNESS REVIEW

Revised December 4, 2008

A Sacred Trust

In the Gospel of John, Jesus speaks of the “Good Shepherd” and says that “the shepherd goes before them, and the sheep follow the shepherd, because they know the shepherd’s voice.” To be a Conference Minister in the United Church of Christ is to have responsibility for pastoral oversight of churches and ministers. It is to be called to a ministry that requires the highest level of trust and faith. To be in such a relationship of leadership and to be worthy of this trust requires deep ethical foundations and the best practices for maintaining clear and appropriate boundaries.

To be a Conference Minister is a privilege. It is a joy to be entrusted with this particular vocation, and to be challenged to grow in the ways that Paul describes in speaking of spiritual gifts in the Letter to the Ephesians: “*And God’s gifts were given . . . for the equipment of the saints, for the work of ministry, for building up the body of Christ, until we all attain to the unity of the faith and of the knowledge of the Son of God, to mature personhood, to the measure of the stature of the fullness of Christ....*”

I. Introduction to Process

In the event ethical questions are raised concerning the fitness for ministry of a Conference Minister, these guidelines offer procedures for bringing forward concerns, investigating them, adjudicating them, and providing pastoral support. It provides for a safe means of concerns being raised and a fair review. Its purpose is to deal with issues of power and authority in faithful ways. These guidelines have emerged from experience in multiple settings with a number of fitness reviews.

II. Assumptions informing these Guidelines

*“Associations (or a Conference acting as an Association) have the responsibility for ensuring ecclesiastical accountability for **all** authorized ministers.”¹*
(Page 5, Section 8, Manual on Ministry)

Given that Ordained Ministerial Standing is conferred, transferred, and suspended or terminated by Associations or Conferences acting as Associations, when allegations about ordained ministerial fitness are raised, it is essential that there be a similar process of review for all authorized ministers.

When a Conference Minister is the subject of a fitness review, there is the high probability that many, if not most of the members of the Conference, will have conflicts of interest. Because Conference Ministers are called by an entire Conference to provide executive and spiritual leadership, the position of power they occupy creates a unique and challenging situation for Committees on Ministry.

When the Conference Minister is the subject of a fitness concern, a commitment to justice and fairness for that Conference and Conference Minister requires a change of location for the review while maintaining the same fitness guidelines that apply to all United Church of Christ clergy.

Care needs to be taken to identify the boundaries between personnel and fitness questions. Personnel concerns should be referred to the Board of Directors or its personnel committee and fitness concerns should be referred to the Committee on Ministry.

Consultation by Conference leadership with the United Church of Christ Proclamation, Identity and Communication Team is strongly recommended for advice and assistance in dealing with the media throughout this process.

All Manual on Ministry references are to the 2001 or current edition.

The Nationwide Special Counsel of the United Church of Christ will be consulted and kept informed during the process by the General Minister and President and Parish Life and Leadership.

III. How is the process initiated?

The process described in the *“Recommended Guidelines for a Conference Minister Fitness Review”* is initiated when an identified individual raises a specific concern that calls into question a Conference Minister’s fitness for authorized ministry in and on behalf of the United Church of Christ. The initial concern may be expressed through a letter, a phone call, or an email communication.

The concern may be received by the Committee on Ministry of the Association where the Conference Minister holds standing, the Conference Board of Directors, the General Minister and President, a Conference or Association staff member, or a staff person serving in the national

¹ All references to “Association” in this document will also refer to those situations where the Conference acts as an Association.

setting of the UCC. Regardless of the identity of the initial recipient, the concern will be directed to the General Minister and President; he/she will consult with Parish Life and Leadership and immediately make contact with the Committee on Ministry Chairperson in the Association where the Conference Minister holds standing.

From the beginning of the process, coordination will be in the office of the General Minister and President with consultation from Parish Life and Leadership to utilize fitness review expertise in assisting the Committee Chairperson with the review.

When the Committee on Ministry Chairperson and the designated national staff review the concern(s), attention should be paid to the distinction between personnel matters and concerns that relate to fitness for ministry. In the event of uncertainty in regard to this distinction, the General Minister and President will determine whether the concern is fitness or personnel related. Only matters related to fitness should be included in the initial concern which is presented to a Committee on Ministry without factors that would identify the individual whose fitness is in question. Personnel concerns (job performance, staff supervision) should be identified to the Conference Minister and, in consultation with the General Minister and President, referred to the Conference Board of Directors or its Personnel Committee.

The Committee on Ministry Chairperson, following procedures in Manual on Ministry, will present the allegation(s) without identifying factors to the members of the Committee on Ministry. If it is not possible to convene a face-to-face meeting quickly, the allegation may be presented in a conference phone call. Email is never appropriate for use with such sensitive matters. Members will be guided in their decision-making by Section Eight (2001 Edition) of Manual on Ministry which states:

“The information, if found to be true, does call into question a person’s fitness for continued ministry on behalf of the United Church of Christ....”

If the Committee on Ministry does determine that the information would call into question the person’s fitness for ministry, the identity of the Conference Minister will be disclosed and the *“Recommended Guidelines for a Conference Minister Fitness Review”* will be interpreted to the Committee. It is the responsibility of the Chair of the Committee on Ministry to communicate to the Conference Minister whose fitness has been called into question, the Chair of the Board of Directors, and the person who raised the concern, that a fitness review has been initiated.

It will be the responsibility of the General Minister and President to follow-up with the Conference Leadership and the Conference Minister. Parish Life and Leadership may be asked by the General Minister and President to provide staff to the Committee on Ministry, and these Guidelines will be followed during the fitness review.

IV. Leave of Absence

When a fitness review is authorized, the Conference Board of Directors is expected to place the Conference Minister on a leave of absence without prejudice and with pay until the allegation is fully adjudicated. Being on leave helps to assure that there is no actual or perceived conflict of interest as the investigation and adjudication take place.

During a Leave of Absence, the Conference Board of Directors, in consultation with the General Minister and President, will select a Temporary Conference Executive to carry out the responsibilities of the Conference Minister during this period. It is strongly recommended that an Associate Conference Minister not be asked to serve in that capacity as it might constitute a conflict of interest and would compromise his/her current ministry. In addition to maintaining the day-to-day ministry of the Conference, the Temporary Conference Executive may be expected to provide significant leadership and assistance as the Conference responds and adapts to the particular circumstance of the review of its Conference Minister.

V. Next Steps

A. The General Minister and President, in consultation with Parish Life and Leadership, will consider, as a qualified Adjudicating Committee on Ministry, a neighboring Association in another Conference with the following qualifications: has adopted Manual on Ministry, is equipped to conduct a fitness review, and has a clear appeal procedure (limited to the process) to that Association's Executive Committee or the Conference's Board of Directors. After consultation with the Conference Minister of that Conference, a formal request will be extended to the "Adjudicating Committee on Ministry."

B. The Parish Life and Leadership staff person, appointed by the General Minister and President, will work closely with the Committee on Ministry that holds the Conference Minister's standing to facilitate the transfer of oversight of the fitness review to the Adjudicating Committee on Ministry by the following action:

Motion that the COM would make to transfer the adjudication of the fitness review:

"The Committee on the Ministry of the _____ Association of the _____ Conference formally enters into a covenant with the Committee on Ministry of the _____ Association of the _____ Conference and requests that the Committee on the Ministry conduct a Fitness Review on our behalf. This Review is to consider the fitness for ministry in and on behalf of the United Church of Christ of the Rev. _____. By making this request, we expect that:

1. Provision for pastoral support for the parties involved in this Review will be made by the Office of General Minister and President.
2. The _____ Association Committee on the Ministry will investigate, deliberate and come to a determination.
3. The determination will be referred back to our Committee on the Ministry where it will be formally accepted in its entirety without further investigation or debate.
4. After the determination is voted, if an appeal is made on the process, such appeal will occur according to the procedure of and within the _____ Association of the _____ Conference."

C. The Adjudicating Committee on Ministry will vote to receive the transfer and will begin to take steps to prepare for a fitness review by the following action:

Motion that the Adjudicating COM would make to receive the fitness review:

“The COM of _____ Association of _____ Conference, in accordance with *“The Recommended Guidelines for a Conference Minister Fitness Review,”* receives the fitness review of the Rev. _____ referred to us by the Committee on Ministry of _____ Association of _____ Conference.

We realize that we assume responsibility for ensuring a fair and just fitness review process for Rev. _____ and that we will be responsible for determining the final outcome of the fitness review. Should Rev. _____ wish to appeal our decision, that appeal will follow the processes established by our Association.”

D. The information-gathering phase will be handled by two persons from a trained Response Team. The General Minister and President, in consultation with Parish Life and Leadership and the Adjudicating Committee on the Ministry will determine whether trained Response Team members are presently available or whether others need to be found.

E. Costs for the conducting of the fitness review shall be borne by the Association/Conference where the Conference Minister holds his/her standing.

F. In consultation with the person whose fitness has been called into question, the General Minister and President will appoint a support person Conference Minister, preferably from a pool of former Conference Ministers. It is important to remember that the support person is not an advocate. [Training will be provided to the support person by Parish Life and Leadership so that he/she is clear about the difference in roles between an advocate and a support person.] The General Minister and President, in consultation with Parish Life and Leadership and Conference Leadership, may appoint other support persons as needed.

G. A support person for the individual (s) initiating the fitness concern will be selected by the Committee on Ministry in the Adjudicating Association, utilizing a process appropriate to the geographical location of the individual (s) involved.

H. The Fitness Review Process will proceed according to Section Eight (2001 Edition) of the Manual on Ministry:

(1) After the Response Team gathers information, they report to the Adjudicating Committee on Ministry;

(2) the Adjudicating Committee on Ministry receives information, conducts interviews, and prayerfully deliberates;

(3) the Adjudicating Committee on Ministry will communicate regularly with the Committee on Ministry that holds the Conference Minister’s standing. Communications will focus on the process, without specific details.

(4) the Adjudicating Committee on Ministry makes its decision based on the six possible outcomes described in Section Eight of the Manual on Ministry (2001 Edition).

(5) the Adjudicating Committee on Ministry prepares a report summarizing its process and describing in specific detail its determination and recommendations, including specific sections of the Minister's Code that were violated by the behaviors addressed in the fitness review process;

(6) representatives of the Adjudicating Committee on Ministry present the report to the Committee on Ministry that holds the Conference Minister's standing;

(7) representatives of the Adjudicating Committee on Ministry meet with the Conference Minister and inform him/her of the decision, outlining the appeal process available;

(8) representatives of the Adjudicating Committee on Ministry meet with the person(s) raising the fitness concerns and inform him/her/them of the decision, outlining the appeal process available;

(9) representatives of the Adjudicating Committee on Ministry report to the leadership (e.g. Conference Board of Directors.)

(10) the General Minister and President and Parish Life and Leadership staff will assist the Conference leadership in developing a process for reporting the outcome to the pastors and churches of the Conference; the national staff will also assist the Board of Directors as they deal with the personnel issues that emerge as a result of the outcome.

(11) In order to continue to avoid conflict of interest, any growth plan required of the Conference Minister will be supervised by the Adjudicating Committee (or a designated subcommittee) until such time as they are satisfied that the conditions have been met.

I. The decision of the Adjudicating Committee on Ministry is final, pending appeal, and may not be changed by the Committee on Ministry that holds the Conference Minister's standing.

VI. Appeal Process

The appeal process will be according to the accepted procedure of the Adjudicating Committee on Ministry. There is no appeal to the Committee on Ministry that holds the Conference Minister's standing.

VII. Legal Counsel

Legal counsel has no role in the ecclesiastical process; however, all parties involved in a Conference Minister fitness review may wish to consult separate legal counsel. There must be clarity and boundaries among those representing the legal interests of the Conference, of the Conference Minister and of the person(s) who raised the fitness concern(s). The Conference Minister whose fitness has been called into question does not participate in any decision regarding the selection of counsel for the Conference.

VIII. Record Keeping

The General Minister and President shall maintain a confidential record of all decisions and actions related to this matter, including decisions and actions of the Adjudicating Committee on Ministry, the Committee on Ministry of the Association that holds standing, and the Conference

Board of Directors and its committees. The Conference and the Association Committee on Ministry shall also maintain confidential records of all decisions and actions related to this matter in accordance with their regular practices and procedures.

IX. Reinstatement

If the Fitness Review results in the termination of ordained ministerial standing, the Conference Minister may apply for reinstatement based on the guidelines described in Sections Three and Eight of Manual on Ministry. The request should be directed to the Committee on Ministry that adjudicated the original Review.

Before considering a request for reinstatement, the Committee on Ministry should consult the expectations and considerations described in Section Eight of Manual on Ministry. The reinstatement process must include a thorough review of all records from the original Fitness Review, including first-hand interviews with members of the Adjudicating Committee where possible.

X. Interim Conference Ministers

In the case of Interim Conference Ministers, the Guidelines would be followed if the Conference Minister's ecclesiastical standing is within the Conference where the interim serves. If the Interim Conference Minister's standing is held in another Conference, the fitness review should be the responsibility of that body.

Recommended Guidelines for the Fitness Review of an Authorized Minister Serving as an: Association Minister, Associate Conference Minister, Regional Minister, Conference Program Staff or other Conference Staff Position

When a concern is raised that might call into question the fitness for ministry of an authorized minister serving as a staff person in an Association or Conference of the United Church of Christ, the following pattern of follow-through and guidelines for dealing with the concern is recommended:

- The concern comes to the attention of the Conference Minister. The Conference Minister immediately initiates a consultation with the staff of Parish Life and Leadership and also notifies the General Minister and President that a concern has been raised.
 - The staff person of Parish Life and Leadership and the Conference Minister will review procedures in the Manual on Ministry.
 - The staff person of Parish Life and Leadership and the Conference Minister will review together the boundary issues that will arise for the Conference Minister between the personnel/head of staff/supervisor roles and the role of staffing the standing/authorization/Committee on Ministry process.
 - The Conference Minister needs to remain solely in the personnel/supervisor/head of staff role. The Conference Minister consulting with Parish Life and Leadership will identify a neighboring Conference Minister or a Conference staff person to work with the Committee on Ministry in the review process.

- The Conference Minister will take the concern to the Committee on Ministry in the Association where the staff person currently has his/her standing. The staff of Parish Life and Leadership or a neighboring Conference Minister will have had prior contact and will have reviewed the Manual on Ministry procedures with the chairperson.
 - The Chairperson of the Committee on Ministry will present the concerns to the entire Committee “without identifying factors”, and the Committee will respond to the question in the Manual on Ministry: *The information, if found to be true, does call into question a person’s fitness for continued ministry on behalf of the United Church of Christ*”
 - If the answer is “no” then the committee would be asked if a “Situational Support Consultation” or any other kind of recommended follow-up with the minister would be needed, and they would then follow up with the minister.
 - If the answer is “yes”, then the Parish Life and Leadership staff person or neighboring Conference Minister would be notified by the Chair and, in consultation with the Conference Minister, another Association in the Conference would be selected to conduct the review.
 - If the Conference is one that has a single Committee on Ministry serving all Associations or if the Conference and Association are one, then an Association in a neighboring Conference will be sought.
 - The Association or Conference selected will be requested to convene a fitness for ministry review.
 - The Association that currently has the minister’s standing will be required to pass the enabling motion (See Page Four) which transfers authorization for oversight of the minister to the Association that will conduct the review. The Adjudicating Association passes a motion to receive the fitness review (See Page Five.)
 - The Conference Minister will then notify the staff person that a concern has been raised and will identify the process that will be followed.
 - The Conference Minister, consulting with the Personnel Committee of the Conference where the staff person is employed, will seek a Leave of Absence, with pay, for the minister for the time of the review and pending the outcome of that review.
 - The Association that has agreed to conduct the fitness for ministry review and has been authorized to do so by the Association holding the minister’s standing, will carefully select a Response Team that is both experienced and that holds the least possibility of conflict of interest in their relationship to the minister. In no case should a Response Team member come from the Association where the minister/staff person currently serves or has standing.
- The fitness for ministry review process, as outlined in the guidelines for a Conference Minister, will apply, as will the appeal procedures, which are, as in the case of any minister who has been subject to a fitness for ministry review, only on the process used and not on the substance of the concern or the content of the decision.
- The above guidelines should also be used in the case where the minister about whom concerns have been raised, is the spouse, committed partner or a member of the immediate family of the Conference Minister or an Association Minister, Associate Conference Minister, or Conference staff person. The guidelines should be considered in

cases where any family or collegial relationships raise the possibility/appearance of significant conflict of interest.