



PRESBYTERY OF GENEVA
Presbyterian Church (U.S.A.)
PERSONNEL POLICIES AND PRACTICES

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I. INTRODUCTION

The Presbytery of Geneva is a regional entity of the Presbyterian Church (U.S.A.), and governed by its constitution. The Presbytery of Geneva is a member presbytery of the Synod of the Northeast.

Purpose of the Presbytery: The Presbytery of Geneva lives to support and equip congregations and leaders to be Christ in the Finger Lakes and the world.

Vision of the Presbytery: Radiating the light of Christ, the Presbytery of Geneva thrives as a community of servants, lifting-up every congregation and leader in ministering together.

This policy is part of the Presbytery of Geneva Manual of Operations.

All employed positions of the Presbytery are designed to support the purpose and vision of the Presbytery of Geneva.

The Presbytery of Geneva Personnel Policies and Practices outlines the current employment policies and procedures for the Presbytery and replaces any and all prior personnel policies and practices. The Presbytery reserves the right to make changes to its policy and procedures at any time.

The Committee on Operations of the Presbytery of Geneva shall be responsible for administering all personnel matters. The personnel functions of the committee shall be to:

- Provide oversight of personnel matters.
- Develop job descriptions for staff for approval by the General Council.
- Conduct reviews of the staff.
 - Annual reviews
 - Ninety-day reviews for new members of staff
- Make recommendations to the Presbytery for appropriate compensation for members of the Presbytery staff.
- Prepare, maintain, and implement personnel policies which are consistent with the Constitution of the PC(U.S.A.) and compliant with State and Federal Regulations, recommending policies or policy changes to the Presbytery for approval.

II. POLICIES

Presbytery employees are expected to familiarize themselves with these policies and procedures and any other policies related to personnel matters. Such policies may be found in the appendix of this document and on the Presbytery's website.

A. CONSTITUTIONAL PROVISION

The Presbytery may employ staff as required by the mission of the body in accordance with the principles of unity in diversity. The Presbytery makes provision in its manual of administrative operations through the Personnel Policies and Practices for both the process of electing executive staff, and the hiring of other staff. Description of the responsibilities of the positions, the method of performance review, and the manner of termination of employment are included in accordance with The Presbyterian Church (U.S.A) Book of Order G-3.0110

B. EQUAL OPPORTUNITY EMPLOYMENT

The Presbytery of Geneva is an Equal Employment Employer, abides by fair labor laws of the United States of America and New York State.

C. AT-WILL EMPLOYER

In accordance with the laws of the State of New York, the Presbytery of Geneva is an at-will employer. Your employment may be terminated at will with or without cause and without prior notice by the Presbytery of Geneva, and you may resign for any reason at any time.

D. NON-DISCRIMINATION

The Presbytery prohibits discrimination against any employee or any applicant for employment, because of race, color, national or ethnic origin, age, religion, disability, sex, sexual orientation, gender identity and expression, veteran status or any other characteristic protected under applicable federal or state law.

E. NON-HARASSMENT

The Presbytery will not tolerate unlawful harassment– sexual or otherwise – or behaviors that create a hostile work environment. The process for handling alleged grievances involving harassment is outlined below, except in the case of alleged sexual harassment which is covered in the Presbytery's Sexual Misconduct Policy.

F. SEXUAL MISCONDUCT

The definition of sexual misconduct and the process for handling alleged sexual misconduct, including sexual harassment, is outlined in the Presbytery's Sexual Misconduct Policy.

G. WHISTLEBLOWER POLICY

Employees of the Presbytery of Geneva must practice honesty and integrity in fulfilling responsibilities and comply with all applicable laws and regulations. It is the responsibility of all elected officers, leaders, and employees to report ethics violations or suspected violations in accordance with the Presbytery's Whistleblower Policy. No employee who in good faith reports an ethics violation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

H. EMPLOYEE GRIEVANCE

A complaint or grievance may be made by any employee who has reason to believe that issues, behaviors, or practices create a hostile work environment or interfere with the employee's ability to perform his/her duties. A written complaint may be filed with the employee's supervisor, the Head of Staff, or the Committee on Operations. The complaint should be as specific as possible and identify the names of individuals involved, including any witnesses. The Presbytery Operations Committee will immediately undertake a thorough and objective investigation to resolve the situation.

I. CONFLICT OF INTEREST

The Presbytery of Geneva has adopted its Conflict of Interest Policy to assist the Presbytery in carrying out its duties and responsibilities in an ethical manner while also protecting the integrity of the organization as a whole. The Conflict of Interest Policy covers all interests which may influence an employee's duties and responsibilities.

III. EMPLOYMENT INFORMATION

A. REGULAR EMPLOYEES

Regular employees are divided into the following categories for the purpose of compensation and benefits. Presbytery policies apply to all categories of personnel.

1. Primary

There are two positions that are considered primary personnel for all compensation and benefit purposes. They are:

- Presbytery Leader
- Camp Executive Director

2. Part-Time

A person who is not defined as Primary, and whose work schedule is less than full-time (less than 36 hours) on a full workweek basis for a continuous and indefinite period, is considered a part-time person for all compensation and benefit purposes. Part-time employees are not entitled to benefits named as effective for primary employees in this policy.

3. Seasonal

Seasonal employees are those who are hired for less than a year with a mutual understanding of the terms of employment.

B. EXEMPT AND NONEXEMPT EMPLOYEES

All employees - Primary, Part-time, or Seasonal - are classified as either Exempt or Non-Exempt.

Exempt

Exempt employees are salaried personnel, generally managers or professionals, who are exempt from the minimum wage and overtime provisions of the Federal Labor Standards Act. To be exempt from overtime provisions, they must also meet the minimum salary threshold defined by the Department of Labor.

Non-Exempt

Non-exempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime. Most personnel fall into the non-exempt category. Non-exempt employees are normally paid on an hourly basis.

IV. ADDITIONAL EMPLOYMENT INFORMATION

A. HIRING PRACTICES FOR SPECIFIC PRIMARY EXEMPT POSITIONS

Presbytery Leader: A candidate for the position of Presbytery Leader shall be recommended by an elected Search Committee and approved by the Presbytery for a specific term of service. As an employee of the Presbytery, the Presbytery Leader is subject to all employment policies and procedures, and accountable to the Presbytery through the Operations Committee, and the General Council.

Stated Clerk: A candidate for the position of Stated Clerk shall be recommended by the Committee on Operations, placed in Nomination by the Committee On Representation, and

elected by the Presbytery for a specific term of service. As an employee of the Presbytery, the Stated Clerk is subject to all employment policies and procedures, and accountable to the Presbytery through the Head of Staff, the Operations Committee, and the General Council.

B. HIRING OF OTHER STAFF

All other regular employees shall be appointed by Committee on Operations with concurrence of the Head of Staff and the General Council. Temporary employees, such as Camp Whitman summer employees, shall be appointed by the supervisor in concurrence with the Camp Whitman Committee provided funding for such positions can be identified and approved by the Committee on Operations.

C. NEPOTISM

To affirm and facilitate equal opportunity for all employees and employment candidates, care will be exercised in the employment and assignment of persons who are direct relatives of people in the Presbytery's employ. Such people should not be automatically denied employment nor fair treatment in the full spirit of these policies. However, individuals shall not be hired by or through the involvement of direct relatives, and they shall not be assigned to a position where a direct relative is in a position to influence the employee's salary, promotion, or other aspects of personnel practice.

D. POSITION DESCRIPTIONS

A position description, including employment category and exempt status, is required for each position in the Presbytery. The position description will include purpose of the position, responsibilities, and accountability. Position descriptions shall be reviewed annually and may be modified over time when necessary or appropriate. Presbytery position descriptions will be reviewed and modified by the Committee on Operations during the annual performance evaluation process.

Changes in the position description of the Presbytery Leader must be approved by the Committee on Operations, with the concurrence of General Council and the Presbytery.

Camp Whitman seasonal employee position descriptions will be reviewed and modified by the Camp Whitman Committee with concurrence of the Camp Executive Director.

Any changes in title, position description, work assignments and/or compensation rate during a calendar year shall not be put in effect until they are first approved by the Committee on Operations with the concurrence of the Head of Staff.

E. PERFORMANCE EVALUATIONS

An annual performance review and evaluation will be conducted for all regular employees of the Presbytery. The annual review will offer employees and supervisors an opportunity to discuss employee strengths and areas of needed improvement as well as possible modifications in the position description. Additionally, a ninety-day review will be conducted with all new Primary and Part-time employees.

F. PROGRESSIVE DISCIPLINARY ACTION

Depending on the nature and circumstances of an incident, discipline will normally be progressive and bear a reasonable relationship to the violation. The types of discipline that may occur are as follows in general order of seriousness:

1. *Verbal Reprimand.* A verbal statement by the supervisor to the employee, usually pointing out an unsatisfactory element of job performance, is intended to be corrective or cautionary. A verbal reprimand informally defines the area of needed improvement, sets up goals for the achievement of improvement, and informs the employee that failure to improve may result in more serious actions. Notice of a verbal reprimand will be documented and placed in the employee's personnel file and shall be signed by the employee and supervisor.
2. *Written Reprimand.* The written reprimand is issued by the employee's supervisor. A written reprimand formally defines the area of needed improvement, sets goals for achievement of improvement of defined issues, and informs the employee that failure to improve within a reasonable length of time as determined by the supervisor, may result in suspension. A signed copy is placed in the employee's personnel file.
3. *Suspension or Termination.* Employees should be aware that their employment relationship with the Presbytery is based on the condition of mutual consent to continue the relationship between the employee and the Presbytery. Therefore, the employee or the Presbytery, unless bound by a written agreement, is free to suspend or terminate the employment relationship at will, with or without cause, and at any time.

G. PERSONNEL RECORDS

A confidential employment file for each employee is maintained in the Presbytery office. The employment file is the property of the Presbytery. The employee may request an appointment with the supervisor to review the contents of the file and may submit a written supplement if appropriate.

V. COMPENSATION PACKAGES

The Presbytery is committed to salary administration principles which will provide fair pay for the work performed. Compensation packages are based on the duties and responsibilities of each position, the nature and scope of the work, skills and education of the employee, and work experience.

A. TERMS OF CALL

The Presbytery of Geneva staff positions are not considered called positions. However, if a Minister of Word and Sacrament serves in the position of Presbytery Leader or Stated Clerk, the compensation for these positions shall be reviewed by the Committee on Ministry for compliance with the Presbytery's minimum terms of call.

VI. COMPENSATION REVIEW

The salaries of staff will be reviewed annually by the Presbytery Committee on Operations.

Increases, if granted, commence on February 1. Salary adjustments may be made on the basis of changes in duties or responsibilities, the performance of the employee, cost of living adjustments (COLA) and funds available.

VII. PAYROLL INFORMATION

A. PAYDAY AND TIMESHEETS

Employees are paid every two weeks. The Presbytery normally does not provide paychecks in advance of work performed. Non-exempt employees may be required to maintain and complete time-sheets. Overtime for non-exempt employees must be approved by the supervisor prior to submitting the timesheet.

B. PAYROLL DEDUCTIONS

Federal and State income taxes are withheld from employee paychecks based on the employees completion of Form W-4.

C. SOCIAL SECURITY (FICA)

The employee's share of Social Security taxes are deducted from the paycheck for all eligible employees. Ministers of Word and Sacrament employed by the Presbytery, for exempt positions, are considered self employed and social security taxes are not withheld or paid from them.

VIII. OFFICE PROCEDURES

A. ACCOUNTABLE REIMBURSEMENT PLAN

Employees eligible for reimbursable expenses must provide verification of the expense, complete a voucher, and secure approval of the Head of Staff. Failure to do so within 90 days of the expense may result in forfeiture of reimbursement. The Head of Staff's expenses will be approved by appointed members of the Committee on Operations.

1. Only business related expenses are reimbursed;
2. No reimbursement is allowed without an adequate accounting and within a reasonable period of time (normally, not more than 60 days after an expense is incurred).
3. Excess reimbursement must be returned to the employer within 120 days after excess reimbursement is paid;
4. Reimbursements may not be funded by salary reductions.
5. Mileage reimbursement must be calculated on a monthly basis utilizing either an approved spreadsheet or tracking app, using the current standard IRS rate for employees. IRS procedures must be adhered to as outlined in the Presbytery of Geneva Mileage Reimbursement Guidelines (attached).

Head of Staff will submit voucher to designated member(s) of the Committee on Operations for approval.

B. CREDIT CARDS

Employees may be issued credit cards for Presbytery-related expenses.

Expenses must be reconciled with receipts monthly. Misuse of the credit card or failure to provide proper documentation of expenses may result in the cancellation of the card and other disciplinary action. Authorized holders are: Presbytery Leader, Administrative Support Services, Stated Clerk, Camp Executive Director, Camp Program Director, and Camp Caretaker.

C. PRESBYTERY PROPERTY AND EQUIPMENT

Any Presbytery property or equipment used in the performance of duties remains the property of the Presbytery and may only be used for Presbytery-related business.

IX. BENEFITS

A. PROFESSIONAL DEVELOPMENT

The Presbytery desires that all employees have the skills needed to do their job and will seek out creative ways to offer opportunities to acquire and improve their skills. The events and associated costs will be approved by the Head of Staff in consultation with the Committee on Operations.

B. PENSION

Primary employees are eligible for coverage by the Presbyterian Church (U.S.A.) Board of Pensions or its equivalent per Board of Pensions guidelines.

C. HEALTH INSURANCE

Primary employees are eligible for coverage by the Presbyterian Church (U.S.A.) Board of Pensions per Board of Pensions guidelines.

D. PAID TIME OFF (PTO)

Paid Time Off (PTO) is provided for primary employees which provides flexibility to use time off to meet personal needs, while recognizing individual responsibility to manage paid time off. It is up to each employee to allocate how they will use it – for vacation, caring for children, school activities, medical/dental appointments, leave, personal business, or emergencies.

PTO Plan Year

The PTO Plan Year is the calendar year (Jan. 1st through Dec. 31st).

Management of PTO

Employees are responsible for managing their PTO balances. It is important to plan ahead for how PTO will be used. This means employees must work with their supervisor to develop a plan for taking vacations, as well as doctor's appointments and personal business. It also means holding some time in "reserve" for the unexpected, such as emergencies and illnesses.

Minimum Increments of PTO

The minimum amount of PTO that can be used at one time depends on whether the individual is an exempt or non-exempt employee. If non-exempt, PTO must be used in increments of one hour (no partial hours of PTO can be recorded). Exempt employees must take PTO in increments of not less than one-half day (four hours).

Scheduling and Recording PTO

- Anniversary date: The first day of work will be recorded as the employee anniversary date and will be used for the calculation of benefits for all employees, prorated for the first year; annually thereafter.
- PTO time taken must be recorded as either Scheduled or Unscheduled PTO. Employees may use PTO as outlined below. Scheduled PTO must be approved by the supervisor with at least two weeks of notice. This allows for the employee and their supervisor to prepare for the time off. In instances of unforeseeable emergencies, the employee must inform their supervisor of their circumstances as soon as possible, and the supervisor must record the absence as Unscheduled PTO.
- Holidays, Study Leave, Sick Leave, Bereavement, Marriage of the employee, Military Leave, Jury Duty, Worker’s Compensation, Disability, and Unemployment are handled under separate policies and are not part of this PTO program.
- Employees should record Scheduled PTO when they are taking:
 - Vacation days with appropriate advance notice.
 - Personal days with appropriate advance notice.
- Supervisors should record Unscheduled PTO for their personnel when:
 - Taking a vacation day or personal day with less than appropriate advance notice.
- PTO cannot be taken for hours not normally worked.
- Employees must use available PTO when taking off a normally scheduled day.
- Employees may not use PTO to cover “no call/no show” days or disciplinary suspensions. “No call/no show” days must go unpaid, and the progressive discipline policy should be followed.

Employees are urged to take the planned PTO to which they are entitled not only for personal benefit, but for the sake of their work effectiveness and health. For that reason, planned PTO is not cumulative, but must be used within the calendar year, except with special approval by the Committee on Operations and the Head of Staff. While every attempt will be made to schedule their planned PTO as requested, the time of each employee's planned PTO is subject to the approval of the Head of Staff.

PTO credit

- *Primary exempt* employees are entitled to five weeks PTO per year.
- *Primary non-exempt* employees are entitled to an annual paid PTO computed on January 1 of each year varying with length of their service as shown in this chart:

<u>Number of Years of Service</u>	<u>PTO Credit</u>
1-5 years	3 weeks
6-10 years	4 weeks
11 years and over	5 weeks

A week is defined as the number of hours scheduled to work in a normal work week. PTO entitlement during the first year of employment will be prorated according to length of service as of January 1.

E. HOLIDAYS

The following holidays are recognized as paid time off for primary employees if they fall on a scheduled work day:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving (2 days)
- Christmas (2 days)

If an employee is required to work on a holiday, the employee will receive a paid day off at another time (as their schedule allows, approved by their supervisor). If a holiday falls on a non-scheduled work day, the employee is not eligible for an additional day off unless authorized by the Committee on Operations.

F. ADDITIONAL LEAVE OF ABSENCE, WITH PAY

Leaves of absence, with pay, are provided under the following circumstances:

- For a regular period of reserve military training [up to two weeks annually].
- For jury duty (up to 2 weeks annually), but the employee must remit to the Presbytery any government remuneration which might be received for such service.
- Death of a member of the immediate family (spouse or partner, parents, parents-in-law, children, sibling, grandparent, grandchild), not to exceed five working days per instance.
- Adequate time off for voting will be given where election hours and work schedules cause hardship on the employee.
- Study leave as specified in terms of call for Primary exempt employees.

Requests for a leave of absence with pay are to be submitted by the employee in writing for review and approval by the Committee on Operations in consultation with the Head of Staff.

G. SICK LEAVE

Sick leave may be used for personal or family illness.

In instances of illness or other unforeseeable emergencies, the employee must inform their supervisor of their circumstances as soon as possible, and the supervisor must record the absence as Unscheduled.

In accordance with New York State law, each employee, regardless of employment category, will be provided 40 hours of paid sick leave each calendar year. Employees will accrue sick leave at a rate of 1 hour for every 30 hours worked until 40 hours is reached, beginning at the commencement of their employment during the first year of employment . After the first year, the 40 hours of sick leave will be front-loaded at the start of the year.

Primary employees hired prior to the approval date of this revised Employee Policy are grandfathered with this provision:

Primary employees are entitled to up to ten working days of sick leave each calendar year, cumulative up to 90 working days.

Taking three or more consecutive unscheduled days off may require a doctor's note to return to work. Failure to do so may be subject to progressive discipline.

H. WORKER'S COMPENSATION

All employees shall be covered by the Workmen's Compensation Law of New York State, which provides for benefits in case of an on the job accident.

I. DISABILITY BENEFITS INSURANCE

All employees shall be covered by the disability benefits program of the state of New York State, which provides temporary cash benefits to replace, in part, wages lost due to injuries or illnesses that do not arise out of and in the course of employment.

J. UNEMPLOYMENT INSURANCE

All Primary employees shall be covered by an unemployment insurance contract with New York State or a private insurance carrier, unless the employee is a Minister of Word and Sacrament.

K. LEAVE OF ABSENCE, WITHOUT PAY

The Family and Medical Leave Act of 1993 (FMLA) requires some employers to provide employees with job-protected and unpaid leave for qualified medical and family reasons. These include pregnancy, adoption, foster care placement of a child, personal or family illness, or family military leave.

Though not required to do so by virtue of the size of the organization, the Presbytery will follow the guidelines of FMLA in offering up to twelve weeks (12) of unpaid leave for Primary employees who have been employed by the Presbytery for a minimum of one year.

During the unpaid leave, the Presbytery will continue to provide pension and medical benefits for the employee.

Requests for a leave of absence without pay are to be submitted by the employee in writing for review and approval by the Committee on Operations in consultation with the Head of Staff.

X. SEPARATION PRACTICES

The Presbytery reserves the right to terminate employment at any time, with or without notice, for any reason not prohibited by law. All Presbytery property must be returned (i.e. computer, keys, credit cards, property, tools, etc.) upon employment termination.

A. RESIGNATION

Voluntary separation (resignation) may take place after two weeks' written notice for nonexempt employees or one-month notice for exempt employees. Employees will be paid the cash equivalent of any unused earned PTO at the date of separation. No severance allowance will be provided. At the discretion of the Operations Committee, in consultation with the Head of Staff, the period of written notice may be waived.

B. REDUCTION OF FORCE

Separation because of the discontinuation of a project or retrenchment in budget, or for other circumstances arising out of no fault of the employee, is at the discretion of the employer. Written notice of such separation will come from the Head of Staff in consultation with the Operations Committee. Unless otherwise specified, three months notice or pay in lieu of notice will be given exempt employees and one month's notice, or pay in lieu of notice, will be given to nonexempt employees.

C. DISMISSAL

Dismissal may take place by written notice from Operations Committee in consultation with the Head of Staff. In the case of the necessary termination of the Head of Staff, a recommendation of termination must be given to the General Council from the Operations Committee. If General Council concurs, the recommendation will be taken to the Presbytery for action. Notice must be given, or pay in lieu of notice of one month for Primary employees who are dismissed. They will receive the cash equivalent of their unused earned PTO.

Reasons for dismissal may include, but are not limited to:

- Unsatisfactory performance.
- Insubordination, including, but not limited to refusal to do any work which the employee is capable of doing and which falls within the purview of the position description.
- Neglect in the care and use of Presbytery property and funds.

- Unexcused absences or repeated tardiness.
- Failure to adhere to the standards of conduct expected of employees.

D. DEATH IN SERVICE

In the event of the death of a regular employee, the salary of that person will be continued to the spouse or dependent for one month from the date on which the death occurs, plus any unused vacation pay. Additional death benefits are also provided through the Presbyterian Board of Pensions to those enrolled in the plan.

E. RETIREMENT

Regular employees intending to retire are encouraged to obtain retirement counseling before announcement of their retirement date. Employees are encouraged to advise the Presbytery's Operations Committee at least six months in advance. Advance notice will assist a timely and orderly retirement process for the Presbytery including filing of documents required to initiate retirement benefits.

The Presbytery of Geneva does not impose a mandatory retirement date. Continuing service of an employee will be dependent upon ongoing satisfactory performance as determined by the Operations Committee through its performance appraisal process.

F. EXIT INTERVIEW

Prior to an employee's actual departure, an exit interview shall be conducted. The exit interview is a personnel process wherein the staff person who is being separated consults with the Operations Committee to review the reasons that occasioned the separation. A synopsis of this interview will be placed in the employee's personnel file.

XI. STANDARDS OF CONDUCT

A. NON-WORK ACTIVITIES

The Presbytery respects employee's activities outside their employment which in no way conflict with or reflect adversely upon the Presbytery. Every employee is expected to devote their attention to the Presbytery and to avoid engaging in outside interests while at work.

Employees who engage in or are associated with conduct which adversely affects the Presbytery and/or affects the employee's ability or credibility to carry out their employment responsibilities, may be subject to disciplinary action including immediate termination.

B. ALCOHOL, TOBACCO, ILLEGAL DRUGS AND CONTROLLED SUBSTANCES

The use, sale, transfer, possession, or being "under the influence" of alcohol, illegal drugs, or non-prescribed controlled substances by Presbytery employees while on duty is prohibited. Additionally the use of tobacco or e-cigarettes is prohibited on Presbytery property.

XII. ADDENDUMS ATTACHED

- Presbytery of Geneva Sexual Misconduct Policy
- Presbytery of Geneva Whistleblower Policy
- Presbytery of Geneva Conflict of Interest Policy
- Presbytery of Geneva Employee Confidentiality Agreement
- Presbytery of Geneva Child, Youth, and Vulnerable Adults Protection Policy
- Presbytery of Geneva Mileage Reimbursement Guidelines