

# Personnel Manual

Our Savior's Lutheran Church, New Ulm, Minnesota

March 1, 2020

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# POLICY 101: PERSONNEL PHILOSOPHY

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## I. PURPOSE

To convey to the rostered and non-rostered staff that OSLC, through the Church Council, Personnel Committee, and Senior Pastor will manage human resources in a manner that results in trust between the congregation and staff.

## II. PERSONNEL COVERED

All Staff.

## III. RESPONSIBLE FOR ADMINISTERING

Church Council, Senior Pastor, Personnel Committee.

## IV. POLICY

1. **Mission Statement of ELCA:** The Evangelical Lutheran Church in America "...is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming and sanctifying activity in the world." [ELCA Constitution, Chapter 4, Statement of Purpose].
2. **Mission Statement of Southwest Minnesota Synod:** The congregations and all the baptized who are the Southwestern Minnesota Synod of the Evangelical Lutheran Church in America are claimed by this mission: God places us in cities, farms, and towns together under one prairie sky. The Risen Christ surprises us with opportunities to plant God's Word in the world. Walking together in confidence, we cultivate life-giving congregations, nurture partner ministries, and cooperate in the life of the ELCA. By God's grace, together we have what we need.
3. **Mission Statement of Our Savior's Lutheran Church (OSLC):** Our Savior's Lutheran Church is a welcoming community, experiencing God, reaching out and raising up followers of Jesus Christ.
4. **Expectations of Staff:** In all of its ministry, both within and outside the congregation, the staff members of OSLC will carry out the duties to which they are assigned, in faithfulness to the faith and mission of the ELCA, the Southwest Minnesota Synod and OSLC.
5. **Fair Treatment of Staff:** Church Council shall treat every individual with concern, dignity, and fairness in terms of assigned job duties, working conditions, pay and benefits.
6. **Purpose of Personnel Policies:** Personnel Policies are prepared in order that every staff member of OSLC may know the terms of employment that will govern his or her relationship with OSLC.
7. **Scope of Personnel Policies:** These Personnel Policies do not create, imply, or express a promise of continued employment of any staff member by OSLC.

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Supersedes: 2014 Personnel Policy Handbook  
and 2017 Amendments

# **POLICY 102: PERSONNEL MANAGEMENT**

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## **I. PURPOSE**

To provide consistent and responsible management and support for all employees at OSLC.

## **II. PERSONNEL COVERED**

All Staff.

## **III. RESPONSIBILITY FOR ADMINISTERING**

Church Council, Personnel Committee, Senior Pastor.

## **IV. POLICY**

OSLC will provide consistent and responsible management and support structures for all employees.

## **V. PROCEDURE**

1. **Role of Church Council:** The Church Council has final authority for all matters relating to establishing personnel policy as well as hiring, managing and terminating of all rostered and non-rostered staff. For the sake of confidentiality, support and sound management practices, the Church Council delegates the management of personnel to the Senior Pastor, Church Council and Personnel Committee. The Church Council reserves the right to review all personnel actions taken.
2. **Role of Senior Pastor:** The Senior Pastor is called to be responsible for the over-all administration of the staff and congregation. Wherever the term "Senior Pastor" is used, it shall also apply to designees who function in that capacity when appointed by the Senior Pastor or Church Council.
3. **Role of Personnel Committee:** The Personnel Committee of OSLC works with the Senior Pastor in establishing goals, objectives, and evaluations for personnel. Personnel management recommendations regarding personnel policies, hiring, wages, promotion and termination are made to the Church Council by the Personnel Committee. The Personnel Committee serves as the human resource team for evaluation of employees and as an advisory board to the Church Council in developing Personnel Policies. The Personnel Committee shall review all Personnel Policies at least every other year and make recommendations to the Church Council. The Personnel Committee shall conduct a review of each staff person at least once per year.
  - A. The Personnel Committee shall consist of the President and Vice President of the Church Council, 1 member of the congregation elected by the congregation to a 3 year term, 1 member of the Board of Deacons, 1 member of the Board of Trustees, and the Senior Pastor.
  - B. The Personnel Committee shall elect a chair and a secretary.
  - C. The Personnel Committee shall assist the Senior Pastor in providing guidelines for the management and supervision of all employees.
  - D. The Personnel Committee shall participate in corrective actions of employees at the time of probation, described in 106
  - E. The Personnel Committee shall make recommendations to the Church Council for termination of employees for cause under provisions of 111
  - F. The Personnel Committee shall meet at least once per quarter.

4. **Amendments to Personnel Policy:** Upon recommendation of the Personnel Committee and/or Church Council, the Church Council may from time to time adopt amendments, corrections, additions or deletions to these Personnel Policies. Any such changes will apply, as of the date of adoption by the Church Council, both to persons employed at the time the change is adopted and to persons employed thereafter, unless the Church Council's action specifically provides an exception.
5. **Distribution of Personnel Policies:** Personnel Policies will be distributed to all staff every two calendar years, at the occasion of policy changes or upon employment. At time of employment and whenever a revision of the Personnel Policy is given to an employee, the employee will sign a document stating they have read and received the Personnel Policy.
6. **Exceptions:** Exceptions to these Personnel Policies may only be granted by the Church Council or Senior Pastor.

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and 2017 Amendments



## **POLICY 103: EMPLOYEE STATUS AND CLASSIFICATION**

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### **I. PURPOSE**

To provide clear identification of status and classification for each employee.

### **II. PERSONNEL COVERED**

All Staff.

### **III. RESPONSIBILITY FOR ADMINSTRATING**

Senior Pastor.

### **IV. POLICY**

1. **Notice of Employee Status and Classification:** Each employee will upon hire, receive a specific status and classification that will serve to identify the nature of responsibilities, wages, and benefits to be received. Employee status and classification will be identified in their letter of hire or call.
2. **Employee Status Defined:** The status of each employee of OSLC shall be one of the following:
  - A. **Full Time:** An employee who works 33 hours or more per week for six or more months in succession.
  - B. **Part Time:** An employee who works less than 33 hours per week.
  - C. **Temporary:** An employee who is contracted to work less than twelve months at any given time.
  - D. **Probationary Period:** The first six months of employment for support staff and twelve months for non-rostered program staff. There is no probationary period for rostered staff serving under call.
3. **Employee Classification Defined:** The classification of each employee of OSLC shall be one of the following:
  - A. **Rostered program staff:** An employee who is rostered as an ordained pastor, an associate or as a deaconess in ministry with the Evangelical Lutheran Church in America. Rostered employees serve the congregation in salaried positions as exempt staff under terms of a letter of call issued by OSLC. Rostered staff can either be full or part time. Current Compensation and Benefits Guidelines for Clergy and Rostered Leaders from the Southwest Minnesota Synod will be used as the basis for personnel policy for rostered staff.
  - B. **Non-rostered program staff:** An employee who has been hired by the congregation and given responsibilities for the design and implementation of specific ministry programs of OSLC. Non-rostered staff can either be full or part time.
  - C. **Support staff:** An employee who has been hired by the congregation and given responsibilities for administrative or custodial duties. Support staff can be either full or part time.

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# POLICY 104: PERSONNEL FILES

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## I. PURPOSE

To maintain current personnel files that are accurate and accessible to the employee, Senior Pastor, Church Business Administrator, and members of the Personnel Committee.

## II. PERSONNEL COVERED

All Staff.

## III RESPONSIBILITY FOR ADMINISTRATING

Senior Pastor, Church Business Administrator, Personnel Committee.

## IV. POLICY

**Personnel Files:** OSLC shall maintain accurate personnel files for each employee. Any employee of OSLC may request to view his/her personnel file at any time. Personnel files shall be accessible to Senior Pastor, Church Business Administrator, and members of the Personnel Committee for the purposes of carrying out their assigned duties in the management and supervision of employees.

## V. PROCEDURE

### 1. Contents of Personnel File:

- A. Job Application
- B. Current Job Description
- C. I-9 Form
- D. All Background Check Reports, including criminal background check report from State of Minnesota, complying with Minn. Stat. §148A, as appropriate
- E. Written evaluations, signed by both employee and supervisor
- F. Personnel Action Notices
- G. Letter of Call or Letter of Hire
- H. Records of Hours Worked, Vacation and Sick Time

Items A-G will be stored in a locked file in the Senior Pastor's office.

Item H is stored in a location that is easily accessible to the Church Business Administrator.

- 2. **Employee Access to Personnel File:** An employee may request to view his/her Personnel File in the presence of the Senior Pastor or Church Business Administrator at any time. Personnel Files may not be taken out of the church office by any employee at any time.
- 3. **Questions or Concerns about Contents of a Personnel File:** If there is any question about the specific content of a personnel file, the employee may contact the Senior Pastor, Church Business Administrator or member of the Personnel Committee. See policy 105 on Employee Fair Treatment.
- 4. **Maintenance of Personnel Files:** The Personnel Committee and Senior Pastor will review the contents of each Personnel File once per calendar year to assure that each file is accurately maintained.
- 5. **After Termination:** Personnel Files will be kept of all employees for 7 years after termination of employment

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## **POLICY 105: EMPLOYEE FAIR TREATMENT**

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### **I. PURPOSE**

To insure that employees are treated fairly in terms of employment matters.

### **II. PERSONNEL COVERED**

All Staff.

### **III. RESPONSIBILITY FOR ADMINISTERING**

Senior Pastor, Personnel Committee.

### **IV. POLICY**

**Fair Treatment:** Employees have the assurance of OSLC that all employee concerns will be resolved in the fairest manner possible considering the needs of the employee and OSLC and that no disciplinary action will be taken against an employee for voicing her/his concern.

### **V. PROCEDURE**

**Addressing Concerns of Fair Treatment:** An employee who feels she or he has not been treated fairly in terms of employment, pay, or working conditions is encouraged first to resolve the concern or problem by taking up the matter with the Senior Pastor. The employee may also contact a member of the Personnel Committee at any time.

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and 2017 Amendments

# POLICY 106: RECRUITMENT AND EMPLOYMENT

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## I. PURPOSE

To insure that qualified job applicants are selected for employment that the church complies with federal and state employment laws, and that employee wage equity is maintained in the church's salary administration plan.

## II. PERSONNEL COVERED

All Staff.

## III. RESPONSIBILITY FOR ADMINSTRATING

Senior Pastor, Personnel Committee, Church Council.

## IV. POLICY

1. **Equal Employment Opportunity:** The continuing policy of OSLC is to afford equal employment opportunity in hiring, compensation, promotion and retirement, while exercising the right to consider experience and background in the Lutheran Church, Lutheran confessional training, and faith in the triune God as described in Lutheran Confessional Documents, as qualifications for specific positions.
2. **Authorization for Recruitment:** Positions and compensation must be approved by Church Council before any recruitment activity can commence. The Personnel Committee may authorize the start of the recruitment process when there is a need to respond in a timely manner to an unexpected vacancy and report to Church Council.
3. **Pay:** The wage offered for a position shall be competitive to secure appropriate qualified candidates.

## V. PROCEDURE

1. **Call Committee:** Pastors are called through the call process set forth in the Constitution and Bylaws of the Congregation.
2. **Authorization to Hire:** Church Council shall authorize the hiring for a position as deemed necessary. The Church Council may also authorize the Senior Pastor to hire support personnel or non-rostered program positions.
3. **Interviews and References:** Applicants for an approved position must complete an Employment Application form. Applicants are to be interviewed by the Senior Pastor, designee, Personnel Committee and/or the call committee as determined by the Church Council. Employment references must be investigated by the Senior Pastor or an appointed person for at least the past five years of employment history. Applicants shall sign a release granting the right of OSLC to ask references about performance in previous jobs. Before hiring, all prospective employees shall sign a release for a criminal background check and a sexual misconduct check in compliance with Minnesota Statute 148A.
4. **Offer Letter or Letter of Call:** After the above requirements have been satisfied:
  - A. **Letter of Call:** Two copies of a letter of call, signed by the Council President, Secretary of the Congregation and Call Committee Chair and attested by the Bishop in cases of rostered positions will be sent to the candidate selected. One copy will be signed and returned by the selected candidate indicating acceptance, and placed in the employee's personnel file.
  - B. **Offer Letter of Hire:** Two copies of a letter offering employment signed by the Council President and Senior Pastor will be sent to the candidate selected. One copy will be signed and returned by the selected candidate indicating acceptance, and placed in the employee's personnel file.

5. **Probation Period:** All Support Staff shall be hired for a probationary period of six months. Non-rostered Program Staff are hired for a probationary period of twelve months. Each new employee will sign an Employee Acknowledgement of an Introductory Period. During this period an employee may be terminated without cause or notice and shall be entitled to payment only for the time worked. A performance evaluation will be conducted near the end of the probationary period, and the employee shall be notified in writing, including a Personnel Action Notice Form of continued employment or termination of employment.

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and 2017 Amendments

# POLICY 107: COMPENSATION

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## I. PURPOSE

To insure that compensation is paid in a timely manner and that each employee is paid for work done and in accord with terms of employment.

## II. PERSONNEL COVERED

All Staff.

## III. RESPONSIBLE FOR ADMINISTERING

Personnel Committee, Senior Pastor, Church Business Administrator.

## IV. POLICY

1. **Compensation Established by Council:** Compensation will be determined annually by the Personnel Committee in consultation with the Senior Pastor and with the approval by the Church Council. Compensation adjustments shall be implemented by the Church Council within the constraints of the church budget.
2. **Compensation and Performance Review:** Performance shall be considered in determining compensation.
3. **Compensation Guidelines:** Appropriate compensation surveys composed of similar size congregations in outstate Minnesota and/or the compensation schedule prepared by the Southwest Minnesota Synod of the ELCA may be used as a guide in determining compensation. Fair market value in the region may also serve as a consideration for support staff compensation.

## V. PROCEDURE

1. **Work Schedule:** Work schedules for each employee will be established with the Senior Pastor or designee.
2. **Pay Periods and Pay Date:** Staff are paid on the 15th for work scheduled on the 16th of the prior month through 30th day of month. Staff are paid on the last day of the month for work scheduled on the 1st through the 15th day of the month.
3. **Automatic Deposit of Paycheck:** Regularly scheduled staff who work 5 hours or more per week will be paid by automatic deposit into the account of the employee's choice. Paychecks will be deposited on the 15th and last day of the month or on the nearest bank day, if the normal payday falls on a holiday or a weekend. Those who work less or who work irregular hours may elect to be paid through an automatic deposit. Otherwise paychecks will be available for pick up at the church office or to be mailed on same dates as the automatic deposit.
4. **Recording Work Time for Program Staff:** Rostered and non-rostered program staff are exempt employees and are expected to fulfill the responsibilities of their call or contract and in general work at least the number of hours agreed upon in the letter of call or contract. Under normal circumstances, program staff will not be required to submit a record of hours worked.
5. **Recording Work Time for Support Staff:** Support Staff employees are non-exempt and are required to record on the time card the hours worked each day. All Support Staff will submit to the business administrator before the 11th and 26th of the month a record of hours worked each day during the pay period. The business administrator is responsible for payroll and will explain where time cards are kept.
6. **Wage Deductions:** The law requires that OSLC deduct social security (F.I.C.A.) and federal and state withholding taxes based on the number of dependents claimed on W-4 forms for all non-ordained staff. By January 31 of each year employees will receive a W-2 form, which

will reflect total earnings and taxes withheld for federal and state taxes during the previous year.

7. **Garnishments and Wage Assignments:** OSLC must honor wage assignments, as they represent a legal order to withhold and pay out a specified amount of employee earnings. If wages are attached, the employee will be notified. The employee must seek a release of the court in order to prevent deductions from being made.
8. **Housing Allowance:** Ordained Pastoral Staff may designate a portion of their salary as housing allowance relative to actual housing expenses consistent with IRS regulations. Clergy are responsible for substantiating actual housing expenditures. Housing allowance will be approved annually by the Church Council at the January council meeting upon recommendation of the Church Council.
9. **Reimbursement for Expenses:** When authorized to travel in connection with the performance of their work, Support Staff and Program Staff shall be reimbursed for mileage and actual expenses incurred for food, lodging and fees.
10. **Payroll Administration:** The Church Business Administrator oversees accurate payroll records and issuing of paychecks including:
  - A. Salaries and benefits are reviewed annually by the Personnel Committee and approved by the congregation.
  - B. Following congregational approval, a yearly written summary of current compensation and benefits will be provided to each employee. This will be kept in the Employee Record file, signed by the employee, Council President and Senior Pastor. It will be updated each calendar year.
  - C. Any paycheck changes from the approved current compensation summary will be reviewed and approved by the Personnel Committee; documented in writing and signed by the Council President and Senior Pastor.

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and 2017 Amendments

# **POLICY 108: WORK HOURS FOR SUPPORT STAFF EMPLOYEES**

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## **I. PURPOSE**

To insure that the Support Staff are treated fairly in terms of hours worked.

## **II. PERSONNEL COVERED**

Support Staff.

## **III. RESPONSIBLE FOR ADMINISTERING**

Senior Pastor, Business Administrator, Personnel Committee.

## **IV. POLICY**

1. **Work Week:** The approved work week for full time Support Staff shall be Saturday midnight to Saturday midnight. Eight hours of work shall constitute a normal work day. The normal work week shall consist of 40 hours of work performed Monday through Friday, 8:00am to 5:00pm. Other weekly schedules shall be established for an employee in consultation with and approval by the Senior Pastor.

## **V. PROCEDURE**

1. **Work Schedule:** A regular work schedule will be established with each employee and the Senior Pastor or Designee on the first day of work at orientation. Any changes in the weekly schedule must be approved by the Senior Pastor or work supervisor in advance.
2. **Lunch and Break Periods:** Up to a one hour lunch period is provided without pay. Two 15 minute breaks are provided with pay for full-time support staff. Part time staff are granted one 15 minute break with pay for each four hours of work. Staff will arrange lunch and rest periods according to a schedule that will provide for effective operation of the office and programs. The office is to remain open and staffed during normal church hours.
3. **Holidays:** OSLC will be closed on the following official holidays. Employees who are full time or part time employees who are regularly scheduled to work on a day falling on a holiday will be paid for the time they would normally have worked. When a holiday falls on a Saturday, OSLC Office will normally close on the preceding Friday. When the holiday falls on Sunday, OSLC Office will close on the following Monday. Employees who are not scheduled to work during a scheduled holiday make take the holiday within 5 days before or after the scheduled holiday.

One personal day  
New Year's Day  
Easter Monday  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Friday following Thanksgiving Day  
Christmas Day

4. **Office Closing:** If the Senior Pastor or designee closes the church office for part or all of a day due to dangerous weather conditions or other local conditions, hourly staff scheduled to work during that time will not be paid for the time they would normally have worked. When the office is closed, notice of the closing will be made on the OSLC phone message. If



the office is closed before work hours, notice will be posted on the phone message by 7:00am of that day. The decision whether to close the office will be based on local weather conditions and whether schools or other local businesses are open or closed.

5. **Inclement Weather:** If the office has not been closed but a staff member chooses not to come to work because of the weather, he or she will not be paid for the hours not worked. An employee can choose to use PTO to make up the lost hours.
6. **Approval for Overtime Work:** When the need arises, the Senior Pastor or Designee may request any employee to work at a time other than regularly scheduled hours or to work overtime in order to complete necessary ministry tasks. A Personnel Action Notice will be signed by the Senior Pastor or Designee authorizing additional work time or overtime.
7. **Compensation for Overtime:**
  - A. All attempts must be made to maintain 40 hours per week of work or the agreed upon weekly hours in the letter of employment. Work schedules will be adapted to maintain the agreed upon weekly hours in the employee's letter of employment.
  - B. Anytime an employee is asked to work more than 40 hours in one week, hours in excess of 40 hours in one week shall automatically be paid at 1.5 times the hourly rate. Overtime work and pay must be approved in advance by the Senior Pastor.
  - C. No compensatory time shall be granted for overtime work in excess of 40 hours in one week. If an employee is asked to work more than 8 hours one day, the work schedule shall be adjusted in the remaining days of the week in order to maintain 40 hours, unless overtime is approved,
  - D. OSLC's Fair Treatment Policy is that every employee will be treated fairly in matters of pay, benefits, promotions, working conditions, and the resolution of employment-related concerns. See Section 105 for policy on Fair Treatment of Employees.

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# **POLICY 109: WORK HOURS FOR ROSTERED AND NON-ROSTERED PROGRAM STAFF**

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## **I. PURPOSE**

To insure that rostered and non-rostered program staff are treated fairly in terms of hours worked.

## **II. PERSONNEL COVERED**

Rostered and Non-rostered salaried Program Staff.

## **III. RESPONSIBLE FOR ADMINISTERING**

Senior Pastor, Personnel Committee, Church Business Administrator.

## **IV. POLICY**

1. **Work Week:** The approved work week for full time Rostered and Non-rostered Salaried Staff is Saturday Midnight to Saturday Midnight. Full time Program Staff shall be expected to work between 40 and 50 hours per week. The approved work week for part time Salaried Program staff will be stipulated in the letter of hire or call. Full time Rostered and Non-rostered Program Staff members are not expected to work more than three evenings during a work week on an on-going basis.
2. **Sabbath Rest:** If ministry requires attendance on a normal Sabbath day, whenever possible, a complete day will be worked with an alternate day taken for Sabbath. Full time Program Staff shall identify at least one full day for rest. Program staff are encouraged to establish Monday or Friday as a day off, so as to combine with other time free during the weekend to provide adequate rest and renewal.

## **V. PROCEDURE**

1. **Work Schedule:** A regular work schedule will be established with each employee and the Senior Pastor or Designee on the first day of work at orientation. In order to facilitate communication and cooperation among staff, regular office and ministry hours are printed in church publications. . When a staff person's schedule varies from week to week, the staff person will prepare a work schedule for the Supervising Pastor for that week, as requested. Also, each program staff will communicate on a daily basis with the whole staff through the Office Administrator their schedule and locations of ministry each day when away from the building. This can be communicated by email, conversation, or phone call.
2. **Time for Meals:** Program Staff shall be provided time of one hour without pay for meals.
3. **Holidays:** OSLC will be closed on the following official holidays.

One personal day*	Labor Day
New Year's Day	Thanksgiving Day
Easter Monday	Friday following Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

Employees who are full time or part time employees who are regularly scheduled to work on a day falling on a holiday will be paid for the time they would normally have worked. When a holiday falls on a Saturday, OSLC Church Office will normally close on the preceding Friday. When the holiday falls on Sunday, OSLC Office will close on the following Monday.

When a holiday falls on a regularly scheduled day off, the program staff person may take another day off during that same week.

\*hirees prior to July 1 get a full personal day; on or after July 1, hirees will get ½ personal day, pro-rated to the employee's status.

4. **Office Closing:** If the Senior Pastor or designee closes the church office for part or all of a day due to dangerous weather conditions or other local conditions, all hourly staff scheduled to work during that time will not be paid for the time they would normally have worked. When the office is closed, notice of the closing will be made on the OSLC phone message. If the office is closed before work hours, notice will be posted on the phone message by 7am of that day. The decision whether to close the office will be based on local weather conditions and whether schools or other local businesses are open or closed.
5. **Inclement Weather:** If a scheduled ministry event is not canceled, it is the expectation that program staff responsible for the event be present, regardless of inclement weather.
6. **Excessive or Insufficient Work Time:** Should a pattern emerge that indicates a rostered or non-rostered salaried program staff member is working less than 40 hours or in excess of 50 hours if full time per week for one or more months, or more than the time contracted for part-time work, the individual concerned should begin to maintain a record of work for one month. Copies of the record are then given to the Senior Pastor. The affected individual shall meet with the Senior Pastor to review the individual's job duties. In the case of excessive work, attempt will be made to reassign duties that would not compromise the mission of the church but would enable the individual to work within the 40 to 50 hour work week or within the time contracted for part time personnel. In the case of insufficient work time, progressive action may be enacted. See **Policy 111**.

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and 2017 Amendments

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## **POLICY 110: EMPLOYEE PERFORMANCE EVALUATIONS**

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### **I. PURPOSE**

To provide fair and helpful evaluations for all employees in a timely manner.

### **II. PERSONNEL**

All Staff.

### **III. RESPONSIBLE FOR ADMINISTERING**

Senior Pastor, Personnel Committee.

### **IV. POLICY**

1. **Annual Review:** All staff shall be evaluated on an annual basis, normally in the summer, for the previous 12 months work.

### **V. PROCEDURE**

#### **1. Responsibility for Evaluations**

- A. The Personnel Committee shall evaluate ordained staff every year.
- B. The Senior Pastor shall evaluate non-rostered program staff and support staff every year and may designate another staff person for evaluating and coaching specific support staff positions.

#### **2. Process of Review**

- A. Rostered and non-rostered staff other than Senior Pastor.
  - i. Step 1: The Senior Pastor shall schedule review meetings for each rostered and non-rostered staff member. One member of the Personnel Committee shall participate in each review meeting.
  - ii. Step 2: Each rostered and non-rostered staff member shall complete a written self-evaluation which will be discussed at the review meeting.
  - iii. Step 3: The Senior Pastor shall prepare written feedback for each rostered and non-rostered staff member to be discussed at the review meetings.
  - iv. Step 4: The Senior Pastor and designated member of the Personnel Committee will conduct an in person conversation with each rostered and non-rostered staff member at which the staff member's written self-evaluation and the Senior Pastor's written feedback will be discussed. A list of current goals for the position and for personal development will be discussed and provided to the staff member. The Senior Pastor will prepare and sign a summary evaluation incorporating all appropriate comments. The staff member will be provided the opportunity to sign the evaluation. Signing is acknowledging receipt of a copy of the evaluation, and is not an agreement with the evaluation.
  - v. Step 5: A signed copy of the evaluation by the employee and Senior Pastor will be placed in the employee's personnel file.
- B. Senior Pastor.
  - i. Step 1: The President of the Congregation and the at-large member of the Personnel Committee shall schedule a review meeting for the Senior Pastor.
  - ii. Step 2: The Senior Pastor shall complete a written self-evaluation which will be discussed at the review meeting.
  - iii. Step 3: The President of the Congregation shall collect written feedback from other members of the Personnel Committee and prepare written feedback for the Senior Pastor to be discussed at the review meeting.

- iv. Step 4: The President of the Congregation and at-large member of the Personnel Committee will conduct an in person conversation with the Senior Pastor at which the Senior Pastor's written self- evaluation and the Personnel Committee's written feedback will be discussed. A list of current goals for congregational ministry and personal development will be discussed and provided to the Senior Pastor. The President of the Congregation will prepare and sign a summary evaluation incorporating all appropriate comments. The Senior Pastor will be provided the opportunity to sign the evaluation. Signing is acknowledging receipt of a copy of the evaluation, and is not an agreement with the evaluation.
- v. Step 5: A signed copy of the evaluation by the employee and Senior Pastor will be placed in the employee's personnel file.

**3. Probationary Period and Evaluation for Support Staff and Non-Rostered Program Staff**

- A. The first six months of employment for support staff and twelve months for non-rostered program staff are designated as a probationary training period.
- B. The Senior Pastor or designee will assist the employee in becoming proficient in the job. New employees are encouraged to discuss any problems with the supervisor.
- C. If during this period, an employee's performance is evaluated "Unsatisfactory" by the Senior Pastor or designee, the employee may be terminated without written warning.
- D. At the end of the designated six or twelve month probationary period, the employee will receive a written performance evaluation and notice of continued employment or termination.

**4. Performance Evaluation Factors**

- A. The evaluation process shall identify the goals and improvement plans to be accomplished during the next evaluation period.
- B. The evaluation process shall review goals and achievements agreed upon at the previous evaluation and during the evaluation period.
- C. Evaluation of rostered and non-rostered program staff may include input from the congregation.
- D. The following performance factors will also be considered as appropriate: Personal Appearance; Attendance; Attitude toward Position; Working Relationship with Others; Working Relationship with Supervisor; Knowledge of Job Duties; Quality of Work; Quantity of Work; Initiative; Problem-Solving Ability; Cost Control; Effective Use of Time; Goals; and Other.

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and 2017 Amendments

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# **POLICY 111: PROGRESSIVE CORRECTIVE ACTION AND TERMINATION**

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## **I. PURPOSE**

To insure that employees are treated fairly regarding discipline undertaken to correct undesirable work performance.

## **II. PERSONNEL COVERED**

All Staff.

## **III. RESPONSIBILITY FOR ADMINISTERING**

Senior Pastor, Personnel Committee, Church Council.

## **IV. POLICY**

1. **Termination of Non-rostered Employees without Cause:** Employment of Non-rostered Program employees and Support Staff employees may be terminated at will by either employer or employee.
2. **Termination of Letters of Call:** Letters of call to Rostered employees shall be terminated by OSLC or the rostered employee in accordance with the provisions of the ELCA and the Letter of Call.
3. **Termination for Cause:** Support staff employees with six or more months of employment and non-rostered Program staff employees with twelve months of employment, may not be terminated for cause unless Progressive Correction Action has been taken or an employee is determined to have committed a violation such as identified in 111 V.5 D which results in termination without warning, advance notice or severance pay.

## **V. PROCEDURE**

1. **Authority for Termination of Employment:** Authority for calling and terminating letters of call for a Pastor or Associate in Ministry resides with the congregation. Authority for terminating of non-rostered program or support staff positions resides with the church council. In specific cases where expedience or confidentiality are of concern for the welfare of the congregation, the church council may act on behalf of the congregation in terminating a letter of call. In specific cases, the Personnel Committee may act on behalf of the church council to terminate a person in a non-rostered program or support staff position.
2. **Separation Procedure:** At the time of separation for whatever cause, an employee exit checklist will be completed and whenever possible an exit interview will be conducted.
3. **Progressive Corrective Action:** In certain cases, an employee's performance may not meet the standards or expectations necessary for acceptable performance of the job, but the shortcomings may be of the nature that they may be reasonably viewed as correctable. In dealing with performance problems, OSLC will follow a progressive action policy in order to give a clear format for both supervisors and employees.

The evaluation of the performance of an employee in connection with this provision shall be consistent with the ELCA and OSLC Constitution and Bylaws. In order to adhere to a policy of "progressive corrective action," notice of shortcomings in the employee's performance and expectations of the Senior Pastor, Personnel Committee, or designee, whether oral or written, must be as clear and precise as possible.

There shall be a cooperative effort between the Senior Pastor and employee in setting defined and attainable goals and actions to be taken by the employee and the supervisor to resolve work-related problems.

The process for progressive corrective action will be as follows:

**Step 1:** The Senior Pastor or Designee orally calls the employee's attention to shortcomings in on-the-job performance. The Senior Pastor attempts to make the employee aware of his or her expectations for performance and of his/her willingness to work with the employee in resolving the work-related problem. This conversation between the Senior Pastor and the employee is to be documented,

**Step 2:** If performance continues to be unsatisfactory, the Senior Pastor shall discuss the matter with the Personnel Committee. The Personnel Committee will then authorize the Senior Pastor to counsel with the employee. The counseling shall also be put in writing (a copy shall be given to the employee) and entered into the employee's personnel file and the employee shall be given a reasonable time within which to resolve the performance problem.

**Step 3:** If the problem is not satisfactorily resolved, the employee may be placed on corrective probation by the Personnel Committee. Before placing an employee on corrective probation, the Personnel Committee must consult with the Church Council. The corrective probation meeting shall be documented, including the date of the meeting, a description of the work-related problems, the course of corrective action to be taken, and the amount of time in which the employee and Personnel Committee or Designee shall resolve the problem. Corrective probationary period may be established for any amount of time up to 90 days.

The summary of the conversation should include a specific statement that failure to resolve the work-related problem may lead to termination. If the employee fails to perform specific acts set forth in the corrective probationary period, termination may come before the end of the probationary period,

The final corrective probation plan and timetable must be approved by the Church Council before being implemented.

**Step 4:** If the conditions of the corrective probationary period are not met or a performance problem is not resolved, the employee is subject to termination.

**Step 5:** The employee may use the grievance procedure, set forth in Policy 617.0 of these personnel policies.

A need for a second corrective probationary period within 12 months may serve as the occasion for immediate termination without further action.

4. **Separation by Mutual Agreement:** An Employee and the Senior Pastor or Personnel Committee may reach a mutual agreement, following discussion of a work-related issue, whereby the interests of both would best be served by separation of the employee from employment. Under such circumstances, the separation would be without prejudice, and no further action would be taken.

## 5. Involuntary Termination

- A. **Initial Probationary Period:** All employees are considered to be in a "training" status during the first six months of employment for support staff and twelve months for non-rostered program staff. During this time, performance and suitability for a position are to be carefully evaluated. At any time during the initial probationary period of employment an employee may be terminated without cause.
- B. **Termination after Progressive Corrective Action:** Except as set forth below, all employees who complete their initial probationary period of employment must be given the opportunity for a progressive corrective action, culminating in a written warning and subsequent probationary period prior to termination as explained in 111 V 3
- C. **Permanent Reduction or Restructuring of Workforce:** An employee terminated because of a permanent reduction in membership or a church restructuring that eliminates her or his position shall be considered to have been terminated because of reduction or restructuring in force.
- D. **Termination without Notice:** The following violations will result in termination without warning, advance notice, and/or severance pay:
- Willful damage or gross negligence to church property.
  - Possession of a weapon on church premises.
  - Drinking, intoxication, or possession of alcoholic beverages on the job.
  - Being under the influence of narcotics, use of narcotics, or possession or solicitation of narcotics for use while at work, other than prescription drugs as prescribed by a physician.
  - Gambling on church premises.
  - Absence without authorization for three or more work days (consecutive or otherwise) during any 12 consecutive months.
  - Absence without authorization from work beyond the period for which a leave of absence has been granted by the church.
  - Disclosure of confidential or sensitive church information.
  - Assaulting or fighting with another employee or member on church property, on or off duty.
  - Conviction of a felony or serious misdemeanor.
  - Willful falsification of church records, such as an employment application, payroll information, or financial or insurance records.
  - Taking other unauthorized employment while on a leave of absence.
  - Theft of church property.
  - Sexual Misconduct as identified in MN Statue 148A and clarified in policies of the ELCA and the Southwest Minnesota synod.
  - Use of internet for pornographic content or possession of pornographic material at work.
  - Willful violation of church policy.
- E. **Suspension for Fact Finding:** Normally, employees who commit or who are suspected of committing any of the violations listed in 111 V 5 D shall be suspended, with pay, for a period not to exceed 5 work days, during which time a full investigation of the circumstances is to be made. The employee must be advised at the time of suspension that the investigation will be conducted and that she or he will be advised within five days of the decision reached. All facts must be obtained and reviewed with the Senior Pastor and Personnel Committee for approval prior to making the final decision. In cases involving the ordained staff or with matters of sexual misconduct, the Bishop of the Southwest Minnesota Synod will be consulted and may become involved in the fact finding and discipline of the employee. When a decision has been reached, the employee will be advised of the decision in person.
- F. **Health Insurance:** An employee's health insurance coverage will continue through the end of the month in which the employee is separated from the church. Such employees



- may continue to be enrolled in the company's health insurance plan by law (C.O.B.R.A) for 18 months alter separation, provided the employee pays the entire cost of the insurance to the payroll department by the first of every month.
6. **Voluntary Resignation or Retirement:** The employee is expected to submit a voluntary resignation with adequate notice to the Senior Pastor and/or Personnel Committee.

Employee Resignation Notice

- A. A non-rostered support staff employee is expected to give notice of at least two weeks in advance of employment termination.
- B. A non-rostered program staff employee is expected to give notice of at least four weeks in advance of employment termination.
- C. A rostered employee is expected to give notice at least four weeks in advance of employment termination.

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and 2017 Amendments

## **POLICY 112: SERVICE TIME AND EMPLOYEE BENEFITS FOR SUPPORT STAFF**

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### **I. PURPOSE**

To provide benefits in a manner that is fair and an incentive for employees to continue work.

### **II. PERSONNEL COVERED**

Full Time and Part Time Support Staff.

### **III. RESPONSIBILITY FOR ADMINISTRATING**

Senior Pastor and Church Business Administrator.

### **IV. POLICY**

1. **Service Time:** Service time for computing benefits and leave is computed from the date of employment. In computing service time, time absent from work for PTO and study leave shall be included. Leaves of absence without pay shall not be included. Service time shall be based on full-time equivalency of 2080 hours per year. Service time with another employer in a position providing comparable experience may be considered in the establishment of initial compensation and benefits.
2. **Medical Benefit:**
  - A. Medical Benefit for full Time Support Staff: Full time non-rostered employees are eligible for healthcare coverage provided by the congregation with the congregation paying 60% of the employee-only portion of coverage.
  - B. Medical Benefit for Part time Support Staff: Part time non-rostered employees are eligible for healthcare coverage provided by the congregation with the congregation paying 0% of the employee-only portion of the coverage and the employee paying 100% of the coverage.
  - C. Medical Benefit for Spouses and Families of Support Staff: If an employee is participating in healthcare coverage provided by the congregation, their spouse and family members are eligible to participate in healthcare coverage provided the by congregation with the congregation paying 0% of the coverage.
3. **Continuing Education and Training:** Support staff may be asked or they may make a request to participate in a seminar or training event that will improve their skills and on the job performance. When granted, OSLC will pay for all expenses related to attending such training events.

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# **POLICY 113: SERVICE TIME AND EMPLOYEE BENEFITS FOR PROGRAM STAFF**

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## **I. PURPOSE**

To provide benefits in a manner that is fair and an incentive for employees to continue work.

## **II. PERSONNEL COVERED**

Full Time and Part Time Program Staff.

## **III. RESPONSIBILITY FOR ADMINISTRATING**

Senior Pastor, Church Business Administrator.

## **IV. POLICY**

1. **Service Time:** Service time for computing benefits and leave is computed from the date of employment. In computing service time, time absent from work for paid sick and personal leave, vacation and approved study leave shall be included. Leaves of absence without pay shall not be included. Service time shall be based on full-time equivalency. Service time with another employer in a position providing comparable experience may be considered in the establishment of initial compensation and benefits.
2. **Medical Benefit Plan for Rostered Staff:** Full time rostered employees will be enrolled in the ELCA Pension Medical and Disability Plan from their first day of employment. Medical benefits will be provided for qualifying dependents. Information about the plan is available from the Business Administrator and the ELCA Board of Pensions. Rostered employees with exemption status from the ELCA health plan contribution due to spousal insurance must have any alternative compensation for these benefits arrangements defined in their letter of call or employment agreement.
3. **Medical Benefit for Program Staff:**
  - D. **Medical Benefit for Full time Program Staff:** Full time non-rostered employees are eligible for healthcare coverage provided by the congregation with the congregation paying 60% of the employee-only portion of coverage.
  - E. **Medical Benefit for part time program staff:** Part time non-rostered employees are eligible for healthcare coverage provided by the congregation with the congregation paying 0% of the employee-only portion of the coverage and employee paying 100% of the coverage.
  - F. **Medical Benefit for Spouses and Families of Program Staff:** if an employee is participating in healthcare coverage provided by the congregation, their spouse and family members are eligible to participate in healthcare coverage provided by the congregation with the congregation paying 0% of the coverage and the employee paying 100% of the coverage.
4. **Continuing Education:** Continuing education is intended to help program staff expand present knowledge, acquire new skills, and experience growth for more effective service. Continuing education activity should be related to the staff person's job responsibilities.
  - G. **Continuing Education Time and Allowance** will be stipulated in letter of hire or letter of call. Full time rostered program staff will be granted at least 2 weeks (10 days including Sundays) of continuing education time per year. No continuing education time is granted to part time staff unless stipulated in letter of hire or call or a proposal is approved by the Senior Pastor.
  - H. Continuing education time and money may be accumulated for no more than two years. At the end of the fiscal year, unspent continuing education allowance shall be carried

- over to the next year for "Continuing Education" and carried over to the next year. The Church Business Administrator shall maintain a record of this account. In anticipation of a Sabbatical Leave, with the approval of the Church Council, a rostered program staff member may place up to three years of continuing education allowance into this set aside account.
- I. Full time Program Staff will give a brief report to council of continuing education plans each year.
  5. **Automobile Reimbursement:** Rostered and non-rostered exempt program staff will be reimbursed for automobile mileage driven for purposes associated with employment on a per mile basis according to current IRS code.
  6. **Sabbatical:** After each five (5) years of continuous service, full time rostered program staff shall be granted, with the approval of the Church Council, a sabbatical leave for up to one month for the purpose of study and renewal that will benefit the congregation.
    - A. When a pastor has served Our Savior's Lutheran Church 5 years or longer, a sabbatical of up to 1 month will be granted. Sabbatical requests shall be submitted through the Church Council for approval at least six months in advance.
    - B. The request should include a statement of objectives, proposed dates, and a brief justification as to how the individual and the congregation will benefit from the experience. A written summary of the experience shall be submitted to the Church Council within 15 days of its completion.
    - C. Workshop and continuing education leave are not granted during the year of sabbatical leave. The available sabbatical leave must be taken at one time. Vacation time cannot be used to extend the sabbatical time. Any unused sabbatical leave is forfeited if not taken before the 10th year of employment.
    - D. Personnel who resign their position within one year of completing their sabbatical to accept other employment shall reimburse Our Savior's Lutheran Church for any moneys received during the sabbatical.
    - E. The remaining pastor, in consultation with the church council, shall schedule the remaining duties during the time a pastor is on sabbatical.

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## **POLICY 114: TIME AWAY FROM WORK, NON-ROSTERED PROGRAM AND SUPPORT STAFF**

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### **I. PURPOSE**

To insure consistency and fairness in the administration of employee leave of absences.

### **II. PERSONNEL COVERED**

Full-time Support Staff and Part-time Support Staff who work 15 hours or more per week.

### **III. RESPONSIBILITY FOR ADMINISTERING**

Senior Pastor, with recordkeeping by Church Business Administrator

### **IV. POLICY**

1. **Absence from work:** Eligible employees have available paid time off (PTO) calculated from the eligible employee's anniversary date.
2. **Full-time employees:**  
Eligible full-time employees will accrue PTO as follows:
  - After six months of employment, twenty hours of PTO each quarter
  - After three years of employment, thirty-two hours of PTO each quarter,
  - After seven years of employment, forty hours of PTO each quarter,
  - After fifteen years of employment, and each year thereafter, fifty-two hours of PTO each quarter.
3. **Part-time employees:**  
Eligible part-time employees will accrue PTO as follows:
  - Part-time employees earn a proportionate number of PTO hours calculated by dividing the total number of their regular scheduled work hours by 40 and multiplying by the number of PTO hours that coincide with the length of employment in the preceding paragraph.
4. **Keeping record of PTO:** the Business Administrator shall keep a log of accrued and used PTO. The Business Administrator shall inform each staff person on a regular basis of accrued and unspent PTO.
5. **PTO donation program:** Eligible full time employees and eligible part-time employees ("Eligible Employee" or "Eligible Employees") may donate accrued and unused PTO to an Emergency PTO Bank. The Business Administrator shall keep a log of all hours of PTO that have been donated to the Emergency PTO Bank. An Eligible Employee who is experiencing a Family Health Related Emergency and who has used all of his or her accrued PTO may apply to use hours of PTO from the Emergency PTO Bank for absences arising from or associated with the Family Health Related Emergency. The donation of accrued and unused PTO to the Emergency PTO Bank by any Eligible Employee is strictly voluntary.
  - For the purposes of this Policy 114, a "Family Health Related Emergency" is a major illness, injury, or other medical condition (e.g., heart attack, cancer, etc.) of an eligible employee or an Immediate Family Member that requires an eligible employee to have a prolonged absence from work (including intermittent absences that are related to the same illness, injury, or condition) to attend medical appointments, obtain treatment, recuperate, or care for an Immediate Family Member.
  - An "Immediate Family Member" is a spouse, child, parent, or other relationship in which the employee is the legal guardian or sole caretaker for another person.

## V. PROCEDURE

### 1. **PTO may not be taken in advance of time earned.**

- A. **Scheduling of PTO:** Submit PTO requests in writing at least one week in advance to the Senior Pastor. When possible, PTO requests are granted, taking into account the ministry of the Congregation and when mutually satisfactory to the Employee and Senior Pastor. In case of PTO requests that overlap with other staff, priority will be given to the first request received for a specific time period. PTO can be used as vacation time, sick time or for personal matters. PTO may be used to care for any family member who is sick.
- B. **Unused PTO:** Pay is not granted in lieu of taking the actual time off. However, PTO may be carried over to the following year, up to a maximum of 240 hours with approval of the Senior Pastor.
- C. **Donation of PTO to Emergency PTO Bank:** An Eligible Employee may donate accrued and unused hours of PTO to the Emergency PTO Bank by submitting a request to donate such hours of PTO, in writing, to the Senior Pastor. An Eligible Employee who wishes to donate accrued and unused PTO must maintain a minimum balance of 80 hours of PTO in Eligible Employee's account after any such donation. The donation of any accrued and unused hours of PTO to the Emergency PTO Bank is strictly voluntary.
- D. **Payment for Unused PTO at separation:** At the time of separation from OSLC, an Eligible Employee will be paid for his/her unused, accrued PTO only if the employee provides at least two weeks' advance notice of their resignation, unless state law dictates otherwise. All other Eligible Employees will not be paid for accrued but unused PTO upon discharge. An Eligible Employee will not be paid for any accrued PTO that he or she donated to the Emergency PTO Bank

- 2. **Parental Leave:** Parental leave of up to 12 weeks shall be available to employees when a child is born or adopted. Eligible staff must first exhaust PTO then may request an unpaid leave of absence ("LOA") for the remainder of the desired time off-up to 12 weeks (refer to Policy 114 # 7) Policy for wages and benefits applies during approved leaves (refer to Policy 114 # 8).
- 3. **Military Leave:** Employees will receive time off to participate in active military service as provided by law. Employees will receive compensation in an amount that will cover the difference between their military pay and regular pay, provided the employee furnishes the Senior Pastor with a certified copy of their order to active duty and a pay statement from the military disbursing office. During paid military leave, OSLC will continue contributions to ELCA Pension and Medical Benefits Plan.
- 4. **Unpaid Personal Leave:** An unpaid leave of absence of up to 20 days may be granted to an Eligible Employee for non-medical reasons as approved by the Senior Pastor and Personnel Committee.
- 5. **Return from Leave:** An Eligible Employee not returning to work the day following the conclusion of an approved leave of absence will be terminated from employment, except when such absence is approved ahead of time by the Senior Pastor and Personnel Committee.
- 6. **Leaves in Excess of 60 Work Days:** A leave of absence for longer than 60 work days precludes the church from assuring the Eligible Employee that she or he may return to employment at OSLC.

**7. Procedure for Granting Leave:**

- A. In the event of a medical, family, or parental leave of absence for more than 5 days, the Eligible Employee is required to provide the Senior Pastor a written statement from her or his doctor as to the reason for the leave of absence request and a projected date for returning to work.
- B. The Senior Pastor will consult with the Personnel Committee and then grant approval or denial for the requested leave.
- C. A Personnel Change Notice form should be completed by the Senior Pastor and placed in the personnel file PRIOR to communicating approval of such leave to the employee.
- D. It is the responsibility of the Eligible Employee on leave to contact the Senior Pastor in writing to request reinstatement of employment with the anticipated date of return to work. In the event of a medical, family, or parental leave, the employee's doctor is required to provide her or his supervisor with a written statement indicating a date when the employee may safely resume work.

**8. Procedures for Granting Leave from the Emergency PTO Bank:**

- A. In the event of a Family Health Related Emergency, an Eligible Employee who has used all of his or her accrued PTO, or who anticipates that all of his or her accrued PTO will be used within two (2) weeks, may request additional PTO from the Emergency PTO Bank. Any such request shall be made in writing to the Senior Pastor and shall include a written statement from the Eligible Employee or Immediate Family Member's doctor as to the reason for and anticipated extent of the prolonged absence from work and the specific number of hours that the Eligible Employee is requesting to use from the Emergency PTO Bank.
- B. The Senior Pastor will consult with the Personnel Committee to determine whether the Eligible Employee meets the requirement for use of PTO from the Emergency PTO Bank.
- C. The Senior Pastor will notify the Eligible Employee as soon as practical as to the eligibility determination and, if the Eligible Employee is determined to be eligible, the amount of PTO that the employee has been authorized to use from the Emergency PTO Bank.
- D. The amount of PTO that an Eligible Employee may use from the Emergency PTO Bank shall not exceed the number of donated hours that remain in the Emergency PTO Bank at any point in time.
- E. An Eligible Employee may not use more than 480 hours of PTO from the Emergency PTO Bank within any rolling twelve (12) month period.
- F. Documentation as to the amount of PTO that an Eligible Employee has been authorized to use from the Emergency PTO Bank will be placed in the Eligible Employee's personnel file.
- G. An Eligible Employee may make subsequent requests to use additional PTO from the Emergency PTO Bank, as appropriate under this policy, for either the same or a different Family Medical Health Emergency.
- H. All other provisions of this Policy related to the approval and use of accrued PTO shall apply to the use of PTO from the Emergency PTO Bank to the extent that such provisions do not conflict with any provision of this section of the Policy.

**9. Wages and Benefits During Approved Leaves:**

- A. Paid Leave: Wages and benefits will be paid during approved paid leave. PTO will also accrue during approved paid leave.
- B. Unpaid Leave: Medical benefit payment will not be paid during approved unpaid leave.
- C. Eligible Employees on approved unpaid leave of absence that includes a holiday shall not receive pay for that holiday. Sick leave and vacation will not accrue during unpaid leave.

D. There shall be no break in employment service with regard to length of service recognition during an approved extended leave of absence.

**10. Employment with another Church/Company during a Leave of Absence:** Under no circumstance may an Eligible Employee be employed by another organization while on a leave of absence. Such a violation of policy will result in termination of employment.

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# POLICY 115: EXPECTED BEHAVIORS OF EMPLOYEES

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## I. PURPOSE

To identify basic standards of behavior and appearance expected of employees.

## II. PERSONNEL COVERED

All Staff.

## III. RESPONSIBILITY FOR ADMINSTRATING

Senior Pastor.

## IV. POLICY

1. **Work Scheduling and Duties:** Work is scheduled with the knowledge of the number of employees needed to complete the work. It is expected that employees begin work on time. Employees may be asked to complete tasks that are not normally a part of their duties in order for the overall work to be accomplished.
2. **Personal Appearance:** Employees are expected to dress in an appropriate and professional manner. The Senior Pastor may call the employee's attention to any dress or grooming not deemed appropriate. Decisions are final and any further dress or grooming in that style could lead to disciplinary action.
3. **Smoking:** OSLC is a smoke-free environment. Employees may smoke only outside the building and away from all entrances.
4. **Telephone:** Recognizing that there are times when it is necessary for an employee to use the phone for personal reasons, employees are asked to keep such conversations brief.
5. **Use of Computers and Internet:** The internet is to be used for the ministry purposes of OSLC only. Use of the internet for shopping, illicit content, pornography shall not be tolerated. Use of OSLC computers regarding the storing of personal information. Church computers are to be used for church business only and any personal information stored on the computer or other storage devise will be considered property of OSLC.
6. **Blogging and Use of Social Networking Sites:** Blogging and use of Social Networking sites is permitted during work hours when specifically carried out to fulfill OSLC ministry goals and objectives. Otherwise, employees shall not blog or engage in the use of social networking sites during work hours and may not use OSLC computers or other devices to blog or post to social networking sites. Regardless of whether it is a part of job duties or not, when blogging or using social networking sites, employees shall abide by all congregation policies for confidentiality, antidiscrimination and harassment At all times, employees who blog or use social networking sites shall be respectful when discussing OSLC, co-workers, and other churches and shall not make defamatory comments. If you blog or use social networking sites, and your comments relate to OSLC, you are required to make it clear on/within your postings that the news expressed are yours and do not represent the views of the congregation. You will be held personally responsible for any information posted on a social network or blog. OSLC may monitor employee blogs, when aware of them, to ensure compliance with policies and procedures. Employees will be subject to disciplinary action if their blogs or other postings are detrimental to the congregation's mission and ministry or if they violate congregational personnel policies.
7. **Copyright Policy:** Copyright laws shall be observed. Staff shall refrain from making unlawful copies of copyright material.

8. **Work Safety:** Report any accident by any employee or church visitor to your supervisor. Do not operate any machine unless you have received instructions as to how to use it.

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## **POLICY 116: HARASSMENT AND DISCRIMINATORY BEHAVIOR**

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### **I. PURPOSE**

To provide a safe working environment free of harassment and discriminatory behavior

### **II. PERSONNEL COVERED**

All Staff.

### **III. RESPONSIBILITY FOR ADMINISTRATING**

Senior Pastor, Personnel Committee.

### **IV. POLICY**

1. **Non-Discriminatory Workplace:** OSLC values its staff and the gifts which each bring to OSLC. It is the policy of OSLC to maintain a work environment free of all forms of discriminatory behavior toward any individual, including harassment directed toward individuals with disabilities or toward individuals because of race, ethnic origin, gender, or age. The use of disparaging terms, derogatory remarks, and displays of insensitive treatment of another in the work place will not be tolerated and is subject to progressive corrective action or disciplinary action.
2. **Scope of Policy:** This policy pertains to every aspect of an individual's work relationship with the congregation, including recruitment, selection, compensation, benefits, training and development, continuing education, relocation, corrective action, termination, and all other terms and conditions of employment. When any OSLC staff member commits acts of harassment, discrimination, or misconduct against another, it seriously dilutes the church's efforts in fulfilling its mission.
3. **Sexual Harassment:** Sexual harassment includes, but is not limited to unwelcomed and unsolicited sexual advances, requests for sexual favors, discriminatory tormenting based upon gender and other undesired verbal, visual, or physical conduct of a sexual nature. In particular, sexual harassment occurs if there is:
  - A. Submission to any kind of sexual harassment as an explicit or implicit term or condition of employment.
  - B. Submission to, or rejection of, sexually harassing behavior if used as a basis for employment or other personnel decisions affecting the recipient of the behavior.
  - C. Purpose or effect of unreasonably interfering with the recipient's work performance.

### **V. PROCEDURE**

1. **Reporting Harassment or Discriminatory Behavior:** When a staff member believes that he or she has been directly or indirectly affected in the work place by the improper behavior of another staff member under conditions covered by this policy and appropriate efforts to reach an understanding and/or reconciliation with the individual have not met with success, the staff member will report the perceived violation to the Senior Pastor, a member of the Personnel Committee or a member of the Church Council.

## 2. Investigation Procedure

- A. The President of the Congregation will be directed to investigate all allegations promptly and objectively. Alleged violations will be handled with discretion and confidentiality as the situation reasonably permits. All affected personnel will cooperate fully with any investigation, and will not be subject to discipline of any kind for truthfully and responsibly initiating or participating in the investigation of any complaint arising under this section.
  - B. The President of the Congregation may request the assistance of the ELCA Southwest Minnesota Synod Consultation Committee. The investigation will be thorough and unbiased.
  - C. During the investigation, statements of the complainant and the person charged in the complaint, as well as relevant witnesses identified by either party, will be taken and all facts relative to the complaint obtained. To the extent possible, care will be taken to maintain confidentiality, to encourage openness, and to build cordial relations.
  - D. Disciplinary action, including termination when appropriate, will be taken where it is determined that sexual harassment or discriminatory behavior did occur.
3. **Disposition of the Case:** Once a reasonable effort has been made to gather the information surrounding the complaint, the Church Council will determine what action, if any, should be taken. The decision may be:
    - A. No further action required.
    - B. Appropriate action, up to and including termination, depending on the severity of the offense and the staff member's prior record.
  4. **Report:** The Congregation President and Senior Pastor will report the decision to the staff member who made the complaint and to the staff member against whom the complaint was made. This report shall ordinarily be completed within 30 days of filing of the complaint.
  5. **Grievance:** The staff member charged with the violation and/or the staff member who made the charge may file a grievance to the decision, following the procedure in 117

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## **POLICY 117: GRIEVANCE**

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### **I. PURPOSE**

To provide a safe means for employees to receive fair treatment when there is a grievance.

### **II. PERSONNEL COVERED**

All Staff.

### **III. RESPONSIBILITY FOR ADMINISTRATING**

Senior Pastor, Personnel Committee, Church Council.

### **IV. POLICY**

Grievances will initially be discussed with the Senior Pastor. Every effort should be made to settle the matter through informal, face to face discussion. If informal discussion fails, the staff person will utilize the following procedure to resolve the problem situation.

### **V. PROCEDURE**

1. **Filing of a Grievance:** If the grievance cannot be resolved informally, the staff person may file a written grievance with the Personnel Committee.
2. **Hearing:** The Personnel Committee will conduct a hearing within ten working days of receiving the grievance. At least five working days in advance of the date set for the hearing, notice of the hearing will be given to the grievant, the Senior Pastor, and any other person whom the Personnel Committee decides should be notified of the hearing. All hearings will be closed to the public. The grievant may be present at the hearing and is entitled to an advocate of his/her own choosing.
3. **Disposition of Grievance:** The grievant will be notified in writing, regarding the disposition of the grievance, within five working days after the hearing. The filing of a grievance under this procedure will not delay implementation of any personnel action, including discipline or termination of the employee. If the personnel sustains the grievance, the Church Council will determine what remedial steps should be taken.

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