

Michigan Conference Human Resources Policy

The mission of the United Methodist Church is to make disciples of Jesus Christ for the transformation of the world.

The vision of the Michigan Conference of the United Methodist Church is:

The Michigan Conference equips and connects through:

- ***Christ-centered Mission and Ministry***
- ***Bold and Effective Leaders***
- ***Vibrant Congregations***

The vision identifies what we want to be known for across the state. It helps inform strategies, alignment of resources, making decisions and evaluating ministry. It becomes the lens and foundation for determining staffing models and organizational structures.

INTRODUCTORY STATEMENT

1. The purpose of this document is to provide policies for the employment of staff by agencies of the Michigan Conference of the United Methodist Church (“MC”).
2. *The Book of Discipline of the United Methodist Church* is the final authority for clergy and takes precedence over any policies which may be at variance with it as set forth in this document with respect to clergy employees.
3. These policies shall be applicable to staff employed by the Conference Leadership Council, the Conference Council on Finance and Administration, the Committees on District Superintendency, the Board of Pension and Health Care. Representatives of each of these agencies shall be called together by the Director of Connectional Ministries every two years to review this policy. Each employing agency shall make provisions for its own personnel committee as it relates to specific job and associated responsibilities under their purview.
4. This document of policies and practices is not intended to create a contract of employment between the employer and employee. The employee should not and cannot rely on this document as a contract of employment.
5. Staff employees of the MC and its agencies are “at will” employees. Employment is at the will of the employer, and either the employer or employee may at any time terminate the employment relationship with or without reason, and with or without notice. The MC will follow state and federal laws that are applicable to a faith-based organization.

AMENDMENTS AND CORRECTIONS

The Michigan Conference Human Resources Committee is authorized to amend and/or correct this policy between sessions of Annual Conference if needed to conform with changes in federal, state and local laws, and with Human Resources best practices in accordance with the mission of the Church. All such changes will be approved by the Conference Leadership Council and reported to the next session of the Annual Conference.

GENERAL EMPLOYMENT EXPECTATIONS

For the sake of the mission of Jesus Christ and the most effective witness to the Christian Gospel, all persons employed by the MC or its agencies will seek to live according to the highest ideal of Christian life.

The following are offered as a reminder to all employees:

- First and foremost, each employee is a representative of the United Methodist Church. There is, therefore, a need to practice self-discipline because each employee's actions and attitudes are often before the public.
- Each employee will maintain a helpful relationship with other employees, maintain a spirit of unity, and show an interest in understanding and furthering all work.
- While there may be less formality in the office due to the spirit of Christian fellowship among employees, there is no lessening of the need for maintaining dignity with all who come to the offices to transact business.
- Respect confidential matters.

HIRING & EMPLOYMENT PROCEDURES

Agencies and/or their personnel committees shall develop job descriptions for each of its paid positions. Each agency shall be responsible for the hiring and dismissal of its employees. When clergy persons are involved, consultation must be conducted with the Appointive Cabinet.

Candidates for employment shall be interviewed by the hiring agency. Salaries or wages are determined by the hiring agency in accordance with its guidelines and in keeping with budgeted amounts allotted to that agency. Fair pay for substantially similar work shall be a guideline in setting salaries or wages, with allowance for special skills, training and relevant experience.

In compliance with the Immigration Reform and Control Act of 1986, all new employees will be required to present documented proof of identity and eligibility to work in the United States.

Performance Evaluations

Improvement and development in employee performance is a continuous process. The employee is expected to perform tasks in a satisfactory manner as defined by his/her job description and his/her supervisor. The supervisor is expected to monitor the employee's performance and to notify the employee when performance is not in accordance with expected standards.

1. New Employees

During the employee's first 90 days of employment, the supervisor will verbally discuss the employee's performance with him/her approximately every 30 days. The purpose of these meetings are to give guidance and coaching during the initial phases of employment and to make sure that the employee is properly performing the duties of the position. Should there be any issues or problems of performance during this period, the supervisor should document those issues and contact the agency executive for advice and coaching on how to proceed.

2. Existing/Regular Employees

Each employee will have an annual evaluation of his/her performance that will coincide approximately with his/her hire date. This evaluation will be in writing and will be conducted by the employee's immediate supervisor, with copy to the agency executive. It will cover job duties as defined in the employee's job description. The supervisor should consult with the agency executive for guidance and coaching prior to the evaluation to make sure that critical job factors are covered. If the supervisor believes that an employee's work at any given time is not being done satisfactorily, the employee will be notified in writing through an interim evaluation. Prior to this notification, the supervisor should contact the agency executive to discuss the performance issues for guidance and coaching in how to conduct the employee meeting.

3. Available Process for Dealing with Unsatisfactory Employee Performance

Nothing in this section shall be construed to imply that there is any probationary period of employment, that progressive discipline applies, or to alter the "employment at will" doctrine of the MC:

- a. The supervisor should write a report of the deficiency and share it with the employee, discuss how the deficiency can be corrected, determine the date when the correction is to be completed, and advise the employee as to what action(s) may be taken if the deficiency is not corrected by that date.
- b. On the date set for the correction to be completed, the supervisor should advise the employee if the deficiency has been sufficiently corrected, as determined solely by the supervisor.
- c. If the deficiency has not been corrected sufficiently, the supervisor should confer with the agency executive to determine whether disciplinary action is appropriate. The agency executive may also confer with the chair of the agency personnel committee or the Conference Human Resources Committee.
- d. Within five (5) working days of the date set for the correction of the deficiency, the determined disciplinary or other action should be shared with the employee.
- e. Disciplinary action may include, but is not limited to, the following: oral reprimand, written reprimand, disciplinary lay-off, suspension for a specific term or while other disciplinary action is being considered, or termination of employment. This action is not to be considered progressive, and any action may be used which the employer deems appropriate.
- f. Written documentation for the above process should be constructed.

4. Personnel Records

An employee's personnel file is confidential and will be kept in a secured place by the executive staff person assigned human resource responsibilities. The personnel file may be viewed by the employee upon written request. Upon receipt of a written request, the agency executive will share the personnel file with the employee within a reasonable time. Personnel files may not be taken out of the building, and the agency executive will remain with the employee while the file is reviewed. The employee may request a copy of the entire file or any part thereof. The agency executive or executive assigned human resource responsibilities may charge a reasonable fee for copies of the file. In general, the personnel file will include the Employment Application, hire-in documents, acknowledgement of receipt of the employee manuals, performance evaluations, education certificates and any letters or documents pertinent to his/her employment with the MC. All employee medical information must be kept in a separate, confidential and protected file.

5. Social Security Numbers (SSN)

Documents containing an employee's SSN shall be kept in confidential files. Except as required for necessary legitimate business purposes, no employee is permitted to have access to SSNs, including documents that contain SSNs, or to keep, view, use, copy, disclose or distribute another person's SSN. The MC limits access to SSNs to those employees whose duties require that

he/she use this information in connection with MC business. Whenever possible, only the last four digits of the SSN should be used. When documents containing SSNs are no longer needed and are to be discarded, such documents must be disposed of in a manner that ensures the confidentiality of the SSNs.

6. Lost Items

The MC is not responsible for employees' personal items brought into the work place which are lost, left behind or otherwise misplaced.

7. Department Specific Policies and Procedures

Policies and procedures relative to individual departmental needs, unless otherwise directed by the current *Book of Discipline of the United Methodist Church*, may be established, but should not be in conflict with the Conference Human Resources Policy and Procedures. These departments may include, but not be limited to:

- Connectional Ministries
- Communications
- Finance and Administrative Services, including IT services
- Benefits
- District Administration
- Episcopal Administration Team

TYPES OF EMPLOYMENT

There are two basic categories of employment: Exempt and non-exempt.

Exempt Employees

The Fair Labor Standards Act (FLSA) lists and defines the following general exemptions: Administrative, Executive, Professional, Out-Side Sales and Ministerial (i.e., clergy and those who perform essentially religious functions).

An exempt employee is not subject to the minimum wage or overtime pay requirements of the FLSA.

Exempt employees of MC agencies may include, but not be limited to Clergy, Director of Connectional Ministry, Director of Administrative Services and Conference Treasurer and the Assistant Treasurer.

Non-Exempt Employees

A non-exempt employee is subject to the minimum wage requirement and must receive overtime pay for hours actually worked above forty in each workweek. Overtime is paid at time-and-a-half of the employee's "regular rate."

Each agency shall identify its exempt and non-exempt employees, according to compliance with the FLSA regulations.

Full-Time Employment

A full-time employee regularly works thirty or more hours per week. A full-time employee is entitled to fringe benefits which include health coverages, disability income insurance, retirement benefits and worker's compensation. A full-time employee shall also be granted vacation, sick days, personal days, bereavement leave and paid holidays.

Regular Employment

This is an employee who is full-time or part-time, exempt or non-exempt, whose employment is not time-specific, i.e., not in temporary or project specific status. Permanent employee is a synonym used in some conference documents, such as in Wespath documents. Permanent or regular means the position does not have a pre-determined end date. This language in no way implies a promise of continuing employment or in any way invalidates or changes the at-will nature of Conference employment.

Hourly Employment

An hourly employee is an exempt or non-exempt employee whose base pay is described as a per hour rate.

Part-Time Employment

A part-time employee is one who regularly works less than thirty hours a week. She/he receives only wages as compensation and is not entitled to most fringe benefits other than vacation days, holidays and sick days, which will be provided on a pro-rated basis according to hours worked. The exception to this is that part-time employees working more than 20 hours per week shall participate in the Conference Retirement Benefits Program. Part-time employees are also eligible for worker's compensation coverage, should he/she sustain a work-related injury or illness.

Temporary Employment

A temporary employee is one who works full- or part-time for a specific, limited project or period of time, for instance, 3 to 6 months for a surge in workload. Temporary employees are not typically eligible for coverage under our fringe benefits package. College work-study students shall be included in this category.

Flex-Time Employment

An employee may apply for consideration of flex-time, which is an exception to the stated regular office hours. The decision for approval shall be made by the supervisor in his/her discretion.

Time-Specific Employment

The MC may hire persons for a specific period of time to complete a specific task or project. The provisions of this Personnel Policies Manual shall be applicable to such agreement only to the extent they are specifically incorporated into the agreement by its express terms, and to the extent that it describes conduct and behaviors established for our workplaces.

Permanent Employment

See "Regular Employment"

Job Description/Flexibility

All job descriptions are subject to change or modification by the agency Executive Director in consultation with the appropriate direct supervisor.

COMPENSATION AND BENEFITS

Employee compensation shall be established on a salary or hourly basis. Salary, which is established on an annual basis will be divided into equal pay period allocations. Any confirmed failure to pay overtime, overpayment or other error in pay, whether discovered by the employee or the MC, and whether to the employee's detriment or benefit, will be corrected with a deduction or credit in the employee's next regular paycheck or as soon as practicable. Any employee who believes his/her pay is wrong must

immediately report it to his or her supervisor and the Conference Benefits Department. There will be no early release of paychecks.

All employees will be paid via the employee's choice of either direct deposit or payroll debit card, once provided with information regarding payroll debit cards.

Work Periods

Office hours will be set by the employing agency in consultation with the supervisor and related personnel committee. The Conference Ministry Center will be notified of those hours. As a general rule, MC staff offices are open Monday through Friday, from 8:30 a.m. to 4:30 p.m. The work week officially begins at 12:00 a.m. on Sunday and concludes at 11:59 p.m. the following Saturday. An employee is allowed to take a one-hour unpaid lunch period each work day. Hourly employees must record his/her time "off the clock" for lunch. Furthermore, an employee is allowed two fifteen-minute paid breaks during a full work day. Normally, one break would occur in the first half of the work day and one in the second half of the work day. Breaks cannot be combined with each other or with the lunch period, nor can they be used to leave early at the end of the workday or arrive late at the beginning of the workday.

If an employee believes it is necessary to leave the office during working hours, he/she must notify and secure the consent of his/her supervisor prior to leaving.

Overtime

The Federal Fair Labor Standards Act (FLSA) defines a normal work week for overtime standards as 40 hours. Overtime pertains to hourly and salaried non-exempt employees only. Employees classified as salaried exempt are not eligible for overtime payments. Employees may occasionally work more than 40 hours in a work week, which must be preapproved by the supervisor in advance. When a non-exempt employee actually works more than 40 hours in a work week, he/she will be compensated at 1.5 times his/her hourly rate of pay for those excess hours.

Time Reporting

All non-exempt employees need to report all hours worked in the manner prescribed by the Benefits Office and Conference HR Committee. An employee is responsible for recording his/her time records and, with his/her supervisor, ensuring the record's accuracy. This includes time worked at off-site functions and time spent traveling to such functions. All employees are required to record and report to his/her supervisor the use of vacation, personal or sick time for approval in advance (including sick leave when possible) in accordance with the Conference time reporting policies.

Paid Holidays

A full-time regular employee is entitled to eleven (11) paid holidays each year. They are:

1. New Year's Eve Day
2. New Year's Day
3. Martin Luther King Jr.'s Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Thanksgiving Day
9. Day after Thanksgiving Day
10. Christmas Eve**
11. Christmas Day**

** Generally, when Christmas falls on a weekend, both Friday and Monday shall be paid holidays of Christmas Eve and Christmas Day. The same shall hold true for New Year's Eve Day and New Year's Day. If Christmas Day falls on Monday and Christmas Eve on Sunday, the holidays will typically be Monday and Tuesday.

A part-time employee is entitled to holidays on a pro-rated basis, according to the typical number of hours in his/her working schedule. If a holiday falls during an employee's scheduled vacation period, that will count as a paid holiday and not be counted as a vacation day.

Pension

All eligible, regular employees, lay or clergy, are enrolled in the United Methodist Pension Program beginning on the first day of employment.

Worker's Disability Compensation

Employees are covered under the Worker's Disability Compensation Act for work-related injury or illness. Employees are responsible for immediate notification to his/her supervisor of the injury or illness.

Unemployment Insurance Benefits

As a religious organization, the MC and its agencies are not required to participate in the state or federal unemployment insurance program. Therefore, a person whose employment ends for any reason will not qualify for unemployment compensation.

SPECIFIC EXPECTATIONS OF EMPLOYMENT

An employee must abide by the following minimum standards of employment conduct. A breach of these standards will result in disciplinary action. Disciplinary actions will be taken based on individual circumstances of the situation and may include termination from employment. These standards are not all inclusive and do not change the "at will" status of employment, nor do they create a progressive disciplinary policy:

- Reporting to work as scheduled.
- Complying with all MC and agency safety and security regulations.
- Maintaining confidences and privacy regarding confidential information.
- Performing job duties as assigned.

The following are some examples of actions which will not be tolerated and may be grounds for immediate termination. ***This list is not all inclusive but highlights areas of emphasis.*** Policies affecting the workplace and employment relationship are detailed in the section that follows, "Policies Which Guide Our Employment."

- Sexual harassment or abuse in the workplace or at any work-related function.
- Discriminatory behavior or disparaging remarks which are based on age, gender, gender identification, sexual orientation, socio-economic class, race, color, ethnicity, national origin, disability, marital status, veterans' status, weight, height, familial status, or pregnancy.
- Bullying and/or intimidating behavior.
- Theft, destruction, defacement or misuse of an agency's property or another employee's personal property.
- Falsifying or altering any agency records, applications or reports.
- Misrepresenting the MC's, agency's or employee's position.
- Any act of violence or the making of a threat of violence.

- Breach of confidential matters and/or disclosure of private information.
- Not maintaining confidences.

POLICIES WHICH GUIDE OUR EMPLOYMENT

Confidentiality Policy

The MC expects all employees, whether clergy or laypersons, to maintain the highest standards of confidentiality with respect to matters seen, heard or read about in the course of employment. During their employment at the Michigan Conference, employees may have access to confidential and/or proprietary information and work product. This information may include trade secrets and business information of the Conference or its business partners. This information may also include personal information about Conference employees or Conference members. Employees must maintain that information in confidence, not use or disclose it directly or indirectly, and use it only as necessary in the interests of the Conference.

The Conference respects obligations to its vendors, licensors, volunteers, and others with whom the Conference may have similar obligations regarding confidentiality and work products.

Information acquired by an employee in the course of employment with the Conference must not be used for the employee's individual purposes or benefit. Access to the Conference's confidential information does not provide personal benefit or advantage to the Conference's employees, even though the Conference may share that information with its extended constituent members, whether or not there is financial contribution for such material. Part of that distinction lies in the personal benefit of disclosure of that information gained through employment with the Conference.

Employees will be required to sign a Confidentiality Agreement as a condition of employment, and from time-to-time thereafter as a reminder of the high responsibility we have as members and/or employees of the MC.

The church is a place of forgiveness, healing and grace, and it is the expectation that all employees will behave in a trustworthy manner to foster those ideals.

Social Media Policy

Social media includes work-related electronic media, such as email, texting, "chat" programs, telephone, the MC Website and other media that facilitate communications throughout the MC. Social media also includes non-MC personal activity, such as 'blogs', chat rooms, forums and programs/media such as Facebook, LinkedIn, Twitter, YouTube, Instagram and any other similar type of program. Employees are not authorized to use non-conference social media in his/her capacity as an employee of the MC, or for personal use during working hours. Personal social media use in an official MC capacity must be authorized in advance and approved in writing by the department supervisor.

When using MC social media (primarily computer resources and email programs), employees must adhere to standards of civility and decency. Emails should always be business-like in tone and responded to promptly.

Employees often use social media for personal reasons. This should be done outside of normal working hours. Employees should refrain from posting information, comments, opinions or other information which would identify him/her as an employee of the MC or would be identifiable as conference-related. While the MC cannot curtail employee use of social media relating to terms and conditions of employment, we hope that concerns and suggestions for changes desired by the employee would be

discussed with his/her supervisor. If further discussion is warranted, the employee or supervisor may also bring the matter to the attention of the agency executive or the chairperson of the related personnel committee.

Equipment Use/Electronic Devices Policy

The MC will maintain and make available to select employees various electronic devices for use on the job. This may include, but not be limited to, devices such as computers and cell phones. Additionally, it is recognized that employees may also possess and utilize his/her own personal electronic devices. The following are guidelines for use of all electronic devices while at the work place or for use in conjunction with MC related matters:

- MC provided media should only be used for MC related matters, except in emergency situations or when prior authorization for personal use has been obtained from the appropriate level of supervision.
- Employees should not be “surfing the web”, making internet purchases, downloading materials or visiting inappropriate web sites for personal purposes using MC provided resources at any time, or with the personal devices during work time.
- Employees should understand that the MC may, at any time and without prior notice, examine MC provided electronic devices and download or copy files, remove information, reformat or otherwise alter information contained in the device. Unauthorized use of the device for personal matters may result in loss of the information, and the MC will not be responsible for this loss. Employees should never store personal information on any MC owned device or property, as this information may not be secure, and may be accessed at any time, with or without notice to the employee. Employees should have no expectation of privacy when using the MC's e-mail, media, electronic and other equipment and resources.
- The use of personal electronic media for personal matters during working time is generally not allowed, except in emergency situations, or as authorized in advance by the supervisor. This includes use of radios or other personal listening devices, mobile phones, computers, computer tablets or readers and other similar media. If radios or other listening devices are approved by the supervisor, then they shall be maintained at a volume level that does not interfere with the concentration of other workers. The MC recognizes that many families stay in touch during the work day via text messaging or email, and supervisors may allow occasional, intermittent and infrequent use of personal media devices for these purposes. However, employees should strive to organize the non-working time so as to handle personal matters, except for emergencies.

Conflict of Interest Policy

It is the policy of the MC to prohibit its employees from engaging in any activity, practice or act which conflicts with, or appears to conflict with, the interests of the MC. Employees are expected to represent the MC in a positive and ethical manner and have an obligation both to avoid conflicts of interest and to refer questions and concerns about potential conflicts to his/her supervisor.

Equal Opportunity/Title VII Preference Policy

As a Christ-centered faith organization, the MC and its agencies value the rich diversity of cultures, context, life experiences and regional identities that are a part of our local churches, their communities and our wider connection. Therefore, the MC and its agencies are Equal Opportunity Employers, observing employment practices without regard to age, gender, gender identity, sexual orientation, socio-economic class, race, color, ethnicity, national origin, disability, marital status, veterans' status, weight, height, familial status or pregnancy.

Title VII of the Civil Rights Act of 1964, as amended, permits religious organizations to give employment preference to those who are members of that religion. The MC reserves the right to employ

those who practice and profess faith in Jesus Christ. The MC and its agencies, being a religious organization, will claim these rights granted under Title VII.

In addition to being applicable to MC staff, United Methodist clergy persons are covered by this policy except where *The Book of Discipline of the United Methodist Church* (current edition) takes precedence.

Anti-Harassment Policy

A. Prohibited Discriminatory Harassment.

It is the firm policy of the MC to provide and maintain a work environment that is free of harassment and discrimination based on age, gender (see the definition of sexual harassment below), gender identity, sexual orientation, socio-economic class, race, color, ethnicity, national origin, disability, marital status, veterans' status, weight, height, familial status or pregnancy. Harassment is any unwelcome or unsolicited verbal, physical, or sexual conduct that unreasonably interferes with an employee's job performance or creates a hostile, offensive, or abusive working environment. Examples of harassment include, but are not limited to, disparaging remarks about a person's age, gender, gender identity, sexual orientation, socio-economic class, race, color, ethnicity, national origin, disability, marital status, veterans' status, weight, height, familial status or pregnancy; unwelcome or unsolicited touching or threats of physical harm; and the use of degrading words, nicknames, pictures, stories, or jokes.

B. Sexual Harassment Defined.

1. Basic definition:

For purposes of this policy, the term "sexual harassment" means unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal or physical conduct or communication of a sexual nature when:

- a. Submission to such conduct or communication is made either explicitly or implicitly a term or condition of the individual's employment; or
- b. Submission to or rejection of such conduct or communication by an individual is used as a basis for employment decisions affecting such individual; or
- c. Such conduct or communication has the purpose or effect of unreasonable interfering with an individual's employment or creating an intimidating, hostile, or offensive work environment.

2. Examples:

Examples of unwelcome sexual harassment include, but are not limited to, threatening adverse employment actions if sexual favors are not granted; promising preferential treatment in return for sexual favors; unwanted physical contact; and/or sexually offensive remarks, including the following kinds of prohibited behavior:

Verbal: sexual advances or propositions or threats; continuing to express interest after being informed the interest is unwelcome; sexual innuendoes; suggestive or insulting comments or sounds including whistling; sexual jokes or teasing of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; and any other abuse of a sexual nature.

Visual: display of sexually suggestive objects, pictures, or letters; leering; obscene gestures; sexually suggestive or offensive graffiti.

Physical: unwanted physical contact, including offensive touching, pinching, brushing the body, impeding or blocking movement; unwanted sexual intercourse or other unwanted sexual acts; sexual assault or battery.

The above list is not meant to be exhaustive but is included to provide examples of prohibited action.

Intellectual Property

This policy summarizes the Conference employees' responsibilities as they relate to inventions, work products, course materials, computer works, material developed at the request or direction of the organization, and similar products. The policy applies to all forms of Intellectual Property created or developed, in whole or in part, by employees of the Conference including, but not limited to, when made: making substantial use of Conference resources, as a direct result of Conference duties, while being paid by the Conference, at the direction of the Conference and/or in the course of or related to activities on behalf of the Conference. In no circumstance will the commercialization of such information be acceptable, without bringing it to the attention of Conference officials, and without the Bishop's approval.

This also includes acknowledgment that we respect obligations to our vendors, licensors, volunteers and others with whom our organization may have similar obligations regarding confidentiality and work products.

By accepting continued employment, an employee acknowledges and agrees that the Conference owns any/all inventions and work products that, in its sole opinion, are made on company time or with company assets, which relate to the Conference's business, or that are required to meet its obligations. This is in keeping with a standard legal tenet that holds that those who pay for the development of intellectual property may generally control its use.

During their employment at the Conference, employees may have access to confidential, secret and/or proprietary information. Employees should maintain such information in confidence and use it only in the interests of the Conference.

Information acquired by an employee in the course of his or her employment with the Conference must not be used for the employee's individual benefit. Access to the Conference's confidential information does not carry with it personal benefit or advantage to the Conference's employees, even though the Conference may share that information with its extended constituent members, with or without financial contribution for such materials. Again, a piece of that distinction lies in the personal financial benefit of disclosure of that information gained through employment with the Conference.

Employees should treat all information developed or acquired during employment with the Conference as the property of the Conference. It is not to be used for personal benefit.

In furtherance of the objectives of this policy, an employee will be required to sign an Intellectual Property Agreement in a form prescribed by the Conference.

Any amendments or exceptions to this policy for specific instances of use of intellectual property by a Conference employee will be made in write by the Conference Bishop at the Bishop's sole discretion. Any revisions made to this policy as a whole will be done by the Conference HR Committee.

C. Complaint and Investigation.

Any employee who feels that she or he has been subjected to harassment of any kind, who is aware of conduct prohibited under this policy, or who feels that she or he has been subject to sexual

harassment, or has been retaliated against for having brought a complaint of or having opposed sexual harassment and/or for having participated in the complaint process must report or otherwise bring the matter to the attention of either their immediate supervisor, the Director of Connectional Ministry or the Director of Conference Benefits and HR Services of the MC.

The MC will investigate all allegations of sexual harassment promptly. To protect the interests of the complainant, the person complained against, witnesses, any other who may report incidents of sexual harassment, and all other persons affected, confidentiality will be maintained to the extent practicable and appropriate under the circumstances.

If as result of an investigation, the MC determines that a violation of this policy has occurred, the MC will take prompt and appropriate remedial action to eliminate the policy violation and to ensure that it does not recur, up to and including termination of any employee found to be in violation of this policy.

The MC's employees can and are encouraged to report any and all incidents of harassment without fear of reprisal. The MC prohibits any form of retaliation against any employee for filing a complaint under this policy or for participating in a complaint investigation.

At-Will Employment Policy

All non-appointed employees of the MC are employed at-will, and not by contract. Employment at-will means the employee and the MC are free to terminate the employment relationship at any time, with or without notice, and for any reason. The fact that the employment relationship is terminable at-will may not be modified by any oral agreements or representations unless such is also in writing and signed by the employee, the employing agency executive and the Chair of the Conference Human Resources Committee.

Exemption from Unemployment Insurance Policy

Church related organizations are exempt from participation in state and federal unemployment insurance programs. The MC does not provide unemployment insurance as an employment benefit after employment ceases.

Weapons and Dangerous Objects Policy

All weapons, firearms, and dangerous instruments are prohibited on MC property. The MC strictly prohibits employees, contract or temporary staff, and any other individuals associated with or representing the MC from possessing, transferring, selling, using or threatening to use a weapon or dangerous instrument (as defined below) in MC work locations. These 'locations' include any personally owned vehicles that are parked in any area provided for MC personnel, regardless of whether the individual is licensed to carry the weapon or not. MC personnel are further prohibited from being in possession of weapons off MC or church property when involved in any activity of or for the MC.

For purposes of this policy, any firearm – loaded or unloaded – is considered a weapon. A dangerous instrument is defined as any instrument, article or substance that, under immediate circumstances, is capable of causing serious physical injury or death.

Employees who live year-round in MC owned/leased/rented residences need to secure (under lock) personally owned weapons for use outside of the ministry and that the liability for said weapons are the sole responsibility of the employee. A rider on the employee's home owners/renter's policy is recommended.

Employees who know or reasonably believe that another individual is in possession of a weapon or dangerous instrument must notify a supervisor or manager of the MC. If the individual is found to be in violation of this policy, he/she will be subject to disciplinary action, up to and including termination of employment. In cases involving clergy employees, the Office of the Bishop will be notified, and appropriate action taken. Where appropriate, the MC will report the possession or use of weapons or dangerous instruments to local law enforcement authorities.

Substance Use and/or Abuse Policy

All MC public premises are to be drug and alcohol free. Use of illicit drugs and alcohol is not allowed in any of the MC business areas including building, grounds and Conference vehicles. Persons who are found working while intoxicated by illicit drugs or alcohol will be subject to disciplinary action up to and including immediate termination. Under these circumstances, assistance will be provided to ensure that the employee arrives home safely.

Right to Search Policy

The MC and its agencies are committed to providing a safe environment for its personnel. The MC reserves the right at any time, at its sole discretion, to search all Conference-owned property, suspicious packages, lockers, desks, purses, briefcases, personal property or vehicles on MC premises or vehicles used to carry out MC business. This includes the retrieval of any information found on computers or written documents on MC facilities, equipment and/or property. Searches will be conducted by a Conference Director or local law enforcement authorities and may be conducted without notice. Employees who refuse to permit a search under this policy may be subject to disciplinary action, up to and including the termination of employment.

Issues and Concerns Process

The purpose of the issues and concerns process is to ensure fair treatment of all employees and to resolve problems so that constructive working relationships and an effective working environment may be maintained for the benefit of all. Normally as issues arise, they are most properly addressed with the immediate supervisor and should be discussed promptly. For certain situations including, but not limited to, discharge, disciplinary action and demotion a more formal process of reconciling is necessary. This is not meant to be an arena to resolve concerns about performance evaluations, which are not included in this process. A more thorough list of the kinds of issues included and excluded from this process is in the Conference HR Handbook. If talking with the supervisor does not settle the issue, then the reconciliation process outlined in the Conference HR Handbook may be pursued. Nothing in this policy shall be construed to terminate the at-will employment status of Conference employees. All agreements will not be binding on the Annual Conference.

Protection from Retaliation Policy

Employees who file an earnest report of suspected misconduct or violation of any of the policies, procedures and/or regulations of the MC, as well as those who participate in any such investigation will not be subject to retaliation in the form of adverse employment action, such as compensation decisions, punitive work assignments or termination.

LEAVE TIME

Vacation

During the first year of employment, vacation shall be on a pro-rated basis from the anniversary date until December 31 of the year hired. All full-time non-exempt employees will then be on a calendar year basis for vacation schedules.

A non-exempt employee's vacation is granted as follows:

- An employee with more than one (1) year and less than five (5) years of completed service shall be granted ten (10) days of vacation with pay annually;
- An employee with more than five (5) years and less than ten (10) years of completed service shall be granted 15 days of vacation with pay annually;
- An employee with ten (10) or more years of completed service shall be granted twenty (20) days of vacation with pay annually.

An exempt employee's vacation benefits will be established at the time of hire, but if not included in a written agreement signed by the appropriate MC representative, the vacation benefits applicable to non-exempt employees shall apply to the exempt employee in question.

A part-time employee is entitled to vacation days, holidays and sick days on a pro-rated basis, according to the typical number of hours in his/her working schedule.

Up to five (5) days of vacation may be carried from one year into the next and no vacation days may be accumulated or carried forward more than one (1) year. Accumulated vacation time in excess of the allowable carry-over is lost if not used by the end of the calendar year. An employee is required to use at least half of his/her vacation days annually. Accrued but unused vacation balances will be paid out upon termination of employment. In certain cases of discharge for misconduct, payment of accrued vacation may not be paid out, at the sole discretion of the Director of Conference Benefits and HR Services.

Vacation days must be scheduled in advance through and approved by the employee's supervisor.

Sick Time

Sick leave will be earned and credited on the following schedule for regular full-time employees:

- Full-time employees will earn sick leave at the rate of one work day for each completed calendar month of continuous service from the date of hire.
- Employees may accumulate up to fifty days of sick leave. Employees will not be compensated for unused sick days;
- Current employees who have accumulated sick days in excess of fifty days may use those days for sick leave purposes, if approved, but will not accumulate additional sick days until his/her sick days balance falls below fifty days.
- An employee may donate up to five sick days per year for use by another employee who contracts a serious disease or injury and has used up his/her own earned sick days.

A part-time employee is entitled to sick days on a pro-rated basis, according to the typical number of hours in his/her working schedule.

Sick leave, by definition, is designed to be used for medical reasons. When the employee is ill or has sustained an injury, and is unable to work, sick leave should be utilized. The employee is required to call his/her supervisor and report his/her absence as soon as possible. The employee should thereafter call in each day he/she is unable to work so that the supervisor is aware of his/her impending absence and can make arrangements to cover essential work.

Employees may also be authorized to use sick leave to care for the illness/injury of immediate family members, which include husband, wife, son, daughter, parents, brother, sister, grandparents, grandchildren, guardians and spouse's parents. Step relationships are also included. In these instances, short term (3 days or less) situations should be handled in the same manner as reporting an employee's own illness. The employee is required to call in each day to report his/her impending absence.

During extended absences due to personal illness/injury, pregnancy, adoption or foster care placements, employees may also use personal days and accrued vacation days after sick leave has been exhausted.

Family Medical Leave Act provisions may also be used, if the employee is eligible and if the employer meets the level of requirement for offering FMLA.

Family and Medical Leave Act of 1993 (FMLA)

For eligible employing units and eligible employees, the FMLA will apply.

a. Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

b. Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

c. Benefits and Protections

During FMLA leave, the MC will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

d. Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if they work at a worksite where at least 50 employees are employed by the employer within 75 miles.

e. Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

f. Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the MC's operations. Leave due to qualifying circumstances may also be taken on an intermittent basis.

g. Substitution of Paid Leave for Unpaid Leave

Employees are required to use vacation or other accrued paid time-off while taking FMLA leave. In order to use paid time-off for FMLA leave, employees must comply with the MC's normal policies.

h. Employee Responsibilities

Employees must provide the MC with 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the MC's normal call-in procedures.

Employees must provide sufficient information for the MC to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave.

Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the MC if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees must provide medical certification and periodic recertification supporting the need for leave when leave is requested for the employee's own serious health condition. Employees will also be required to provide a fitness-for-duty certification upon returning from leave.

i. MC Responsibilities

The MC will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the MC will provide a reason for the ineligibility.

The MC will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the MC determines that the leave is not FMLA-protected, the MC will notify the employee.

j. **Enforcement**

The FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

After five continuous days of sick leave have been taken, an employee may be asked to provide the supervisor with a letter from his/her physician on letterhead paper indicating his/her inability to work, and his/her projected date of release to return to work. A physician's authorization to return to work on the actual date allowed will also be required.

Employees who are eligible may be covered under a disability insurance policy provided by the MC. Eligibility for disability is at the sole discretion of the insurance carrier, and is not controlled by the MC. The insurance carrier may require information independent of that requested by the MC.

Short-term disability benefits (if approved) may be augmented and integrated with unused sick, personal and vacation days. However, an employee shall not receive more than 100% of his/her wages/salary using a combination of short-term disability benefits and available sick, personal and/or vacation days.

Time Off for Illness/Injury – Exempt Employees

An exempt employee who is not eligible for FMLA leave and is disabled due to illness or injury for more than 50 days in a year may apply for disability leave in consultation with the agency's personnel committee.

Bereavement Leave

Regular full-time and part-time employees may receive up to five paid days of bereavement leave per year due to a death in the immediate family (includes husband, wife, son, daughter, parents, brother, sister, grandparents, grandchildren, guardians and spouse's parents. Step relationships are also included).

In the year of the employee's hire, bereavement leave days will be prorated based upon the number of full months left in the calendar year.

If more time is needed away from work, an employee may request approval for the use of vacation time, sick leave and/or personal days.

Parental Leave

Employees may request up to 30 days (6 work weeks) of paid leave at his/her regular rate of pay for the birth/adoption/foster care placement of a child in his/her home. These additional 30 days are available only in these circumstances and are not 'deducted' or charged against the employee's earned leave balances. This paid parental leave will constitute a part of FMLA leave where applicable. If FMLA leave is not available, additional accumulated sick, personal and vacation days may be used to extend the

30 day (6 work weeks) paid leave, if available and if approved by the supervisor, for up to 60 days (12 work weeks) total time away.

Jury Duty

Eligible full time and part-time employees required to serve on jury duty will be paid the difference between his/her regular average wages and the remuneration received for jury duty by the applicable governmental agency to a maximum of 15 days. The employee shall give notice of his/her potential jury duty as soon as possible.

Military Leave

Military leaves will be granted in accordance with state and federal regulations. The leave will be unpaid by the MC; however, employees may use any available vacation time for the absence.

Continuation of the health care premium benefit by the employer is available as required by USERRA, based on the length of leave, and is subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit Accruals, such as vacation, sick leave and paid holidays will be suspended during the military leave, and will resume upon the employee's return to active employment with the MC.

Employees on military leave for periods up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing for reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position he/she would have attained had he/she remained continuously employed, or a comparable one, depending on the length of military service, in accordance with USERRA. Returning employees will be treated as though he/she were continuously employed for purposes of determining benefits based on length of service.

Religious / Community Service

Personnel are encouraged to be a part of the United Methodist connectional system. The employee may be excused with pay to serve and provide volunteer services for United Methodist events/programs agencies if it does not hinder work, and if authorized by the immediate supervisor in advance. In addition, the employee may be excused with pay to provide volunteer services in their own religious community, if not United Methodist, or to volunteer with another not-for-profit community service agency, provided such services are not in conflict with the United Methodist Social Principles.

A full-time regular employee is granted five (5) service days a year. They may not be carried over from one year to the next. Service days that are not used are forfeited.

No compensation will be paid for unused service days at the time of termination or retirement.

Personal Days

Personal days are available to a full-time regular employee to allow the employee to conduct personal business and keep appointments of a personal nature when these cannot be done outside the normal working hours. Personal days must be scheduled in advance. They may not be used to extend vacation time.

A full-time regular employee is granted five (5) personal days a year. They may not be carried over from one year to the next. Personal days that are not used are forfeited.

No compensation will be paid for unused personal days at the time of termination or retirement.

Leave of Absence

Regular full-time and part-time employees who are not eligible for FMLA leave but who have completed a full year of employment may request an unpaid leave of absence. Such leave must be approved in advance by the employing agency. A leave of absence shall not exceed three months.

Benefits are suspended during a leave of absence. The employee may pay the medical insurance premiums to ensure coverage continuation. A leave of absence is not considered as service for the purposes of accrual of time-based benefits.

Study/Renewal Leave

After every six years of continuous employment, a full-time exempt employee may be granted a paid leave of up to three months for the purpose of study, renewal and spiritual growth. Requests and plans for such leave must be approved by the employee's supervisor and submitted to the appropriate Conference committee and in consultation with the Conference HR Committee for review and approval at least three months prior to beginning the leave. Unused leave under this benefit may not be accumulated. This policy in no way changes or abridges any of the leave policies described in *The Book of Discipline of The United Methodist Church*.

TRAVEL & EXPENSE POLICIES & PROCEDURES

Employees will be reimbursed for pre-approved business expenses and reasonable expenses incurred while on pre-approved business travel for the MC. All reimbursable expenses must be supported by an appropriate receipt provided to the MC.

CONTINUING EDUCATION

The opportunity for upgrading job related skills through continuing education is provided to regular full time and part-time employees who have completed one full year of employment. Employees who wish to avail themselves of this opportunity must submit a plan to his/her supervisor for approval.

Up to five days a year will normally be granted to each employee for continuing education. Financial assistance may be made available by the employing agency for tuition, books, travel, lodging and meals in accordance with the CFA travel reimbursement policy.

WEATHER AND EMERGENCY CLOSINGS

The Conference Ministry Center will be closed if the local school system is closed due to inclement weather, or as otherwise determined by the Executive Staff. Employees will typically be paid for hours during which the offices are closed for weather and/or emergency reason. Regional offices may establish their own policy as it relates to the basis for office closure.

TERMINATION, LAY-OFF AND RETIREMENT

Even though employees of the MC are "at will employees", the following is recommended as treatment befitting The United Methodist Church:

Employee Resignation

When resigning, the employee is requested to provide written notice to the supervisor at least two weeks before his/her final day of work. The supervisor shall determine whether the employee shall finish the two-week notification period or be released with wages paid through the two-week period.

Abandonment, or non-approved absence from work, is considered a voluntary resignation.

Involuntary Termination

Should it become necessary to terminate a regular, full-time employee due to a workforce reduction through no fault of the employee, the supervisor will provide written notice to the employee affected at least two weeks before the effective termination date.

Regular full-time employees subject to a workforce reduction will receive a severance offer, based on anniversary date of hire as follows:

- Ten (10) days wages shall be paid if the employee has completed one (1) year, but less than four (4) years' service;
- Twenty (20) days wages shall be paid if the employee has completed four (4) through nine (9) years' service;
- Forty (40) days wages shall be paid if the employee has completed ten (10) or more years' service.

The employee must sign a Confidential Severance Agreement and General Release in order to receive the severance pay offered.

Employees terminated by the employing agency for any other reason, including for misconduct or performance issues, may not be provided notice and will not be offered severance.

When clergy are involved in a potential termination or lay-off, consultation must first take place with the Appointive Cabinet.

Retirement

On his/her date of hire, all eligible, regular employees are enrolled in the pension program of Wespeth Benefits & Investments. Details of the plan are available from the Conference Benefits Office.

Eligible retired persons shall have a portion of his/her health care premiums paid by the MC in accordance with the rate established by the MC and contained in the Pension and Health Care Policy of the MC, as it may from time to time be established and re-established. The retired employee will be responsible for the other part of the premium.

All active and retired employees must enroll in Medicare at age 65, or the earliest date of eligibility. Active employees must enroll in Medicare Part A. Retirees must enroll in Medicare Parts A and B. See the Conference Health Care Plan for more information.
