

♦ Session 2: Employee and Volunteer Lifecycle



♦ Legal things to consider

Note: This is not legal advice.



Laws and Forms

- I-9: Authorization to work in US
- E-Verify
- FLSA
 - Exempt vs. Non-Exempt
 - Ministerial Exemption
- Contractor vs. Employee
 - <https://www.irs.gov/businesses/small-businesses-self-employed/independent-contractor-self-employed-or-employee>

Laws and Forms

Michigan Earned Sick Time Act

Accrual Rate: Employees earn 1 hour of sick leave for every 30 hours worked.

Paid Time Minimums:

Employers with **10 or more employees** : 72 paid hours per year.

Employers with **fewer than 10 employees** : 40 paid hours and 32 unpaid hours per year.

Start Date for Accrual:

Current employees begin accruing hours on **February 21, 2025** , with access as they earn them.

New employees start accruing upon employment, though access may be delayed by up to 90 days.

Laws and Forms

Michigan Earned Sick Time Act

Eligible Uses: Sick leave can be used for:

- Employee illness (physical or psychological).

- Care for a family member.

- Obtaining services from domestic or sexual assault organizations.

- Other qualifying reasons.

Unused Hours: All unused earned sick time carries over year-to-year, but employers are not required to allow usage beyond the annual maximum.

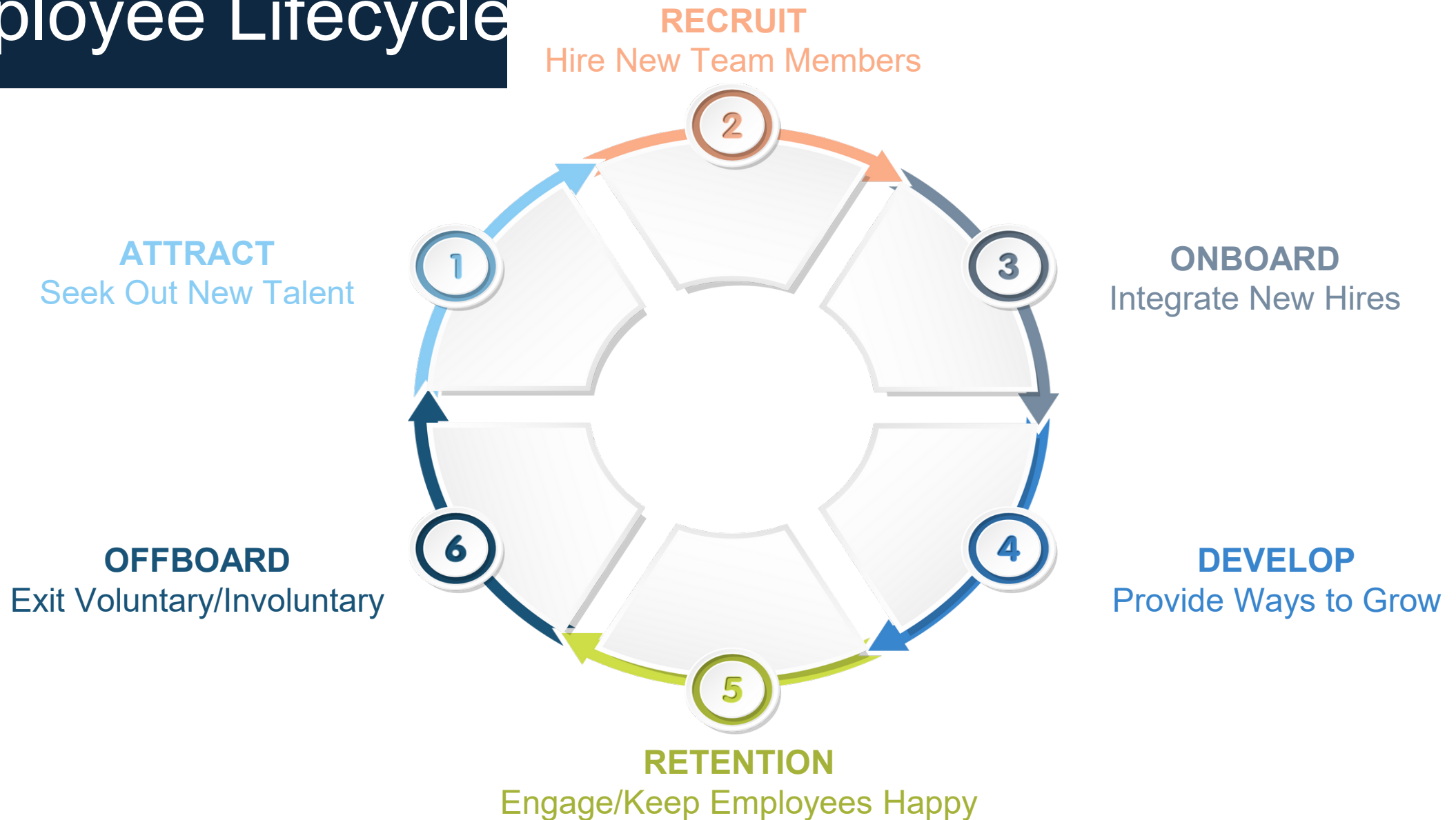
End of Employment: Employers are not obligated to pay out unused sick time upon resignation, layoff, retirement, or termination.

Laws and Forms

Pastors are weird

- Are considered employees for income tax purposes
- Are considered self-employed for Social Security and Medicare purposes
- Receive a W-2, never a 1099
- Cannot withhold FICA from a pastor's wage
- However, a pastor can *voluntarily* ask for taxes to be withheld .
- Clergy pay employee and employer portion of payroll taxes on income and value of parsonage or housing allowance .

Employee Lifecycle



Employee Lifecycle

1. ATTRACT

Seek Out New Talent

- Discern if this should be a paid job and how should it be remunerated
- Develop clear job description with actual and realistic responsibilities
- Develop pay structure to meet local market and job requirements
- Be aware of your reputation in the community
- Decide if you will allow church members to apply
- Post job based on your area (FB, Indeed, literal bulletin boards)

Employee Lifecycle

2. RECRUIT

Hire New Team Members

- Screen applicants with phone interviews, social media review
- Determine interview team and process
- Develop interview questions: Open -ended, task -based
- Be aware of questions you are not allowed to ask
- Please follow up with all applicants
- Any offers should be contingent on passing background checks and completion of abuse prevention training

Employee Lifecycle

3.ONBOARD

Integrate New Hires

- 1st day check list
 - Payroll
 - Employment forms
 - Policies- written and unspoken
- 1st week check list
- 1st month check list
- Provide clear lines of communication and authority

Employee Lifecycle

4. DEVELOP

Provide Ways to Grow

- Provide regular check -ins
- Address problems immediately and **document!!!**
 - Problems should be directly related to job functioning
- Provide semi-and annual performance reviews
 - These should be forward looking and goals based
- Provide resourcing for any areas of needed growth: education, coaching, etc.
- Provide clear corrective action plans and graduated discipline
- And document!!!!

Employee Lifecycle

4. DEVELOP

Provide Ways
to Grow

Types of employee review:

- Trait based
- Outcome based/ GoalBased

Employee Lifecycle

5. RETENTION

Engage/Keep Employees Happy

- Provide yearly COLA increases
- Provide bonuses or other perks
- Recognize good performance, especially after important seasons (Christmas, Easter)
- Provide adequate vacation and time off

Employee Lifecycle

6. OFFBOARD

Exit Involuntarily

- Document everything immediately!!
 - Do not wait before documenting performance issues
- Plan how to terminate employment
 - Some issues may require immediate termination or leave
 - Make sure you have access to computer and online programs/ social media
 - Create plan to pick up employees functions
- Always have multiple people present for termination
- Quickly and clearly communicate with congregation

Employee Lifecycle

6. OFFBOARD

Exit voluntarily

- Discuss succession planning early and often
 - Both for emergencies and to raise up successors
- Celebrate service in an appropriate way
- Set expectations for post -employment contact and responsibilities
 - Especially important for retiring employees who are members of the church
- Exit interview to assess church improvement opportunities

What about volunteers?

- Follow life-cycle as much as possible
- Be aware of dual roles and triangles
- Recognize various power differentials, i.e. volunteers can also be important donors

Crisis Management

- Develop crisis management plan
- Follow any required legal or conference procedures, especially in regards to abuse prevention
- Inform and ask assistance of DS
- Retain legal counsel if necessary (relationship of conference chancellor vis -à-vis local churches)

Scenarios

Scenario 1: A long-time paid church secretary has had declining performance. She is also a church member and heavily involved in UWF. The pastor and SPRC want to transition her to retirement, but she is resistant.

Scenario 2: The choir director in the traditional service and the worship leader in the contemporary service are in conflict. Both have cliques that support them, and both are members and significant givers. Neither has had a performance review since beginning employment.

Scenario 3: A long-time volunteer runs VBS every year. They are getting older and have a hard time finding volunteers. Many other members have mentioned they would love to volunteer but don't like the way the leader micromanages them.