



**Evangelical Lutheran Church in America**

God's work. Our hands.

# **CHURCHWIDE ORGANIZATION PERSONNEL POLICIES**

Recommended to the  
ELCA Church Council  
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# **1. INTRODUCTION**

## **1.1. Welcome**

Welcome to the churchwide organization of the Evangelical Lutheran Church in America. We are pleased that you have joined our staff. We hope you will find your job challenging, enjoyable, and rewarding, and we wish you success. We believe each employee contributes to this church's ministry and mission, and we hope you will take pride in being a member of the churchwide organization.

Please read these policies carefully. We have tried to anticipate questions you may have about your benefits and opportunities as well as our policies and procedures. Do not hesitate to raise any questions you may have.

## **1.2. Nature and Purpose of this Church**

The Evangelical Lutheran Church in America is part of the universal Church of Christ. The Church 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. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of the Church are to be carried out under His rule and authority.

## **1.3. About the Evangelical Lutheran Church in America**

The Evangelical Lutheran Church in America is a nationwide church dedicated to the propagation of the Christian faith in the Lutheran tradition. It began its existence on January 1, 1988, following the merger of three predecessor Lutheran bodies. The name "Evangelical Lutheran Church in America" refers, in general references, to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization, which is the employer. The churchwide organization is a Minnesota nonprofit corporation headquartered at 8765 West Higgins Rd, Chicago, Illinois. The 65 separately incorporated synods of the church constitute the second expression. The thousands of congregations which are separately incorporated constitute the third expression of this church.

The relationships between the three expressions of the ELCA are ecclesiastical in nature. Under the civil law, the churchwide organization, each synod, and each congregation are separate and distinct from one another. Their separate legal status allows each entity to function in the secular world by engaging in activities like making contracts, hiring employees, and owning property. While legally separate, the three expressions together constitute this church.

## **1.4. Important Notice About The Personnel Policies of the Churchwide Organization**

These policies have been approved by the ELCA Church Council, the board of directors of the churchwide organization. Included here are significant policies, practices, and procedures followed by the churchwide organization with regard to the organization's employees. Additional specific policies and practices are provided to employees on the ELCA intranet. Employees who have questions that are not answered in this document or on the intranet should address those questions to their supervisor or Human Resources. Different policies may apply to some employees serving as missionaries or certain deployed staff. These policies do not apply to employees of any of the ELCA's synods or congregations, nor to other agencies or affiliated organizations.

This document is designed to provide employees with information about working conditions, employee benefits, and important policies affecting employment. These policies are published to provide a convenient resource for all employees, to assist in the orientation of new employees, and to promote consistency in the administration of the services provided by the ELCA. Employees are expected to read, understand, and comply with all provisions in this document.

No set of personnel policies can anticipate every circumstance or question or summarize every policy. Therefore, these policies are not intended to create, nor do they create, contract rights. Notwithstanding any provision of these policies, the churchwide organization has the right to make employment-related decisions on a case-by-case and at-will basis. Similarly, this church has the right to revise, supplement, or rescind any policy or portion of these policies from time to time as it deems appropriate, in its sole discretion and without advance notice. Any such changes shall apply to both current and future employees. The ELCA will seek to make sure that a current copy of the Personnel Policies is available to all employees. If any provision of these policies is inconsistent with a third-party benefit plan, such as those of Portico Benefits Services, or an ELCA governing document, the applicable benefit plan, or ELCA governing document will ordinarily be controlling.

As a religious institution, the ELCA has religious freedom protections under the First Amendment to the United States Constitution and similar provisions of state constitutions. Additional rights are granted religious organizations by certain federal and state statutes.

The rights inherent in the concept of religious freedom are a key element of American democracy and nothing in these policies constitutes a waiver of any of those rights.

The applicability of these policies to ordained ministers, lay leaders rostered by the ELCA or another church body depends on the particular circumstances. Churchwide employees, whether they are ordained, lay rostered or lay staff, whose duties are deemed primarily ministerial in nature are not covered by employment discrimination laws or related regulations. The same is true for applicants for employment in such ministerial positions. Further, depending on the particular circumstances, such ministerial employees and applicants for employment are not entitled to assert other employment-related claims against the church.

In addition, a minister or other rostered person is subject to the standards established and administered by the ELCA and the appropriate synod in their respective governing documents. Because of the nature of the ministerial office, the application of these policies to ministers generally is subject to the following guidelines:

To the extent a minister functions as a supervisor of other employees, he or she is expected to follow the guidelines of the Personnel Policies relating to supervision.

This document describes certain benefits and practices—for example, paid vacation, leave benefits, and holidays—available to all employees of the ELCA, and those benefits will generally be available to ordained ministers as well.

This document also describes certain policies—for example, no-smoking policies, policies relating to computer and email usage and other electronic communications, and policies describing on-the-job behavior and conduct—that are considered applicable to all employees regardless of the ministerial nature of their work.

Nothing in these Personnel Policies, however, is intended to detract from a person's obligations and responsibilities as a called and ordained minister, or a rostered lay leader of the ELCA (or a related church body), including, but not necessarily limited to, rights and responsibilities under a letter of call or imposed by reason of the governing documents of the ELCA.

## **2. RECRUITMENT AND EMPLOYMENT**

### **2.1. Nature of Employment**

Employment with the ELCA is voluntarily entered into and, unless a specific written contract containing different terms has been agreed upon, the employment relationship is "at will." This means that subject to applicable legal provisions and governing document requirements, the employment relationship can be terminated at any time by either party for any reason, with or without cause or notice. The employee is free to resign at any time. Similarly, the church may terminate the employment relationship at any time.

Nothing in these Personnel Policies creates contractual obligations or rights on the part of the churchwide organization. By way of illustration, the churchwide organization retains the following rights:

To determine the necessary qualifications for employment, and to recruit, select, and hire employees;

To determine both the extent and the type of work to be performed by all employees and to establish and maintain efficient procedures, standards, and methods necessary to achieve the work;

To determine the design and size of the work force, to assign work, and to transfer employees from job to job;

To classify, promote, and assign employees;

To take disciplinary action when necessary or appropriate, which may include termination of employment; and

To determine work schedules, to implement layoffs, and to make all other management decisions.

### **2.2. Application Form**

All applicants for employment with the ELCA must complete the application procedure as specified by Human Resources as well as all forms necessary to complete background checks.

An applicant who is rostered must provide his or her current Rostered Leader Profile to the Office of the Presiding Bishop/Human Resources.

### **2.3. Management Philosophy**

Experience has shown that dealing openly and directly with employees enhances the work



environment. This church values and respects integrity, excellence, and interdependence, and believes these values give a sense of shared purpose and help everyone focus on the needs of the people and institutions we serve. Employees are encouraged to ask questions about their jobs and to express any concerns about job-related issues directly to their supervisor.

## **2.4. Equal Employment Opportunity**

The ELCA is an equal opportunity employer committed to employing individuals who are qualified to meet the responsibilities of their jobs. In addition, as discussed in Section 1.4, under the First Amendment to the U.S. Constitution and similar provisions in state constitutions, the churchwide organization is exempt, therefore, the church's policy is to employ, retain, promote, and terminate employees and applicants for employment on the basis of merit, qualifications, and competence. Subject to Section 1.4 above, this policy of non-discrimination governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training. At the same time, certain positions require ordination, Lutheran theological training or experience, or membership in an ELCA congregation. In addition, as discussed in Section 1.4, the churchwide organization, under the First Amendment to the U.S. Constitution and similar provisions in state constitutions, is exempt from federal, state, and municipal anti-discrimination laws and regulations, as well as other employment laws as applied to rostered and non-rostered employees in positions of ministry. Therefore, this equal opportunity policy will be interpreted and applied in accordance with those constitutional and statutory provisions applicable to churches and other religious organizations. Nothing in these Personnel Policies waives any of this church's constitutional or statutory rights.

Any employees with questions or concerns about discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, any other supervisor, or any Human Resources employee. Employees can raise concerns and make good faith reports without fear of reprisal.

## **2.5. Disability Accommodations**

The ELCA recognizes that disabled individuals have gifts to give and challenges to overcome. To help overcome these challenges, this church's goal is to make reasonable accommodations for known disabilities of applicants or employees. Generally, any such accommodation must permit applicants or employees to perform the jobs held or applied for without causing an undue hardship for the church. All accommodation decisions are made on a case-by-case basis, taking into account applicable legal and constitutional requirements, the qualifications and the particular circumstances of the individual in relation to job-related criteria, and this church's resources.

## **2.6. Hiring Procedures**

### **2.6.1. Role of Human Resources**

Human Resources must be notified in advance of all vacancies, transfers, promotions, demotions, or terminations.

All discussions with prospective or current employees regarding pay, relocation, or benefits require advance consultation with Human Resources. Human Resources makes all offers of employment.

No commitments or representations that are inconsistent with these hiring procedures may be made without the advance written approval of the Executive for Human Resources. In the absence

of such advance written approval, any offer, commitment, or representation that is inconsistent with these hiring procedures is null and void.

### **2.6.2. Letters of Call**

Letters of call will be prepared and sent by the Office of the Secretary to ordained ministers and rostered lay leaders called to serve in positions in the churchwide organization. Such letters will be prepared by the Office of the Secretary in conjunction with offer letters prepared by Human Resources.

### **2.6.3. Restrictions Applicable to Certain Positions**

The churchwide organization will not hire a person for a position with financial oversight responsibility if, during the previous three years, the person was directly or indirectly involved in an independent audit of the organization or an affiliated entity or had a financial interest in the firm performing the audit.

Members of the Church Council and members of a board or advisory committee will be required to resign from such membership prior to accepting a position with the churchwide organization.

Vacancies in certain executive positions are filled in accordance with applicable governing documents.

## **2.7. Job Posting**

The Evangelical Lutheran Church in America seeks to provide current and prospective employees an opportunity to indicate their interest in open positions. While job openings are normally posted, the Executive for Human Resources may, with approval of the Executive for Administration, decide that a particular opening will not be posted. Posted job openings will normally remain open for at least ten days. Each job posting notice will normally include the dates of the posting period, job title, essential duties, and required qualifications and skills.

Job posting is only one way to inform current and prospective employees of openings and to identify qualified and interested applicants who might not otherwise be known. Other recruiting sources may also be used to fill open positions.

## **2.8. Personal Relationships in the Workplace**

The employment of relatives or individuals in a family, partnership, or dating relationship may cause conflicts and problems with favoritism—real or imagined—and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

Relatives of current employees may not occupy a position in which they will directly supervise, or be supervised by, their relative(s). Individuals involved in a dating relationship with a current employee will not be permitted to supervise or be supervised by that employee. The church also reserves the right to take appropriate action if an actual or potential conflict of interest arises involving relatives or individuals in a dating relationship.

If a relative relationship or dating relationship exists between employees who are in a supervisory situation as described above, the supervisor and the supervised employee involved in the relationship must disclose the existence of the relationship to Human Resources.

If a conflict or potential conflict arises because of a relationship between employees, even if there is no supervisory relationship, the employees may be separated by reassignment or terminated from employment.

## **2.9. Allegations of Misconduct**

Whenever there is any indication that a candidate being seriously considered for employment has been the subject of allegations including criminal conduct, substance abuse, financial misconduct, sexual misconduct or sexual harassment, the Executive for Administration and the General Counsel will be notified before any offer of employment is extended to the candidate. This requirement is in addition to, and not in lieu of, any other procedures applicable to the hiring of an individual for the position to be filled. Being “seriously considered for employment” means that the candidate is the only individual or one of the finalists being considered for the position.

The notice required under the previous paragraph must be given in all cases where the candidate, if hired, will be an employee of the churchwide organization, whether within the Lutheran Center or deployed, and without regard to the office or unit involved, the full-time or part-time nature of the position, and the persons involved in the decision-making process. The procedure will also be followed if the particular individual would be an independent contractor rather than an employee.

If the candidate is or was rostered, additional requirements apply:

- (i) A currently rostered candidate’s Rostered Leader Profile, will be requested from the appropriate synodical bishop for dissemination in accordance with established procedures to the head of the office or unit for which the candidate applied.
- (ii) If the candidate experienced a break in service—any extended period of time where the candidate was without a call or was not on the roster—all of the relevant facts and circumstances must be reviewed and a satisfactory explanation must be provided if the candidate is to be further considered.

## **2.10. Ethical Conduct**

The ELCA’s reputation for integrity and excellence requires careful observance of the spirit and letter of applicable laws and regulations, as well as due regard for ethical behavior, standards of conduct, and personal integrity. The church expects its employees to conduct themselves in accordance with the letter, spirit, and intent of relevant laws, regulations, and ELCA procedures and to refrain from any illegal, dishonest, or unethical conduct.

The mission and ministry of the ELCA also depend on the trust and confidence of synods and congregations. Employees are expected to act in a way that will merit the continuation of this trust and confidence. All funds and property received and administered by the churchwide organization are entrusted to the organization by God through the faithful financial support of ELCA members and friends. All employees are held to high standards of stewardship and fiduciary responsibility with regard to the receipt, reporting, and use of funds, property, and time.

All employees must sign an employee ethics policy form covering the matters detailed below.

### **2.10.1. Duties of Loyalty and Due Care**

Each employee is responsible for acting in the best interests of the churchwide organization. All employees are expected to make reasonable efforts to inform themselves of the mission and ministry of the ELCA and to act as a reasonable employee would act under the same or similar circumstances.

### **2.10.2. Avoiding Conflicts of Interest**

Employees are expected to perform their duties in a way that avoids actual or potential conflicts of interest as well as the appearance of conflicts of interest. A “conflict of interest” means any situation in which the employee may be influenced or appear to be influenced in decision-making or business dealings by any motive or desire for personal advantage other than the success and well-being of the churchwide organization. “Personal advantage” means a financial interest or some other personal interest, whether present or potential or direct or indirect. This standard applies to both actual and contemplated transactions.

All present and potential conflicts of interest issues must be disclosed.

Employees are required to disclose, in writing, matters and relationships that might appear to be a conflict in business dealings with the churchwide organization. Examples include, but are not limited to, financial interests or leadership roles with vendors and other organizations doing business with the organization. The head of the employee’s office or unit will evaluate disclosures and determine the appropriate action to be taken.

Business dealings with friends and family are particularly sensitive and are to be disclosed and carefully evaluated because of the potential for inferences of tangible or intangible personal advantage and the appearance of impropriety. The mere existence of a family relationship or a friendship does not violate this policy if an employee promptly discloses to their supervisor the existence of any family relationship or friendship that may be considered an actual or potential conflict of interest and appropriate safeguards are followed. Any doubts should be resolved in favor of disclosure.

If the conflict of interest is known in advance of any meeting, business transaction, contract, or other activity at which issues may be discussed or on which the issues may have a bearing on the employee’s approach, whether directly or indirectly, the conflict must be disclosed prior to the meeting. Normally disclosure is to be made in writing to the employee’s supervisor.

If the conflict is not known in advance, it must be disclosed as soon as the actual or potential conflict becomes apparent.

When conflict-of-interest issues relate to a meeting, disclosure should be made to the person in charge of the meeting and, at the discretion of the person in charge, to the full meeting. The employee must leave the meeting room to avoid all discussion, voting, and deliberation on the issue. Following full disclosure, the other persons attending the meeting may decide that no conflict of interest exists and invite the participation of the employee. All actions relating to the disclosure and action taken must be recorded in the meeting minutes.

### **2.10.3. Gifts**

To avoid the appearance of impropriety, any gifts, gratuities, and hospitality offered to an employee—such as goods, free travel, or lodging—may be accepted and used only for the benefit of the organization. All gifts must be reported to a supervisor. Occasional, non-repetitive, minimal gifts—having a value of less than \$75 and given as part of a special event or seasonal holiday—are exempt from this reporting requirement. Gifts that primarily benefit the churchwide organization and not an individual, such as gifts of hospitality given to the churchwide organization by hotels, conventions, and conferences in relation to official churchwide organization business, are also exempt. Employees may also participate in reasonable, normal relationship-building activities, such as meals, entertainment events, and similar activities. Such participation must be reported to the employee’s supervisor.

Employees may not accept gifts from outside vendors or members of ELCA congregations. A gift from a vendor is defined as anything offered directly by or on behalf of a vendor to any employee, other than the purchase of a business-related meal and advertising materials of little value such as pens, pencils, calendars, and similar items intended for wide distribution and that bear the donor company's name or advertising slogan. A gift from a congregational member is anything of value other than a personal trinket or food item. Questions arising about the propriety or appearance of impropriety of receiving a gift should be directed to Human Resources.

#### **2.10.4. Confidentiality**

Subject to applicable legal requirements, certain information must be held in confidence by all employees, including allegations of misconduct under investigation; financial matters; medical, psychological, and family matters pertaining to rostered leaders; and other sensitive information. All such confidential information is not to be discussed or divulged to anyone, within or outside of the churchwide organization, unless disclosure is required by law or limited disclosure is made for a compelling reason.

#### **2.10.5. Transactions and Reporting**

Each employee is required to prepare, process, maintain, and report complete, accurate, and timely records pertaining to his or her duties, including, but not limited to, journal entries, expense reports, disbursement requests, and payroll transactions. All employees required to record their working time must do so accurately, and all employees are required to report all absences properly, regardless of the reason for the absence. All physical, financial, informational, and other churchwide organization assets are to be safeguarded. In addition, no undisclosed or unrecorded fund or asset will be established, and no artificial or false entries will be made in the financial or other records of the ELCA. The use of the ELCA's funds for any unauthorized or unlawful purpose is prohibited.

Employees are required to report all violations of this policy including misconduct, fraudulent transactions, errors related to overpayments, or any other impropriety, whether by themselves or by others. Likewise, concerns about the appearance or the possibility of violation of this policy should be reported factually and objectively. There will be no adverse action for reports made in good faith or for an employee's participation in a follow-up investigation.

Required reports may be made to the employee's supervisor, the Executive for Human Resources, the Internal Audit, the General Counsel, or an officer of the ELCA. All reports relating to accounting, internal accounting controls, or auditing matters should also be forwarded to the Internal Audit for further action and reporting to the Audit Committee.

### **2.11. Introductory Period**

Most employees work on an introductory basis during their initial employment with the churchwide organization. The introductory period is 90 days.

The introductory period is intended to give employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether their position meets their expectations. The organization uses this period to evaluate employees' work habits and overall performance. During the introductory period, an employee is expected to discuss his or her progress with the appropriate supervisor and to ask questions about the duties he or she is performing. Either the employee or the organization may end the employment relationship at any time during the introductory period without regard to other provisions of the policies that may apply once the introductory period has been successfully completed.

If the designated introductory period does not allow sufficient time to evaluate the employee's performance, the introductory period may be extended with approval of the Executive for Human Resources. Any absence will automatically extend an introductory period by the length of the absence. Employees who are promoted or transferred within the organization may be required to complete an additional introductory period.

## **2.12. Performance Reviews**

Each employee should receive a performance review near the end of the introductory period. At the discretion of the supervisor, a second review may be conducted upon the completion of an additional 90 days of employment.

After the initial review(s) referred to above, employees generally have their performance appraised on an annual basis. Performance appraisals are used in all aspects of the employment relationship, including promotions, training or retraining, reassignments, pay adjustments, and disciplinary and discharge decisions. Supervisors are therefore required to use the performance appraisal forms provided by Human Resources. There are no requirements as to the distribution of ratings that would prevent a fair appraisal of performance in relation to established standards.

## **2.13. Personnel Records**

### **2.13.1. Access to Personnel Documents**

Human Resources maintains a personnel file on each employee. The personnel file includes information such as the employee's job application, résumé, records of training, hours worked and pay information, and other pertinent employment records. Offices and units within the churchwide organization are required to forward all original employment records to Human Resources. Some documents may be stored electronically separate from the personnel file.

Personnel records are the property of the churchwide organization and access to the information they contain is restricted. Generally, only appropriate supervisory and Human Resources personnel who have a legitimate reason to review information in a personnel file are allowed to do so.

Employees may review and obtain copies of their own personnel documents in accordance with applicable legal requirements. Original records may not be removed from Human Resources.

### **2.13.2. Personal Data Changes**

Employees must promptly enter into the current Human Resource Information System any changes in their personal home mailing addresses, email addresses, telephone numbers, names and number of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and similar data.

### **2.13.3. Accuracy of Information**

The churchwide organization relies on the accuracy of information contained in the employment application, including the Rostered Leader Profile when applicable, and additional information provided by the employee as part of the hiring process or during the employment relationship. Any individual who falsifies, misrepresents, or omits material information may be rejected from hiring consideration or, if already hired, terminated from employment.



## 2.14. Reimbursable Expenses

Employees of the churchwide organization who are required to travel or expend funds in connection with the performance of their work will be reimbursed for approved expenses, including transportation, food, and lodging in accordance with the ELCA Corporate Travel Policy (available on the churchwide organization's intranet).

## 2.15. Children in the Workplace

Children are welcome to visit employees at the office for such purposes as lunch, a brief visit to a workstation, or for special occasions when they are specifically invited. The hosting employee is responsible for the children during such visits and should remain with them at all times. Children should not be brought to the work site as a substitute for childcare arrangements. Temporary emergency situations may be addressed by supervisors on a case-by-case basis.

# 3. EMPLOYEE CLASSIFICATIONS

The churchwide organization defines employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Unless otherwise required by law, these classifications are subject to change at the discretion of the organization.

As required by the Fair Labor Standards Act, all employees will be designated as either **non-exempt** or **exempt** for purposes of overtime pay. Non-exempt employees will receive overtime pay at the rate of one-and-one-half times their regular rate for hours worked in excess of 40 during a single workweek. The workweek begins on Sunday at 12:01 a.m. and ends the following Saturday at midnight. Exempt employees are not entitled to overtime pay.

All employees will also be classified in the other employment categories described below:

**Full-time regular employees** are those who are not in a temporary status and who are regularly scheduled to work at least 40 hours per week. Generally, they are eligible to participate in the church's benefit programs, subject to the terms, conditions, and limitations of each program.

**Part-time regular employees** are those who are regularly scheduled to work less than 40 hours per week. Part-time regular employees who are regularly scheduled to work at least 20 hours per week are eligible for paid vacation on a prorated basis and certain additional benefits. Other part-time regular employees are not eligible for vacation but are eligible for certain other benefits, subject to the terms, conditions, and limitations of each benefit program.

**Specified-term employees** are those who are employed by the church for a specified time under terms and conditions set forth in a written agreement. The agreement normally covers the beginning and ending dates of the employment term, the services to be performed, reporting relationships, compensation, benefits (if any), expense reimbursement, exempt or non-exempt status, and arrangements for performance review. Social Security withholding applies to specified-term employees.

**Temporary employees** are individuals hired for temporary work. They may be full-time or part-time; exempt or non-exempt. They are not eligible for any of the benefits summarized in this document.

However, the pay of temporary employees is subject to Social Security contributions. All arrangements for the retention of temporary employees must be approved in advance by the Executive for Human Resources.

**Independent contractors** are not employees of the ELCA. Their compensation is not subject to Social Security withholding and they are not entitled to workers' compensation or other benefits. As is the case with specified-term employees, all of the arrangements made with an independent contractor must be set out in a written agreement.

## **4. WORKING HOURS**

### **4.1. Core Hours**

Employees are to organize their work schedules within the limits of specified hours, subject to the approval of their office or unit. Full-time non-exempt employees in the Lutheran Center will normally work an eight-hour period between the hours of 7:00 a.m. and 5:30 p.m. Central time Monday through Friday. The hours of operation may change. Also, an employee's hours may vary depending on particular assigned duties during any given day.

The needs of the job must be given appropriate priority. Staff members are expected to be flexible in the accommodation of workplace needs and to come in early or stay late when necessary. Non-exempt employees working outside their normal hours must have their time approved in advance by the appropriate supervisor. Non-exempt employees will be paid for all hours worked.

Employees are entitled to an unpaid lunch period of 30 minutes. The lunch break is not work time and is therefore not part of the eight-hour workday.

Non-exempt employees may also take a paid, 15-minute rest break each morning and afternoon. These paid breaks are part of the eight-hour day. They may not be taken at the beginning or end of the day but may be added to the lunch period. Each office or unit should establish a schedule for lunch breaks and rest breaks providing for the effective operation of the office or unit. Non-exempt employees must review any deviation from the approved schedule with the appropriate supervisor.

All employees required to record their working time must do so accurately, and all employees are required to report all absences properly, regardless of the reason for the absence.

### **4.2. Overtime**

At times, certain jobs require extra time and effort. There will be times when a staff member will need to come in early or stay late because of workloads or the demand of a particular project. Employees whose job responsibilities require them to work additional hours should accept this as part of the job. Non-exempt employees may not work beyond their normally scheduled hours without advance permission from their supervisor.

Non-exempt employees who are required or permitted to work overtime will receive overtime pay in accordance with the requirements of the Fair Labor Standards Act and applicable state law. Overtime pay is based on one and one-half of the employee's regular rate for all hours worked in excess of 40 hours in each workweek. "Hours worked" means time actually spent on the job, and therefore do not include vacation time, holiday time, sick time, or any other time spent on leave, whether paid or unpaid.



A supervisor may grant a non-exempt employee time off in lieu of overtime pay on an hour-per-hour basis, but only if the time off is taken during the same work week. For example, if a non-exempt employee worked 40 hours from Monday through Thursday, the employee may be authorized to take off on Friday of the same week.

The churchwide organization intends to follow all applicable requirements of federal and state law concerning overtime pay. Supervisors and employees are encouraged to bring all questions relating to hours worked to the attention of Human Resources.

### **4.3. Attendance and Overtime Records**

All employees who are required to record time worked must do so accurately. Proper recording of hours worked is especially important when working hours may vary from day to day or week to week. The church is committed to paying employees properly and will promptly correct any errors in paychecks and reimburse employees as required. An employee who believes there has been an improper deduction or other pay error should promptly notify the appropriate supervisor or Human Resources.

Human Resources is responsible for maintaining attendance records suitable for payroll purposes and wage-and-hour requirements, including all overtime worked by each non-exempt employee.

### **4.4. Summer Flexible Schedule**

Summer hours may enable eligible employees to enjoy additional personal time away from the office during the summer months by working additional hours on four days of the regular work week. Depending on the number of hours worked during the four-day period, the summer schedule may allow the employee to free up a full day or a half day every week. The hours worked during the summer flexible schedule must fall between 6:00 a.m. and 6:30 p.m.

Only full-time regular employees are eligible for a summer flexible schedule. To participate in a particular year, the employee must obtain written approval of the supervisor in the applicable office or unit and submit the completed approval form to Human Resources no later than one week prior to the first full week of June. Employees who do not obtain the necessary approval will remain on their regular work schedules.

The examples below illustrate potential summer schedules. The first two schedules allow for a half day off each week; the other two allow for a full day off.

Working Monday through Thursday, 7:30 a.m. to 5:00 p.m. (30-minute lunch) and Friday, 7:30 a.m. to 11:30 a.m.

Working Monday, 1:00 p.m. to 5:00 p.m. and Tuesday through Friday, 7:30 a.m. to 5:00 p.m. (30-minute lunch).

Working Monday through Thursday, 7:00 a.m. to 5:30 p.m. (30-minute lunch) with every Friday off.

Every Monday off and working Tuesday through Friday, 7:00 a.m. to 5:30 p.m. (30-minute lunch).

Employees on a summer flexible schedule will work a regular eight-hour day and five-day week during any week that includes a paid holiday or approved vacation time.

The summer flexible schedule is generally available between the first full week in June the last full week

in August. Each office and unit will manage the workweek in that office or unit. The summer flexible schedule is not guaranteed, and is subject to amendment or termination at any time.

## **4.5. Telecommuting**

The churchwide organization may consider telecommuting as a viable alternative for some employees and some jobs. Telecommuting is defined as working from home or from an approved remote location for all or part of the normal work week, during normal working hours, for a specified period of time. Telecommuting is a privilege, not an entitlement or a benefit. Except for the location of their work site, employees who are allowed to telecommute are subject to the same terms and conditions of all other similarly situated ELCA employees. Any telecommuting arrangement may be canceled at any time by either the churchwide organization or the affected employee.

### **4.5.1. Eligibility**

Not every employee is eligible for telecommuting. Some jobs cannot be performed remotely, and some individuals find it difficult to work away from an office environment. Individuals best suited to telecommuting arrangements are those who are organized, self-motivated, and flexible, and who can work productively on their own. Eligible employees must have a record of satisfactory performance.

### **4.5.2. Process to Be Followed**

An employee who is interested in telecommuting should notify the appropriate office or unit. All telecommuting arrangements require the advance written approval of the head of the office or unit and of the Executive for Human Resources. All telecommuting arrangements will be made on a case-by-case basis, focusing on the needs of the organization first and paying particular attention to the factors mentioned in Section 4.5.1 and to the nature of the position involved.

Jobs best suited for telecommuting are those that require independent work, concentration, and result in a specific work product that is readily measurable. The position should also involve limited face-to-face interaction with fellow employees.

If the arrangement is approved, the employee is solely responsible for fulfilling all tax and legal restrictions associated with the business use of the employee's home.

### **4.5.3. Equipment and Supplies**

The office or unit, in consultation with Human Resources, Information Technology, and the affected employee, will determine the appropriate equipment needs for each telecommuting arrangement on a case-by-case basis.

The churchwide organization will arrange for maintenance of the equipment it provides. Such equipment is to be used for business purposes only. The employee is responsible for safeguarding the equipment and for returning it upon termination of the employment relationship.

### **4.5.4. Working Environment**

Employees working at home are subject to the same expectations for preserving the security of information as employees working at the Lutheran Center. Telecommuters are expected to use locks on desks and file cabinets, update their passwords regularly, and take all other required actions to protect organizational information.

The telecommuting employee must establish an appropriate work environment within the home or remote work location and may be offered appropriate assistance. However, the ELCA is not obligated to be responsible for any costs associated with initial setup of the employee's home office or for any subsequent repairs or modifications.

Any injuries sustained by the employee while working at home or another remote work location in conjunction with regular work duties are normally covered by workers' compensation. The employee must promptly notify his or her supervisor or Human Resources of any such injury. The employee is liable for any injuries sustained by visitors to the work site.

#### **4.5.5. Working Hours**

The office or unit will determine the number of days of telecommuting allowed each week, the work schedule the employee will customarily maintain, and the manner and frequency of communication. Telecommuting employees are required to be accessible by telephone and email during the specified work schedule and to arrange to attend staff meetings—whether by telephone or in person—as specified by the office or unit.

As is the case for all non-exempt employees—see Sections 3 and 4.2—non-exempt employees who telecommute are expected to obtain advance approval for overtime work and to record all working hours accurately.

## **5. COMPENSATION AND BENEFITS**

### **5.1. Compensation Philosophy**

The ELCA believes it is in the best interest of both the organization and its employees to compensate employees adequately for the value of their work. To the extent permitted by budgetary and funding constraints, the churchwide organization uses a compensation system that determines the current market value of a position based on the skills, knowledge, and behaviors required of a fully competent employee. All compensation decisions require the approval of the Executive for Human Resources.

The system incorporates the following criteria:

Local and industry-specific survey market data where such data is available, focusing primarily on not-for-profit organizations and addressing specialized job differences and market differences due to geographical location.

An evaluation of external equity, which is the relative worth of jobs directly comparable to similar jobs in the local economic marketplace or in other employment by entities affiliated with the ELCA. An evaluation of internal equity, which is the relative worth of each job when comparing the required level of competencies, formal training and experience, responsibility, and accountability of one job to others within the churchwide organization.

Sufficient flexibility to permit the organization to recruit and retain a qualified workforce while providing the structure necessary to manage the overall compensation program.

## **5.2. Pay Adjustments and Merit Pay**

The churchwide organization evaluates employees' pay annually. Annual pay increases are not guaranteed. Any pay adjustment will be based on the individual's annual performance review (see Section 2.12) and the organization's financial resources. All adjustments require the approval of the Executive for Human Resources.

Merit pay allows an individual to influence his or her earnings through on-the-job performance based on the most recent annual performance appraisal. Increases may be granted based upon improved or sustained performance. Generally, an employee must have completed at least nine months of satisfactory service before being eligible for a merit increase.

## **5.3. Pay Periods**

The churchwide organization has 24 pay periods per calendar year. The workweek begins on Sunday at 12:01 a.m. and ends the following Saturday at midnight. Employees are paid twice per month, on the 15th and 30th of each month except February, when the second payment will be on the 28th. If a scheduled payday falls on a non-working day, employees will normally be paid on the last working day preceding the scheduled payday.

Direct deposit of pay is encouraged for all employees.

There will be no pay advances to any employee for any reason.

## **5.4. Fees for Services and Honorariums**

Full-time non-exempt employees will be paid for part-time work performed in their off hours for another office or unit within the churchwide organization. If the nature of the part-time work performed for the second office or unit is similar to or an extension of the employee's regular job, the payment must be at one and one-half times the employee's regular hourly rate for all hours worked in excess of 40 during the work week. If the part-time work is totally different than the employee's regular job responsibilities, then the employee and the second office or unit, upon approval of the Executive for Human Resources, may negotiate a fee for the part-time services.

Exempt employees will not be paid for part-time work performed for another office or unit within the churchwide organization if (i) the part-time work is similar to or an extension of the employee's regular job responsibilities, (ii) the part-time work is to be performed when the employee is carrying out his or her regular job responsibilities, or (iii) the part-time work becomes part of the performance expectations in the employee's work plan and performance review. If the part-time work is totally different than the exempt employee's regular job responsibilities, is carried out apart from the employee's regular work setting, and is outside of the normal expectations for the employee's position, then the employee and the second office or unit, upon approval of the Executive for Human Resources, may negotiate a fee for the part-time services.

An employee is not to expect additional income for performing the normal duties and responsibilities of his or her position. Any employee who receives an honorarium for performing such duties and responsibilities or for representing the churchwide organization is required to remit the honorarium to the Office of the Treasurer for crediting to the employee's office or unit.

## **5.5. Garnishments and Wage Assignments**

The churchwide organization must honor garnishments and wage assignments. A garnishment is a court order to withhold and pay out a specified amount from the employees' earnings. A wage assignment is a direction by the employee to the same effect. In either case the organization will comply with applicable legal requirements. The affected employee is responsible for seeking to obtain any desired release or adjustment and providing the churchwide organization with required legal documentation.

## **5.6. Housing Allowance**

An ordained employee of the churchwide organization may request that a portion of his or her annual salary be designated as a housing allowance, in accordance with Internal Revenue Service regulations. The employee assumes full responsibility for compliance with IRS definitions of "costs to provide a home." Requests for housing allowances, on the form provided, must be forwarded to Human Resources annually for the ensuing year, with sufficient time allowed for the request to be approved and recorded in the official files.

## **5.7. Employee Benefits—in General**

Several of the ELCA's benefit programs are described below. Benefits involving time away from work are described in Section 6.

The church provides a comprehensive benefit program, administered by Portico Benefit Services, for its full-time employees and other employees who are regularly scheduled to work at least 20 hours per week (15 hours per week for rostered employees) for six months or more per year. The program includes health coverage, the ELCA Retirement Plan, a life insurance benefit, long-term disability benefits, and a flexible spending plan. Benefits eligibility depends on a variety of factors, including employee classification. Further information is available directly from Portico Benefit Services ([www.porticobenefits.org](http://www.porticobenefits.org) and 800-352-2876).

The ELCA has the right to change benefit programs or to modify eligibility requirements or coverage at any time. Further, as stated in Section 5.15, the churchwide organization is not required to participate in unemployment compensation insurance. Therefore, employees separated from employment with the churchwide organization are not eligible to receive unemployment insurance benefits. Any benefits offered to an employee outside of the normal hiring and employment practices of the churchwide organization or the summaries in these policies must be in a written document approved in advance by the Executive for Human Resources.

## **5.8. Health Coverage**

Through Portico Benefit Services, the ELCA offers health coverage, including hospital and medical, dental, prescription, vision, behavioral health, and an employee assistance program. Separate plan documents explain each benefit in detail, and the benefits are controlled by the language of the plan documents and summary plan descriptions. The same is true for the ELCA's long-term disability and flexible spending plans.

## **5.9. Retirement Contributions**

The churchwide organization provides a retirement benefit for eligible employees through Portico Benefit Services. Detailed information is contained in brochures published by Portico Benefit Services and available to all employees.

## **5.10. Death Benefit**

If an employee dies, four additional weeks of his or her salary will be added to the employee's final paycheck.

## **5.11. Relocation Reimbursement**

An employee who accepts employment with the churchwide organization will be eligible for reimbursement of permitted relocation expenses if his or her home is more than 50 miles from the office where assigned. A chart containing current eligible relocation allowances is available from Human Resources. The relocation moving expenses must be incurred within a "reasonable time" of the start of a new job, generally construed to be no more than one year after the employee's start date.

## **5.12. Training and Educational Opportunities**

Heads of offices and units are encouraged to promote opportunities for growth, both personal and professional, for ELCA employees. Discussion of ongoing educational needs and support should be part of employee performance appraisals. Educational opportunities are based on the need to enhance the work of the churchwide organization, the needs of the employee's office or unit, and the aptitude and skills of the employee. Necessary licensing, certification or re-certification requirements for certain employees and continuing education requirements for rostered leaders should also be considered. Special training opportunities within an office or unit may be offered at the discretion of the head of the office or unit.

Employees may contact Human Resources about taking a limited number of days off each year for continuing education if approved by their supervisor. Matching funds for approved continuing education, up to an annual limit, may also be available from Human Resources.

## **5.13. Social Security**

Consistent with the Social Security Act, the churchwide organization makes contributions based on the earnings of non-ordained employees. No contributions are made for ordained employees, nor are ordained employees reimbursed for their own contributions.

## **5.14. Workers' Compensation**

The churchwide organization provides workers' compensation insurance coverage for all employees. Workers' compensation laws are designed to protect employees and their families from the financial consequences of accidental injury, disease, or death arising out of and in the course of employment. Workers' compensation laws vary from state to state, but, in general, they pay for medical expenses and a percentage of lost income while the employee is disabled as well as death benefits and rehabilitation benefits. A waiting period will apply before income benefits are paid. The length of the waiting period depends on the state.

Employees who sustain work-related injuries or illnesses, no matter how minor, must inform their supervisor promptly. If necessary, an employee reporting an injury will be sent for medical treatment. The supervisor or the employee must promptly notify Management Services to complete the necessary documentation, which is also to be sent promptly to Risk Management and Human Resources.



The employee is responsible for providing the workers' compensation insurer with the treating physician's name and contact information and other information requested, such as medical bills and related information. The employee must also keep the supervisor and Human Resources informed of any temporary work restrictions and current medical status.

## **5.15. Unemployment Insurance**

As a religious, not-for-profit organization, the churchwide organization is not required to participate in unemployment compensation insurance. Therefore, employees separated from employment with the churchwide organization are not eligible to receive unemployment insurance benefits.

# **6. TIME AWAY FROM WORK**

## **6.1. Prompt Notification of Absence Required**

An employee who expects to be absent from work for any reason must inform his or her supervisor as soon as possible of the nature and expected duration of the absence. As specified in Section 10.5, an absence of three consecutive days without notification from the employee may be considered job abandonment.

## **6.2. Absence Due to Illness**

### **6.2.1. Sick Leave**

Pay continuation when an employee is ill is a privilege and not a right. Consequently, all employees are expected to be at work except when actually ill or when their absence is specifically approved for some other valid reason.

Employees eligible to receive benefits will begin to accrue paid sick leave at the rate of one day per month, commencing on the first day of employment. Sick leave may accrue up to a maximum of 45 working days. Sick leave may be carried over from year to year, up to a 45-day maximum. Employees will not be paid for accrued sick leave upon termination of employment.

An employee who is absent five or more successive business days due to an illness or injury must furnish a physician's statement confirming the illness or injury to Human Resources on the day he or she plans to return to work. Failure to provide such a statement may result in the employee being sent home.

### **6.2.2. Family Illness**

An employee may use accrued sick leave due to the illness or injury of a member of the employee's immediate family, but only if the employee's absence is due to the necessity of providing care (including emotional support) to the family member who is ill or injured. Immediate family members are the employee's spouse, partner, children, parents and parents-in-law, siblings, grandparents, grandchildren, and minors for whom the employee is the legal guardian. The employee's children include not only the employee's biological, adopted, or foster children, but also, legal wards, and children and stepchildren for whom the employee provides care and financial support on a daily basis.

### 6.3. Paid Vacation

The churchwide organization recognizes the need for time away from work for rest and relaxation. Paid vacation will accrue from the first day on the job.

Except for the heads of offices and units and certain professional employees, full-time regular employees accrue vacation according to the following schedule:

<u>Years of Service</u>	<u>Annual Vacation</u>	<u>Accrual</u>
First through second year	10 workdays/80 hours	0.83 days per month/3.33 hours per pay period
Third through fifth year	15 workdays/120 hours	1.25 days per month/5.0 hours per pay period
Sixth year and beyond	20 workdays/160 hours	1.67 days per month/6.67 hours per pay period

When an employee reaches the anniversary of his or her hire date and completes his or her second or fifth year of service, as the case may be, the employee will begin to accrue vacation at the next higher level. Thus, beginning with the third year of service, the employee will move from 10 to 15 workdays of annual vacation. Beginning with the sixth year of service, the employee will move from 15 to 20 workdays of annual vacation.

The amount of pay for a non-exempt employee on vacation is based on the employee's regular rate of pay exclusive of overtime.

The foregoing vacation allotments and accruals will be prorated for part-time regular employees based on the ratio of their regularly scheduled hours to a 40-hour week. For example, a non-exempt employee with four years of service who regularly works 20 hours per week would be entitled to 7.5 days of annual paid vacation, which would accrue at the rate of 0.625 days per month.

Individuals who were employed by a region, synod, congregation, or institution officially affiliated with the ELCA within the five-year period preceding the commencement of their employment with the ELCA will have all of such prior service counted for purposes of their vacation accrual with the churchwide organization. Except as described in the preceding sentence, no accrual of vacation time will be based on prior service to another organization.

The heads of offices and units and certain professional employees accrue four weeks of paid vacation (20 workdays) per calendar year from the commencement of employment. Their vacation accrues at the rate of 1.67 days per full calendar month.

Holidays observed by the churchwide organization occurring during an employee's vacation time do not count against the employee's vacation allotment.

All staff members should schedule vacation as far in advance as possible and obtain their supervisor's permission for vacation absences. The supervisor has the right to deny a request for vacation based on its business needs.

In the absence of special arrangements agreed to in advance and in writing, (i) up to a maximum of ten days of vacation not taken by the end of each calendar year will be carried forward to the following calendar year, and (ii) the maximum amount of vacation taken in any calendar year may not exceed six weeks (30 workdays).



Employees are responsible for having their work in a satisfactory condition before leaving on vacation and for coordinating with other employees regarding coverage during their absence.

Employees who leave employment with the ELCA will normally be paid for accrued and unused vacation up to the maximum accrual specified above.

#### **6.4. Paid Personal Days**

Three paid personal days are allowed on an annual basis. Persons employed on January 1 or who begin employment with the churchwide organization during January, February, March, or April will be eligible for three personal days for that year. Persons who begin employment during May, June, July, or August will be eligible for two personal days for that year. Persons who begin employment during September, October, or November will be eligible for one personal day that year. All personal days must be approved in advance by the employee's supervisor. Unused personal days do not accrue and may not be carried forward to the following year. Employees will not be paid for unused personal days upon termination of employment.

#### **6.5. Paid Holidays**

The Lutheran Center will be closed on the days listed below:

- New Year's Day
- Martin Luther King Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve Day
- Christmas Day

Full-time regular employees will receive their regular rate of pay for eight hours for each paid holiday. Part-time regular employees who are regularly scheduled to work at least 20 hours per week will receive holiday pay based on the ratio of their regularly scheduled hours to a 40-hour week, but only if a particular paid holiday falls on a scheduled workday. No holiday pay will be paid to a part-time employee who would not normally have worked on the day the holiday is observed.

A holiday falling on Saturday will normally be observed on the preceding Friday. A holiday falling on Sunday will normally be observed on the following Monday.

If an employee's religion requires the observance of a holiday other than those listed above and the employee is scheduled to work on that day, appropriate arrangements will be made on a case-by-case basis to accommodate the situation.

## **6.6. Compassionate Leave**

An employee who must be absent because of the death of a member of the employee's immediate family may be allowed a paid absence of up to five working days. The definitions of "immediate family" and "children" in Section 6.2.2 apply for purposes of this Section 6.6. The length of the paid leave will be determined by the Executive for Human Resources in consultation with the head of the employee's office or unit and will be based on the overall circumstances.

## **6.7. Jury Duty**

An employee who is required to serve on a jury will continue to receive his or her normal pay during the period of such service and may retain payments made by the court associated with such service.

## **6.8. Maternity/Paternity and Adoptive Leave**

The churchwide organization provides paid maternity/paternity and adoptive leave as set forth below. Such paid leave must be substituted for unpaid leave available under the Family and Medical Leave Act to the extent the employee is eligible for FMLA leave. The purpose of the leave must relate to the parenting of a newly-born or newly-adopted child and leave may be taken only by an employee who has completed at least six months of full-time or part-time employment. Leave benefits for part-time employees are based on the ratio of their regularly schedule hours to a 40-hour week. Employees requesting leave under this Section 6.8 must provide their supervisors as much advance notice as possible.

Four consecutive weeks of paid maternity leave is available to a new mother and four consecutive weeks of paid paternity leave is available to a new father following the birth of her or his child. If the expectant mother's physician determines it is medically necessary for her to stop working prior to the anticipated delivery date, she will be permitted to use accrued sick leave or accrued vacation time to cover the absence.

A new mother may also use accrued sick leave during the recovery period following the birth of her child (usually from four to six weeks) before using the four consecutive weeks of maternity leave. Consistent with Section 6.2.2, a new father may use accrued sick leave following the birth of his child only if the mother or child require his care.

Four consecutive weeks of paid adoptive leave is available to a new mother and four consecutive weeks of paid adoptive leave is available to a new father. The leave begins on the date of the child's adoptive placement.

## **6.9. Parental Leave**

The churchwide organization will grant eligible non-exempt employees up to eight hours of unpaid leave per school year to attend primary or secondary school conferences or classroom activities related to the employee's children where such conferences and activities cannot be scheduled during non-working hours. To be eligible, an employee must have worked at least 20 hours per week during the six-month period preceding the requested leave and the employee must have used all accrued vacation and personal days. An employee may take no more than four of the eight hours on any one day, and will be required to provide verification of the school visit upon his or her return to work. The head of the employee's office or unit may to allow a non-exempt employee to make up the leave time taken.

## **6.10. Leave Under the Family and Medical Leave Act**

The Family and Medical Leave Act (“FMLA”) provides an eligible employee with unpaid leave:

Because of the birth of the employee’s child;

Because of the placement of a child with the employee for adoption or foster care;

Because the employee needs to care for his or her spouse, child, or parent with a serious health condition;

Because the employee is not able to perform job duties due to his or her own serious health condition;

Because the employee needs to deal with certain exigencies associated with the employee’s spouse, child, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation; and

Because the employee needs to provide care for the employee’s spouse, child, parent, or next of kin who has an injury or illness incurred on active duty in the armed forces.

The FMLA sets forth detailed provisions relating to eligibility for leave, the definition of important terms, the necessity of obtaining the certification of a health care provider, the scheduling of leave, the substitution of accrued paid leave, the continuation of benefits during leave, and reinstatement upon the conclusion of leave. These provisions are summarized in a separate policy posted on the ELCA’s Intranet and also available from Human Resources.

## **6.11. Personal Leave**

An employee who has exhausted all types of paid leave available may be considered for personal leave. All personal leaves are unpaid. Whether such a leave is granted depends on the overall circumstances, including the work requirements of the employee’s office or unit. While the normal length of a personal leave is from one to three months, a leave of up to one year may be granted in extraordinary circumstances.

If the employee has been on a personal leave for medical reasons, the employee’s treating physician must provide Human Resources a medical release confirming the employee’s fitness to return to work.

An employee returning from an approved personal leave on a timely basis may be reinstated to the same or an equivalent position. All decisions regarding a personal leave require the concurrence of the head of the employee’s office or unit and the Executive for Human Resources.

## **6.12. Sabbatical Leave**

The churchwide organization recognizes that employees have a need to increase and extend their knowledge and competency in their fields of specialization. This may be accomplished through a sabbatical leave, normally a period of one to three months, during which full salary and benefits would be continued.

Sabbatical leaves are restricted and are intended for use only by those employees (without regard to ordained status) whose sabbatical leave will increase their value to the organization. An employee

is eligible to request a sabbatical leave after six years of full-time employment with the churchwide organization. Subsequent requests may be considered at six-year intervals.

Requests for sabbatical leave, including the proposed program of study, must be submitted, in writing, to the head of the employee's office or unit. If approved, the request will be forwarded to the Executive for Human Resources at least one month before the proposed beginning of the sabbatical leave. Both the head of the employee's office or unit and the Executive for Human Resources must approve the proposed sabbatical leave. As an exception to the preceding sentence, a request for a sabbatical leave by a full-time officer of the ELCA must be submitted to and approved by the Church Council's Executive Committee, whose action will be forwarded to the Executive for Human Resources.

Except for the Presiding Bishop, no employee may take a sabbatical leave at the completion of his or her service. The granting of a sabbatical leave to all other employees will normally be contingent upon the employee's commitment to a minimum of six months of service to the churchwide organization following the conclusion of the leave. Any exceptions must be approved by the Executive for Human Resources.

Sabbatical leave does not accrue. An employee whose employment terminates without the employee's having taken sabbatical leave is not entitled to any sabbatical payment.

### **6.13. Leave to Attend Synod Assembly**

An ELCA-rostered employee of the churchwide organization is granted paid leave time to permit attendance on normal work days at the synod assembly of the synod in which his or her membership is maintained. A non-rostered employee who is elected by an ELCA congregation to serve as a lay voting member of a synod assembly will be granted paid leave time to attend the synod assembly on normal work days. In both cases, approval of the employee's supervisor must be granted prior to attendance at the synod assembly.

### **6.14. Military Leave**

The churchwide organization grants military leave to employees who perform military service on a part-time and regularly occurring basis or who perform military service on a full-time but temporary basis. An employee with a military obligation should notify Human Resources and submit copies of military orders as soon as practical.

The churchwide organization complies with the requirements of the federal Uniformed Services Employment and Reemployment Rights Act, as applied to churches and religious organizations, and with applicable provisions of state law, as well as regulations adopted pursuant to the applicable federal and state laws.

### **6.15. Victims' Economic Safety and Security Act Leave**

The ELCA complies with all applicable requirements of the Illinois Victims' Economic Safety and Security Act ("VESSA"). An employee may be eligible for leave under VESSA if he or she is a victim of domestic or sexual violence or has a family or household member who has been victimized by domestic or sexual violence. VESSA may provide eligible employees up to 12 weeks of unpaid job-protected leave in a 12-month period to seek medical attention or counseling, obtain assistance from service agencies, seek legal counsel, and participate in civil or criminal legal proceedings. Further information is available from Human Resources.

## **6.16. Community Service Day**

Employees of the churchwide organization are encouraged to share their time, talents, and gifts by taking an active, visible role in volunteer activities. To that end, all full-time regular employees may take one day (8 hours) of paid leave each calendar year to use for volunteer activities. Part-time regular employees may take such leave on a prorated basis. No one may use more than one community service day in a calendar year. A community service day not used cannot be carried forward to the next calendar year.

An employee who wants to use community service leave must apply in advance and in writing to his or her supervisor and provide an explanation of the proposed activity, including the time, place, and sponsor. The supervisor has discretion to grant or deny the request.

## **6.17. Other Paid Leave**

There may be circumstances where it is in the best interest of the churchwide organization to place an employee on paid administrative leave for a limited period of time. Such a decision can be made only by a churchwide officer or the Executive for Administration, at the request of the head of the employee's office or unit and the Executive for Human Resources.

## **6.18. Time Off for Voting**

Work schedules normally permit adequate time for an employee to vote either before or after normal working hours. In unusual circumstances, however, an employee's work schedule or work commitments may make voting during non-working hours difficult or impossible. In such cases, the employee's supervisor may approve up to two consecutive hours of paid time off for the purpose of voting in a national, state, or local election. The supervisor may specify the hours during which the employee will be absent in order to vote.

The employee must notify the appropriate supervisor before Election Day of the intended absence and provide a signed statement describing the specific circumstances that require time off. This statement is to be retained with the employee's time records for the applicable month. The employee may also consider asking the appropriate governmental office about the possibility of voting early or by absentee ballot.

# **7. PERFORMANCE AND BEHAVIOR EXPECTATIONS**

The policies set forth below apply to all ELCA employees and supplement, but do not supplant the policies set forth elsewhere in these policies. Because these Personnel Policies cannot anticipate every circumstance or question that may arise or summarize every policy that might be necessary, the churchwide organization has the right to revise or add to these policies and adopt additional policies at any time.

## **7.1. Safety**

Each employee is expected to obey safety rules, to exercise caution in all work activities, and to report promptly any unsafe condition to the appropriate supervisor.

## **7.2. Attendance and Punctuality**

Absenteeism and tardiness place a burden on other employees. The ELCA expects employees to be reliable and punctual in reporting for scheduled work and, except for prior authorization or a legitimate reason, to remain throughout the scheduled shift. Employees who cannot avoid being late to work or who are unable to work as scheduled must notify their supervisor promptly, normally before their scheduled starting time.

Acceptable attendance is an essential requirement of every job, and absenteeism and tardiness problems are performance issues. All employees must establish and maintain acceptable attendance and punctuality standards. Depending on the circumstances, an employee who is absent five or more consecutive workdays may be required to present a statement from a health care provider before returning to work.

Employees are not permitted to work at home or away from the office without approval of the appropriate supervisor.

## **7.3. Personal Appearance, Grooming, and Fragrances**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image the ELCA presents to the public. During business hours or when representing the church, employees are expected to present a professional appearance and to dress according to the requirements of their positions and accepted social standards.

If a supervisor determines an employee's personal appearance is inappropriate, that employee may be asked to leave the workplace until they are properly dressed or groomed. Consult the Employee Handbook if there are questions as to what constitutes appropriate appearance.

Employees should also be aware that other individuals may be chemically sensitive in the sense that they suffer reactions to fragrances found in cologne, after-shave lotion, perfume, perfumed hand lotion, fragranced hair products, air fresheners and similar items. Therefore, employees are expected to be considerate and to refrain from using any particular products that are irritating to other employees or visitors.

The following clothing items are not permitted during business hours:

- Sexually provocative, imprudent, vulgar, or revealing clothing;
- Clothing with alcohol, drugs, tobacco, obscene or other inappropriate language or offensive graphics or logos;
- Athletic tank tops, halter-tops, or other tops baring the midriff; and
- Spandex or leggings unless the top covers to mid-thigh

The churchwide organization has designated Friday as a casual dress day in the Lutheran Center. Employees should wear appropriate casual clothing that is reflective of a business environment. Participation in Casual Dress Friday is a personal decision. Those who choose to participate should use good judgment to ensure their attire is appropriate for activities during Church Council meetings and the individual staff person's meetings and guest contacts for that day.

Appropriate casual dress Friday attire may include:

- Jeans, without holes or frays
- Casual footwear, athletic shoes, sandals

Inappropriate attire includes:

- Flip Flops
- Tank Tops
- Shorts

If you have questions regarding casual dress, please contact Human Resources or your supervisor.

#### **7.4. No Use of Tobacco Products in the Workplace**

Smoking or the use of tobacco products is not allowed in the workplace.

#### **7.5. Safeguarding Property**

Employees are responsible for safeguarding all property issued or otherwise made available to them by the churchwide organization during their employment, including computer hardware, software, and manuals; cell phones; and keys and access cards.

All incidents of theft or damage involving organizational or personal property should immediately be reported to a supervisor. All purses and valuables should be secured in a file or desk drawer during working hours.

On or before their last day of work, employees must return all property belong to the organization. The organization may take all legally appropriate steps to recover or protect its property.

#### **7.6. Inclement Weather or Emergency**

##### **7.6.1. Inclement Weather**

Weather conditions such as snow, ice, and extreme cold are part of winter. Employees should make every reasonable effort to report to work unless weather and road conditions indicate otherwise.

To determine if the Lutheran Center will be open or closed due to inclement weather, an employee may call 773-380-2660 or 866-735-3522 after 6:30 a.m. A recorded message will provide information regarding the status of the office. Employees who have indicated their Business Continuity Alert preference will also be notified by telephone or text message, depending on their preference, should the Lutheran Center be closed.

When the Lutheran Center is closed for part or all of a day due to weather conditions, all staff scheduled to work during that time will be paid for the time they would normally have worked.

A non-exempt employee who makes a personal judgment not to come to work due to weather on a day the office is open may use paid personal time or accrued vacation time to cover the hours missed, or may be allowed to make up the hours missed under arrangements approved by Human Resources.

##### **7.6.2. Other Emergencies**

If some other emergency occurs, employees may call 773-380-2660 or 866-735-3522 at any time to check on whether or when to report to work. Employees may also be notified by telephone, email, text message, or through [www.elcawebstatus.org](http://www.elcawebstatus.org) concerning developments. Should these contact points not be functional, employees may also call Archives at 847-690-9410 for information during a declared emergency. Each employee is responsible for keeping up to date on developments during an emergency.



## **7.7. Dealing with the News Media**

Only an authorized representative may speak to reporters on behalf of the ELCA. Reporters seeking a church representative must be referred to News and Media Relations. Employees should attempt to alert News and Media Relations in advance that a reporter or media outlet is or may be seeking to contact them concerning a particular matter or issue.

## **7.8. Sexual Harassment and Other Inappropriate Behavior**

A fundamental policy of the churchwide organization is that the workplace is for work. Our goal is to provide a workplace where employees behave courteously, professionally, and feel safe at all times. Tension created by conduct not related to work—including ethnic, racial, or sexual remarks, unwelcome sexual advances, requests for sexual favors, loud swearing or yelling, or similar conduct—does not belong in our workplace. Similarly, inappropriate displays of affection or sexually related conduct, even if welcome, are inappropriate at work and will not be tolerated.

### **7.8.1. Harassment**

Harassment of employees or applicants for employment is prohibited. Harassment is defined as persistently bothering, disturbing, or tormenting another person. Harassment may be based on a variety of factors, such as race, color, religion, sex, national origin, disability, or personal dislike. The reason for the harassment does not matter. The ELCA prohibits all forms of harassment, including, but not limited to:

Verbal and electronic communication harassment, such as making derogatory statements, epithets, or slurs to or about another person or group;

Visual harassment, such as displaying offensive posters, cartoons, or drawings; and,

Physical harassment, such as threatening, assaulting, or physically interfering with another person or making other inappropriate or unwelcomed physical contact.

### **7.8.2. Sexual Harassment**

Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, and other verbal, visual, or physical conduct of a sexual nature when:

Submission to such conduct is explicitly or implicitly made a term or condition of employment;

Submission or refusal to submit to such conduct is used as the basis for a tangible employment action; or

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or work environment.

Sexual harassment is prohibited. Individuals cannot be forced to submit to sexual harassment as a basis for any employment decision. In addition, the ELCA attempts to prevent and promptly eliminate any conduct that creates an intimidating, hostile, or offensive work environment for our employees.



### **7.8.3. Examples of Prohibited Conduct**

The following conduct, when occurring in the workplace or when it may adversely affect the work environment, will be considered to be harassment or inappropriate behavior:

Sexually suggestive or off-color comments or jokes;

Sexual flirtation, innuendo, advances, propositions, or other sexual activities;

Unprofessional touching, such as massages, or inappropriately putting an arm around another employee;

Repeated and unwelcome invitations for social interactions outside of the workplace;

Sexual or racial slurs, derogatory remarks, or offensive gestures;

Swearing or loud yelling;

Displaying or distributing sexually explicit or otherwise off-color materials, including books, magazines, articles, pictures, greeting cards, photographs, drawings, cartoons, and email messages; and

Including or excluding any individuals from workplace activities, assignments, or responsibilities based on their refusal to participate in or tolerate sexual or other forms of harassment or based on other factors not related to job performance or legitimate reasons.

This list is not intended to be exhaustive.

A consensual relationship does not justify inappropriate displays of affection or other sexual statements or activities during working hours or at work-related functions.

Any questions about whether particular conduct is prohibited under this policy should be discussed with the appropriate supervisor or Human Resources.

### **7.8.4. Reporting Harassment or Other Inappropriate Behavior**

If an employee believes that any sort of sexual or other harassment or other inappropriate conduct is interfering with their work or creating an intimidating, hostile, or offensive work environment, they are urged to contact any supervisor or any Human Resources staff member and make a report. The employee may be asked to sign a written complaint or other summary of the information reported.

Employees receiving a threatening telephone call or voicemail at work should attempt to get a caller ID number and as much information as possible about the caller, and promptly notify their supervisor. Employees receiving threatening emails, text messages, or letters should promptly notify their supervisor and save copies of all such communications. Whenever threats are received by any means, reports may be made to law enforcement authorities.

### **7.8.5. Investigation and Follow-Up**

Complaints of harassment will be promptly and thoroughly investigated and the reporting employee will be advised of the results of the investigation. The churchwide organization understands these matters are sensitive and will therefore attempt to keep all employee complaints and communications, such as interviews and witness statements, in confidence.

The organization may take appropriate disciplinary action, up to and including discharge, against any employee who engages in sexual or other harassment or who otherwise violates this policy. Further, the organization may correct any adverse employment action any employee experienced due to conduct forbidden by this policy.

If an individual involved in harassing or inappropriate conduct is not employed by the ELCA, the individual will be informed of our policy and appropriate action will be taken in an attempt to prevent further misconduct. In all cases, the churchwide organization will make follow-up inquiries to make sure the inappropriate behavior has stopped. If an employee is not satisfied with the results of the investigation or follow-up action, or if further harassment or other unacceptable conduct occurs, they should contact any supervisor or any Human Resources staff member.

### **7.8.6. Retaliation**

The churchwide organization will not tolerate retaliation against any employee who in good faith complains of sexual or other harassment or who provides information in connection with any such complaint. If an employee believes that they have been retaliated against for bringing a complaint or providing information related to a complaint, the employee should report to any supervisor or any Human Resources staff member.

### **7.8.7. Employee Responsibilities**

Employees of the ELCA are responsible for:

Behaving courteously and professionally toward fellow employees;

Reading this policy and understanding fully its requirements;

Refraining from conduct forbidden by this policy;

Reporting promptly any incidents of sexual or other harassment or other inappropriate behavior; and

Cooperating in any investigation conducted under this policy by providing accurate and complete information about any incidents with which an employee is familiar.

## **7.9. Use of Telephone and Mail Systems**

The ELCA needs to maintain effective telephone communications, and employees should always use an approved greeting and speak in a courteous and professional manner. Personal use of the telephone system for long-distance and toll calls is not normally permitted. Personal calls should be limited to meal times and other breaks and should be kept brief. Employees should practice discretion when making local personal calls and may be required to reimburse the organization for any charges resulting from their personal use of the telephone.

The use of church-paid postage for personal correspondence is not permitted.

## **7.10. Safe use of Cell Phones, Computers, and other Electronic Devices**

Whether their cell phone, tablet, computer, or similar electronic communication device is provided by the ELCA or paid for by an individual employee, ELCA staff members are expected to observe the following guidelines in their use of such devices for ELCA-related business:

Employees are required to abide by the law or ordinance of a particular jurisdiction with regard to the use of electronic communication devices while driving a motor vehicle, and will be solely responsible for any traffic violations relating to such use.

Safety must always be of paramount concern, and employees should never place themselves or others at risk to fulfill work-related needs.

Employees should never attempt to send or review text or email messages while operating a motor vehicle.

Employees should place calls either prior to driving or while on rest breaks, and to drive to a safe parking location before accepting calls.

Employees should always be conscious of their surroundings and refrain from discussing confidential matters in a public setting or under circumstances where their conversation could be overheard or their screen viewed by others.

## **7.11. Electronic Communications Policy**

### **7.11.1. Policy Overview**

The churchwide organization is committed to an environment that encourages the use of technical resources and other forms of electronic communications as essential tools to support the ELCA's mission and ministry. The term "technical resources" includes, but is not limited to, all electronic communications systems, computer hardware and software, smartphones, tablets, data, information, email, instant messages, social media sites, Intranet, Extranet and Internet services, domain name registrations, and related systems. All employees are required to abide by this Section 7.11 in their use of the ELCA's technical resources as well as with Section 7.12, which deals specifically with social media. In particular, technical resources are to be used in a manner that is consistent with good stewardship and the mission and ministry of the ELCA; that is responsible, professional, and legal; that does not compromise the security or confidentiality of proprietary or other sensitive information or the ELCA's technical resources.

Employees are expected to use their ELCA-provided email address only when representing the ELCA unless authorized by the Executive for Information Technology. Employees are personally responsible for any activities they conduct with an ELCA-provided email address, and for any of their activities that can be traced back to the ELCA's domain or assets.

Employees will be held responsible for their use of an ELCA provided email address or ELCA technical resources to engage in any social media or professional social networking activity, including but not limited to Facebook, LinkedIn, personal blogs, and Twitter. Employees must obtain written approval from the Executives for Human Resources and for Information Technology before establishing any external social media or professional social networks identified with or utilizing equipment or resources of the churchwide organization. Employees should reference the Electronic Communication procedures on the churchwide organization's intranet for further clarification.

### **7.11.2. Acquiring Technical Resources**

All technical resources provided by or through the churchwide organization are assets of the ELCA and must be acquired only by Information Technology or with the written approval of the Executive for Information Technology. No employee may load, download, or receive software on ELCA technical resources without the prior written approval of the Executive for Information Technology.

### **7.11.3. No Expectation of Privacy**

ELCA employees do not have a personal privacy or proprietary right in any matter created, received, sent, or stored on ELCA technical resources, telephones, equipment, or on third-party resources used for work-related matters, whether or not the matter is designated as private or confidential.

The ELCA has the right, at any time and without prior notice, to monitor employees and to read, listen to, and copy all files or data contained on any technical resource, including but not limited to email messages, instant messages, Internet access records, voice messages, faxes, official employee content on Internet discussion groups, and personal file directories.

The ELCA also has the right in its complete discretion to access all technical resources for the purpose of supporting its mission and ministry, complying with statutory requirements and internal policies regarding internal investigations, and any additional issues that may arise in connection with the management of the ELCA's electronic communications systems.

### **7.11.4. Prohibited Activities**

The following behaviors are examples of previously stated or additional activities that are prohibited in the use of ELCA equipment or technical resources. They include, but are not limited to:

- Violating any law, statute, regulation, or ordinance;

- Violating any ELCA policy or procedure or otherwise interfering with the mission and ministry of the ELCA;

- Jeopardizing the safety and security of ELCA members, employees, or technical resources;

- Jeopardizing the tax-exempt status of the ELCA, any ELCA synod or congregation, or any affiliate listed under the ELCA group ruling for federal income tax exemption, including transmission of political or partisan campaign materials;

- Violating the legal rights of any person or entity;

- Stealing, using, or disclosing someone else's code or password without authorization;

- Copying, pirating, or downloading software and electronic files without permission;

- Creating unauthorized contractual liability for the ELCA;

- Giving the impression that personal views are those of the organization;

- Sending anonymous email messages;

- Sending or posting discriminatory, harassing, or threatening messages or images;

Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities or using the Internet for any sort of gambling;

Sending or posting messages that defame any other individuals or organizations;

Attempting to break into the computer system of another person or organization; and

Downloading or participating in the viewing or exchange of pornographic or sexually explicit materials unless specifically authorized for an investigation or other extraordinary, work-related purposes.

#### **7.11.5. Avoiding Harassing Behavior**

When communicating about the ELCA or ELCA-related matters, employees must never send or display any information that may be construed as offensive or harassing. Offensive or harassing messages include, but are not limited to, pornographic images, sexual references, racial slurs, comments regarding an individual's gender, age, sexual orientation, religious beliefs, national origin, disability or any other characteristic protected by law, and comments that threaten or intimidate others.

#### **7.11.6. Speaking on Behalf of the Organization**

Unless specifically instructed or authorized, employees are restricted from speaking to the news media or others while purporting or appearing to represent the ELCA.

Employees are responsible for ensuring that all information they share in work-related Internet discussion groups, chat rooms, blogs, or social networking sites is accurate and that any personal opinions they express are clearly identified as personal and not attributed to the ELCA.

#### **7.11.7. Posting Recommendations for Colleagues**

Online recommendations and comments about current and former churchwide employees could have unanticipated consequences, even if made personally by an employee and not on behalf of the organization. Therefore, employees must clear all potential recommendations and comments with the Executive for Human Resources if they refer to anyone who is or was ever associated with the churchwide organization.

#### **7.11.8. Safety and Mission**

Electronic communications that negatively affect an employee's job performance, the safety of others, the ELCA's mission and ministry, or the business interests of the churchwide organization may be treated as employment-related, regardless of whether the communication took place during or outside of working hours.

#### **7.11.9. Reporting Violations**

Employees are expected to report any actual or perceived violations of this policy to any supervisor, the head of any office or unit, the Executive for Human Resources, the Executive for Information Technology, or the General Counsel.

## 7.12. Social Media

The Evangelical Lutheran Church in America understands that social media can be a helpful and rewarding way to share one's life and opinions with family, friends, and co-workers around the world. Nonetheless, the use of social media also presents certain risks and carries with it certain responsibilities. This policy, which applies to all ELCA employees, is intended to assist employees in making responsible decisions about use of social media. The churchwide organization has additional requirements for persons who are employed to create and use social media as part of their employment responsibilities.

For purposes of this policy, "social media" is defined as all means of communicating or posting information or content of any sort on the Internet, whether or not associated with the ELCA, including postings to one's own or someone else's blog, journal, diary, personal website, social networking or affinity website, web bulletin board, or chat room.

The same principles and guidelines found in these Personnel Policies apply to activities online. Ultimately, each employee is solely responsible for what they post online.

Maintain confidentiality. Never divulge information that would be considered confidential.

Observe all other policies of the ELCA. Refrain from inappropriate postings that contain discriminatory remarks, harassment (sexual or any other type), threats of violence, or inappropriate or unlawful conduct.

Be respectful. Always be fair and courteous to fellow employees, members, suppliers, and other people who work with the churchwide organization, synods, or congregations. Keep in mind that resolving work-related complaints by speaking directly with co-workers or supervisors is more effective than by posting to a social media outlet. Nevertheless, an employee who decides to post complaints or criticism, avoid posting anything that reasonably could be viewed as malicious, obscene, threatening, or intimidating; that disparages fellow employees or synods or congregations within the ELCA; or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation and posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other legally protected status.

Be honest and accurate. Make sure posted information or news is honest and accurate, and, if a mistake is made, that it be corrected quickly. Be open about any previous posts that have been altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any rumors or information known to be false about the churchwide organization, any synod or congregation, or other employees.

Represent yourself accurately. When participating in an online community and commenting on topics related to the ELCA, employees must make it clear that they are speaking for themselves and not on behalf of the church. Do not create a link from any blog, website, or other social media site to an ELCA website without identifying yourself as an ELCA employee.

Do not post at work. Refrain from using social media while on work time or on ELCA equipment unless such activities are related to your duties or have been specifically authorized by a supervisor. Employees may not use their ELCA email address to register on social networks or other sites for personal use without permission.



Check comments by others. Any photos or messages that are linked or “tagged” from “friends” and attached to employee site(s) or profile(s) that violate these guidelines are not permitted and, if not promptly removed from the employees own page or site, will be attributed to the employee.

No Retaliation. The ELCA prohibits taking negative action against any employee for reporting possible deviation from this policy or for cooperating in an investigation of a possible deviation.

Nothing in this policy or any other ELCA policy should be interpreted in a manner that unlawfully prohibits any right employees may have to engage in protected concerted activity.

### **7.13. Use of Facilities and Property**

Office supplies or equipment may not be used for personal use unless advance written permission from a supervisor has been obtained.

Equipment, documents, official records, or other property belonging to the ELCA may not be removed from the Lutheran Center for any reason without advance permission.

### **7.14. Security Inspections**

The ELCA wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the church prohibits the possession, transfer, sale, concealment or use of such materials in the workplace.

Desks, file cabinets, and other storage locations may be provided for the conveniences of employees but remain the sole property of the churchwide organization. Employees should have no expectation of privacy with respect to the contents of their desks or other storage locations on the organization’s premises. Accordingly, any authorized agent or representative of the organization may inspect them, as well as any articles found within them, at any time, either with or without prior notice.

The churchwide organization seeks to discourage theft or unauthorized possession of the property of employees, vendors, and visitors. Any authorized ELCA agent or representative may also inspect persons entering or leaving the workplace and any packages, briefcases, backpacks, or other belongings in the possession of such persons. Any employee who wishes to avoid inspection of any articles or materials should not bring them to work.

### **7.15. Preventing Workplace Violence**

All employees, visitors, guests, independent contractors and other individuals should be treated with courtesy and respect. Fighting, “horseplay,” or other conduct that may be dangerous is prohibited. All threatened or actual violence, both direct and indirect, should be reported as soon as possible to any supervisor or Human Resources employee. This includes threats by employees, as well as threats by visitors, vendors, solicitors, or members of the public. All suspicious individuals or activities should also be reported as soon as possible. When making such a report, be as specific and detailed as possible.

The CWO will promptly investigate all reports of actual or threatened violence and of suspicious individuals or activities. The identity of the individual making a report will be protected to the extent practical. To attempt to maintain workplace safety and the integrity of its investigation, the ELCA may suspend employees, either with or without pay, during any investigation.

The CWO encourages employees to bring any disputes or differences with other employees to the attention of their supervisors before the situation escalates into potential violence. The Problem Resolution Procedure in Section 9 may be used as appropriate.

The CWO will assist in the resolution of employee disputes, and will not discipline employees for raising legitimate or reasonable concerns.

### **7.16. Weapons Policy**

The churchwide organization prohibits weapons of any type on the premises of the Lutheran Center, any buildings owned by the churchwide organization, or rented premises, and at any churchwide-sponsored events. This general prohibition includes visible or concealed weapons, even those for which the owner has a valid permit. This policy applies to all ELCA employees and also to contractors, vendors, and visitors. Prohibited items include any form of weapon, as well as any explosive that is illegal under federal, state, or local laws or ordinances.

To ensure that prohibited weapons and other contraband are not present on its property, the ELCA reserves the right to inspect work areas, desks, and personal belongings (including, but not limited to, items such as employee packages, purses, backpacks, or lunch bags) when it has a reasonable suspicion of possession of prohibited weapons or substances.

Employees who observe or have knowledge of any violation of this weapons policy should immediately report it to any supervisor or any Human Resources employee.

### **7.17. Vehicle Use and Insurance**

Employees who use their personal vehicles for churchwide organization-related business must first provide proof of adequate insurance coverage and maintain the appropriate driver's license. Such employees must promptly inform Human Resources of any restriction or revocation of their driver's license and of any cancelation or modification of their personal vehicle insurance coverage.

### **7.18. Drug and Alcohol Use**

The Evangelical Lutheran Church in America seeks to provide a drug-free, healthful, and safe workplace. To promote this goal, churchwide employees are required to report to work capable of performing their jobs in a satisfactory manner.

While in the Lutheran Center or other churchwide office locations, no employee may abuse, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. Illegal drug use includes the unauthorized use or possession of a legal drug as well as the unauthorized use or possession of a controlled substance. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Depending on the circumstances, employees may consume alcoholic beverages at church-related functions, but are expected to use common sense and to avoid intoxication.

Violations of this policy may lead to notification of the appropriate law enforcement authorities, disciplinary action up to and including discharge, or required participation in a substance abuse rehabilitation or treatment program.



The ELCA believes it is in the public interest to provide a program to assist employees suffering from alcoholism or other chemical dependencies through proper referral to appropriate community and professional agencies for help. Employees with drug or alcohol problems that have not resulted in or are not the immediate subject of disciplinary action may request approval to take time off to participate in a rehabilitation or treatment program. Sick leave may be granted if the employee agrees to abstain from use of the problem substance; abides by the ELCA's policies, rules, and prohibitions relating to conduct in the workplace; and if the leave will not cause undue hardship on the ELCA. An employee in these circumstances may be requested to sign a conditions-of-continued employment agreement.

Employees with questions about either this policy or issues related to drug or alcohol use in the workplace should contact their supervisor or Human Resources.

### **7.19. Additional Employment**

Employees may not accept additional employment that will conflict with their present job responsibilities. Employees may not conduct other business or employment during ELCA business hours, on churchwide premises, or utilizing churchwide offices or equipment. Such inappropriate additional employment includes employment that interferes with the efficient performance of the employee's duties or creates a conflict of interest. Failing to disclose additional employment or continuing to work at an additional job that interferes with employment with the ELCA may be determined to be a conflict of interest for purposes of Section 2.10.2.

### **7.20. Solicitation Prohibited**

In an effort to provide a productive and harmonious work environment, persons not employed by the Evangelical Lutheran Church in America may not solicit or distribute literature in the workplace at any time for any purpose.

The churchwide organization recognizes that employees may have interests in events and organizations outside the workplace. Nonetheless, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include meal periods, work breaks, or any other periods in which employees are not on duty.)

There are approved email addresses that allow staff, who opt in, to send and receive certain "solicitations".

## **8. DISCIPLINE AND DISCHARGE**

### **8.1. Progressive Discipline**

Disciplinary action ordinarily follows counseling by the supervisor and may call for any of four steps—verbal warning, written warning, suspension with or without pay, and termination of employment—depending on the severity of the problem and the number of previous occurrences.

With respect to most disciplinary problems, the four steps mentioned above will normally be followed:

A first offense may call for a verbal warning;

The next offense may be followed by a written warning;

Another offense may lead to a suspension; and

Still another offense may then lead to termination of employment.

By using such progressive discipline, the churchwide organization seeks to correct most employee problems at an early stage. The policy of progressive discipline does not change the employment-at-will relationship, however. The churchwide organization may bypass any one or more of the progressive disciplinary steps. Problems that are serious enough to justify either a suspension or discharge will be dealt with accordingly even if counseling or warnings were not previously given.

Generally, in the administration of discipline, the organization will give primary consideration to the employee's disciplinary record for the past two years. Depending on the frequency, pattern, and seriousness of previous violations, however, the organization may consider the employee's total employment record with the organization.

## **8.2. Grounds for Discipline or Discharge**

It is not possible to list all the forms of behavior that are not acceptable at work; many are detailed throughout these policies. The actions listed below are additional examples of conduct that may result in disciplinary action up to and including termination of employment. They include, but are not limited to:

Unsatisfactory job performance;

Unauthorized disclosure of any confidential information;

Violating any of the ELCA's policies or rules, whether described in these Personnel Policies or elsewhere;

Excessive tardiness, absenteeism, or absence without call (no call, no show);

Theft or inappropriate removal or possession of property or money;

Falsifying time records or other organization-related documents, including, but not limited to, an application for employment, a request for a leave, or any business document;

Violating safety or health rules at work;

Working or attempting to work under the influence of alcohol or illegal drugs;

Possessing, distributing, selling, transferring, or using alcohol or illegal drugs at work, while on duty, or while operating employer-owned vehicles or equipment;

Fighting or threatening violence in the workplace;

Boisterous or disruptive activity in the workplace, including malicious gossip;

Negligence or improper conduct that causes or could have caused injury to other person(s) or damage to property, equipment, or vehicles;

Intentionally injuring or damaging or attempting to injure or damage other person(s) or property, equipment, or vehicles;

Insubordination or other disrespectful conduct toward managers or supervisors;

Smoking or using other tobacco products at work;

Sexual or other unlawful or unwelcome harassment or inappropriate behavior;

Possession of dangerous or unauthorized materials, such as explosives or firearms, at work;

Unauthorized absence from your workstation during the workday;

Unauthorized use of computers, telephones, the Internet, or other electronic communications systems, the mail system, or other equipment;

Unauthorized disclosure of confidential information;

Other unsatisfactory performance or conduct, whether or not described in these Personnel Policies.

This list is not comprehensive and does not alter the at-will status of churchwide employees. The ELCA has the right and will exercise the right to take appropriate action based on the individualized circumstances of a particular case. The ELCA's action may include any level of discipline up to and including discharge based on conduct that warrants that action, whether or not the conduct is described in these Personnel Policies.

## **9. PROBLEM RESOLUTION PROCEDURE**

All ELCA employees are expected to treat each other with mutual respect and to offer positive and constructive criticism. The churchwide organization encourages an atmosphere in which any job-related problem, complaint, suggestion, or question receives a timely response. Not every problem can be resolved to everyone's total satisfaction, but the organization will consider complaints in accordance with the following procedure.

Employees who disagree with established rules of conduct, policies, or practices or a particular decision or action may express their concern through the problem resolution procedure described below. No employee acting in a reasonable manner will be penalized for voicing a complaint or using this problem resolution procedure. The steps described below are intended to facilitate an informal resolution, and attorneys are not allowed to participate directly in the process.

Step 1. The employee describes the problem to the immediate supervisor within five days after the problem arises. If the supervisor is unavailable or the supervisor is the source of the problem, the employee may describe the problem to any other supervisor. If the matter is not resolved to the employee's satisfaction, he or she may proceed to Step 2.

Step 2. The employee presents a written complaint to the supervisor within five days of the occurrence of the Step 1 discussion. The supervisor has ten days to give a written reply. If the written reply does not resolve the complaint to the employee's satisfaction, he or she may proceed to Step 3.

Step 3. Within five days after receiving the written reply referred to in Step 2, the employee sends the written complaint and the reply to Human Resources with an explanation of why Step 2 is not sufficient or fully satisfactory. The Executive for Human Resources (or his or her designee) will try to send a written reply to the employee within ten days. If the written reply does not resolve the complaint to the employee's satisfaction, he or she may proceed to Step 4.

Step 4. Within five days after receiving the written reply referred to in Step 3, the employee sends a written statement, together with all prior documentation, to the Executive for Administration requesting his or her consideration of the complaint and reasons why there has been no satisfactory resolution or treatment. The Executive for Administration may, but is not required to, consult with other members of the Administrative Team and may, but is not required to, meet personally with the employee and others while considering the matter. The Executive for Administration will send a written decision to the employee normally within 30 days after the receipt of the employee's written statement requesting his or her consideration. The Executive for Administration's decision is final.

## **10. ENDING THE EMPLOYMENT RELATIONSHIP**

This Section 10 reviews the various ways the employment relationship may come to an end. Regardless of the reason for termination, the churchwide organization requests that the employee cooperate in the transition process and participate in an exit interview. This is especially true when an employee resigns or retires. In addition, the organization asks that, on the effective date of the resignation or retirement, all work assignments be completed to the extent possible and all files be brought up to date.

Exit interviews provide a way for the employee to reflect on his or her experience at the churchwide organization and to offer comments, advice, or suggestions regarding the organization's policies and practices.

### **10.1. Resignation or Retirement**

Resignation or retirement is a voluntary decision on the part of the employee to terminate the employment relationship. The churchwide organization asks that employees give at least two weeks advance notice. The last day of employment must be a day on which the employee is working.

### **10.2. Completion of a Specific Term**

Employees of the churchwide organization serving for a specific term—whether because of a term call, election to an office with a specific term, or pursuant to a written employment agreement for a specified time, or other reason—will be separated from employment at the end of that period. The preceding sentence does not preclude employment in a different capacity.

### **10.3. Discharge Based on Performance or Behavior**

Subject to any applicable restrictions and procedures in the ELCA's governing documents, there may be situations where the ELCA decides the employment relationship must be terminated for disciplinary reasons. The organization's preference for progressive discipline (see Section 8) does not alter the existence of an at-will relationship or preclude the imposition of discharge if the organization determines discharge is the appropriate action.

The ELCA considers employment-related decisions on a case-by-case basis, and these Personnel Policies cannot address every situation that may arise. Therefore, nothing in this document prevents the dismissal of an employee where dismissal is in the best interest of the church. For example, personal misconduct by an employee that could adversely affect the ELCA's relationship with its synods, congregations, or the general public or the ELCA's ability to communicate its mission and message would lead to the prompt termination of employment.

All involuntary terminations must be approved by the Executive for Human Resources and the head of the affected office or unit. Depending on the particular circumstances, it is generally appropriate to consult with the Executive of Administration or with an officer of this church.

#### **10.4. Termination for Other Reasons**

There may be situations where this church decides to separate an employee or group of employees based on program changes or budgetary reasons having nothing to do with job performance. This church recognizes the difficulty of such separations, especially because, as noted in Section 5.15, unemployment insurance benefits are not available. Therefore, this church will attempt to achieve mutually acceptable termination arrangements with the separating employee. Depending on the particular situation, such arrangements might include salary continuation for a specified period, a lump-sum payment, subsidized health benefits for a specified period, outplacement assistance, or a combination of such benefits. No terminating employee will be provided more than the equivalent of one month's pay without executing a full release of all claims in a written agreement approved by the Executive for Human Resources and the General Counsel.

#### **10.5. Job Abandonment**

If an employee fails to report to work or call his or her supervisor for three consecutive days when scheduled to work, the organization may determine the employee's job has been abandoned as of the first day of absence.

#### **10.6. Rehire**

A former employee's eligibility for rehire may depend on past performance. Former employees are not guaranteed rehire. Generally, rehired employees start over with respect to eligibility for benefits if the break in the employment relationship lasted more than a year.

# EMPLOYEE ACKNOWLEDGEMENT FORM

By signing this form, I acknowledge that on the date of my signature below I received a copy of the Churchwide Organization Personnel Policies dated November 2014 from my employer, the Evangelical Lutheran Church in America (“ELCA”). I understand the Churchwide Organization Personnel Policies provide important information about working for the ELCA and that it is my responsibility to read and become familiar with the contents of the Churchwide Organization Personnel Policies, and to comply with the policies as written. I also understand that the ELCA may change or add to these policies, and adopt or change other churchwide policies as it deems appropriate, with or without advance notice; it is my responsibility to become familiar with such revisions as well. I further understand that I should ask my supervisor or Human Resources any questions not answered in the Churchwide Organization Personnel Policies.

I acknowledge that I have entered into my employment relationship with the ELCA voluntarily and that I am an employee-at-will. I understand that, subject to applicable law, the employment relationship of an employee-at-will can be terminated at any time for any legal reason, with or without cause or notice. I understand that no manager or supervisor has any authority to change this employment-at-will relationship.

If I am on an ELCA roster and I have received a call from the ELCA Church Council for my churchwide employment, I understand that the Church Council has the right to terminate my call. I further understand that my call terminates, in any case, whenever this employment terminates.

Furthermore, I acknowledge that the Churchwide Organization Personnel Policies are not a contract of employment and I understand that the ELCA has the right and will exercise the right to take necessary action, including discharge, for conduct that requires such action, whether or not such conduct is referred to in this document.

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Employee’s Signature

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Date Signed

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Print Employee’s Name