

Personnel Policy Manual

First Congregational Unitarian Church
Harvard, MA

January 2005

I. EMPLOYMENT POLICIES AND PRACTICES

A. STATEMENT OF PURPOSE

We have prepared this Personnel Manual to help you to understand some of the policies and procedures of the First Congregational Unitarian Church of Harvard, MA (referred to herein as "Employer"). Employees should familiarize themselves with the Manual, as it will provide answers to some questions you may have about your employment.

This Personnel Policy Manual (Manual) is not a contract and can be modified or changed at any time. The relationship between Employer and employee is legally defined as "employment at will," which means that such employment may be terminated without penalty by either party. Employers may not be compelled to pay wages to persons no longer in their service, and employees may not be compelled to render their labor without their consent.

The Employer's policies generally will be applied consistently. However, the Employer reserves the right to deviate from normal policy in certain situations. Since every employment situation cannot be anticipated, this Manual provides a general overview only.

From time to time, changes in the Manual may become necessary. Therefore, the Employer reserves the right to amend, supplement or rescind any provisions of this Manual as necessary.

The Manual applies to all staff, whether full-time, part-time, exempt or nonexempt, except where otherwise stated. This Manual does not apply to ordained ministers(s) called by vote of the congregation. Individual contracts supersede the policies set forth in this manual.

This Manual supersedes all previous employment policies, whether written or oral, expressed or implied. If any provisions of this Manual are found to be invalid or unenforceable, the remaining provisions will remain in full force and effect.

If you have any questions or comments about this Manual, or if you need more information, please ask your supervisor. Your comments and suggestions are genuinely encouraged.

B. EQUAL EMPLOYMENT OPPORTUNITY

The Church maintains and promotes a policy of equal employment opportunity for all, regardless of race, color, creed, religion, ancestry, national origin, age, disability, sex, marital status, sexual orientation, or political or union affiliation. We believe that the Church's staff should reflect the diversity of the communities it serves. Our affirmative action plan has been adopted to ensure equality of opportunity in all our practices. In keeping with this commitment, the Church strives to create an environment where it is safe for disabled applicants and employees to self-identify.

The Church is committed to providing and maintaining a discrimination-free work environment for all staff. This commitment begins with our policy of adhering to equal employment opportunities for all applicants for employment. Further, it is our intention that working conditions and environments, and the administration of all compensation, benefits and privileges of employment, training, promotions, transfers, layoffs, reduction in hours, discipline, terminations and return from layoffs, will be conducted without regard to race, color, religion, national origin, sex, age, marital status, handicap, disability, veteran status, sexual orientation or political or union affiliation.

All incidents relating to any alleged violation of this policy will be promptly and thoroughly investigated, and appropriate corrective action will be taken where a violation is found to have occurred. Any employee found to have engaged in actions or conduct violating this policy will be subject to appropriate disciplinary action, which may include termination of employment.

Any employee who believes that s/he has been a victim of discrimination, as outlined above, should report it immediately to the Fair Employment Committee. All matters pertaining to this policy will be handled as confidentially and expeditiously as possible.

C. ANTI-HARASSMENT AND ANTI-SEXUAL HARASSMENT

All employees of the Church have the right to be treated with respect and dignity. The Church supports employees' right to work in an environment free from unlawful discrimination on the basis of age, color, disability, gender, national origin, race, religion, ancestry or sexual orientation, including freedom from sexual harassment. The Church will not tolerate harassment of or discrimination against employees. In addition to sexual harassment, harassment and discrimination is also illegal when it is based on age, color, disability, gender, national origin, race, religion, ancestry, sexual orientation, political or union affiliation.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions, or (b) such requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Similarly, harassment other than sexual harassment has been defined as conduct that denigrates or shows hostility or aversion toward an individual that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

All employees are encouraged to promptly report any behavior perceived as harassment or discrimination by an employee or non-employee to the Fair Employment Committee, so that the incident can be investigated. All complaints will be investigated as thoroughly as the circumstances permit, including private interviews with concerned parties and witnesses.

The Church shall thoroughly and promptly investigate all complaints from identified employees. To the extent practical, the Church will keep complaints and the terms of their resolution confidential. It is unlawful and the Church forbids retaliation against anyone who has reported harassment. Any discrimination or adverse action,

such as intimidation, threats or coercion, taken against an employee because s/he complains of harassment, including sexual harassment, or who assists with the investigation of a claim of harassment, will result in disciplinary action up to and including termination.

If an investigation confirms that harassment has occurred, the Church will take corrective action. When an employee is found responsible for the harassment, corrective action may include discipline up to and including termination. When harassment is by a non-employee, corrective action shall be determined on a case-by-case basis, as deemed appropriate by the Church.

Employees, who believe that they have been treated unfairly, or believe that they have been victims of discrimination or harassment in violation of federal and state laws, have the right to file a report with the appropriate state or federal enforcement organization for investigation.

Massachusetts Commission Against Discrimination
One Ashburton Place, 6th Floor
Boston, MA 02108 (617) 727-3990

D. RESOLUTION OF EMPLOYEE COMPLAINTS

Effective communication is essential for productive working relationships. To that end, employees are encouraged to discuss any concerns about work or suggestions for improving operations in the following manner:

The employee should present any complaint or grievance to his/her supervisor and together discuss the problem, applicable rules or policies, and possible resolution.

If discussion with the supervisor does not resolve the matter to the employee's satisfaction, the employee should submit the complaint or grievance in writing to the Fair Employment Committee. If the Fair Employment Committee's recommendation does not resolve the matter to the employee's satisfaction, the employee may then seek a review by the governing board. The resolution recommended by the board will be binding upon the congregation and employee.

E. INTERNET POLICY

Employer provides Internet access (including e-mail) from the church facilities to assist and facilitate business communications and work-related research. These services are for legitimate business use only in the course of assigned duties. All materials, information and software created, transmitted, downloaded or stored on the Employer's computer system are the property of the Church and may be accessed only by authorized personnel. Inappropriate Internet use includes, but is not limited to:

- transmitting obscene, harassing, offensive or unprofessional messages; or
- accessing, displaying, downloading, or distributing any offensive or inappropriate messages including those containing racial slurs, sexual connotations or offensive comments about race, color, religion, sex, national origin, age, disability or any other classification protected by law; or
- transmitting any of the Employer's confidential or proprietary information, including member/friend data or other materials covered by the Employer's confidentiality policy.

Employer reserves the right to monitor employee use of the e-mail system or the

Internet at any time. Employees should not consider their Internet usage or e-mail communications to be private. Personal passwords are not an assurance of confidentiality, and the Internet itself is not secure.

Any software or other material downloaded into the Church's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors or owners of the material.

F. MEDIA INQUIRIES

All requests from newspapers, television and radio media for information about the Church that is not otherwise available to the public must be directed to the minister.

G. CONFIDENTIALITY

Employees may have access to confidential information about the Church, including but not limited to information about members, friends or other staff members. Such information must remain confidential and may not be released, removed from the Church's premises, copied, transmitted or in any other way used for any purpose by employees outside the scope of their employment, including after termination of employment. All requests for information concerning past or present employees received from organizations or individuals should be directed to the minister.

H. CONFLICTS OF INTEREST

Employees are expected to avoid conflicts of interest, defined as any situation where an employee may attain personal gain or which may serve as a detriment to the Church, either monetarily or to its public image, because of the use of information or personal contact which is not generally available except through employment with the Employer.

Employees shall not engage in any business or transaction, and shall not have a financial or other personal interest which is incompatible with their employment duties or which would impair their judgment or actions in the performance of their duties for the Employer. Employees who have questions about whether an activity violates this policy should discuss the matter with the minister or the Fair Employment Committee .

I. OUTSIDE EMPLOYMENT

Employees shall not engage in any collateral employment or business activity that is incompatible or in conflict with their duties, functions or responsibilities as an employee. Activities that may constitute a conflict include use of the Church's time, facilities, equipment or supplies, or the use of the title, prestige or influence of the congregation for private gain or advantage.

An employee shall not engage in any outside activity which, by its nature, hours or physical demands, would impair the employee's performance of the Church's duties; reflect discredit on the Church; or tend to increase the Church's payments for sick leave, worker's compensation benefits or long term disability benefits. Collateral employment should not result in outside telephone calls while on duty for the congregation.

J. EMPLOYMENT OF RELATIVES AND MEMBERS

Other members of an employee's family may be considered for employment; however, relatives may not supervise one another. "Relative" means a spouse, domestic partner, parent, sibling, child, grandparent, or grandchild.

K. PERSONNEL RECORD

The Church maintains up-to-date employment information on employees in a secure location. This information is considered the property of the Church. Upon notice employees have the right to inspect their personnel record within five business days. Employees may also request a copy of their personnel record. Employees may submit written comments to any document in their personnel record and these written comments will be incorporated into their record. Information contained in the personnel file may include but is not limited to:

- Address and telephone number;
- Marital status (including legal separation);
- Legal change in employee's name;
- Dependents;
- Changes in beneficiaries;
- Person to notify in case of emergency;
- Any relevant changes in licensing or education,
- Performance Evaluations
- Employment Application and Resume

L. INITIAL REVIEW PERIOD

New employees and employees who are transferred to another position may be required to complete an initial review period of ninety days, but which may be shortened or lengthened in the Church's discretion. Upon completion of this period, the employee will be considered a regular employee. Satisfactory completion of the initial review period does not alter the employment-at-will relationship. Employees must continue to perform satisfactorily even after the initial review period is completed. Although regular employees typically work on an ongoing basis, there is no guarantee that any job position will continue indefinitely. Any position may be eliminated at any time at the discretion of the Church.

M. PERFORMANCE EVALUATION

In general, employees will receive a written performance evaluation once each year that will be maintained in the Employee's permanent personnel file. Factors considered in assessing performance include but are not limited to quality and quantity of work; dependability; attendance and punctuality; effective interpersonal relationships with the congregation, and personal conduct.

Employees are requested to identify goals and objectives in advance so that their work may be evaluated on the basis of clear criteria they have helped to develop. Members of the congregation may be asked to provide input and feedback on employees' job performance.

II. WAGE AND HOUR ADMINISTRATION

A. EMPLOYMENT CLASSIFICATIONS

Employees who are subject to state or federal minimum wage and overtime laws are referred to as "non-exempt" employees, paid on an hourly basis. Those in administrative, management, or supervisory positions who are not subject to such regulation are referred to as "exempt," paid on a negotiated salary basis.

B. HOURS OF WORK

Individual work schedules may change from time to time. Attendance at meetings at the request of the employee's supervisor will be considered time worked.

Employees are expected to attend any staff retreats or off-site events, which are part of their employment.

C. BREAK PERIODS

The time of meal and break periods will be at the discretion of the immediate supervisor. Non-exempt employees have the opportunity to take a 30-minute paid meal break after working six consecutive hours. Non-exempt employees should not perform any work during their meal period, except as otherwise directed by their supervisor. Break periods may not be accumulated, nor may they be substituted for tardiness or longer meal periods.

Non-exempt employees may also take a paid ten-minute intermittent break for each four hours of time worked. Intermittent breaks may not be used to shorten the workday or to be combined with a meal break.

D. TIMEKEEPING AND OVERTIME

Non-exempt employees must submit a written and signed record of their time worked at the end of each day. Any scheduled hours not worked or time worked in excess of their regular schedule must be noted. All work actually performed in excess of 40 hours in a given work week will be paid to non-exempt employees at the rate of one and one-half times the regular rate of pay. Holiday, vacation and sick leave is not counted for purposes of overtime compensation. Employees should not work overtime without authorization in advance.

E. PAY AND PAYROLL DEDUCTIONS

Pay adjustments generally will be considered for all employees once a year and any adjustments will normally begin at the beginning of the fiscal year. There is no guarantee of an annual pay adjustment. Pay is based upon UUA guidelines, job responsibilities and other appropriate factors. Non-exempt employees are paid biweekly and exempt employees are paid monthly.

Deductions made from employees' wages are reflected on the stubs of their paychecks. Federal law requires deductions from pay for income tax, Social Security and Medicare. Other deductions may include state and/or local taxes or wage garnishments which will be made in compliance with applicable State and Federal Laws. Some deductions are optional and are made only if the employee has authorized their deduction.

Employees are responsible for promptly notifying the Treasurer of any changes to or errors in their deductions. Any necessary adjustments usually are made and reflected in the employee's next paycheck.

III. EMPLOYEE BENEFITS

A. GROUP INSURANCE PROGRAMS

1. Health Insurance Benefits

The church does not offer a group health insurance plan.

2. Group Dental, Term Life, and Long Term Disability Insurance

Employees who work at least half time are offered the option of purchasing group dental insurance, term life insurance, and long-term disability insurance through the group plan sponsored by the UUA. Further information concerning these policies is

available from the UUA.

3. Workers' Compensation Insurance

The Church carries workers' compensation insurance that pays for certain medical expenses and provides partial income protection in the event of illness or injury arising out of or in the course of employment.

All on-the-job injuries or illnesses, regardless of severity, should be reported immediately to the employee's immediate supervisor. Employees may be required to provide a physician's statement in order to receive worker's compensation benefits, or to return to work.

B. RETIREMENT BENEFITS

The Unitarian Universalist Association (UUA) maintains a defined contribution qualified retirement plan to assist employees to accumulate tax-deferred savings for retirement. Under the plan, the Employer contributes a percentage of the eligible employee's wages, and the employee has the option of making additional voluntary contributions on a pre-tax basis. Employee eligibility requirements, along with other details of this benefit, can be found on the UUA website www.uua.org.

C. VACATION

Vacation days are negotiated on an individual basis and included in employees' letters of agreement.

E. LEAVES OF ABSENCE

The policies in this section describe various types of paid and unpaid leaves of absence provided by the Employer. Leaves must be requested in advance in writing and require the approval of the employee's immediate supervisor. The exact nature of the leave and its anticipated length must be included in the written request. Employees are expected to return to work upon the expiration of the leave as granted. If prevented from returning as expected, the employee must immediately notify his or her supervisor.

1. Sick leave with pay

All full-time employees accrue one day of paid sick leave for every month worked, up to a maximum of twelve days per calendar year. One year's worth (12 days) of sick time may be carried forward into the following year. Part-time employees who work more than twenty hours per week accrue sick leave on a pro rata basis. Occasional employees do not accrue paid sick leave.

2. Medical leave without pay

Unpaid medical leave may be granted in instances where an employee's medical condition requires an absence from work for more time than the amount of available sick leave. This leave requires the approval of the employee's supervisor and the President of the Board. Sufficient evidence of such a medical condition is required for a medical leave. Such evidence may include a request or requirement for authorization to speak with the employee's treating physician. The maximum unpaid medical leave time that may be granted is three months or until a physician releases the employee to return to

work, whichever is shorter. Employer also reserves the right to request a second opinion from a physician chosen by the Employer on any medical leave of absence.

3. Military leave without pay

Employees who are members of the uniformed services of the United States (including the National Guard or other reserve unit) will be granted unpaid leaves of absence in accordance with state or federal law to perform military duties on a voluntary or involuntary basis. Requests for military leave of absence must be made in writing and should include verification of the duty call from military authority, the date the leave is to commence and the expected date of return.

Employees may choose to use any accumulated vacation time for all or part of the period of military service. Leaves of absence in excess of any available vacation time will be without pay. In accordance with applicable law, eligible employees will be reinstated to the same job upon returning from an authorized military leave of absence.

4. Funeral or bereavement leave with pay

All employees may be eligible for a leave of absence for up to three days with pay for the death of an immediate family member. The number of paid days off will be determined by the President of the Board based on the circumstances.

5. Jury duty leave with pay

Employees called for jury duty during their regularly scheduled hours are paid their regular pay for the first three days of jury service. After the third day, the Church will pay the employee the difference between their jury pay and their regular rate of pay for any jury service that occurs during the employee's regularly scheduled hours. The employee must provide documentation of their jury service including any compensation received from the Court.

6. Parental Leave

Eight weeks of unpaid parental leave is provided to full-time employees for the purpose of childbirth or for adopting a child under 18 years of age or under 23 if the child is mentally or physically disabled. The employee will be returned to the same or an equivalent position upon return from their Parental Leave.

IV. OTHER EMPLOYER POLICIES

A. ATTENDANCE AND PUNCTUALITY

Each employee is expected to be prompt and regular in his or her attendance at work. Personal appointments should be scheduled before or after work hours, if possible. All scheduled absences must be approved in advance by the supervisor. Employees who are unable to report to work at their scheduled time must call their supervisor as soon as possible to report the absence and the expected time of return to work. Employees must call in each day they are absent, unless otherwise authorized by their supervisor.

The employee's supervisor must approve unscheduled absences (such as returning late from lunch or leaving work before the end of the workday). If the employee expects to be absent the following day, he or she should inform the supervisor of that fact at the same time.

Any employee who fails to report to work without notice for three or more consecutive days will be considered to have voluntarily terminated employment, effective immediately.

B. WORK AND DISCIPLINARY GUIDELINES

Certain guidelines must be observed by all employees to protect the integrity of the congregation. Violations may result in disciplinary measures including verbal warnings, written warnings or termination.

Engaging in any of the following examples of unacceptable conduct may result in disciplinary actions. These examples are intended only as a guide and are not all-inclusive.

- . Failure to perform work in a manner acceptable to Employer.
- . Absenteeism or tardiness.
- . Leaving work without permission.
- . Failure to report absences as required.
- . Sexual harassment or harassment described in this Manual.
- . The use, possession or sale, or being under the influence of alcohol or controlled substances (other than those used for bona fide medical purposes) while working or while on Employer premises (including meal and other breaks).
- . Unauthorized possession of weapons.
- . Disclosure of confidential information.
- . Smoking in unauthorized areas.
- . Failure to report-on-the job injuries.
- . Working another job while absent.
- . Failure to accurately complete or permitting another person to complete the employee's timecard.
- . Arrest and conviction for criminal offenses that are job related, including those that may affect the employee's ability to perform his or her job.
- . Theft or dishonesty.
- . Falsifying records or information (or misuse or unauthorized manipulation of any computer or electronic data processing equipment or system).
- . Discourteous treatment of others.
- . Taking Employer property without paying for it or without written permission.
- . Reckless, careless or unauthorized use of Employer property, equipment or materials.
- . Improper or profane language.
- . Violation of any other Employer policy.

C. SEPARATION FROM EMPLOYMENT

Employees who resign are requested to give at least four weeks' written notice in order for the congregation to find a suitable replacement.

Any employee who is absent for three consecutive days without notifying his or her supervisor, or who fails to report to work on or before the expiration of a leave, will be deemed to have resigned, consistent with applicable law.

D. SAFETY AND ACCIDENTS

The safety of employees, as well as members and visitors, is of paramount concern. All employees are expected to abide by accepted safety standards at all times. They should know the whereabouts of fire extinguishers and the first aid kit.

Any unsafe condition, equipment or practice observed by an employee should be reported immediately to the minister. All on-the-job accidents or injuries to employees, no matter how minor, should be reported immediately to the minister or president of the board. In the event of a fire or other emergency, the fire department and/or police should be called immediately, and all staff and members of the congregation should leave the premises.

E. PERSONAL PROPERTY

The Employer cannot be responsible for damage to or loss of personal property, including loss or damage to vehicles or other property in or on church property. Employees should report any lost items to minister so that the item can be returned if it is found. If an employee finds an item, it should be immediately turned in to the minister.

F. PROFESSIONAL BEHAVIOR

Employees should maintain a professional attitude and appearance that is appropriate to their position and the Employer-congregation. Personal mail and non-essential telephone calls at work are discouraged.

G. INSPECTION RIGHTS

Churches, like other organizations, are sometimes the victims of thieves. The church has on its premises storage facilities such as desks, file cabinets, closets and storage areas for the use of employees, however, the church can make no assurances that they will always be secure. The storage of any unauthorized alcohol, illegal drugs or drug-related paraphernalia is prohibited on church premises. Therefore, the Employer reserves the right to open and inspect any desk, file cabinet, storage closet or storage area at any time and without prior notice or consent. Employees may not use personal locks on church owned desks, cabinets, closets or storage areas.

H. EMPLOYMENT AUTHORIZATION

Federal law requires that prospective employees must show proof of eligibility to work in the United States in the position for which they are applying. When applicable, employees must usually provide an original document or documents to the employee's supervisor that establish identity and employment eligibility from the date employment begins.

PERSONNEL MANUAL ACKNOWLEDGMENT FORM

I, _____, hereby acknowledge that I have received a copy of the Personnel Policy Manual of _____. I understand that it is my responsibility read the Manual and to comply with the policies, practices and rules of the Employer.

I specifically understand and agree that my employment is at will and for an unspecified period of time and that either the Employer or I may terminate the employment relationship, at any time, with or without reason and with or without notice. I specifically understand and agree that this statement of policy contains all of the terms relating to termination of employment and that no representations may be made contrary to the foregoing, either express or implied. I understand that this statement of policy is not subject to change.

I understand that this Manual supersedes all previous policies, written or oral, express or implied. I also understand that this Manual is neither a contract of employment nor a legal document, and that the Employer reserves discretion to add, change or rescind any policy, practice or rule at any time with or without notice.

I understand that my signature below indicates that I have read and understood the above statements and have received a copy of the Personnel Policy Manual, dated _____.

Date

Employee Name (Print)

Employee Signature