



**Highland Presbyterian Church
Employee Handbook**

**Approved by the Session
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Highland Presbyterian Church Employee Handbook

Introduction

Highland Presbyterian Church (“HPC”), a member of the Presbyterian Church (U.S.A.), professing faith in Jesus Christ, participating in ministry and mission, committed to the expression of its life and faith in worship and service, subject to the *Book of Order*, details its Personnel Policies and Procedures.

In accordance with the provisions of the *Book of Order*, the Session of HPC, whose responsibility it is to provide for the employment of staff, affirms its resolution to assure fairness and equal employment opportunity in the determination and administration of approved personnel policies.

In order to assure proper personnel management, the Session establishes the Personnel Committee, accountable to the Session, to be chaired by a member of the Session, whose responsibility it is to oversee the Session's relation to all HPC employees. The Senior Pastor serves as an ex-officio member of the Personnel Committee. The Senior Pastor, as head of staff, may designate one of the other professional staff members as Personnel Officer, responsible to the committee through the Senior Pastor.

This Employee Handbook is designed to provide information related to employment, benefits, and working conditions for employees of HPC. The term “HPC” is used in this Employee Handbook to denote the employing organization. This Handbook and any future revisions to it revoke and supersede any and all policies and handbooks that existed prior to the issuance date of this Handbook. This Handbook is neither a contract of employment nor a legal document nor a contract to provide specific compensation or benefits nor a guarantee of continued employment.

No Employee Handbook can anticipate every circumstance or question about policy. The need may arise and Session reserves the right to revise, supplement, or rescind any policies or portion of this Handbook, from time-to-time, as it deems appropriate, in its sole and absolute discretion, with the exception of the employment-at-will policy permitting you or HPC to end your employment relationship for any reason or no reason, at any time, with or without notice. Employees will, of course, be notified of changes to this Handbook as soon as practicable after they occur.

Personnel Policies for employees of the Highland Presbyterian Weekday School and the Parents’ Day Out Program are published separately.

EMPLOYMENT IN GENERAL

Employment Philosophy

All employees shall be treated fully as persons with fairness and equity of treatment. HPC's employees, for their parts, shall be expected to fulfill their job duties, comply with personnel policies and procedures, and maintain a decorum appropriate to any person who enters a place of Christian ministry and worship. Employees shall exhibit proper work attitudes, respect HPC members, the public, and all other employees and persons who enter HPC's properties, maintain integrity in relating to HPC property, and show due discretion in handling matters of confidential import as befit a community in service to others.

Equal Employment Opportunity Policy

It is the policy of HPC not to discriminate against any individual or group of individuals and to provide equal employment opportunity to all qualified persons regardless of race, creed, color, sex, pregnancy, sexual orientation, gender identity, religion, age (over 40), familial status, national origin, disability, religious affiliation (except when, after study, religious affiliation is determined to be a bona fide occupational qualification), military status or veteran status. This applies to recruiting, selecting, hiring, training, promoting and all other personnel actions and conditions of employment such as compensation, benefits transfers, layoffs, reinstatements, disciplinary actions and terminations. The goal of HPC is to select the best-qualified person for each position in HPC.

If an employee believes that someone has discriminated or is discriminating against him/her or is harassing her/him, she/he should bring the matter to the attention of his/her supervisor, unless the complaint is about the supervisor in which case the employee can report the matter to the Head of Staff or the Chair of the Personnel Committee or any member of the Personnel Committee to whom the employee feels comfortable reporting. All complaints will be kept confidential, except to the extent that disclosure is necessary to investigate the allegations of discrimination or unfair treatment. Following an investigation, HPC will take all appropriate disciplinary action. Any person who has been found by HPC, after investigation, to have violated HPC policies on equal employment opportunity and/or local, state or federal laws concerning discrimination or harassment, will be subject to appropriate sanctions and corrective action, depending on the circumstances, up to and including termination of employment.

Retaliation against an individual for reporting any incidents of discrimination or harassment whether that individual is a victim of discrimination or harassment or is a witness to it or supports the complainant, is prohibited and is a serious violation of this policy and will be treated as a separate and distinct cause for complaint and may result in as strict discipline as the discrimination or harassment itself. Any acts of retaliation should be reported immediately and will be promptly investigated.

Confidential Information

The protection of confidential information is vital to the interests and the success of HPC. Such confidential information includes, but is not limited to, the following examples:

- information disclosed in confidence by members
- employee information (including, but not limited to, social security numbers, home telephone number, personal cellular telephone numbers, home addresses, and medical information);
- vendor information which is confidential or proprietary to that vendor;
- donor information;
- computer processes, programs, passwords, and codes (such as source code);
- financial information; and
- proprietary information of HPC

This policy should not be interpreted to prohibit employees from disclosing the terms and conditions of their employment in an appropriate manner. Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information. If you have a question about whether certain information is confidential consult the Chair of the Personnel Committee.

Employees are required to protect organization records entrusted to them or accessible to them against unauthorized access, loss, or destruction. These records include all written and/or computerized information produced by or for HPC. Particular care must be exercised when confidential documents and information are stored on external storage devices (for example, USB drives or thumb drives).

All of the data, documents, and information produced or stored in HPC-provided computers and other electronic equipment and all records and accounts are the property of HPC.

Personnel Records

The personnel records of employees of HPC are the property of HPC and do not belong to any employee. Confidential files will be kept of each employee to include work and promotion records, salary and performance reviews, vacation and leave records and current position descriptions. Medical records will be maintained separately from the other personnel records. All records will be maintained in a private location unavailable to anyone other than the Personnel Committee, the Head of Staff and the Church Business Administrator. Any employee may review his/her file upon request, but may not alter, amend, deface or remove any portion of his/her file. It is each employee's responsibility to keep personal information contained in his/her personnel file up-to-date, especially in the event of an emergency. Any change in employee information such as changes in address, telephone number, marital status, dependents or other tax status matters and other personal information should be reported to the Church Business Administrator immediately. HPC cannot be responsible for resultant payroll tax withholding errors or any loss of benefits or other problems caused by the employee's failure to report the change.

Requests for References

Any employee who receives a verbal or written request to provide a reference or recommendation concerning a current or former employee must forward the request to the Chair of the Personnel Committee who will provide the response or will direct a staff member to provide the response. The Church Business Administrator may provide verification that an employee is or was employed by HPC without comment or recommendation concerning his/her performance or the grounds for termination.

EMPLOYMENT STATUS, CLASSIFICATIONS, AND COMPENSATION

At-Will Status

By Kentucky law, the employment relationship between HPC and its employees is employment at-will, which means an employee can terminate his/her employment relationship with HPC at any time for any reason or no reason, and HPC can terminate an employee at any time for any reason or no reason at all. Any oral or written statements or promises to the contrary made to any prospective or existing employee are hereby expressly disavowed and should not be relied upon by any prospective or existing employee. No employee of HPC has the authority to enter into a contract of employment with any other employee or to enter into any agreement for employment for any specified period of time or to make any agreements contrary to the foregoing. The only exception to this policy is for staff who are called by the Presbytery and the congregation to serve in a pastoral role. These Personnel Policies and Procedures are not a contract of employment and nothing herein shall be construed either as a guarantee of continued employment or as an employment contract or as an agreement by HPC to provide certain compensation or benefits to its employees.

Volunteers and Independent Contractors

Volunteers and independent contractors are not employees of HPC and are not entitled to the compensation or benefits described in this Handbook.

Process of Employment

A written job description, which accurately reflects job functions, will be developed by the Senior Pastor and the Personnel Committee, with input from other Session committees as appropriate. All descriptions for exempt positions as defined below will be approved by the Session.

Job descriptions will be reviewed periodically and may be refined in consultation with a new staff member four to six months following employment. Any changes may be subject to approval by the Session.

Both external and internal recruitment will be considered. In addition to referral and staff solicitations from interested parties, advertisement generally will be used. The advertisement process for non-ordained staff ordinarily is coordinated by the Business Administrator. If a position is advertised, it shall state that HPC is an Equal Employment Opportunity employer.

All positions will be filled in accordance with the established policies of the Presbyterian Church (U.S.A.) to assure the employment of the best-qualified person according to the standards set for the position.

To ensure that individuals who join the staff of HPC are well qualified and have a strong potential to be productive and successful, HPC checks the employment references of applicants and any criminal records. Applicants will be asked to sign appropriate releases for criminal background checks. HPC reserves the right to require existing employees to be subjected to job-related criminal records and/or other background checks.

After search, evaluation and selection efforts are complete, the related Session committee moderator or the Business Administrator shall complete the EMPLOYMENT STATUS FORM (Attachment A), and obtain the indicated approvals before hiring. After the initialed approvals have been obtained, the form and the Personnel Policies and Procedures will be discussed in detail with the new employee who will sign the form to indicate agreement with the terms and conditions of employment. The employee will also be asked to acknowledge receipt of the Policies and Procedures on the ACKNOWLEDGMENT FORM (Attachment B).

Persons may be employed on a regular, interim, or temporary basis, and on a full-time or part-time basis.

Employment Applications

HPC relies upon the accuracy of information contained in employment applications, Pastor Information Forms, and resumes, as well as the accuracy of other data presented throughout the hiring process and employment. Misrepresentations, falsifications, or material omissions in any information supplied by an applicant or employee may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, disciplinary action up to termination of employment.

Orientation Period

The first three (3) months of employment constitute an orientation period. Upon successful completion of the orientation period, the employee may be eligible for benefits in the approved group major medical plan, according to the plan's eligibility rules. The employee also may be eligible for up to one paid sick day, holidays observed by HPC, coverage as provided by Kentucky workers' compensation laws, and absence required as a result of jury duty. If an employee is absent for any other reason, pay will be deducted for absent time. Prior to the end of the orientation period, the employee's performance will be reviewed by the supervisor and discussed with the employee.

Completion of the Orientation Period does not change or alter the employment relationship between the employee and HPC. During and after the orientation period, the employment relationship between employees and HPC is employment at-will and the employee or HPC can terminate that relationship at any time for any reason, with or without cause.

Periodic Performance Review

Each member of the professional staff will have a periodic written performance review with participation of the employee, supervisor and representative from the Session Personnel Committee. Professional staff is defined as Pastors, Director of Music Ministries and Director of Member Care, Director of Youth Ministries and Church Business Administrator. A Chairperson of one or more Session committees to which the professional staff member relates may be invited to join in the review process.

All other employees will have periodic written performance reviews with participation of the employee and supervisor. A representative from the Personnel Committee will participate in the review process should the employee or supervisor so request.

HPC's Personnel Committee assumes responsibility for communicating a summary of each employee's performance review to the chair of any Session committee that works in association with the employee. The communication will take place in a time and manner that protects the confidentiality of the employee.

Compensation

All employees will receive fair and adequate compensation for work performed. Determination of all salaries will take into consideration such things as the nature of the work, education and past experience, performance, budget restrictions and the rate for similar positions in similar organizations. Salary scales for non-exempt staff will be in keeping with the provisions of Federal laws covering minimum wages. Salaries will be kept confidential where possible.

The Personnel Committee will assume responsibility for ensuring that an annual compensation review is conducted for each member of the staff. The Personnel Committee is responsible for recommending to the Session all salary increases.

Compensation for all pastoral staff members is the final responsibility of the congregation in concurrence with the Presbytery.

Work Week - Exempt and Non-Exempt Categories - Overtime

Work Week

The work week for HPC employees is Saturday to Friday.

Exempt

Exempt employees are those employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law. Exempt employees are salaried employees who are not paid overtime wages and who are expected to work at least forty (40) hours per work week.

Non-Exempt

Employees whose positions do not meet FLSA and state exemption tests are non-exempt employees. The work week for full time non-exempt staff is forty (40) hours per work week.

Part-Time

Part-time employees are those employees who are employed to work less than forty (40) hours per work week.

Overtime

By law only non-exempt employees are eligible to receive overtime, at the rate of one and one half times the regular hourly rate, and must obtain approval of their supervisor before working overtime. Non-exempt employees should arrange their work so that it is not necessary for them to work overtime in a work week. If an employee is required to work mandatory overtime, the employee's supervisor will provide as much advance notice as possible. Paid time off for sick leave, vacation leave, leaves of absence, holidays, and other types of leave will not be considered hours worked for purposes of calculating whether overtime is paid to an employee. Exempt employees are not eligible to receive overtime pay regardless of the number of hours worked. Failure to work scheduled or mandatory overtime or working overtime without permission of a supervisor may result in discipline up to and including termination of employment.

Overtime on Holidays

Non-exempt employees who work on a holiday will be paid double-time. However, non-exempt employees must receive approval by their supervisor or the Head of Staff in order to work on a holiday. Exempt employees are not entitled to overtime pay or double pay for work on holidays.

No Comp Time

The practice of granting hour-for-hour compensatory time, often referred to as "comp" time, is prohibited.

Breaks/Lunch Period

Full-time employees are entitled to take two (2) paid 15-minute breaks daily, schedule permitting, but at a minimum at least a paid break of ten (10) minutes during each four (4) hours worked is required by law, in addition to the lunch period. Breaks may not be taken at the beginning or end of the workday or added to the lunch period without permission from the supervisor. Lunch is a one-hour unpaid meal period. Arrangements for breaks and lunch are to be made with your supervisor.

BENEFITS AND LEAVES

Vacation

Vacation time and vacation pay for Pastors is specified in the Terms of Call.

Employees in their first year of employment accrue one (1) vacation day for every two (2) months worked up to a maximum of six (6) vacation days which they can use once accrued. For full time employees and full time pastors, one vacation day is equivalent to eight (8) hours.

Full time employees are entitled to a paid vacation each year, accrued monthly based upon hire date, and varying with length of service.

After one year through six years of employment.....10 days of vacation
After seven years through nineteen years of employment.....15 days of vacation
After twenty years of employment.....20 days of vacation

Employees must request and receive approval from their supervisor regarding the scheduling of vacations as with any other leave.

Non-exempt employees may accumulate and carry forward no more than ten (10) days of vacation from one calendar year to the next or be paid up to ten (10) days of accrued vacation at the end of the year.

Exempt employees may accumulate and carry forward no more than ten (10) days of vacation from one calendar year to the next.

Upon separation, employees will be paid up to thirty (30) days of accrued vacation leave.

Holidays

The following paid holidays will be observed:

New Year's Day	Martin Luther King holiday
Oaks Day	Memorial Day
Independence Day	Labor Day
Thursday and Friday of Thanksgiving Week	Christmas Day and December 26

Any changes in the holiday schedule will be recommended to the Session by the Personnel Committee at the end of any year. If Christmas Day and New Year's Day fall upon a day when the office is normally closed, the office will be closed an additional day.

Sick and Humanitarian Leave

Full-time employees and pastors will receive up to ten days (80 hours) of paid leave for illness or injury or for humanitarian reasons (e.g., bereavement) leave each calendar year, with entitlement the first year of employment prorated according to length of employment. Part-time employees will receive hours equal to two (2) times his/her normal work week. A doctor's note verifying illness or fitness to return to work following an absence may be required. At the time of voluntary or involuntary termination of employment, an employee will have no claim for pay in lieu of unused sick or humanitarian leave. Humanitarian leave will be determined at the discretion of the Head of Staff with consultation with the Personnel Committee. Full time employees and pastors can accumulate a maximum of 20 days of sick or humanitarian leave to be carried over from one year to the next.

The Church does not recognize or authorize compensatory time, also known as "comp time."

Health Insurance

Full-time employees who are regularly scheduled to work at least thirty-five (35) hours per week will be covered under the Board of Pensions Health Insurance Program, after the employee has worked for HPC for ninety (90) days. Members of the pastoral staff are enrolled as a condition of employment.

Short Term Disability Benefits

Employees who are pastors or full-time employees working 35 or more hours per week are eligible to apply for short term disability benefits through a policy of insurance. Decisions on eligibility and approval of claims will be made by the insurance provider pursuant to the terms and conditions of the plan. If a claim is approved, employees will be eligible for compensation through that policy of insurance in the amount of 60 percent per week of their current salary or proportionate annual wages for hours worked. Pursuant to the terms and conditions of the short term disability benefits plan, the period of coverage for short term disability benefits is 13 weeks from the date of the injury or sickness as determined by the insurance plan.

Presbyterian Pension Plan

Following the Orientation Period, all exempt and non-exempt full time employees are enrolled in the PC USA Board of Pensions Pension plan, according to the provisions of the plan. Members of the pastoral staff are enrolled as a condition of employment.

Social Security

Social Security compensation will be maintained as determined by Presbytery policy and/or Federal Law.

Leave Of Absence

All leaves are subject to arrangement and specific approval by the Head of Staff. Leave arrangements for the Head of Staff are approved by the Personnel Committee.

Study Leaves - Pastoral Staff

Pastors are entitled to study leave as stipulated in their respective Terms of Call, the scheduling of which will be approved by the Personnel Committee.

FAMILY AND MEDICAL LEAVE ACT POLICY

The Family and Medical Leave Act (“FMLA”) provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. The maximum amount of leave an employee may use is either 12 or 26 weeks within a 12-month period depending on the reasons for the leave. Inquiries regarding requests for FMLA leave should be made to HPC’s Church Business Administrator or the Head of Staff.

Employee Eligibility

To be eligible for FMLA leave, a current employee must:

1. have worked at least 12 months for the Church; and

2. have worked at least 1,250 hours for the Church over the 12 months preceding the FMLA leave of absence.

All periods of absence from work due to or necessitated by service in the uniformed services are counted in determining FMLA eligibility.

Conditions Triggering Leave

FMLA leave may be taken for the following reasons:

1. birth of a child, or to care for a newly-born child (up to 12 weeks);
2. placement of a child with the employee for adoption or foster care (up to 12 weeks);
3. to care for an immediate family member (employee's spouse, child, or parent) with a serious health condition (up to 12 weeks);
4. because of the employee's serious health condition that makes the employee unable to perform the employee's job (up to 12 weeks);
5. to care for a Covered Servicemember with a serious injury or illness related to certain types of military service (up to 26 weeks) (see Military-Related FMLA Leave for more details); or,
6. to handle certain qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or call to covered activity duty status in the Uniformed Services (up to 12 weeks) (see Military-Related FMLA Leave for more details).

The maximum amount of leave that may be taken in a 12-month period for all reasons combined is 12 weeks, with one exception. For leave to care for a Covered Service member, the maximum combined leave entitlement is 26 weeks, with leaves for all other reasons constituting no more than 12 of those 26 weeks.

Definitions

A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three full calendar days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment.

“Spouse” means a husband or wife and includes a partner who is in a legally sanctioned, same-gender marriage or union which is lawful under the laws of a state or country which recognize same-gender marriages or unions. The term “spouse” does not include unmarried domestic partners.

Identifying the 12-Month Period

The Church measures the 12-month period in which leave is taken by the “rolling” 12-month method, measured backward from the date of any FMLA leave with one exception. For leave to care for a covered service member, the Church calculates the 12-month period beginning on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

Using Leave

Eligible employees may take unpaid FMLA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule when medically necessary for the serious health condition of the employee or immediate family member, or in the case of a covered service member, his or her injury or illness. Eligible employees may also take intermittent or reduced-scheduled leave for military qualifying exigencies. Intermittent leave is not permitted for birth of a child, to care for a newly-born child, or for placement of a child for adoption or foster care. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Church's operations.

Use of Accrued Paid Leave

Depending on the purpose of your leave request, the Church will require you to use accrued paid leave (such as sick leave and vacation), concurrently with all of your unpaid FMLA leave. In order to substitute paid leave for unpaid FMLA leave, an eligible employee must comply with the Church’s normal procedures for the applicable paid-leave policy.

Maintenance of Health Benefits

If you and/or your family participate in the PC USA Board of Pensions Health Insurance Program, the Church will maintain coverage during your FMLA leave on the same terms as if you had continued to work. If applicable, you must make arrangements to pay your share of health plan premiums while on leave. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

Notice and Medical Certification

When seeking FMLA leave, you are required to provide:

1. sufficient information for us to determine if the requested leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. You must also inform the Church if the requested leave is for a reason for which FMLA leave was previously taken or certified.

If the need for leave is foreseeable, this information must be provided 30 days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the Church's normal call-in procedures, absent unusual circumstances.

2. medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member within 15 calendar days of the Church's request to provide the certification (additional time may be permitted in some circumstances). If you fail to do so, we may delay the commencement of your leave, withdraw any designation of FMLA leave or deny the leave, in which case your leave of absence would be treated in accordance with our standard leave of absence and attendance policies, subjecting you to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required;
3. periodic reports as deemed appropriate during the leave regarding your status and intent to return to work; and
4. medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition. The Church will require this certification to address whether you can perform the essential functions of your position.

Failure to comply with the foregoing requirements may result in delay or denial of leave, or disciplinary action, up to and including termination.

Employer Responsibilities

To the extent required by law, the Church will inform employees whether they are eligible under the FMLA. Should an employee be eligible for FMLA leave, the Church will provide him or her with a notice that specifies any additional information required as well as the employee's rights and responsibilities. If employees are not eligible, the Church will provide a reason for the ineligibility. The Church will also inform employees if leave will be designated as FMLA-protected and, to the extent possible, note the amount of leave counted against the employee's leave entitlement. If the Church determines that the leave is not FMLA-protected, the Church will notify the employee.

Job Restoration

Upon returning from FMLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

Failure to Return after FMLA Leave

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the Church's standard leave of absence and attendance policies. This may result in termination if you have no other Church-provided leave available to you that

applies to your continued absence. Likewise, following the conclusion of your FMLA leave, the Church's obligation to maintain your group health plan benefits ends (subject to any applicable COBRA rights).

Fraud

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

Employers' Compliance with FMLA and Employee's Enforcement Rights

FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

While the Church encourages employees to bring any concerns or complaints about compliance with FMLA to the attention of HPC's Church Business Administrator or the Head of Staff, FMLA regulations require employers to advise employees that they may file a complaint with the U.S. Department of Labor or bring a private lawsuit against an employer.

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

Limited Nature of This Policy

This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA. The Church reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law.

MILITARY-RELATED FMLA LEAVE

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

Definitions

A "covered service member" is either: (1) a current service member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list; or (2) a "covered veteran" who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

A "covered veteran" is an individual who was discharged under conditions other than dishonorable during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition.” For current service members, the term “serious injury or illness” means an injury or illness that was incurred by the member in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service, that may render them medically unfit to perform the duties of their office, grade, rank or rating.

For covered veterans, this term means a serious injury or illness that was incurred in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service and manifested itself before or after the individual assumed veteran status, and is: (1) a continuation of a serious injury or illness that was incurred or aggravated when they were a member of the Armed Forces and rendered them unable to perform the duties of their office, grade, rank or rating; (2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; (3) a physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would be so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

“Qualifying exigencies” include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, parental care, and post-deployment debriefings.

Military Caregiver Leave

Unpaid Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. Military Caregiver Leave is a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period.

To be “eligible” for Military Caregiver Leave, the employee must be a spouse, son, daughter, parent, or next of kin of the covered service member. “Next of kin” means the nearest blood relative of the service member, other than the service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of Military Caregiver Leave. The employee must also meet all other eligibility standards as set forth within the FMLA Leave policy.

An eligible employee may take up to 26 workweeks of Military Caregiver Leave to care for a covered service member in a “single 12-month period.” The “single 12-month period” begins on the first day leave is taken to care for a covered service member and ends 12 months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust his or her 26 workweeks of Military Caregiver Leave

during this “single 12-month period,” the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each service member. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered service member, and/or for each and every serious injury or illness of the same covered service member. A total of no more than 26 workweeks of Military Caregiver Leave, however, may be taken within any “single 12-month period.”

Within the “single 12-month period” described above, an eligible employee may take a combined total of 26 weeks of FMLA leave including up to 12 weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the “single 12-month period,” an eligible employee may take up to 16 weeks of FMLA leave to care for a covered service member when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or covered service member and completed by an authorized health care provider within 15 days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

Qualifying Exigency Leave

Eligible employees may take unpaid “Qualifying Exigency Leave” to tend to certain “exigencies” arising out of the covered active duty or call to covered active duty status of a “military member” (i.e. the employee’s spouse, son, daughter, or parent). Up to 12 weeks of Qualifying Exigency Leave is available in any 12-month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of Military Caregiver Leave, which is subject to a maximum of 26 weeks of leave in a “single 12-month period”). Although Qualifying Exigency Leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed 12 weeks in any 12-month period (with the exception of Military Caregiver Leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve.

A call to active duty refers to a *federal* call to active duty, and *state* calls to active duty are not covered unless under order of the President of the United States pursuant to certain laws.

Qualifying Exigency Leave is available under the following circumstances:

(1) **Short-notice deployment.** To address any issue that arises out of short notice (within seven days or less) of an impending call or order to covered active duty.

(2) **Military events and related activities.** To attend any official military ceremony, program, or event related to covered active duty or call to covered active duty status or to attend certain family support or assistance programs and informational briefings.

(3) **Childcare and school activities.** To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.

(4) **Financial and legal arrangements.** To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.

(5) **Counseling.** To attend counseling (by someone other than a health care provider) for the employee, for the military member, or for a child or dependent when necessary as a result of duty under a call or order to covered active duty.

(6) **Temporary rest and recuperation.** To spend time with a military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to 15 calendar days of leave for each instance of rest and recuperation.

(7) **Post-deployment activities.** To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following termination of the military member's active duty status. This also encompasses leave to address issues that arise from the death of a military member while on active duty status.

(8) **Parental care.** To care for the military member's parent who is incapable of self-care. The parent must be the military member's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age.

(9) **Mutually agreed leave.** Other events that arise from the military member's duty under a call or order to active duty, provided that the Church and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation in the form of a copy of the military member's active duty or rest and recuperation orders or other military documentation indicating the appropriate military status and the dates of active duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within 15 days. Qualifying Exigency Leave will be governed by, and handled in

accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

Limited Nature of This Policy

This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA. The Church reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law.

Jury Duty

If the employee is dismissed from jury duty early in the day or before the end of her/his normal work hours at HPC, the employee is expected to return to HPC to perform whatever work duties he/she can perform before the end of the work day.

Workers' Compensation

All employees are covered by the Workers' Compensation Law of the Commonwealth of Kentucky. Any employee who is injured while on work time should immediately seek medical help.

Employees should follow the guidelines provided in the Workers' Compensation Claim information packet provided by the Church Business Administrator. All claims paperwork must be completed and turned in to the Church Business Administrator as soon as is practical, the next business day if possible.

Unemployment Insurance

HPC is exempt from paying unemployment insurance under Kentucky unemployment insurance laws and therefore unemployment insurance is not provided.

Part-Time Employees

Part-time employees are those employees who are employed to work less than 35 hours per week. Employees who are employed at least 20 hours per week are eligible for the following benefits:

- Holiday pay if the holiday falls on one of the employee's regularly scheduled working days;
- Regular pay up to 40 hours with time and a half or compensatory time for hours worked in excess of 40 per week;
- Vacation and sick pay in proportion to the hours worked each week.
- Workers' compensation;
- Social Security participation; and
- FMLA leave, if eligible.

EMPLOYEE CONDUCT AND EXPECTATIONS

Attendance

All employees are scheduled to work a stated schedule based on the requirements of the position. If an employee is unable to be at HPC during those times, he/she should notify the supervisor of

the absence and the reason for the absence as soon as possible, but not later than the start time of his/her shift. When a member of the Pastoral Staff is out of the office making home/hospital visits, attending meetings, and the like, the office shall be notified of that person's activities and the time he/she expects to return to HPC. Failure to comply may result in disciplinary action up to and including termination.

Ethics Policy

Introduction

This Ethics Policy addresses business ethics and applies to all employees of HPC in matters relating to the performance of their duties and responsibilities for HPC. All funds and property received and administered by HPC are entrusted to the organization by God through the faithful financial support of donors, members, guests, and friends. The highest degree of stewardship and fiduciary responsibility is expected of all employees, including the receiving, reporting, and use of funds, property, and time.

Standards of Ethical Conduct

1. Duty of Loyalty and Care. The duty of loyalty and care as well as the obligation of good stewardship requires all employees to act first in the best interests of HPC rather than in the employee's own interests or the interests of another entity or person.

2. Conflicts of Interest. All employees shall avoid conflicts of interest, potential conflicts of interest, and situations that give even the appearance of a conflict of interest.

a. **Definition**. "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 HPC.

b. **Disclosure**. All present and potential conflicts of interest issues must be disclosed as they arise, promptly and in writing, to the employee's supervisor or to the Chair of the Personnel Committee. Examples include, but are not limited to financial interests with or gifts from vendors and other organizations doing business with HPC. HPC business dealings with an employee's 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.

Outside Employment

Employees are permitted to hold employment outside of their employment at HPC as long as the outside job does not interfere with the performance of work duties for HPC or result in a conflict of interest as that term is defined in this policy.

Violations

Violation or noncompliance with this Ethics Policy may result in discipline, up to and including termination of employment.

Personal Property

HPC is not responsible for and does not provide insurance coverage for the loss, theft or destruction of an employee's personal property on HPC's premises, in parking areas, or

elsewhere. Employees should not leave personal valuables (e.g. jewelry, cell phones) unattended in the work area nor should employees bring large sums of cash into the office or leave purses, wallets, or cash unattended.

HPC Property

All furniture, office space, office supplies, equipment, systems, hardware, software, and other property on the premises of HPC and supplied to employees by HPC is the property of HPC and is to be used only for the business purposes of HPC, except as otherwise indicated in this Handbook. Employees may not use HPC property for their own personal business or personal benefit (except as approved and permitted by the Head of Staff or the Chair of the Personnel Committee), such as using HPC's computer system to operate an outside business. Any employee found to be using HPC property for non-HPC business usage or any employee found to have damaged, defaced or otherwise improperly altered or harmed HPC's property will be subject to discipline up to and including termination of employment.

Use of Telephones and Hand-Held Devices

Employees are permitted to use the telephone and HPC-provided hand-held devices (e.g. cell phones, iPhones, Blackberries, beepers, pagers, PDA's, etc.) ("Hand-Helds") for personal, non-business use so long as such usage is not excessive and does not interfere with the performance of his/her duties or the duties of other employees. Employees may be required to reimburse HPC for any charges resulting from their personal use of the Hand-Helds.

Employees are required to use Hand-Helds in a safe manner and in compliance with local, state, and federal laws. Employees should always practice safe use of Hand-Helds (HPC-issued or personal) while conducting work for HPC. Employees shall not engage in making calls, sending e-mails, sending text messages or other electronic communications while the employee is engaged in the business of HPC. This includes communications with entities such as OnStar and other services that can be contacted directly through the communications systems in a vehicle. If an employee must send or receive a communication while driving, the employee should find a proper parking space and put the vehicle in park before beginning the conversation or otherwise reviewing the communication, as the case may be. Pulling over on the side of the road is not safe or acceptable unless there is an emergency such as an accident or a car breakdown.

Due to the insecure nature of this communication medium, employees are not permitted to divulge highly confidential information such as bank account numbers, social security numbers, member and donor information, credit card numbers or passwords while using Hand-Helds unless the communication is securely encrypted.

Electronic Communications Policy

The equipment, hardware, software, programs, portable electronic devices, services, and technology provided to send and receive electronic communications are the property of HPC. All electronic communications and attached documents sent, received, and/or stored on the internal computer system are records and property of HPC. HPC's computer network and system ("System") may also be accessed by system administrators or authorized third-party vendors to perform maintenance or administration. All ID's and passwords must be maintained

as confidential by employees. Employees must never permit unauthorized third-party access to the System. The System is not provided for entertainment purposes and should not be accessed by guests of employees.

While the System should be used for business purposes only, occasional very limited or incidental use of the System by employees, for personal non-HPC use, is permitted. HPC reserves the right to monitor, within legal limits, all aspects of the System for any reason, including to ensure that it is being used for HPC business-related purposes. Employees should not expect privacy with respect to personal or work activities conducted on HPC's computer system. Employees who use the System for transactions intended to be secure, such as personal banking or investing, do so at their own risk. HPC cannot guarantee the safety or security of any such personal confidential information or of passwords and user ID's entered by employees related to such personal transactions. Because maintaining internet and email service levels involves significant costs, employees should limit use for non-HPC purposes and take care to manage use so as not to burden unduly System and employee resources.

In accessing web-based discussion forums, blogs, and using mailing lists through the System, employees must at all times represent and act in the best interests of HPC. Special consideration should be given to sending or forwarding sensitive information via the System. Electronic communications (e.g., email messages) should be written with the same care as other written documents. Employees are expected to communicate with courtesy and restraint.

The System cannot be used for knowingly transmitting, retrieving, or storing any communication that:

- is discriminatory or harassing;
- appears derogatory to any individual or group;
- is obscene or pornographic;
- can be seen as defamatory or threatening;
- reveals HPC's confidential information without authorization; or
- is used for any purpose that is illegal or contrary to HPC's policy or interests.

HPC reserves the right to disclose records to law enforcement or government officials or to other third parties without notification to or permission from the employee sending or receiving any message via the System, as HPC deems fit and in HPC's sole discretion.

Use of Portable Digital Music Players

- Except for cellular telephones and PDAs (e.g. iPhones and Blackberries) and other devices issued to employees by HPC, employees are prohibited from connecting portable electronic communications devices and portable digital audio players, also known, for example, as mp3 players (e.g. Apple iPods), DVD players or other similar electronic devices (hereinafter "PDA Players"), to HPC's computer, telephone, or Internet or other systems: (1) to download material from the Internet or any other source, since those sources may contain viruses, worms or any other harmful devices or programs; (2) to transfer information, data, music, movies, concerts, television shows, documents or other electronically stored materials to or from HPC's computer,

telephone or Internet system; or (3) to use HPC's computer system as a device to play or broadcast music, movies, live concerts, television shows, or any other media through a personal digital device, such as a PDA Player. The only exception to this policy is if the employee is downloading data or information from a device issued to the employee by HPC and the employee is connecting or syncing the device to HPC's system because the employee is engaged in a work-related project or is connecting the device based upon instructions and training provided by HPC.

- Some materials that can be downloaded from the Internet are protected by copyright. Employees are prohibited from downloading such protected materials from the Internet either into or through any HPC-owned computer. Some of this material also carries harmful viruses, worms, and other devices or programs that can harm HPC's computers and network and could severely harm our network, perhaps permanently. Any employee who improperly imports copyrighted material or who imports a harmful program, virus, worm or other harmful device through a PDA Player may be subject to disciplinary action up to and including immediate termination of employment.
- Employees are prohibited from downloading music, whether by file-sharing or any other method or program, and are prohibited from downloading movies, DVDs, CDs or any other type of media from the Internet or e-mail or any other source from any HPC-owned computer into any PDA Player owned by the employee or brought onto the premises by the employee or anyone or from any PDA Player owned by the employee or brought onto the premises by the employee or anyone into any HPC-owned computer or HPC's system or electronic equipment. If any employee illegally or improperly or without permission downloads materials protected by copyright or other legal protection, HPC may be held liable for the employee's improper conduct. If HPC is notified of such improper conduct or is charged or sued for such improper conduct by an employee, that employee is subject to discipline up to and including immediate termination of employment and the employee is responsible for any fines, penalties, interest, legal fees, and judgments found or levied against HPC due to the employee's improper or illegal conduct.
- Employees are prohibited from downloading into any PDA Player any confidential or proprietary documents, information, data, photographs, files or materials of HPC or any of its employees, vendors, members, donors or that relate or refer to any of its employees, vendors, members or donors. Any employee who engages in such improper conduct will be subject to discipline up to and including immediate termination of employment.
- The provisions of the Electronic Communications Policy set forth above also apply to this Policy, including the provisions regarding monitoring. By using HPC's telephone and computer equipment and systems, computer network, e-mail system, and voicemail system, employees are considered to consent to having their communications through such equipment and in such systems monitored by HPC.
- Employees who violate any part or all of this policy are subject to disciplinary action, including forfeiture of the employee's right to computer access and usage and up to and including immediate termination of employment.

EMPLOYEE SOCIAL MEDIA POLICY

Highland Presbyterian Church recognizes that social media can be a positive and valuable tool for outreach, congregational communication, networking, and community interaction, and welcomes and encourages its employees' professional and personal use of social media.

Please be aware, though, that because you are an employee of HPC, our congregants, visitors, neighbors, and members of our larger community may not be inclined to distinguish your personal online presence from your professional online presence. When using social media, always be mindful of the following guidelines before you post. And, if any of your personal or professional posts generate any inquiries from the media, please consult your Head of Staff before you respond.

SOCIAL MEDIA GUIDELINES

Do use social media, but:

1. Use good judgment.
2. Obey the law.
3. Maintain confidentiality.

Social media is evolving and some rules are clear-cut (*e.g.*, don't violate copyright law), but most veer into some measure of debatability. So, these are guidelines, not an exhaustive list of restrictions. The following sections provide a bit more explanation but do not and cannot cover all possible situations. So, use common sense. Post carefully. Post thoughtfully. Post respectfully. Post kindly. Ask your Head of Staff questions if you have any doubts about what's appropriate.

USE GOOD JUDGMENT

What you write is public, even if you consider it personal, and you don't want anything you say or otherwise include in official *or* personal social media posts to impair your ability to work with other staff, lead volunteers, interact with our congregation, minister to the needy, or credibly represent HPC and the Presbyterian Church U.S.A. in the larger community.

Clearly identify yourself and your role at HPC if you are posting on behalf of the church, or discussing HPC or the Presbyterian denomination in your personal posts. And, if you post personal opinion pieces, please include a disclaimer (*e.g.*, "The posts on this site are my own opinions. They have not been reviewed or approved by Highland Presbyterian Church and do not necessarily represent the views and opinions of that church or the Presbyterian Church U.S.A.")

Always assume that everything you post will be read by the public, even if you intended to limit it to a small circle of acquaintances. So, please choose your words carefully, even if you simply are trying to be funny. A lot of humor simply doesn't translate well to the written form, and frustration is always best expressed in person.

That being said, do not be afraid to engage in thoughtful, respectful dialogue about controversial issues. Don't pick fights, though, or engage in heated exchanges. If someone else tries to include you in an online dispute, excuse yourself without further comment, and then discuss with your Head of Staff what response (if any) should be made.

Do not use any kind of personal insults, hate speech, or obscenities, and never post anything that is vulgar or sexually explicit.

Finally, while a small amount of personal use of social media is acceptable while you are at work, anything more should be done on your own time.

OBEY THE LAW

This includes not only obeying all copyright, trademark, and criminal laws, but also obtaining permission (ideally written permission) before you use someone's name or image in a post.

MAINTAIN CONFIDENTIALITY

Avoid identifying and discussing people with particularity, unless you are absolutely, positively certain they don't object. This is true **especially** with respect to pastoral concerns such as hospitalizations, deaths, health issues, or counseling sessions. Never forget, however, that many folks are extremely private, even about things most of the rest of us discuss freely. Please don't assume anything. When in doubt, leave it out.

When posting pictures of our children or youth, do not use any that would allow someone to identify their school, after-school activities, or home with particularity (*e.g.*, check for geotags and do not use pictures in which the kids' are wearing clothes with their school or "little league" logos visible). More details about appropriate posts of photographs or other information regarding our children and youth can be found in our child protection policy.

Be careful not to intentionally or inadvertently disclose any information that is HPC's confidential or proprietary information. If you aren't sure, check with your Head of Staff, or otherwise confirm that what you are sharing has already been published in an official communication.

Sexual Harassment

General Policy

HPC does not condone and will not permit the harassment of or by any employee on the basis of gender. Any employee who violates this policy will be subject to disciplinary action, up to and including termination of employment.

Definition

Sexual harassment refers to unwelcome sexual advances, requests of sexual favors and other verbal or physical conduct of a sexual nature when:

Submission to such conduct is made explicitly or implicitly a condition of an individual's employment;

Submission to or rejection of such conduct is used as a basis for an employment decision affecting the employee; or

The harassment has the purpose or effect of unreasonably interfering with the employee's work performance, or of creating an environment that is intimidating, hostile or offensive to the employee.

Examples include unwanted physical contact, foul language, sexually oriented propositions, jokes or remarks, obscene gestures and the display of sexually explicit pictures, cartoons or other materials that may be considered offensive to a reasonable employee.

Any employee who believes that he or she has been sexually harassed should immediately report the situation to the Head of Staff and/or a member of the Personnel Committee. Similarly, any employee who becomes aware of a possible harassment situation should report that situation to the Head of Staff and/or a member of the Personnel Committee. All reports will be investigated and treated in as discreet and confidential a manner as possible.

An employee's employment status will not be affected adversely as a result of valid reporting of a possible sexual harassment incident.

Anti-Harassment Policy

General Policy

HPC does not condone and will not permit the harassment of or by any employee who is in a category listed below which is protected from harassment by local, state or federal law. Any employee who violates this policy will be subject to disciplinary action, up to and including termination of employment. HPC fully supports and enforces its legal and moral responsibility to maintain a work place free from harassment of any employee because of that person's race, creed, color, national origin, sex, pregnancy, age (over 40), familial status, sexual orientation, gender identity, disability, religious affiliation, military status or veteran status.

Definition

Harassment includes slurs and other verbal abuse or physical conduct directed toward an individual when that conduct:

- a. Has the purpose or effect of creating an intimidating, hostile or offensive working environment
- b. Has the purpose or effect of unreasonably interfering with an individual's work performance, or
- c. Has the effect of adversely influencing an individual's employment opportunities

Examples include the use of ethnic or racial slurs, jokes, nicknames or remarks, and the display or distribution of materials which may be offensive or demeaning to members of certain genders, races or religions and which may be considered offensive to a reasonable employee.

Any employee who believes that he or she has been subjected to any form of harassment, or who believes his or her work environment is offensive, should report the situation to the Head of Staff and/or a member of the Personnel Committee. Similarly, any exempt employee who becomes aware of any possible harassment situation should report that situation to the Head of Staff and/or a member of the Personnel Committee. All reports of harassment will be investigated and treated in as discreet and confidential a manner as possible. An employee's employment status will not be affected adversely as a result of valid reporting of a possible harassment incident.

Sexual Misconduct

HPC is committed to maintaining a workplace free from any form of sexual misconduct, including sexual harassment, by any employee or by any non-employee work contacts. This policy is based on the Sexual Misconduct Policy adopted by the 219th General Assembly (2010) and as that document may be subsequently amended (Pertinent portions of the Sexual Misconduct Policy are attached to this Handbook as Appendix 1 and the policy is incorporated by reference as a policy of HPC). That policy covers employees who are members of the Presbyterian Church (U.S.A.) as well as non-member employees.

The scope of this policy is not limited to the physical location of the workplace and relationships with other employees at that location. It includes contacts anywhere in connection with carrying out HPC responsibilities and relationships with employees, volunteers, and members.

Any form of sexual misconduct is unacceptable behavior within the workplace and is subject to appropriate disciplinary action. Reports of sexual misconduct will be investigated by the Session or a designated committee of the Session. All employees are encouraged to immediately report incidents of sexual misconduct to their supervisor, the Head of Staff or to any member of the Personnel Committee. If the report is about the employee's supervisor, the employee can report directly to the Head of Staff or to any member of the Personnel Committee.

Allegations of sexual misconduct will be investigated and corrective or disciplinary action taken, as warranted, which may include termination of employment.

Sexual Misconduct, as defined in the Sexual Misconduct Policy approved by the 219th General Assembly (2010) (see Appendix 1), is the comprehensive term which includes:

Child sexual abuse; Sexual abuse as defined in the *Book of Order* (D-10.0401c);
Sexual harassment; Rape or sexual contact by force, threat, or intimidation;
Sexual conduct; Sexual Malfeasance; and/or Misuse of technology.

Grievances

Any employee who has issues arising from his/her employment or conditions of his/her employment employees should direct those issues to the Head of Staff. If the issue is with the Head of Staff, the employee may go directly to the Chairperson of the Personnel Committee. In

those cases in which an issue has not been resolved by discussions with the Head of Staff, the employee may appeal to the Personnel Committee. Any grievance between a pastor and the Session regarding Grievances will be mediated by Presbytery's Committee on Ministry. The action taken by the Personnel Committee for all other employees will be final.

SEPARATION FROM EMPLOYMENT

Pastoral Staff

Regarding policies and procedures relating to the dissolution of a pastoral relationship and any severance allowance, to dissolve a pastoral relationship, HPC will adhere to the provisions of the *Book of Order*, specifically Sections G-11.0103, 11.0500 and G-14.0600.

At-Will Employees

Neither pay in lieu of notice nor severance pay will be given an employee whose employment is terminated during the orientation period and until one (1) full year of employment is completed.

Termination without Cause

In case of terminations due to retrenchment of program, reorganization, or other circumstances arising from no fault of the employee, a severance allowance may be granted according to the following schedule: one (1) week's pay per full year completed up to a maximum of six (6) weeks of severance pay.

Termination for Cause

Immediate involuntary termination of employment will occur if an employee violates local, state or federal law while engaged in work activities for HPC, or violates HPC policies and the violation, in the opinion of the Head of Staff and/or the Personnel Committee, warrants termination of employment. Employees terminated for cause are not eligible to receive a severance allowance.

Termination for Poor Performance

When an employee's performance is below an acceptable level, it is the supervisor's responsibility to discuss the problem with the employee to try to resolve the issue(s) and bring the work performance to an acceptable level. The supervisor should outline the specific areas which need improvement and, together with the employee, develop a written plan for improvement. Documentation of this action shall be placed in the employee's personnel file. A specific time should be set to review progress for a period of time (e.g. 60 days, 90 days) after the employee is notified of the deficiencies in her/his work performance. The Head of Staff and the Chairperson of the affected Committee/Team(s) and the Chairperson of the Personnel Committee should be made aware of this action at the earliest possible time.

If the performance does not improve significantly within the designated time, the supervisor and the Chairperson of the affected Committee/Team(s) will discuss the problem with the Head of Staff and the Chairperson of the Personnel Committee. A plan of action will be determined which may include additional plans for improvement or a recommendation to the Personnel Committee for termination. Employees terminated for poor performance will receive pay for time worked up until the last day of employment plus the cash equivalent of unused prorated

vacation time.

At all times, extreme care should be taken to preserve confidentiality regarding any disciplinary action or any performance-related action. Input may be sought from other members of the staff, but this is not necessary. This procedure refers to issues of work performance only. An employee may be terminated for violation of policy, dishonesty or the like without going through this procedure.

Other Guidelines

Reference is hereby given to "Guidelines for a Session Personnel Committee" to aid in making decisions relative to personnel matters not covered by the above policies.

<http://www.pcusa.org/clc/pdf/gspcguidelines.pdf>

Each employee of HPC will sign an Acknowledgment of Receipt form evidencing the employee's receipt of HPC's Personnel Policies and Procedures document. The form will be maintained in the employee's personnel file.

Highland Presbyterian Church
Attachment A

EMPLOYMENT STATUS FORM

NAME _____

ADDRESS _____

CITY STATE ZIP _____

HOME PHONE _____ CELL PHONE _____

EMERGENCY CONTACT _____ RELATIONSHIP _____

HOME PHONE _____ WORK OR CELL PHONE _____

POSITION _____

REPORTS TO _____

USUAL WORK HOURS _____

RATE OF PAY _____ PER Year Hour (circle one)

DATE OF CHANGE _____ ORIENTATION PERIOD ENDS _____

APPROVALS

_____ Date _____

_____ Date _____

My signature below represents acknowledgment of and agreement with this information.

Employee's Signature _____ Date _____

Attachment B

ACKNOWLEDGMENT OF RECEIPT OF POLICIES AND PROCEDURES

I hereby acknowledge that I have received a copy of Highland Presbyterian Church’s (“HPC”) Employee Handbook (“Handbook”) on the date set forth below. I understand that I am to read and review the Handbook and that I can bring any questions I have about the Handbook to my supervisor or to the Chair of the Personnel Committee. I also understand that the Handbook is for informational purposes only and is not a contract of employment and that nothing in the Handbook is to be construed as a guarantee of continued employment or of employment for a fixed period of time or to provide me certain compensation or benefits. I also understand that HPC has the right to change its policies, procedures and working conditions without notice to me or other employees and that only the Session of HPC is permitted to make changes or revisions to this Handbook.

I further understand that under Kentucky law my employment relationship with HPC is employment at-will, and that I can voluntarily leave my employment at any time for any reason or no reason, and HPC can terminate my employment at any time for cause or no cause, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no contract of employment, express or implied, has been offered to me nor entered into, and that no circumstances arising out of my employment will alter my at-will employment relationship unless expressed in writing, with the understanding specifically set for and signed by myself and the Chair of the Personnel Committee. By signing this Receipt, I hereby consent to all my computer, computer system, e-mail, cellular telephone, and voice mail provided by HPC being monitored by HPC.

I understand that this Handbook supersedes all prior Handbooks and personnel policy and procedure manuals that I might have received during my employment with HPC.

Print Name

Position

Employee’s Signature

Date of Receipt