

# PERSONNEL POLICY

Alaska Synod, ELCA



## INTRODUCTION

The purpose of this document is to provide a reference relating to the policies, benefits, procedures and practices for the Alaska Synod office employees and volunteers. It is not a formal or exhaustive statement of all employee rights and responsibilities or a contract of employment. The Alaska Synod reserves the right to change these policies at any time. The policies supersede all other oral or written provisions, descriptions or understandings relating to the subjects in this document. These policies have been approved by the Alaska Synod Council, ELCA.

### Definitions

- Employee – The term “employee(s)” refers to any non-rostered person in the employ of the Alaska Synod.
- Employer -The “employer” is the Alaska Synod
- Full-time Employee-A “regular full-time employee” is an employee who is regularly scheduled to work thirty (30) or more hours per week.
- Regular part-time employee-A “regular part-time employee” is an employee who is regularly scheduled to work less than thirty (30) hours per week.
- “Anniversary date” is the date that the employee began employment with the Synod.
- “Probationary employee” is a newly hired employee who has not completed his/her probationary period.
- “Probationary period” is the first three (3) months of an employee’s position and when completed, the employee will receive a performance evaluation. The probationary period can be extended by an additional three (3) months during which time the employer may discharge an employee for any reason: No warning letter shall be required prior to the discharge of a probationary employee; although, the Bishop may choose to explain the reason for the discharge.
- At-will Employment Policy refers to the Synod’s right to terminate an employee-employer relationship at any time, for any reasons, with or without cause or notice.
- “Exempt employees” are those employees who perform in an executive, administrative, professional supervisory or special capacity as defined by Fair Labor Standards Act. Exempt employees are paid a fixed salary and may be required to work more than a 40-hour week, or per Alaska State law, 8-hours per day at a rate of 1 ½ times regular pay (Note: The State of Alaska requires overtime pay for employees working for businesses that have four or more employees).
- “Non-exempt employees” as defined by the Fair Labor Standards Act) are eligible to receive overtime pay for required work in excess of 40 hours per week. All overtime hours are to be pre-approved by the Bishop.
- Volunteer – A “volunteer” is an individual who performs hours of service for Alaska Synod without an expectation or receipt of compensation.

## PERSONNEL ADMINISTRATION

### Personnel Committee

The Synod Personnel Committee is responsible for the review of personnel policies and practices of the synod and will recommend changes to the personnel policies to the Synod. The Committee is also available to assist the Bishop in personnel matters as requested.

### Personnel Records

- Confidentiality and Access: All personnel records of individuals employed by the Synod are intended to be confidential. Employees have the right to review their individual personnel file and all documents contained in it, at a time mutually convenient to the employee and the Bishop.

- Personnel records include the completed application form and attached documents, hiring agreement, interview records, performance reviews, disciplinary records, compensation history, continuing education and training, documents related to grievance and any other information relative to the employees' employment.
- Location: The personnel records shall be kept in the administrative office of the Bishop in a locked file with access only by persons authorized by the Bishop.

### **Recruitment of Synod Employees**

- Job posting: The Bishop shall notify staff and Alaska ELCA congregations of position vacancies.
- Advertising: Positions may be advertised in newspapers and other venues, if appropriate.
- Applications: Applications for employment shall be made to the Bishop.
- Probationary Period: All new employees are subject to a probationary period of three (3) months. This period may be extended for a maximum of an additional three (3) months at the discretion of the Bishop, provided the extension occurs within the first three-month period. Termination of employment during the probationary period can occur "without cause" or the necessity of completing the disciplinary procedures described elsewhere in this policy.
- Office Hours: Work hours will be established by the Bishop. Unexpected absences are to be reported to the Bishop as soon as possible.

### **Hiring Synod Staff**

The Bishop will provide a written "hiring agreement" addressed to a potential employee that contains the rate of pay, the day and place of pay and list of benefits and expectations of the Synod as pursuant to Alaska Law Section 23.05.160. This will be read and agreed upon in advance of hiring.

### **Resignation**

The Synod requests a minimum of 14 days written notice of intention to resign. The employee will receive prompt (within seven days) payment of salary or wages and unused vacation pay.

## **CONDITIONS OF EMPLOYMENT**

### **Equal Opportunity Employment Statement**

The synod provides equal opportunity to all qualified individuals for employment without regard to race, color, ancestry, national origin, creed or religion (except those under call), age, marital status, sex, sexual orientation, citizenship status, veteran status, gender identity or expression, mental and/or physical disability or any other characteristic or status that is protected by federal state or local law. This policy applies to hiring, tenure of employment, and all terms and conditions of employment, including but not limited to promotion and development, assignment, compensation, benefits, discipline and demotion. Anyone engaging in unlawful discrimination may be subject to discipline up to and including termination.

### **Standards of Employment**

- Working Relationships: It is the goal of the Synod to provide a work environment in which everyone is treated with respect and courtesy. Such an environment is free from negative or disrespectful comments directed toward others. It is expected that all employees promote a productive work atmosphere by demonstrating mutually respectful interpersonal relationships.
- Confidentiality: Due to the sensitive and highly personal nature of much of the Synod's work, all employees having access to sensitive information shall consistently and uniformly maintain the privacy and confidentiality of all persons served.
- Job Descriptions: Each position shall include a job description that summarizes the qualifications, skills required, duties, areas of responsibility and authority delegated to the position. Job descriptions are subject to change, as needed, and are periodically reviewed and updated. The job description provides basis for the evaluation process.

- Job Qualifications: Each job description shall include detailed information regarding minimum qualifications, including, but not limited to, education, experience, licensure, and other requirements.
- Faith Base: All employees shall value religious dynamics as important in the work of the Synod office, and work positively, respectfully and productively with rostered persons and persons of different faiths.
- Criminal Background Check: A criminal background check will be processed on all new hires.

### **Anti-Harassment**

A respectful workplace is about more than compliance with the law. It is a working environment that is free of inappropriate behavior of all kinds. The Synod is committed to providing a workplace in which the dignity of every individual is respected.

Harassment is unwelcome conduct toward an individual because of his or her race, color, sex, age, sexual orientation, religion, national origin, disability, or any other legally protected status, when the conduct creates an intimidating, hostile or offensive work environment. The Synod reserves the right to respond to inappropriate behavior even where no one has complained or indicated they have been offended.

### **Sexual Harassment**

The Synod prohibits sexual harassment of its employees or volunteers by any person and in any form. It is the policy of the Synod that any unwelcome sexual advance, requests for sexual favors and other verbal or physical conduct of a sexual nature by a male or female constitutes sexual harassment when any one of the following incidents occur: 1) submission to such conducts is made either explicitly or implicitly as a term or condition of employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual; 3) such conduct has the purpose or effect of interfering with an employer's or an employee's work performance or creating an intimidating, hostile or offensive working environment.

- When charges of sexual harassment or retaliation for making a charge of sexual harassment have been substantiated, appropriate disciplinary action will be taken against the perpetrator. Discipline may include suspension without pay, or termination.
- Actions that an employee believes may constitute sexual harassment are to be reported to the Bishop or the Vice-President of the Synod Council within 14 days of occurrence.
- The Vice-President will convene the Executive Committee of the Council. The Executive Committee's decision and action will be final.
- If charges of sexual harassment are made against the Bishop, the employee shall file his/her written grievance with the Office of the Presiding Bishop of the ELCA. The employee is encouraged to file the grievance within 14 days.

### **Drug and Alcohol Abuse**

The Synod is committed to providing quality care to those served and furnishing a safe and effective work environment. Possession, use of, or impairment due to abuse of drugs or alcohol in this work place is strictly prohibited.

The following standard of conduct shall apply to all employees:

- Employees are prohibited from working while impaired by the use of alcohol or legal or illegal drugs.
- The sale, possession, transfer or purchase of dangerous drugs on Synod property or while performing Synod business is strictly prohibited and is cause for immediate dismissal. Dangerous drugs are those drugs designated as such as in 49CFR, part 40, except a drug used pursuant to a valid prescription or as authorized by law.
- Other than as set forth in the two instances below, the use by employees of alcohol while working, while on Synod premises, or while using a vehicle on Synod business is prohibited.
- Employees may bring or consume alcohol beverages on Synod premises in connection with Synod-authorized events, but only to the extent that such use does not lead to impaired performance, inappropriate behavior, endangering the safety of any individual or violation of applicable laws.

- Employees may use alcohol while conducting business, attending Synod sponsored business or social functions, or otherwise representing the synod while at outside functions, but only to the extent that such use does not lead to impaired performance, inappropriate behavior, endangering the safety of any individual or violation of applicable laws.
- Any employee who feels that he or she has an addiction or dependence to drugs or alcohol is encouraged to seek assistance. Request for information concerning such assistance will be confidential. As in all aspects of Synod policy, unsatisfactory job performance is the criteria for disciplinary action.
- Employees who violate Synod policy regarding standards of conduct set forth above are subject to discipline up to and including immediate dismissal. The manufacture, distribution, possession or use of dangerous drugs is subject to various criminal sanctions.

### **Safe Workplace**

The Synod is committed to providing a safe work environment, and to develop and maintain the best feasible operations, procedures, technologies and programs conducive to such an environment.

The Synod expects its employees to follow these safety guidelines:

- Exercise maximum care and good judgment at all times to prevent accidents and injuries.
- Report unsafe conditions, equipment, or practices to the Bishop.
- Report injuries to the Bishop when they occur and seek first aid when necessary.
- When returning to work from an absence connected to a work related injury, provide a physician authorization to return to work, fully describing any work restrictions.
- Operate a motor vehicle in a safe and prudent manner.
- Smoking or the use of tobacco, vaping, or cannabis products is not allowed in the Synod office.
- Employees are expected to refrain from using products that have strong scents including perfumes, colognes, air fresheners and similar items which might be harmful to visitors or other employees.

## **PERFORMANCE REVIEW**

The performance of each employee shall be reviewed by the Bishop near the end of the probationary period and annually thereafter on the employees anniversary date. Additional performance reviews may be conducted at the discretion of the Bishop. The performance review shall be in writing and discussed with the employee. The position description will be the starting point of the performance review, however other factors may be considered. Adjustment in salaries is based on budget year and will be made in February of each year. Salary adjustments must be approved by the Synod.

### **Corrective Action / Termination**

Employees who fail to perform their jobs in a satisfactory manner or whose behavior violates Synod policies or otherwise interferes with or disrupts operations shall be subject to discipline or termination. The appropriateness of discipline in each case lies within the discretion of the Bishop. Circumstances may warrant immediate termination without first imposing other discipline.

### **Options for Disciplinary Action**

- Correction Interview: The Bishop provides a written statement stating what is expected and an invitation to the employee to respond in writing within 5 days.
- Written Warning: A written warning places the employee on notice that continued inadequate performance or rule violation will lead to further disciplinary action.
- Suspension: A suspension is the placement of an employee in a temporary non-duty, non-pay status. The bishop will determine the length of a suspension without pay, but not to exceed 14 days.
- Termination: if the employee's performance is not corrected within the specified time period, the employee is terminated.
- All stages of the disciplinary procedure will be documented in written form, shared with the employee in this form and placed in the employee's file.

### **Dismissal for Cause**

The following are some, but not all, grounds sufficient for immediate dismissal from employment with the Synod: 1) gross misconduct, 2) financial mismanagement or misrepresentation, 3) violation of the Synod drug and alcohol policy, 4) insubordination and 5) breach of confidentiality.

### **Grievance and Appeal Procedure**

This policy applies only to employees who have passed the probationary period.

- If an employee disagrees with an employment decision that affects that employee, he/she may file a written grievance with the Bishop within ten (10) working days of being notified of the employment decision.
- The bishop shall issue a written decision within ten (10) working days of receiving the grievance.
- If the employee is dissatisfied with the decision of the Bishop, he/she may appeal the decision, in writing to a member of the Executive Committee of the Synod within fourteen (14) calendar days of the Bishop's decision.
- The Executive Committee shall issue a written decision within fourteen (14) calendar days after receiving the appeal.
- The Executive Committee has final authority and its decision and action shall be final. There to no appeal to the entire Synod Council.
- Failure to appeal within the time limits constitutes a waiver of the appeal process.
- Written grievances, appeals, decisions and actions will become a part of the employee's personnel file.

### **Termination**

The employee will receive prompt (within 3 working days) payment of salary or wages and unused vacation pay. Unused vacation pay will not be provided to employees who are terminated for the following reasons: 1) gross misconduct, 2) financial mismanagement or misrepresentation, 3) violation of the Synod drug and alcohol policy, 4) insubordination and 5) breach of confidentiality.

## **EMPLOYEE BENEFITS**

### **Standard Benefits**

Benefits may change from time to time. These benefits include, but are not limited to the following:

- Social Security: The Synod will make contributions for its lay employees as required under the Society Security Act.
- Workers Compensation: As required by state law, the Synod provides Workers' Compensation Insurance coverage for all employees at no cost to the employee.
- Health insurance as required by law
- Insurance and Pension: Synod employees are eligible for ELCA pension and insurance if they meet eligibility requirements. Employee benefits are expressly defined in the hiring agreement.
- Children in the Workplace: Children should not be brought to work as a substitute for childcare arrangements. However, temporary emergency situations may be addressed by the Bishop on a case-by-case basis. With the Bishop's approval newborn infants may be brought to the office if it can be accomplished without disruption of office responsibilities. The ELCA provides for emergency situations.

### **Paid Time Off**

- Annual paid time off (PTO): PTO includes vacation time, personal time and sick leave. PTO accrues from the date of hire but cannot be used until after the successful completion of probation.
- Accumulation of PTO: Employees are encouraged to use PTO in the calendar year it is accrued. However, employees can carry a maximum of 20 hours of PTO over to the following calendar year. Hours in excess of 20 will be forfeited at calendar year end. Exceptions to this may be made by the Bishop.
- Regular full-time employees will be granted vacation time based on years of service in accordance with the following schedule:

<u>Years of Service</u>	<u>Earned Leave</u>
First and second years	15 days per year
Third and following years	20 days per year

- Employees working less than full time earn PTO on a pro-rata basis of hours worked.
- Scheduling PTO: Upon the receipt of a written request stating date and time desired, leave will be granted by the Bishop following consideration of responsibilities and other employment related circumstances. If an employee does not have prior approval, payment for leave time may be withheld.
- Unused PTO cannot be cashed out during period of employment.

### **Paid Holiday Leave**

The following 10 days are recognized as Synod holidays: New Year's Day, Martin Luther King Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve Day, Christmas Day. A standard federal or state holiday falling on Saturday will normally be observed on the preceding Friday. A standard federal or state holiday falling on Sunday will normally be observed on the following Monday.

### **Other Leave**

- Compassionate and Emergency Leave: Five (5) days leave with pay may be granted in the event of a life-threatening accident, illness or death of an immediate family member. Additional time, without pay, may be granted at the discretion of the Bishop.
- Maternity/Paternity Leave: The synod provides paid maternity/paternity and adoptive leave as set forth below. Such paid leave must be substituted for unpaid leave available under the Family and Medical Leave Act to the extent the employee is eligible for FMLA leave. The purpose of the leave must relate to the parenting of a newly born or newly adopted child within the first three months of the child's birth or placement and may be taken only by an employee who has completed at least six months of full-time or part-time employment. Leave benefits for part-time employees are based on the ratio of their regularly scheduled hours to a 40-hour week. Employees requesting leave must provide [the bishop] as much advance notice as possible.
 

Eight consecutive weeks of paid maternity/paternity leave is available to a new parent following the birth of their child. If the expectant mother's physician determines that it is medically necessary for her to stop working prior to the anticipated delivery date, she will be permitted to use personal leave, accrued sick time, or accrued vacation time to cover the absence. If the expectant mother needs to be cared for by her spouse/partner, the employee may use accrued time off before the birth of the child. Eight consecutive weeks of paid adoptive leave is available to a new parent or legal guardian beginning on the date of the child's placement.
- Continuing Education: Most staff positions are allocated an amount as specified in the annual budget to be used for continuing education related to their job position. This money will be accrued in a Designated Fund for those positions. Some form of continuing education must be done by all staff sometime in a two year term. Acceptable continuing education events shall be approved by the Bishop.
- Jury Duty: An employee who is required to serve on a jury shall be entitled to full pay during the period of such service. Monies paid to an employee by the court for jury service must be turned into the Synod.
- Personal Leave without Pay: Personal leave without pay may be granted by the Bishop to an employee, after due consideration has been given to the work requirements of the position. Benefits accrual will be adjusted to reflect actual hours worked.
- Flexible Summer Schedule: With the Bishop's approval an employee's hours may be flexed during summer months to allow additional personal time off between Memorial Day and Labor Day. The amount and schedule of time off will depend upon the requirements of the office. The summer flexible schedule is not guaranteed, and is subject to amendment or termination at any time.
- Sabbatical Leave
- Reduced Summer Hours

The Synod is committed to an environment that encourages the use of technical resources and other forms of electronic communications as essential tools to support mission and ministry. It is the responsibility of each employee and volunteer to ensure that technology is used for proper business purposes and in a manner that is consistent with good stewardship, is responsible, professional and legal, does not compromise the confidentiality of proprietary or other sensitive information, and does not compromise the security of the Synod's computer resources.

### **Privacy Expectations**

Users do not have a personal privacy or proprietary right in any matter created, received, sent or stored on Synod electronic resources used for work-related matters, whether or not the matter is designated as private or confidential.

### **Telecommuting**

Telecommuting is defined as working from home or from an approved remote location for all or part of the normal workweek during normal working hours for a specified period of time. In certain instances, telecommuting is a viable alternative for some employees. Employees working at home are subject to the same expectations as the employee working at the office. Any telecommuting arrangements may be amended or terminated at any time.

## REIMBURSABLE EXPENSES

### **Travel**

Employees of the synod who are authorized to travel in connection with the performance of their work will be reimbursed for transportation, food and lodging expense in accordance with the following guidelines:

- Mileage (while using a personal vehicle) will be reimbursed at the IRS Mileage Reimbursable rate for the period the mileage was incurred in. The mileage must be reported on an expense reimbursement form with miles driven, date, and purpose.
- Synod expenses that are paid for personally will be reimbursed upon submission of an expense reimbursement form with the original receipt for the expense attached. The expense reimbursement must have purpose and proper approval for the expense.

### **Synod Credit Cards**

The use of Synod credit cards is to be limited to purchasing items directly related to the Synod's business. Synod credit cards are not to be used for personal purchases. Employees are required to turn in receipts documenting the purchase within 30 days.

## COMPUTER AND INTERNET USE

Staff and volunteers of the Alaska Synod Office who are designated to have access to the Internet and church technology are required to use their access in a Christian, legal, and informed way, conforming to network etiquette, laws and courtesies.

The Executive Officers of the Synod Council will determine:

- the extent to which staff/ volunteers may use the Internet and / or synod office computers to accomplish job responsibilities. Any questions about the appropriateness of a particular use of the Internet should be discussed with the supervisor;
- the appropriateness of using the Internet and / or synod office computers for professional contacts and career development activities during office hours;
- the training required of staff using the Internet and / or synod office computers and
- the work time that may be used to practice / acquire skills needed to effectively access and use the Internet and / or synod office computers; and
- the wisdom of installing a pornography filter or other internet blocking software.

The Internet is not a secure communication channel and should not be used for sending or receiving confidential or sensitive information. Use of the Internet and computers is a privilege, not a right, which may be revoked at any time for inappropriate conduct. Misuse of Internet access or computers by a staff person may result in other disciplinary action, including but not limited to, termination of employment. Examples of inappropriate conduct include, but are not limited to: use of inappropriate, offensive or abusive language in either public or private messages; unlawful activities; defamation; infringement of copyrights; misrepresentation of oneself or the church; logging on or accessing pornographic, sexually explicit, violent sites or materials, accessing gambling sites, initiating viruses, and sending messages that might result in congestion or disruption of networks and systems.

Staff should notify the bishop or a council officer if s/ he observes or becomes aware of any inappropriate conduct or use of the Internet and / or synod office computers by staff or others.

All programs, files, and E-mail are property of the Alaska Synod Office. Staff use of synod office technology is not private. The Alaska Synod reserves the right to monitor staff use of the Internet and / or synod office computers at any time. Staff must abide by security policies, procedures and guidelines, and are to refrain from practices which might jeopardize the synod office's computers, data, network, systems security or work in general. Staff must guard against computer viruses and security breaches of any kind. Staff who use the Internet may not transfer or install any software or files from the Internet to any synod computers or information systems except in consultation with appropriate technical staff (i.e., no downloading of software, programs, games, etc.).

Although synod staff is specifically mentioned throughout this policy, the same provisions apply to synod volunteers. This policy applies to all Internet/ computer use on synod office premises and use of synod office property outside of the synod office premises. In some situations, the staff may supply or use their own Internet access provider, software or even computer, or may be using synod property off site. It is important to note that this policy applies even if some, or all, of the computer equipment/Internet access is not supplied by the synod office on its premises and to use of synod property off site.