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# PERSONNEL POLICY MANUAL

First Lutheran Church – Lincoln, NE

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## Introduction

Welcome to First Lutheran Church!

In order to provide a work environment that is conducive to your spiritual, personal and professional growth, First Lutheran Church of Lincoln, Nebr. ("FLC"), has compiled the following Personnel Policy Manual. This manual is intended to establish a uniform system of personnel administration and to provide information about working conditions, employee benefits, conflicts of interest, and other policies affecting your employment. It is important that you read, understand, and become familiar with this policy manual and comply with its provisions.

The language used in this manual does not create nor is it to be construed to constitute any employment agreement or a guarantee of benefits from First Lutheran Church. This Personnel Policy Manual is not a contract, nor does it create any legally enforceable obligations on the part of the church or its employees. It does not create any duty or cause of action against this church not otherwise provided by law.

The First Lutheran Congregation Council is responsible for establishing the personnel policies, which apply to all employees. The Council retains the right to change, revise, or stop any of the policies or benefits described in this manual at any time without prior notice. Every employee shall be governed by any new policy, benefit or provision, and shall not be entitled to the continuation of any policy, benefit or provision that previously applied during the employee's period of employment. If there is a conflict between the provisions, benefits, and policies in this manual and those set forth in the terms of a staff member's Call papers or Contract, the terms of the Call Papers or Contract shall prevail.

The Lead Pastor is responsible for the implementation and maintenance of these policies. The Lead Pastor has the authority to interpret established personnel policies, or request clarification from the Council to the intent of the policy. If you have any concerns related to this manual, you are encouraged to discuss them with the Lead Pastor.

The information in this manual supersedes and replaces all previously approved personnel policies, benefits, and rules of conduct.

Originally adopted by the Congregation Council of First Lutheran Church on this 14<sup>th</sup> day of August, 2012. Updated policies adopted on August 9, 2022.

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# I. CODE OF ETHICS/CONDUCT

## A. EQUAL EMPLOYMENT OPPORTUNITY

Equal Employment opportunities will be provided to all employees and applicants for employment. Equal treatment will be provided without regard to race, color, gender, age, national origin, citizenship status, disability, or marital status.

Treating all people fairly, with dignity and respect, is a way to demonstrate our commitment to each other and to the mission of the church. This applies to all aspects, terms and conditions of employment, including, but not limited to, initial consideration for employment, hiring, job placement, assignment of responsibility, performance evaluation, promotion and advancement, compensation and fringe benefits, training and professional development opportunities, transfer, leave of absence, facility and service accessibility, discipline of any kind, termination and formulation and application of policies and rules.

All employees are responsible for creating and maintaining a discrimination free environment. Improper interference with the capability or ability of any employee to perform his/her expected job duties will not be tolerated. Appropriate disciplinary action will be taken should any employee willfully violate this policy.

## B. EMPLOYMENT AT WILL FOR NON-CALLED STAFF

First Lutheran Church (hereinafter referred to as FLC) of Lincoln, Nebr., hopes your employment with us will be personally and professionally rewarding. We recognize, however, that your personal circumstances may change and that you reserve the right to voluntarily terminate your employment with us.

Section VIII of this Personnel Policy Manual describes the notice provisions regarding Resignation/Termination. FLC reserves the same privilege to voluntarily terminate non-called staff with proper notice.

Authority for hiring and dismissing non-called staff shall reside with the Lead Pastor, who is responsible for overall staff supervision. Non-called staff might have a more direct supervisor than the Lead Pastor. If there is any uncertainty, ask the Lead Pastor.

By definition, "called staff" have received a letter of call prior to beginning their service at FLC. In some cases, called staff may have co-terminus appointments with the Lead Pastor. Called staff is subject to all workplace policies in this manual, except where they differ from the conditions of the Letter of Call. In those instances, the Letter of Call shall supersede these policies. A sample letter of call is attached. (See Appendix A.)

## C. AVOIDING CONFLICTS OF INTEREST

Staff and independent contractors as requested by FLC are expected to perform their duties in a way that avoids actual or potential conflicts of interest as well as the appearance of conflicts of interest. A "conflict of interest" means any situation influenced or apparently influenced in decision-making or business dealings by any motive or desire for personal advantage other than the success and well-being of the church and congregation. "Personal advantage" means a financial interest or some other personal interest, whether present or potential, direct or indirect. This standard applies to both actual and contemplated transactions.

All present and potential conflict-of-interest issues must be disclosed (Appendix D).

Staff is required to disclose, in writing, matters and relationships that might appear to conflict with business dealings of the church. Examples include, but are not limited to, financial interests in outside organizations doing business with the church, or leadership role on the Congregation Council. The Lead Pastor will evaluate disclosures and determine the appropriate action to be taken which may include consultation with FLC officers, committees or council as appropriate.

Business dealings with friends and family are particularly sensitive and are to be disclosed and carefully evaluated because they can create the appearance of impropriety or of tangible or intangible personal advantage. The mere existence of a family relationship or friendship that may be considered an actual or potential conflict of interest does not violate this policy if it is promptly disclosed.

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

#### D. ADDITIONAL EMPLOYMENT

Employees may not accept additional employment that will conflict with their present job responsibilities. Inappropriate additional employment includes employment that interferes with the efficient performance of the employee's duties. Failing to disclose additional employment or continuing to work at an additional job that interferes with employment with the church may be considered grounds for termination.

#### E. HARASSMENT AND ABUSE

FLC is committed to maintaining a work environment and ministry area for its employees and members that is free of discrimination, abuse, intimidation and harassment, or other offensive behavior that contributes to a hostile work environment. Harassment, intimidation, discrimination, and abusive behavior are strictly forbidden. FLC does not tolerate harassment of any employee by another employee for any reason. Harassment for any discriminatory reason such as race, sex, national origin, age, or disability is prohibited by state and federal laws and can subject the employee and/or the individual harasser to personal liability for any such unlawful behavior.

Harassment, includes, but is not limited to, verbal or physical conduct that shows hostility or aversion towards an individual because of his or her race, sex, national origin, age, or disability for the purpose of:

- creating an intimidating, hostile, or offensive work environment;
- unreasonably interfering with an individual's work performance;
- adversely affecting an individual's employment opportunities.

Examples of harassing conduct include but are not limited to:

1. slurs, epithets, or jokes;
2. threatening, intimidating, or hostile acts;
3. sexual harassment.

Individuals who experience harassment from supervisors, co-workers, or other individuals should immediately report such activities to the appropriate individual(s) as outlined in the section on Complaints Procedures.

## F. SEXUAL HARASSMENT

Sexual harassment includes sexual advances, requests for sexual favors, or any other visual, verbal, or physical conduct of a sexual nature when:

- Submission to the conduct is either implicitly or explicitly made a condition of the individual's employment;
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee;
- The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment that is intimidating, hostile, or offensive to the employee.

Employees must exercise good judgment to avoid engaging in conduct that can be perceived by others as harassment. Conduct deemed to be sexual harassment includes, but is not limited to:

- verbal harassment—unwelcome sexual advances, sexual innuendos, sexual epithets, sexual jokes.
- physical harassment—unwanted physical conduct including touching, or assault.
- leering or obscene gestures.

Any employee who engages in harassment, intimidation, discrimination, abuse of another person, or such similar action, is subject to immediate disciplinary action up to and including termination.

Employees of FLC are expected to comply with the Safe Sanctuary Policy regarding behavior relating to the protection of children, youth and vulnerable adults. (See Appendix C for the current FLC Safe Sanctuary Policy.)

## G. COMPLAINT PROCEDURES

Any employee who believes that he or she has been subjected to harassment must report it immediately to at least one of the individuals responsible for investigating alleged harassment. These individuals are the Lead Pastor and the Congregation Council's designee. The designee assists the Lead Pastor in employee-related matters.

The Congregation Council's designee is appointed/reappointed annually by the Congregation Council. Staff is notified who the designee is at the time of hire and if there is a change regarding the designee.

Harassment can be reported in writing or orally. The appropriate person will promptly and thoroughly investigate such complaints. The investigator will maintain confidentiality to the extent appropriate and necessary to conduct an adequate investigation. An employee bringing a complaint in good faith to the attention of the appropriate personnel will not be adversely affected as a result.

Any employee or supervisor retaliating against another employee as a result of the employee making a report of harassment is subject to immediate disciplinary action up to and including termination. Conversely, any employee fabricating a charge of harassment is subject to immediate disciplinary action up to and including termination.

## H. DRUG AND ALCOHOL-FREE WORKPLACE

Manufacturing, distributing, dispensing, possessing, or using any illegal drug while on church property, in a church vehicle, or on church business is strictly prohibited, unless that controlled substance is a prescription drug and is being used in accordance with a doctor's order. Violation of this policy will result in disciplinary action up to and including termination. Alleged violations of this mandate will result in referral to the Lincoln Police Department.



Inappropriately consuming alcohol while on church business or in/on church property is prohibited.

## I. AMERICANS WITH DISABILITIES POLICY STATEMENT

FLC is committed to complying with and incorporating all the appropriate provisions of the Americans with Disabilities Act (ADA) and the Nebraska Fair Employment Practice Act (NFEPA) in all recruiting, employment and training activities. These Acts prohibit discrimination against qualified individuals with disabilities and require that reasonable accommodation be afforded for known physical and/or mental conditions unless such accommodations would constitute an undue hardship to the church.

A qualified individual with a disability is someone, who, with reasonable accommodation, can perform the essential functions of the job the individual is seeking or now holds.

An employee can request an accommodation at any time by making a written or oral request to his/her supervisor or the Lead Pastor. FLC can request medical documentation from the individual's physician or another appropriate source relating to the disability requiring accommodation and the functional limitations incurred by the individual.

## II. EMPLOYEE SAFETY

### A. WORKPLACE SAFETY

All employees are expected to conduct themselves in a manner that contributes to their own safety as well as that of fellow employees and church members. It is everyone's personal responsibility to immediately report to his/her supervisor perceived unsafe working conditions in any area of the church's property.

### B. REPORTING INJURIES

FLC works very hard to ensure a safe and secure work environment. Employees can assist in this effort by watching for and reporting any observed safety hazards or potential security concerns. Even then, accidents can and do happen. Injuries that are life-threatening or require immediate attention should be treated at the nearest hospital or emergency clinic. In emergency situations, notification of emergency personnel by calling "911" is the first action to be taken.

Whether or not an injury is apparent, all accidents that occur during regular business hours or while on church business must immediately be reported to your supervisor or the Lead Pastor. Within 48 hours an accident report will be generated to assure that any inappropriate situations or existing hazards are addressed.

Workers' Compensation claims need to be reported to the State of Nebraska within ten (10) days of their occurrence. Employees who are injured on the job are required to return a completed doctor's release form before returning to work. (See section on Workers' Compensation.)

### C. FIRE SAFETY/TORNADO EMERGENCY PROCEDURES

#### 1. FIRE SAFETY:

Smoke detectors are located throughout the church building to alert employees and occupants to any fire. Emergency exits are located throughout the building. Keep emergency exits unobstructed to allow for easy access. Fire extinguishers are marked and located throughout the building. Much of the building is equipped with a sprinkler system that sprays water in the event of a fire in the area. The

smoke detectors and sprinkler system are integrated with the fire alarm. A certified inspector inspects the system routinely.

## 2. FIRE EMERGENCY PROCEDURES:

When the fire alarm sounds, all occupants are to evacuate the building through the closest exterior exit. Evacuate to the pre-determined reassembly areas. Do not hinder emergency personnel. Once the fire is out, the fire department will determine the extent of the damage and advise if the occupants can re-enter the building.

## 3. TORNADO EMERGENCY PROCEDURES:

When threatening weather is recognized or the emergency sirens sound, employees and occupants should immediately take shelter in the designated areas. Please assist any employees or visitors in your area who are unable to safely evacuate on their own. In conjunction with the appropriate emergency authority, an "All Clear Message" will be communicated when it is safe to return to the work area. Until then, employees and occupants must remain in the designated shelters.

## D. INCLEMENT WEATHER

Occasionally FLC must be closed, and activities must be cancelled. Weather, fire, building failure, or public safety could be a cause for cancellation. The Lead Pastor or her/his designee will make and announce any cancellations.

When making decisions about cancellation, FLC considers not only the needs of the church, but also the welfare of employees and members of the church. There may be days when inclement weather makes it difficult for staff to report to work. FLC encourages staff to use good judgment and common sense when determining the safety of local weather and road conditions. Late starts or office closings will be announced by or before 7:00 A.M.

Inclement weather situations are handled in the following manner for non-exempt and hourly employees:

- When FLC business hours are shortened on a given day due to inclement weather, you are paid for a full day's work only if you are present at work at your scheduled start time and when the office closes, whatever those hours may be. If you arrive at work after your scheduled start time, or if you leave before the end of the business day, you will be paid only for the hours you actually work.
- You receive an excused absence without pay if you notify your supervisor that you are unable to report to work. If you choose, you can request to use vacation pay or a floating holiday or personal day for that time period.
- You and your supervisor or the Lead Pastor may make arrangements for you to make up time missed due to inclement weather.
- On occasion, employees may receive permission from their supervisor or the Lead Pastor to work from home if circumstances warrant.

## III. EMPLOYMENT POLICIES

### A. HIRING PROCEDURES

All new Staff positions shall be reviewed by the Executive Committee of the Council and approved by the Council. Record of the creation of new Staff positions shall be recorded in Council minutes.

The Lead Pastor, in consultation with the Executive Committee, has the authority to hire individuals into approved Staff positions.

## B. REFERENCE/BACKGROUND CHECKS

References are checked on all prospective staff members including candidates for called positions. Reference checking occurs under the direction of the Lead Pastor, the head of the call committee, or the Congregation Council's designee. All reference work is to be documented, treated as confidential and contained in the church's files as outlined in the section on Personnel Records.

Where required, all reference checking complies with the Fair Credit Reporting Act. Written reference authorization must be obtained from candidates before any reference work occurs. If a candidate refuses or is unable to sign a reference authorization, that person will no longer be considered for a job offer or a call. Satisfactory personal and professional reference findings (this includes criminal and sexual abuse behavior findings) are required before a job offer is made or a call extended. The scope of reference checking includes people in a position to factually know the candidate's personal and professional qualifications over a five-year period with a preference for recent relationships.

Generally, the people to be contacted include past employment supervisors and/or peers. However, the church reserves the right to review all relevant sources when reviewing an applicant's background.

In the case of call candidates, the people to be contacted generally include two or more of the following: Bishop of the relevant synod, the supervising pastor, president of current or former congregation(s), church councils of current or former congregation(s).

Reference information is obtained to discern skill level, past job performance and behavior, and spiritual compatibility for the position being filled.

## C. EMPLOYEE PERFORMANCE

An employee's performance on the job is extremely important to his/her continued employment and progression within their current job and consideration for future opportunities. FLC wants to ensure that all employees:

- Are aware of the duties they are expected to perform.
- Understand the level of performance expected.
- Receive timely feedback regarding their performance.
- Have opportunities for education, training, development, and promotion.
- Are rated and rewarded in a fair and consistent manner.

Employee performance reviews are conducted annually (usually in October/November). The supervisor and/or Lead Pastor and the employee will meet and discuss accomplishments for the period under review along with goals and objectives for the coming year. A copy of the written review will be provided to the employee.

The employee can make a written response to the written review. Both the review document and employee response become part of the employee's FLC personnel record.

The Congregation Council's Executive Committee or its designees will meet with the Lead Pastor on an annual basis (usually in October/November) to review the performance of the Lead Pastor. The Executive Committee will meet and discuss accomplishments for the period under review along with the Lead Pastor's goals and objectives for the coming year.

A copy of the written review will be provided to the Lead Pastor. The Lead Pastor may make a written statement regarding his or her performance review. Both the review document and Lead Pastor's response become part of the Lead Pastor's FLC personnel record.

A written self-assessment of performance may be requested by the employee's supervisor and/or the Lead Pastor, or by the Executive Committee in the case of the Lead Pastor.

#### D. DRESS AND APPEARANCE STANDARD

Called and non-called staff should project an image that reflects a professional standard of the church to a wide audience. Called and non-called staff are encouraged to dress in attire that conveys confidence and credibility and creates high levels of respect from the majority of members and outside visitors to the church. In most instances, this means business attire or business casual attire except where the function of the employee's job would require otherwise, e.g., maintenance.

#### E. PERSONNEL RECORDS

The Lead Pastor serves as the church's Human Resource Officer and is the custodian of all personnel files. Each employee is responsible for keeping the Lead Pastor informed of necessary personal information including name changes, current address and telephone number, marital status, number of dependents, emergency contact information, and beneficiary information for a personnel file that will be established for each staff member.

The personnel file is the official Human Resource Record for the employee. These files shall be kept in a confidential manner in a locked environment. The Lead Pastor shall establish a procedure to maintain control of files removed from the locked environment for review.

Those individuals permitted to access all the files shall be:

- Lead Pastor
- Congregation Council's designee

Those individuals permitted to access selected Files shall be:

- Supervisors shall have access to the files of employees who report directly to them.
- Supervisors may request personnel files for review of an employee applying for an open position which reports to that supervisor.

Records shall primarily consist of the following essential documents, which are to be kept for a minimum of three (3) years after the employee separates/terminates or as required by law:

- Job Description
- Employee Application and resume
- Personnel Information and Approval form
- Education credentials
- Job-related licenses and professional certifications
- Education and training records
- Contracts and other employment agreements
- Disciplinary actions and responses
- Annual performance evaluations
- Letters of recommendation and commendation
- Documents pertaining to termination

- Other reasonable document requests by the employee
- Signed statement that the employee has read the policies of this manual. (See Appendix D.)

A supervisor or the Lead Pastor may keep a working file of a current employee for his/her own internal use. These files must be in a secure, locked environment to ensure confidentiality. This working file should only contain current information relating to the job performance of the individual. Once the employee leaves the position, this file should be sent to the Lead Pastor for disposition. These records should be kept for three years after the employee terminates or as required by law.

A separate employee file shall be maintained for employee's medical and health information. This record contains information relating to:

- Medical information
- Worker's Compensation Information
- Accident and injury reports
- Physician's notes
- Any information related to ADA, Family and Medical Leave Act (FMLA), and the Health Insurance Portability and Accountability Act (HIPAA).

All requests for information and the dissemination of information on current and former employees is the responsibility of the Lead Pastor. A written authorization, signed by the employee, is required prior to the release of information to external sources other than confirmation of an individual's dates of employment and the position he or she held.

## F. RECORDS RETENTION REQUIREMENTS

The following will provide general federal guidelines for the retention of employee records relating to human resources activity.

- Unless specified, most federal laws require the retention of personnel records for a period of three (3) years beyond the termination of employment.
- Employee tax and social security information requires four (4) years.
- Occupation Safety and Health Administration logs and related information requires five (5) years.
- Benefits information as governed by Employee Retirement Income Security Act (ERISA) must be maintained for six (6) years.
- Consolidated Omnibus Budget Reconciliation Act ("COBRA") record information must be maintained as long as the employee and/or dependent are covered.
- Personnel file information that is currently involved in litigation must be maintained until final disposition of any charges or action is completed.

## G. USE OF CHURCH EQUIPMENT AND COMPUTER SYSTEMS

All church property is subject to inspection at any time without prior notice. If there is a reasonable suspicion that an employee is engaging in unlawful or unauthorized activities on the church's premises, an employee can be asked to undergo a reasonable search of his or her possessions. A search could include, but is not limited to, purses, briefcases, vehicles, desks, file cabinets, computers, and voice mail.

FLC will cooperate with law enforcement and other public officials in prosecuting offenders. Employees must report to the Lead Pastor or the Congregation Council's designee any suspected accidental or intentional breach by the employee or other employees of this policy or of federal or state law.

Employees may not conduct other business or employment during the hours that they are also being paid for work for the church, on church premises, or utilizing church offices or equipment.

Any activities engaged in by an employee while on the job or while acting as a representative of FLC are subject to disclosure to the church. FLC reserves the right to monitor employees' use of church equipment and the computer system. There is no presumed right of privacy regarding the use of FLC property.

This includes but is not limited to:

- Telephones
- Voicemail
- E-mail
- Internet
- Computer software
- Office equipment

### 1. TELEPHONES

The telephone system is to be used for church business purposes. FLC realizes there are times when an employee might need to use the telephone for personal reasons. It is expected that the employee will use good judgment in limiting the length and frequency of such calls. Any long distance call costs for personal calls must be reimbursed to the church.

Both incoming and outgoing calls can be monitored for length, content, and point of destination or origination. This information is subject to inspection with or without notice.

Be aware that the identity of callers and the content of conversations may be considered private, so be aware of surroundings and others in the area where the conversation is occurring. Keep your voice low, especially when repeating information that may be considered private. Also, never provide confidential information to any caller over the phone without first positively identifying the individual. Caller ID is not an acceptable way to verify identity. If in doubt, call the individual back at a published number you are able to look up in records.

### 2. VOICE MAIL

FLC provides its regular full-time and part-time employees with voice mail to help perform their jobs more effectively. The voice mail system is the property of FLC and is to be used for church business purposes only. All communication and information transmitted by, received from, or stored in this system are church records and property of FLC.

These church records are confidential. FLC retains the right to enter an employee's voice mailbox at any time, without prior notice or permission, to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the voice mail system, to ensure that the church's voice mail system is being used appropriately.

### 3. E-MAIL

The e-mail system is the property of FLC. FLC provides Internet e-mail as a business tool to its regular full-time and part-time employees. Employees must limit their use of the church's e-mail system to church-related purposes and reasonable personal usage. All e-mail sent through the church's e-mail system is the property of FLC and should not be considered private. For any reason and without the permission of any employee, FLC reserves the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the e-mail system.

Personal Information (PI) and confidential information should never be shared in emails. Personal information includes:

- *Social security number*
- *Drivers license number*
- Account or credit card number along with a code or password for account access
- Unique biometric data
- *A username or email address along with a password or security question and answer for account access*

(Personal Information defined by Nebraska Statute 87-801, 87-802, 87-803, Financial Data Protection and Consumer Notification of Data Security Breach Act of 2006)

Emails can be forwarded and stored and accessed inappropriately. Telephone follow-up or sharing links to sensitive information stored in Drop Box or other storage areas may be ways to keep information more secure if encrypted email is not an option. Information should only be available in cloud storage for as long as is necessary to complete the task intended, so delete information from Drop Box or other cloud storage in a timely manner. Emailing sensitive and confidential information should always be carefully considered as all control over the content of an email and where information may be stored or forwarded is out of your control once the email is sent.

If someone sends PI to you in an email, that email should be deleted as soon as possible. You may call the individual or start a new email to the individual. Do not reply to emails with sensitive information because sensitive information can be sent out over the internet again as part of the email thread. Also, if the email is fraudulent, you may be communicating with the wrong person. It's always better to delete and email and follow with the individual through alternate channels.

Also be aware of any unsolicited emails that request sensitive information, contain an attachment or have a link in them. These may be phishing emails designed to implant malware in the network or steal sensitive information. Never open an attachment or click on a link in an email you were not expecting. And no one should ever need or request your username and password for any of your accounts. Call or send a new email to the person you believe sent the email to ensure they sent you the email.

#### 4. INTERNET

No software should be downloaded from the Internet by anyone other than the FLC network administrator or network support employees. Any other files that are downloaded from the Internet should be immediately and regularly scanned for virus or other damaging programs. Do not incorporate any downloaded material or information into your work without checking it for accuracy and for attribution of authorship and permission to use it. Downloads shall not be performed unless for business use only. Items such as pictures, audio, graphics, or software shall not be downloaded unless for church business purposes or unless permission is granted from your supervisor.

The Internet shall not be used for any illegal or non-church purposes. This includes, but is not limited to:

- Distributing or obtaining illegal copies of software, sound, graphics, etc.;
- Participating in activities that monopolize computer resources e.g., playing on-line games, sending mass mailings other than church business related, chain letters, or engaging in on-line chat groups;
- Utilizing the Internet for personal conversations, particularly conversations of an obscene nature;
- Viewing illicit or illegal web sites.

Material that is harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive, or that violates the church's equal employment opportunity policy and harassment policies shall not be downloaded from the Internet or displayed or stored in the church's computers or on Church premises. FLC has the right to monitor any and all aspects of its computer system, including but not limited to, monitoring sites visited by employees on the Internet, reviewing material downloaded or uploaded by Internet users, and reviewing e-mail sent and received by users. An employee who abuses the church's Internet and e-mail systems is subject to immediate disciplinary action up to and including termination. If appropriate the Lincoln Police Department may be contacted.

## 5. COMPUTER HARDWARE AND SOFTWARE

Only church-owned hardware and software shall be utilized on computers owned by FLC. All employees shall use church-owned computer software in accordance with its license agreement. Unless otherwise provided in the license, any duplication of copyrighted software, except for backup and archival purposes, is a violation of the law and is contrary to FLC standards of conduct.

The following points are to be followed to comply with the church's licensing agreement(s):

- Software will be used in accordance with its license agreement(s).
- Legitimate software will promptly be provided to all employees who need it. No employee will make any unauthorized copies of any software under any circumstances. Anyone found copying software other than for backup purposes is subject to disciplinary action up to and including termination.
- Employees shall not install any software on their computers without the prior approval of the Network Administrator.
- No employee shall give software to any outsiders.
- Any employee who determines there might be a misuse of software within FLC shall notify the Lead Pastor or Designee of the Congregation Council.
- No disk or software obtained from any third party shall be used until it has been checked for viruses by the appropriate staff.

## 6. REMOTE ACCESS

From time to time, FLC may allow some employees to work remotely (telecommute or "work from home"). Employees requesting to work remotely as a reasonable accommodation are not covered under this section. Employees permitted to work remotely must continue to abide by this Policy Manual and all other applicable employee policies. The Lead Pastor shall advise the Employee of their reasonable expectations for the Employee's work schedule and availability for meetings and communications (for example, daily phone calls, weekly status reports, in-office visits, etc.). The Employee shall make themselves available and communicate as advised. The Employee must establish an appropriate work environment within their home and have the resources to do their job effectively. Employees are responsible for maintaining suitable internet/electronic connections that allows them to work virtually. The Employee agrees that access and connection to FLC's network(s), even if through a personal device, may be monitored. The Employee shall provide all furniture and equipment necessary for their remote work arrangement. FLC is not responsible for any damage to Employee's furniture or equipment suffered in connection with Employee's remote work arrangement. In the discretion of the Lead Pastor, the FLC may loan or provide equipment for the arrangement, properly documenting the FLC equipment on loan. Equipment that FLC provides is FLC property. FLC retains ownership of the property and reserves the right to monitor the property even when used at a remote location. Any equipment supplied by FLC shall be used solely by the Employee for business purposes only. The Employee must keep FLC property safe and avoid any misuse, damage, or theft. Use of all equipment supplied by FLC must comply with all applicable employee policies.



FLC will be responsible for repairing any equipment supplied by FLC. However, the Employee is responsible for any intentional damage. All FLC equipment must be returned when the remote work arrangement ends or upon request by FLC.

It will be the Employee's responsibility to determine any personal income tax implications of maintaining a home office. FLC will not provide tax guidance; nor will FLC assume any tax liabilities. The Employee is encouraged to consult with a tax professional to discuss income tax implications.

#### 7. OFFICE EQUIPMENT

The equipment on which FLC depends is expensive to acquire and maintain. Accordingly, all employees must exercise proper care when using the equipment, including following applicable instructions. Office equipment shall be used for authorized purposes and must not be used for personal business. Negligence in the care and use of church property can be considered grounds for disciplinary action up to and including termination of employment.

#### H. UNEMPLOYMENT COMPENSATION ACT

FLC is exempt from the Unemployment Compensation Act. Any employee who terminates or is terminated and is unable to find new employment is not eligible to collect government unemployment insurance benefits based upon his/her employment with the church.

#### I. EMPLOYMENT OF RELATIVES

FLC seeks to have all employment decisions based upon merit and free of any real or perceived advantage or favoritism because of family or other relationships involving an employee or church member. A person shall not become a regular full-time or part-time staff member for any position that would require that person to directly supervise, or be directly supervised by, a member of that person's family (spouse, parent, children, in-laws, etc.) who is already employed by FLC. Any exceptions to this policy must be authorized by the Congregation Council prior to employment. Any exception existing on the effective date of this policy is granted "grandfather" privilege and does not require Congregation Council approval.

Membership at FLC is not a condition of employment, unless membership is part of the employee's letter of call. Exceptions to this policy are permitted with the approval of the Congregation Council.

#### J. CONFIDENTIALITY

It is important that all employees, church members and church visitors interact with each other in a caring and trustful manner. We share some of the most personal information and events a person can experience during his/her lifetime. Much of the information we learn while at work is confidential. At the same time, much of the information we learn needs to be shared with our FLC community and others.

If you are not confident whether the information you learn is public or private, ask the Lead Pastor for clarification. It is the employee's responsibility to know what may be appropriately communicated to others.

Safeguarding confidential information is important to FLC. Inappropriate dissemination of information is grounds for disciplinary action.

## K. WORKSPACE

The area in which we work is a reflection of who we are. Your work area should be organized and clean. All information that is confidential (pledge cards, time and talent sheets, prayer requests, etc.) should be handled appropriately when you are at or away from your workspace.

## L. SMOKING

FLC is a non-smoking area. No smoking is allowed within the building.

## M. WEAPONS

Dangerous weapons of any sort (firearms, knives, clubs, etc.) are not allowed on church property at any time. This policy is to be interpreted in its broadest sense, with violators to be severely disciplined. Violators can be reported to local law enforcement agencies.

## N. DISCIPLINE

The following information is established to provide direction and consistency when confronting and correcting employee performance and/or behavior problems.

Should the supervisor or Lead Pastor find that an employee's performance has fallen below the standards of the job, he/she should meet with the employee to review the standards of the job and the employee's goals to determine the level of understanding the employee has regarding his/her performance. This is the time to re-establish performance levels and determine if additional training is necessary. The supervisor or Lead Pastor should document the information discussed at this meeting.

If the performance of the employee does not improve or this issue is of a serious nature, the supervisor or Lead Pastor should meet with the employee to discuss the problem. Based upon the discussion of this meeting, the supervisor or Lead Pastor will draft a Performance Improvement Plan and meet with the employee to review and obtain the employee's commitment to improving his/her performance and have the employee sign the document. The document will be retained with other such personnel records of the employee. Should there be inadequate improvement in performance, additional disciplinary action can be taken, up to and including termination from employment.

## O. DISCIPLINARY RULES

FLC believes that progressive discipline regarding employee matters is the preferred response to employee issues. However, some employee acts are sufficient enough that they may require immediate termination. The following list serves as a reference for acts that may require immediate termination. The list is not intended to be all-inclusive; employees may be disciplined for other offenses not listed if circumstances merit.

- Failure or refusal to comply with a reasonable order or accept a reasonable or proper assignment from an authorized supervisor.
- Gross inefficiency, incompetence, or negligence in the performance of duties.
- Possession or use of illegal drugs, reporting for work under the influence or in any way impaired due to the use of drugs, prescribed or otherwise, or testing positive for illegal drugs or non-prescribed controlled substances.
- Careless, negligent, or improper use of FLC equipment or funds or conversion of the same to one's own use.
- Falsification, fraud, or omission of pertinent information in applying for a position.

- Disclosure of confidential information or failure to maintain adequate controls to safeguard confidential information.
- Habitual tardiness or absence without authorization.
- Falsification of official records.
- Any acts which may discredit oneself or FLC including but not limited to unlawful, indecent, or immoral conduct.
- Insubordination: including failure to acknowledge receipt of corrective action.
- Threatening, fighting or endangering the physical well-being of others.
- Any act of sexual harassment, harassment based on any other improper factors such as race, ethnicity, religion, age, disability, and/or abusive behavior of any kind.
- Fabricating a harassment charge against another person.
- Any action which breaches the confidentiality, integrity, or security or otherwise jeopardizes the accuracy or completeness of any church information (physically or electronically stored) or unauthorized release of passwords which permit access to electronically stored information.
- Failure to maintain satisfactory and harmonious working relationships with church members and/or fellow employees.
- Any other conduct deemed detrimental to the church, its employees, or operations.

## IV. COMPENSATION PROCEDURES

### A. POSITION CLASSIFICATION

Each position is classified and has a written job description. Classification criteria include ministry focuses, required skill level job complexity, called vs. non-called position, education requirements, and work experience. Positions are reviewed periodically, and reclassification might occur.

### B. SALARY ADMINISTRATION

It is the policy of FLC to pay staff members a fair and equitable salary for the work they perform and the degree to which they accomplish results based on predetermined and agreed upon goals.

The Congregation Council retains authority to make changes to the salary structure and pay ranges.

### C. SALARY

Salary decisions are made annually. A support-related budget (including line items for salaries, benefits, employment taxes, allowances, etc.) shall be included in the annual budget presented to the congregation for approval. The Lead Pastor's initial salary shall be approved by the congregation. Performance raises for the Lead Pastor shall be determined annually by the Council's Executive Committee. The Lead Pastor shall establish all other employee salaries in consultation with the Council's Executive Committee. Factors considered when determining a salary include the church's budget, Synod guidelines, salary survey data, letter of call, work related matters, performance review, and years of service. All salary adjustments are effective March 1, unless otherwise specified by the Congregation Council.

### D. TIMEKEEPING

The work week consists of five, eight-hour days. All staff members are expected to be at work throughout their assigned work period. Hourly staff members and independent contractors as

requested by FLC are responsible for recording their time which may be reviewed and approved by their immediate supervisor.

Forty hour assigned work periods can vary widely among staff members. For example, pastors frequently work Saturdays and usually work Sundays. Maintenance staff works a combination of days, nights, and weekends. Assigning 40-hour work periods and maintaining integrity for hours worked is the responsibility of the Lead Pastor.

Staff shall take one 15-minute work break per four-hour work period. These breaks are to be used for resting, non-work-related conversation, personal phone calls, or similar personal activity.

Meal breaks for hourly paid employees are 30 to 60 minutes and non-paid. Whether 30 or 60 minutes are used for meals, the time is to be non-interrupted time. Staff is strongly encouraged to take a meal break. Exceptions to this policy may be approved by the supervisor and the Lead Pastor.

Staff members are responsible for scheduling their work hours with their supervisor.

## E. OVERTIME

Non-exempt staff might be required to work overtime. The employee's supervisor, in consultation with the Lead Pastor or a person designated by the Lead Pastor, must approve all overtime before the overtime occurs. If there is a question regarding overtime, consult with the supervisor or the Lead Pastor.

Overtime pay for hourly employees is paid at the rate of time and one-half for all hours worked in excess of 40 hours in a seven (7) day week (Sunday through Saturday). In determining overtime pay, the following is not included in a forty (40) hour seven (7) day period: pay for holidays not worked, time not worked due to inclement weather, personal leave, or vacation. Exempt salaried employees are not eligible for overtime pay.

Overtime can be paid compensatory time off. Compensation time shall be calculated on a time and one-half basis, i.e., 1.5 hours of compensation time for every one-hour of overtime.

## F. PAYCHECKS - PAY DAY

Employees are paid twice monthly. Payment is by direct deposit. A paper or electronic pay stub is provided to the employee itemizing gross wages and deductions authorized by the employee or required by law.

## G. CHANGES IN EMPLOYEE INFORMATION

All staff members should keep FLC informed of any changes in their personal status since many documents including the annual W-2 tax form are mailed to the staff member's home.

Use the Personnel Information and Approval Form to notify the Lead Pastor of changes to name, address, phone number, insurance beneficiary, marital status, dependents, emergency contacts, etc. The Lead Pastor should be notified as soon as possible following any such change.

## V. ATTENDANCE AND LEAVE POLICIES

### A. ATTENDANCE AND PUNCTUALITY

Non-exempt employees are paid only for hours worked. If an employee is late or absent, he/she is not paid for time lost. If an illness prevents an employee from working, he/she must notify his/her supervisor as soon as possible. It is preferable that the supervisor is notified no later than the scheduled time for reporting to work.

In case of severe weather conditions, consult the section on Inclement Weather.

### B. VACATION

Employees working 20 or more hours per week for at least five consecutive months per year are eligible for paid vacation. Part-time employees working less than 20 hours per week do not earn vacation. Paid vacation is granted to all eligible employees according to length of service. Length of service is computed as follows:

- Called staff: from the date of an employee's first call
- Other staff: from their employment date with FLC

Vacation time is calculated and earned each pay period. It is based on the number of hours worked per week and length of service. Employees begin earning vacation time immediately upon employment.

Employees can carry up to 120 hours of vacation to the following calendar year. Any vacation balance in excess of 120 hours will be forfeited as of each December 31<sup>st</sup>. Upon separation (resignation, termination, etc.) of services, an employee will be paid for any unused accrued vacation earned during the current calendar year plus any eligible vacation carried over from the prior year. If an employee has more than 120 hours of FLC accrued vacation time at the time this Personnel Policy Manual is adopted, he/she will have two full calendar years to reach the 120 hours of carryover listed in this policy before excess hours are forfeited.

Eligible employees (EE) earn vacation time at the rates shown in the following chart. These rates are per pay period, assuming 24 pay periods per year. (Called staff may earn vacation in other increments than listed in the chart below.) Full time called staff shall be granted an additional two weekends off per year. The weekends off shall be designated by the staff member and cleared with the Lead Pastor (who shall clear his/hers with the Executive Committee). The weekends cannot be accrued and the additional time off shall be taken within the calendar year or forfeited at the end of it.

Length of Service	# of Weeks (Full Year of Service)	EE Works At Least 20 Hrs./Week	EE Works At Least 25 Hrs./Week	EE Works At Least 30 Hrs./Week	EE Works At Least 35 Hrs./Week	EE Works 40 Hrs./Week
0 - 5 Years	2 Weeks	1.67	2.08	2.50	2.92	3.33
6 - 10 Years	3 Weeks	2.50	3.13	3.75	4.38	5.00
11 - 20 Years	4 Weeks	3.33	4.17	5.00	5.83	6.67
21+ Years	5 Weeks	4.17	5.21	6.25	7.29	8.33

(Note: During an employee's first year of service, assuming he/she begins employment after January 1, the employee will not earn a full two weeks of paid vacation.)

Vacations will be scheduled in advance at the mutual convenience of the church and the employee, when the workload permits. Based upon the church needs, FLC will attempt to grant you the vacation dates you request. The use of vacation days requires prior written approval from your supervisor or the Lead Pastor. The Lead Pastor's vacation leave will be coordinated with the Executive Committee. Every effort should be made to ensure that the full-time pastors are not on vacation leave at the same time. The church reserves the rights to deny, limit, or modify a vacation request based on church demands. The employee may not take more vacation time for the calendar year than will be earned during that calendar year or was previously accrued and not used. Vacation time should be used in half-day increments.

If your employment is terminated, you will be paid for the amount of vacation you have earned and not used. If you have used more vacation time than you have actually earned, you will be required to reimburse the church for the excess of used over earned time.

### C. SICK LEAVE

Employees working 20 or more hours per week for at least five consecutive months per year are eligible for paid sick leave. Part-time employees working less than 20 hours per week do not earn sick leave.

Paid sick leave is granted to all eligible employees according to length of service. Length of service is computed from the date of the employee's first call for called staff and from the employment date with FLC for other staff members. Sick leave begins accumulating on the first pay period after the employee has reached six months of service.

Paid sick leave is calculated and earned each pay period, based on number of hours worked per week. Unused sick leave accumulates and can be carried over from year to year to a maximum of 1,040 hours. Any accrued but unused sick leave will not be paid on termination of employment.

Eligible employees (EE) earn paid sick leave at the rates shown in the following chart. These rates are per pay period, assuming 24 pay periods per year. (Called staff may earn sick leave in different increments than listed in the chart below.)

Length of Service	# of Weeks (Full Year of Service)	EE Works At Least 20 Hrs./Week	EE Works At Least 25 Hrs./Week	EE Works At Least 30 Hrs./Week	EE Works At Least 35 Hrs./Week	EE Works 40 Hrs./Week
0 – 5 Months	0 Weeks	0	0	0	0	0
6+ Months	2 Weeks	1.67	2.08	2.50	2.92	3.33

(Note: During an employee's first year of service, assuming he/she begins employment after January 1, the employee will not earn a full two weeks of paid sick leave.)

Sick leave can be used for bonafide illness, injury, doctor/dentist appointments, or care of sick family members (spouse or children). You must contact your supervisor as soon as you know that illness or injury will prevent you from reporting to work. Failure to promptly notify your supervisor may result in forfeiture of your pay.

All employees are held to high standards concerning attendance. Any inappropriate use of sick leave or excessive absenteeism will be treated as a performance issue, whether the employee is exempt or non-exempt. For this reason, supervisors are expected to monitor their employees' attendance and to address early-on patterns or problems that might develop.

For any illness or personal injury absence of three or more consecutive days, a physician's written explanation might be requested to award sick leave benefits. This certification might also be needed if absences are due to care of a sick family member.

If an employee is limited in the duties he/she can perform due to illness or injury, the church can request information from their physician describing the limitations. FLC can furnish a copy of the employee's job description to the physician to make that determination.

In the event an employee's illness or injury renders the employee unable to perform his/her regular duties, after having used his/her earned sick leave and, if eligible, having applied for disability benefits, the FLC Congregation Council can, in its sole discretion, grant continuance of partial or full salary for a defined period of time. In this event, the employee is required to promptly provide the church written medical diagnosis information that minimally describes the condition, date illness or disability began, prescribed treatment, and estimated date of return to work.

#### D. PERSONAL DAYS

Two personal days will be granted each year to all full-time employees. Part-time employees working 30 hours per week earn personal days at the rates shown in the following chart. Part-time employees working less than 30 hours per week do not earn personal days.

Personal days are pro-rated during the first year of employment based on your hire date and are available as of the date of your hire.

Hire Date	Number of Personal Days	
	Full Time	Part Time (30 hrs.)
January 1 - March 31	2	1.5
April 1 - June 30	1.5	1
July 1 - September 30	1	.5
October 1 - December 31	.5	0

Personal days should be used during the calendar year earned. They do not accumulate. You are not paid for any unused personal days, whether at termination or separation. Similar to vacation days, employees are requested to schedule personal days in advance with their supervisor when using them for reasons other than family illness. Scheduling personal days should be done in conjunction with your supervisor or the Lead Pastor.

#### E. HOLIDAYS

The following nine (9) days are recognized and set aside as paid holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Day After Easter
- Memorial Day
- Juneteenth
- Fourth of July

- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day
- Day after Christmas

If a holiday falls on Saturday, the church will observe the preceding Friday. If a holiday falls on a Sunday, the church will observe the following Monday. Notwithstanding the day on which a holiday falls, the Lead Pastor can determine when the church will observe the holiday. Part-time employees working less than 30 hours per week for the preceding 12 weeks are not eligible for holiday pay.

Employees working at least 30 but less than 40 hours per week for the preceding 12 weeks are paid for six (6) hours of holiday pay for each recognized holiday. Employees working 40 hours per week for the preceding 12 weeks are paid for eight (8) hours of holiday pay for each recognized holiday. These rates of holiday pay apply regardless of the employee's weekly work schedule. Authorized paid leave is considered time worked for purposes of holiday pay.

#### F. MATERNITY/PATERNITY/ADOPTION LEAVE

Leave under this section is for the purpose of issues related to parenting and may only be taken after six (6) months of part-time or full-time employment. Leave benefits for part-time employees will reflect their percentage of full-time employment. Employees who will be absent due to maternity/paternity or adoptive leave are requested to provide their supervisors with as much advance notice as possible.

Four (4) consecutive weeks of paid maternity leave is available to a new mother and four (4) consecutive weeks of paid paternity leave is available to a new father following the birth of her or his child. If the expectant mother's physician feels it is medically necessary for her to stop working prior to the anticipated delivery date, she will be permitted to use accrued sick leave and vacation time for this purpose. Sick time may be used by a new mother during the recovery period after the birth of her child (usually 4-6 weeks) before using the four consecutive weeks of maternity leave. A new father may use sick time after the birth of his child only if the mother or child has a health issue that requires his presence.

Four (4) consecutive weeks of paid adoptive leave is available to a new mother and four (4) consecutive weeks of paid adoptive leave is available to a new father, beginning the day the child is placed with him or her through adoption.

#### G. BEREAVEMENT LEAVE

Paid bereavement leave will be granted according to the following schedule: Staff members are allowed up to three consecutive days off from regularly scheduled duty with regular pay in the event of the death of the employee's spouse, child, father, father-in-law, mother, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter. To be eligible for paid bereavement leave, the employee generally must attend the funeral of the deceased relative. Staff members are allowed one day off from regular scheduled duty with regular pay in the event of death of the employee's brother-in-law, sister-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent. To be eligible for paid bereavement leave, the employee generally must attend the funeral of the deceased relative. Employees are allowed up to four hours of bereavement leave to attend the funeral of a fellow employee or retiree of the church, provided such absence from duty will not interfere with the normal operations of the church.



## H. CIVIC DUTY

If you are required to serve on a jury or an election board during working hours, you should notify your supervisor immediately. You will receive your regular pay for a normal workday, less your jury or election board pay. This benefit is available to regular full-time and regular part-time employees. If you volunteer to serve on an election board, you must use vacation or other discretionary paid leave to cover the day.

## I. RESERVE MILITARY LEAVE

Leave will be granted to members of the reserves for involuntary or required training periods and calls to active duty as needed and in accordance with government regulations. FLC follows the rules established under the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees participating in an annual tour of duty will need to provide a copy of their orders. Please contact the Lead Pastor for more information.

## J. PERSONAL/CRIMINAL LITIGATION

If an employee is involved as a plaintiff or defendant, in personal, civil and/or criminal litigation not involving the church, the employee is expected to use vacation and personal days earned for the work time missed. If the employee does not have unused earned vacation or personal days, he/she must take time off without pay.

The church does not allow using sick time for litigation purposes. If the employee is subpoenaed to be a witness in a court case personal leave time can be used.

## K. EMERGENCY LEAVE

Conditions might exist that necessitate an emergency leave. If such an emergency leave occurs, the employee and his/her supervisor can determine whether vacation time should be used, the time made up, or if the situation was not a true emergency and the employee was in a non-approved leave status.

## L. SABBATICAL LEAVE

Sabbatical time will be included in a letter of call. At the time of the initial adoption of this manual (August 2012), the recent practice has been to award three months of sabbatical leave upon the completion of five years of service to FLC.

## M. TELEWORK POLICY

Teleworking, the practice of temporarily working at home full-time or part-time instead of working in FLC's office, is a work alternative that FLC offers to some employees when it would benefit both FLC and the employee. Prior to beginning teleworking you must obtain written approval from your immediate supervisor and the Lead Pastor.

Teleworking is not a formal employee benefit, but a temporary work scheduling practice that helps employees balance the demands of their work and personal lives. Teleworking is a privilege, not a universal benefit or employee right.

An employee's compensation, benefits, work status, and work responsibilities will not change due to participation in the teleworking program. Teleworking employees must comply with all organizational rules, policies, and procedures.

## N. TRAVEL AND LOCAL MILEAGE REIMBURSEMENT POLICY

When traveling on church business, stewardship and business prudence will be observed to minimize expenditures. Travel discounts should be obtained when they are available. The employee's supervisor or the Lead Pastor must approve all out-of-town travel before being undertaken. Car-pooling will be used to the extent practical.

Reimbursement for authorized travel expenses requires a completed purchase order supported by receipts for all claimed expenses and completion of claim forms furnished by the church. Personal expenses are not reimbursable. Reimbursement for using a personally owned automobile for business related travel will be at the rate allowed by the Internal Revenue Service.

Local mileage expenses directly related to the conduct of FLC business shall be reimbursed to the employee at the rate allowed by the Internal Revenue Service. Commuting expenses from the employee's place of residence to the church are not reimbursable. A mileage allowance may be provided to the pastors in lieu of direct reimbursement.

## VI. BENEFITS

The Evangelical Lutheran Church in America coordinates FLC Group benefits.

### A. BENEFIT PLAN ELIGIBILITY

FLC provides benefits to full-time and certain part-time employees that offer some level of protection against financial losses due to medical care expenses, disability, retirement and death.

With the exception of government-mandated benefits, all benefit plan determinations are at the discretion of FLC which reserves the right to add, delete, modify or amend any benefit plans at any time. Group Welfare Plans including health care benefits, disability, retirement, and a savings plans are included. Benefits and benefit contributions are adjusted on a pro-rata basis to account for employees working less than fulltime hours.

The following group welfare benefits are available to full-time employees and employees working 30 hours or more per week:

- Health Plan\_(including hospital and medical)
- Prescription Drug
- Dental
- Vision
- Retirement Plan
- Flexible Benefit Plan

The following time-off benefits are available to full-time employee and employees working 30 hours or more per week:

- Sick Leave
- Vacation
- Holidays

- Personal Days

The following time-off benefits are available to employees working 20 hours or more per week but less than 30 hours:

- Sick Leave
- Vacation

Employees working less than 20 hours per week are not eligible for any benefits except as mandated by the government.

## **B. HEALTH CARE BENEFITS**

All full-time employees and regular part time employees working 30 hours or more per week and five consecutive months per calendar year are eligible for health care benefits under the provider selected by the Congregation Council. Enrollment is voluntary and is effective the first day of the month following employment. FLC pays a portion of the premiums. Information about these benefits will be distributed to new employees at the time of hire and to current employees as changes occur.

Currently, full time employees are enrolled in the ELCA Health Insurance plan at the Gold level. The congregation pays 100% of the cost of this plan for the employee. The congregation also provides coverage for eligible family members of the employee, as defined by the ELCA Health Care Plan, at the Gold level. The congregation shall cover the cost of up to 75% of the Gold level family coverage. These monies are for health insurance only. If an employee elects to opt out of the plan provided by the congregation, they may do so, but the monies may only be used for health insurance purposes. Billing statements from these other plans must be provided to ensure that the funds are being used for health insurance premiums.

This option will be considered on a per-case basis, and the allowance may not exceed the cost of directly providing individual health insurance coverage to the employee or the cost of insurance provided by the spousal coverage.

## **C. RETIREMENT PLAN**

All full-time employees and regular part time employees working 20 hours or more per week and five consecutive months per calendar year are eligible for retirement benefits under the Retirement Plan (RP) affiliated with the Evangelical Lutheran Church in America. FLC pays contributions to the RP in accordance to Board of Pension rules in place at the time of hire; employees may not contribute directly to the plan (except that they may designate a portion of their salary to be contributed to the plan within the rules and restrictions of the plan).

Your enrollment with the Evangelical Lutheran Church in America plan is at the option of the church, as FLC may seek alternatives to providing retirement benefits or any other benefit.

Information about these benefits will be distributed to new employees at the time of hire and to current employees as changes occur.

## **D. WORKERS' COMPENSATION**

FLC insures all staff for injuries/illnesses that occur as a result of their work, as required by law. FLC will follow all workers' compensation guidelines set forth by the State of Nebraska. All work-related injuries/illnesses must be reported to your supervisor or the Lead Pastor immediately, regardless of the nature or severity.

Workers' Compensation pays for all medical expenses related to on-the-job illnesses or injuries. Worker's Compensation also pays the employee a percentage of their wage for time off after a certain waiting period. Employees may use sick leave during this time. However, FLC will coordinate with the carrier to ensure that employees receive no more than 100% of their pay during this time off.

In case of an emergency, you should go to the nearest emergency medical facility for treatment. If you receive medical treatment, you must have a doctor's authorization to return to work. A case manager will review all workers' compensation claims and may work with you directly to assist your case and your return to work.

#### **E. FLEXIBLE BENEFIT PLAN**

A Flexible Benefit Plan is maintained to provide employees an opportunity to set aside pre-taxed dollars from their paychecks for reimbursement of qualified expenses they have incurred. This is a calendar year plan beginning January 1 and requires re-enrollment each year. All pre-taxed dollars withheld from paychecks must be utilized within the calendar year it was withheld and cannot be refunded. Read the qualifications of the Flexible Benefit Plan carefully each year should you decide to participate in it, as the plan's terms may change.

The plan allows for reimbursement of certain expenses incurred, including the employees' portion of group insurance premiums, as well as eligible medical, dental, vision, hearing, childcare expenses, and related expenses. The payment of insurance premiums is not included.

Employees must enroll in the plan each year. New employees can enroll for the portion of the year in which they were hired.

#### **F. JOB-RELATED TRAINING**

Employees are encouraged to attend job-related workshops and conferences. Time off and reimbursement for such training require prior approval by the employee's supervisor and the Lead Pastor. If an employee is enrolled in a formal education program, attendance at conferences/workshops should be minimal.

#### **G. TUITION REIMBURSEMENT**

Any full-time employee with two or more years of service as a full-time employee (40 hours per week) may make written application for assistance in continuing education. Approval of any application depends on the type of education, its value to the employee and the church, and availability of congregational resources. If approved by the Lead Pastor or the employees' immediate supervisor, reimbursement will be 50 percent of tuition, only upon receipt of written evidence of satisfactory completion with a grade of at least a C or its equivalent. Reimbursement for education related travel expenses can be considered and authorized in the approval process. Education related reimbursement requires the approval of the Congregation Council on a prior approval and individual basis.

#### **H. CONTINUING EDUCATION**

Full-time program and/or called staff members will be granted 13 working days for continuing education at the time of employment and each following anniversary date, and a related stipend of an annual amount set within the Congregation budget. The use of educational benefits is strongly encouraged and should be arranged with the Lead Pastor and the Congregation Council. Staff members may carry forward from year to year ten unused continuing education days up to a maximum of 25 days as well as a maximum of \$4,000 in unspent funds. For called staff transferring to another

institution within the ECLA, the church will transfer any unused continuing education funds to the employee's new institution. Staff members will not have a claim for pay in lieu of unused education days.

Qualifying continuing education shall be understood to include course of study, research, private studies and attendance at seminars, conferences and assemblies. It will not include attendance at conferences or assemblies that the staff person is requested to attend in an official capacity representing the church or the synod.

Other staff members are also encouraged to explore continuing education opportunities and/or training. The Lead Pastor will consider requests on a case-by-case basis.

## VII. NEWS MEDIA CONTACTS

When a member of the news media contacts FLC, that person will be referred to the Lead Pastor or his/her designee. Aside from the Lead Pastor or his/her designee, no one is to make statements to the news media regarding FLC policy, events, or similar matters.

## VIII. LEAVING FLC

### A. RESIGNATION/TERMINATION

Employees who resign are expected to provide at least two (2) weeks' notice in advance of the date of separation. Those employees who do give a two-week notice will be considered to have resigned in good standing and will be paid any earned vacation time, as defined above, which has not been received.

In like manner, any employee may be terminated by the church for any reason by giving the employee two (2) weeks' notice in advance of the separation date or pay for two (2) weeks in lieu thereof. Any employee who is absent for two (2) consecutive working days without notice to the church can be terminated automatically.

Employees who are terminated for cause, such as a violation of church rules, impropriety, or behavior not being above reproach is not entitled to two (2) weeks' notice or pay in lieu thereof. No severance pay is awarded.

All exiting persons are paid for any earned, unused accumulated vacation. FLC does not pay for accumulated sick leave or personal days.

The church can, in its sole discretion, consult with the Nebraska Synod concerning termination of a called staff person. If termination is for violation of the vows of his/her office, no severance pay is awarded. The person is paid for salary due on the date of separation. The person is not paid for earned vacation for a breach of the employment contract.

### B. POST RESIGNATION/TERMINATION PROCEDURES

Any person who leaves the employment of FLC (regardless of the reason: resignation, termination, retirement, acceptance of a call to another church, etc.) is required to turn in all church keys, church property in his/her possession, credit cards, phone calling cards, etc., before final compensation is paid. Likewise, any unpaid debt owed to the church must be resolved before final compensation is paid or it

is deducted from final compensation. The cost of church property not returned can be deducted from final compensation or proper restitution will be sought.

### C. REFERENCES

Should FLC ever be called upon for reference purposes concerning a former staff person, only the employment dates and position title for that person shall be released. If an employee desires FLC to release any other information about him/her, he/she must provide written authorization. This form is available from the Lead Pastor. (See Appendix E.)

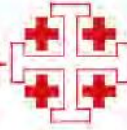
### D. EMPLOYMENT POLICIES

These polices will be reviewed periodically by the Congregation Council or a committee it. Each employee will be asked to sign a statement indicating he/she has received a copy of the Personnel Policy Manual and that he/she has and understands the policies. (See Appendix D.) Any policies that existed prior to the Issue Date of these policies are revoked.

END

IX. APPENDICES

A. SAMPLE LETTER OF CALL



# LETTER OF CALL

TO AN ORDAINED MINISTER OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA

*In the Name of the Father,  
and of the Son, and of the Holy Spirit. Amen.*

With prayers for the guidance of the Holy Spirit to do God's will,

a congregation of the

of the Evangelical Lutheran Church in America  
meeting on

extends to you this call to serve as

We call you to exercise among us the ministry of Word and Sacrament which God has established and which the Holy Spirit empowers: To preach and teach the Word of God in accordance with the Holy Scriptures and the Lutheran Confessions; to administer Holy Baptism and Holy Communion; to lead us in worship; to proclaim the forgiveness of sins; to provide pastoral care; to speak for justice in behalf of the poor and oppressed; to encourage persons to prepare for the ministry of the Gospel; to impart knowledge of the Evangelical Lutheran Church in America and its wider ministry; to endeavor to increase support given by our congregation to the work of our whole church; to equip us for witness and service; and guide us in proclaiming God's love through word and deed.

In accepting this call, you hereby promise to fulfill this pastoral ministry in accord with the standards and policies for ordained ministers of the Evangelical Lutheran Church in America. Therefore, be diligent in the study of Holy Scripture, in use of the means of grace, in prayer, in faithful service, and in holy living.

With this call, we pledge our prayers, love, esteem, and personal support for the sake of the ministry entrusted to you by God and for our ministry together in Christ's name. Specific responsibilities, compensation, benefits, and conditions of this call are contained in a document related to this call.

In testimony of this call, we have subscribed our names on behalf of the congregation on this  
day of \_\_\_\_\_, A.D. \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

Attested by \_\_\_\_\_

Bishop of the \_\_\_\_\_

Date of synodical bishop's signing \_\_\_\_\_

## B. SAFE SANCTUARY POLICY

The following policy was adopted by the Congregation Council on August 14, 2012.



C. STATEMENT REGARDING REVIEW OF PERSONNEL POLICIES

**Acknowledgment of Receipt of Personnel Policy Manual**

I, \_\_\_\_\_, affirm that I have received a copy of the Personnel Policy Manual of First Lutheran Church. I have examined the contents and understand the meaning of the statements, policies, and procedures included in this Personnel Policy Manual and have had the opportunity to ask questions for clarification of any policies that I was unsure of. I further agree to abide by the policies found in this Personnel Policy Manual.

I understand that neither this Personnel Policy Manual, this receipt, nor any verbal statement made in the course of my employment constitutes a contract. Rather, I understand that this personnel Policy Manual includes general guidelines and policies that are intended to be followed, but which may be changed at any time by First Lutheran Church.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

(Print Name)

\_\_\_\_\_

(Signature)

## D. CONFLICT OF INTEREST STATEMENT

### Disclosure of Conflicts of Interest

I have the following conflicts of interest to report:

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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

E. REFERENCE RELEASE FORM

**Authorization to Release Information**

I hereby authorize First Lutheran Church or its authorized representatives to obtain and release any information pertaining to my background, including but not limited to, any information (including opinions) concerning my employment history, education, character, general reputation, work habits, salary or other areas of importance to a prospective employer, for employment purposes. I fully release and discharge all sources providing information from all claims and damages arising out of or relating to any investigation of my background for said purposes.

I understand that I may revoke this Release at any time, and, if so, I must do it in writing and will hold the reference source at First Lutheran harmless for any actions already taken in reliance upon this Release.

Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Social Sec. No.: \_\_\_\_\_

Driver's License No.: \_\_\_\_\_ State \_\_\_\_\_

Current Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date