

# Employment Guidelines for Lay Employees

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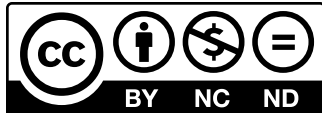


The United Church of Canada  
L'Église Unie du Canada

## Employment Guidelines for Lay Employees



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# Contents

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- Introduction** ..... 5
  
- Section 1: Employment** ..... 7
  - 1.1 Accountability and Statutory Obligations .....7
  - 1.2 Personnel Records .....7
  - 1.3 Pay Information: Deductions, Vacation Pay, and Record Keeping .....7
  - 1.4 Job Descriptions .....9
  - 1.5 Employment Relationships .....9
  - 1.6 Recruitment, Selection, and Screening of Staff .....10
  - 1.7 Working Hours .....11
  - 1.8 Probationary Period .....12
  - 1.9 Termination .....12
  - 1.10 Resignation and Retirement .....13
  - 1.11 Record of Employment (ROE) .....13
  
- Section 2: Compensation and Leaves** ..... 14
  - 2.1 Salary and Benefits .....14
  - 2.2 Statutory Holidays and Vacation .....14
  - 2.3 Sick Leave .....15
  - 2.4 Maternity and Parental/Adoption Leave .....15
  - 2.5 Bereavement Leave .....16
  - 2.6 Compassionate Leave .....16
  - 2.7 Extended Compassionate Leave .....16
  - 2.8 Court Duty .....17
  - 2.9 Unpaid Leave of Absence .....17

**Section 3: Employee Relations** ..... 18

    3.1 Conflict of Interest .....18

    3.2 Supervision and Performance Reviews .....18

    3.3 Problem Resolution .....19

**Helpful Websites and Contacts** ..... 20

**These guidelines supersede those dated July 2004.**

# Introduction

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These lay employment guidelines are intended to be used for lay employees in pastoral charges and presbyteries. Examples of lay employees are administrators, church secretaries/admin assistants, musicians and choir directors, custodial staff, and camp counsellors, to name a few.

It is hoped that a resource of this nature will be helpful in assisting pastoral charges and presbyteries to deal with employment issues and fulfill their obligations to lay employees. It offers guidelines only; other advice or counsel may be required from the Conference, from lawyers, or from Human Resources at the General Council Office.

Legal employers must follow employment legislation; these guidelines are meant to assist in providing a framework for the employment relationship. They describe standard employment practices and identify issues that are legal requirements. These guidelines can help keep committees and boards informed of their legal and ethical obligations as employers, thereby reducing the liability of the pastoral charge or presbytery. They can also be used to inform employees about their rights and obligations.

Each official board/church board or church council, and Ministry and Personnel (M&P) Committee, may use these guidelines to work toward providing a safe and just work environment for lay employees. Upholding these guidelines can help affirm the place, the value, and the significance of the role of our lay employees whose work builds up the body of Christ.

## Theological Rationale

The people of God participate in God's reign of creation and redemption in a variety of ways, including through the contribution of their day-to-day labour. Many parables of Jesus point to the value of workers and their labour, and are a reminder that in God's eyes, all labour on behalf of God's commonwealth has value.

As an employer, The United Church of Canada seeks to embody the dynamics of God's emerging reign. We seek to be an integrated peace-making, justice-seeking community. We wish to provide a working environment where people can enjoy their work and realize the contribution they are making toward the common good.

It is important that procedures, policies, and lines of accountability are in place to support these convictions, and to respond to those occasions when conflict and disagreement may arise.

## Standards of Conduct

The United Church of Canada strives to provide a positive work environment where employees can contribute to a productive, respectful, and professional atmosphere, with equal opportunity for all. The pastoral charge or presbytery works to foster an open, trusting, and collegial work environment. This type of work environment can be achieved where individuals feel they are treated with dignity and respect without being subjected to discrimination or harassment.

Conduct that is contrary to the ethical standards and ethos of The United Church of Canada or that will diminish the credibility of any other employee, volunteer, or other contact of the church may be grounds for disciplinary action, up to and including dismissal.

All employees are expected to share in preserving and enhancing the church's image and reputation of integrity, credibility, and honesty.

# Section 1: Employment

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## Accountability and Statutory Obligations

1.1

All lay employees of pastoral charges are accountable to the official board/church board or church council, through the Ministry and Personnel (M&P) Committee. Pastoral charges have the flexibility to develop unique board or council structures. However, as outlined in *The Manual*, the roles and functions of the official board/church board or church council, and M&P Committee, are not flexible.

Every pastoral charge must have a functioning official board/church board or church council, and an M&P Committee. For multi-point charges, the M&P Committee should include representation from each point on the charge. There is flexibility to develop subsets of the official board/church board or church council, and M&P Committee, in each point on the charge in order to administer the lay human resources policies. The official board/church board or church council is still the decision-making body in all cases.

Pastoral charges, regardless of their size, must be responsible employers and ensure they comply with all relevant legislation such as the Employment Standards Act, Human Rights Code, Occupational Health and Safety Act, and Income Tax Act. Due to variations in legislation from province to province, specifics for each province are not provided in these guidelines. They may be obtained from the websites listed in the final section of this document.

Presbyteries are strongly advised to establish a committee to oversee their lay employees.

## Personnel Records

1.2

A confidential personnel file that contains all pertinent information with respect to the employment relationship must be kept for each employee. All salary information, absence and vacation records, performance evaluation material, and disciplinary documentation should be included in the employee's file.

Employees are permitted to see the documents in their file and should be told that they have the right to do so at any time. Any document that an employee was permitted to see on any occasion should be made available to the employee to review at a later time. Reference checks or correspondence that may breach someone else's confidentiality should be placed in a sealed envelope in a separate file. These are not part of the personnel file.

## Pay Information: Deductions, Vacation Pay, and Record Keeping

1.3

*Required Deductions:* Federal and provincial statutes require that deductions be made from an employee's wages for

- income tax;
- Employment Insurance (EI) premiums;
- Canada/Quebec Pension Plan (CPP/QPP) contributions; and
- court orders.

A court may order that deductions be made from the wages of an employee who owes money. This may be the result of a child support ruling, a garnishee on wages by a third party, or a demand on a third party. More information can be found on the Canada Revenue Agency website (see Helpful Websites section).

Earnings and deductions (for example, CPP/QPP, EI, income tax) for all employees on the payroll must be reported on a T4 supplementary form at year-end.

*Vacation Pay:* When vacation is paid, employees must be given the following information in writing:

- the period of time for which vacation pay is being paid;
- the amount of wages on which vacation pay is calculated;
- the amount of each deduction and the reason for it;
- the employee's net vacation pay.

*Record Keeping:*\* Legislation requires that all employers keep written records about each person they hire. Please refer to provincial websites for specific time periods.

Records to be kept for a minimum of two years:

- the employee's wage rate and gross pay;
- the employee's net pay after deductions;
- the amount and purpose of each deduction made;
- documents and information regarding maternity leave or parental leave;
- if the employee is a student under 18, the employee's date of birth;
- the number of hours worked by the employee by day and week;
- other payments to which the employee is entitled.

Records to be kept for five to seven years:

- the name and address of each employee;
- the date each employee began employment;
- wage records for each pay period and vacation pay records.

Each time regular wages are paid, employees must be provided with the following information:

- the period of time or the work for which the wages are being paid;
- the wage rate (unless the employee has been told in some other way, such as through an employment contract);
- gross wages;
- the amount of each deduction and the reason for it;
- any other amount paid (such as a bonus);
- net pay.

Employees must be able to keep this information; it is normally provided on a pay stub attached to each paycheque.

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\*Note: Some provinces have additional requirements—please check employment standards.

## Job Descriptions

1.4

The Ministry and Personnel (M&P) Committee should ensure that there are current job descriptions for every position. Job descriptions should include the tasks and responsibilities of the position, the position's relationship to other jobs, the conditions under which the work is performed, and the qualifications required. Job titles should be descriptive of the position, and, where possible, be consistent with other similar positions.

## Employment Relationships

1.5

There are different types of employment relationships, described below:

*Full-time or Part-time Permanent Employment:* Permanent employees, whether full-time or part-time, earn employment income, work as an integral part of the pastoral charge or presbytery, and take ongoing direction from a supervisor. Employers must ensure all workers designated as employees are placed on the church payroll with all appropriate statutory deductions made.

*Term Employment:* Term employees (often referred to as “casual” or “contract”) are employed for a specified period of time, or on an intermittent (as-needed) basis, and may be paid an hourly rate for actual hours worked or be salaried, depending upon the length of the term of employment. It is recommended that terms under one year be paid on an hourly basis, while terms of one year or more be paid a monthly salary. It is also recommended that there be no term employment beyond three years.

- Hourly paid term employees are entitled to at least the minimum statutory pay (“minimum wage”) in accordance with employment standards legislation. Federal and provincial legislation apply to these employees, which means income tax, Employment Insurance premiums, and Canada/Quebec Pension Plan contributions must be deducted. Vacation pay on the gross amount earned must also be paid, either at the end of the term, or on each pay date. Please refer to the appropriate provincial employment standards.
- Salaried term employees receive a monthly salary and have all appropriate deductions made, as with permanent employees. It is recommended that these employees also receive pension and benefits, with the exception of short- and long-term disability benefits. Normal vacation entitlement applies.

*Fee for Service Contracts:* Fee for service contracts are entered into for a specific task or project. Contractors are not considered to be employees. These individuals submit an invoice for the service they provide. They are not on the payroll and do not receive a T4 form at year-end. Please refer to the Canada Revenue Agency website for further information.

Custodians and administrative staff should only be considered “fee for service” if they are the proprietors of their own business that provides the specific service that they have been contracted to do. They should otherwise be considered permanent or term employees.

Care must be taken not to confuse “employees” and “fee-for-service” individuals, as these are very different situations as defined by the Federal Income Tax Act and provincial employment standards. Fee for service contracts must not be used to avoid the employer contributions (Canada/Quebec Pension, Employment Insurance) required with permanent or term employment.

*Honoraria:* An honorarium is a monetary payment or reward usually in recognition of gratuitous or professional services on which custom or propriety does not set a price. In situations of guest speakers, musicians, or administrative services (e.g., editing or translation), where assistance/services are provided on one or two occasions only in a voluntary manner without expectation of a fee, it would be acceptable to treat payments to these individuals as honoraria.

Honoraria totalling over \$500 for the year must be reported to the Canada Revenue Agency at year-end on a T4A supplementary form. The name, address, and social insurance number of the recipient must be obtained for this purpose.

## **Recruitment, Selection, and Screening of Staff**

**1.6**

*Recruitment:* Once a vacancy has been declared, the staffing process normally consists of the following steps:

- Job description review/update: The most effective hiring begins with a thorough job description. The job advertisement, screening, interview questions, and selection decision should all be based on this job description.
- Search committee: Appoint individuals or a Search and Selection Committee to conduct the search. Responsibilities, timelines, and who has the hiring authority should be established.
- Interview questions: It is good practice to have interview questions that are open-ended and behaviour-based, and that are written with the position criteria and required competencies in mind.
- Advertising: If advertising is required, consider the most cost-effective methods (e.g., the pastoral charge website, bulletin boards, congregations, community newspapers, and other local non-profit organizations). Internet advertising and/or the use of social media may be an option. The Service Canada website will allow you to post positions for free (see the Helpful Websites section).

*Screening Candidates:* Select the candidates to be interviewed based on the criteria outlined in the job description.

*Interview:* It is good practice to have more than one interview, in order to allow both the employer and the candidate enough opportunities to truly discern whether this relationship will be mutually beneficial. Open-ended and behaviour-based questions generally elicit the most information from candidates. Behaviour-based questions ask candidates how they would react to a specific situation. Human rights legislation varies from province to province. In all provinces, questions may not be asked related to race, origin, colour, religion, sex, and age. The provincial human rights commission will have information regarding acceptable/unacceptable questions.

*Reference Checks:* The hiring committee should discuss what additional information needs to be gathered by means of the reference check: what is critical to the success of the applicant in this position, including issues that are essential to successful job performance. These may include attitude toward work, flexibility, ability to work independently or as part of a team, initiative, level of problem solving, and so on.

*Duty of Care:* The United Church of Canada has a legal, moral, and spiritual duty to care for and protect participants in its church programs. This is a legal principle called “duty of care,” and church groups have been, and will be, held legally responsible for ensuring reasonable measures are taken to ensure safety. The United Church of Canada is committed to providing a safe environment for worship, work, and study in all pastoral charges, congregations, institutions, agencies and organizations, or other bodies that operate under its name.

The United Church seeks to ensure that all lay employees, volunteers, and ministry personnel who work with vulnerable individuals in United Church settings share this commitment. This commitment is demonstrated by lay employees, volunteers, and ministry personnel showing respect for personal boundaries, protecting others from harm and abuse, and enabling those in their care to learn and grow without fear of exploitation. Using the guidelines provided in the booklet *Faithful Footsteps* ([www.united-church.ca/local/duty/environments](http://www.united-church.ca/local/duty/environments)), a risk assessment should be conducted to determine what screening measures are needed for each position.

*Selection:* The decision on the final candidate should take into consideration all information gathered from the interview and reference checks. If none of the candidates meets the hiring criteria, there is no obligation to hire the closest match. It is advisable to keep interview notes for a period of time in case an unsuccessful candidate requests feedback.

*Job Offer:* A job offer is made following appropriate checks (reference checks, police records check, if applicable). An offer can also be made conditional upon receipt of acceptable reference checks (and a police records check if required), although it is recommended that an offer be made after these checks have occurred. Once the successful candidate has accepted the job, unsuccessful candidates should be notified as soon as possible. It is recommended that all applicants be acknowledged and notified of the status of their application.

Every work arrangement should be in writing. The onus is on the employer to state expectations clearly. In addition to providing the employee with a detailed position description, the offer letter should include the following:

- a brief description of the position (or a description provided in a separate document);
- employment relationship (permanent full-time, permanent part-time, temporary, etc.);
- reporting relationships—be specific about accountability and supervision;
- hours of work;
- sick leave, and vacation and benefits entitlements.

## **Working Hours**

**1.7**

Working hours for full-time staff may be between 35 and 40 hours per week. Lunch hours and rest periods must be consistent with each province’s Employment Standards Act.

At times, excessive workload will make it necessary for employees to work beyond their normal working hours. However, the need for overtime should be a temporary situation and should be arranged in advance with the supervisor. Staff will be paid for overtime or be given compensating time, as per government legislation. It is important to check employment standards to ensure compliance with this legislation.

## Probationary Period

1.8

Probationary periods are common when hiring new employees. This period is used to assess the employee's adaptation and suitability to the position, and vice versa. Employers are responsible for providing continuous feedback to the employee during the probationary period, usually through the immediate supervisor, setting out clear expectations and identifying areas for change. The employee also has a responsibility to identify potential problem areas as frequently as necessary.

A probationary period may be between three and six months. It is recommended that a performance review be conducted upon completion of the probationary period.

If it is clear that an employee is incapable of achieving an acceptable level of performance regardless of the training, support, and encouragement given, termination may result. In this situation, consultation with the official board/church board or church council, and the Ministry and Personnel (M&P) Committee, is advised.

## Termination

1.9

Employees may be terminated for different reasons: restructuring, downsizing, dissatisfaction with an employee's performance, position redundancy, or for legal cause. Grounds for legal cause may be dishonesty, theft, insubordination, wilful misconduct, wilful neglect of duty, or well-documented performance problems.

An employer must ensure that there is a fair process of performance management before dismissal is considered. It is recommended that legal advice be sought prior to terminating a lay employee.

In all cases of termination, it is required that the employee be given written notification that employment is going to end permanently. An employee can continue to work during the notice period (working notice) or leave immediately and receive pay in lieu of notice. In some cases, an employee may also be entitled to severance pay, which, in recognition of years of service, compensates an employee for loss of seniority and job-related benefits.

Payment in lieu of notice and the amount of severance must follow government regulations, employment standards, and case law where appropriate. Consideration is given to such factors as length of service, career relocation prospects, reason for termination, and other circumstances prevailing at the time. Please refer to the provincial employment standards regulations regarding notice and severance pay requirements. Legal counsel can confirm entitlements.

It is suggested that two representatives of the employer be present at the meeting with the employee. Normally, one is the direct supervisor of the employee and the other is a senior member of the staff team. Both representatives should know exactly what they intend to say, and one should be delegated the task of doing the talking while the other observes. The employee should be given a brief, honest explanation of the reason for the termination and be told that the decision to terminate is irrevocable.

Consideration should be given to providing the option of pastoral care, or if appropriate, the services of an outplacement agency on site, immediately following the termination meeting.

The proposed termination package must be detailed and in writing. Termination packages should be developed in consultation with legal counsel and should include the following: effective date of termination; notice period or pay in lieu of notice; severance payments (if required); relocation/career counselling arrangements; time allotted for the employee to seek legal advice; return of keys, credit cards, and so on; confidentiality; vacation owing; continuation of benefits; and so on.

Normally, a termination package outlines various options for payment from which the employee may choose and requires the employee to sign a release before any payments are made. Do not ask the employee to sign the release during the termination meeting. Give her or him sufficient time to seek legal advice and make the required decisions before signing the release (normally 5–10 days). Specify a date by which this should be completed.

Refer the employee to Human Resources—Pension and Benefits at the General Council Office for any questions about benefits and pension plan options.

## **Resignation and Retirement**

**1.10**

Reasonable notice is expected of an employee who finds that circumstances necessitate a change in employment. The normal expectation of notice given by an employee is two to four weeks. The employee should provide formal notification in writing so that there is no misunderstanding regarding dates.

Retirement is no longer mandatory, but if an employee is considering retirement, it is important to begin retirement planning well in advance of the retirement date. This process should begin at least six months before the planned retirement date so that both the government and the church pension plan documentation can be completed to ensure no interruption in earnings.

## **Record of Employment (ROE)**

**1.11**

All employers must, upon termination of any employment relationship, issue a Record of Employment (ROE) outlining all monies earned within the last 52-week period. Provincial employment standards specify provisions about when the Record of Employment must be issued. It is usually within five calendar days following the last day of employment.

For any period during which an employee has not earned a vacation with pay (e.g., an employee works for less than one year and resigns, retires, or is terminated), the employee is entitled to vacation pay (a percentage of gross earnings) under employment standards legislation. The vacation pay must be paid within a specific timeframe after employment ends.

## Section 2: Compensation and Leaves

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### Salary and Benefits

2.1

As the employer, it is important to ensure that compensation practices are fair and just, and that employment standards minimum wage requirements are met.

Salaries will be paid in recognition of the responsibilities and requirements of the position, not based specifically on the qualifications or financial requirements of a particular individual.

The employer should decide whether an annual cost of living/economic increase and/or anniversary increase will be provided to its lay employees. It is recommended that anniversary increases be awarded annually on the date the employee commenced work and be based on positive work reviews.

The United Church of Canada supports its employees by offering a reasonable amount of group life, health, and disability insurance and other mechanisms of support (e.g., Employee Assistance Program) to all eligible employees of the church and their families.

Permanent employees hired since 1989 who work 14 hours per week or more (based on hours worked at all United Church employers) must be enrolled in the United Church Pension Plan and the Core Group Insurance Plan (this is a policy of The United Church of Canada).

For further information about the group insurance plan, please contact The United Church of Canada Pension and Benefits Centre at [www.united-church.hroffice.ca](http://www.united-church.hroffice.ca) or 1-888-657-4607 (locally 416-386-6539). The Employee Assistance Program (EAP) is a confidential short-term counselling and information service provided by Shepell.fgi; the EAP can be reached at 1-800-387-4765.

### Statutory Holidays and Vacation

2.2

To give employees time for rest and recreation, and in keeping with legislation, The United Church of Canada provides time off with pay for statutory holidays and vacation. Employees in every province are entitled to holidays as determined by provincial legislation.

The provincial Employment Standards Act has qualifications for paid statutory holidays. Full-time and part-time employees must meet conditions related to length of employment, the number of days worked before and after the holiday, and so on. Employees who wish to take time off to celebrate other religious or ethnic holidays may use other leave provisions.

Employment standards legislation provides guidelines for employees' annual vacation with pay including minimum entitlements, length of employment required, minimum vacation taken at one time, time limit by which earned vacation must be used, and so on. While the employer may make the decision as to when employees take their vacation, it is generally a mutual agreement. It is the employer's obligation to ensure that vacations are scheduled and taken.

## **Sick Leave**

**2.3**

Employment standards in a few provinces include provisions for sick leave, but most do not. However, many churches offer the standard one day per month paid sick leave to full-time employees. Part-time entitlements would be pro-rated. It is suggested that unused sick days not be cumulative from year to year, and that absence from work for more than five working days require a doctor's certificate.

## **Maternity and Parental/Adoption Leave**

**2.4**

Employment standards legislation entitles permanent full- and part-time employees to an unpaid maternity leave (usually 17–18 consecutive weeks, depending on the province). Eligibility is based on due date, not necessarily on the actual date of delivery. The leave is unpaid, but the employee may be entitled to Employment Insurance benefits.

The employee must give notice of the date she intends to commence her leave (emergencies excepted) and can start her maternity leave any time before her baby is due (length of time varies by province). Most provinces allow this decision to be made by the employee, not the employer. An employee can plan to work right up until her due date, but no later. Maternity leave must be taken all at one time.

While on maternity leave, the employee must continue to receive credits for seniority and service and is eligible to continue her benefits coverage by paying her portion of the premiums. Legislation requires that the employer continue to pay the employer's share unless the employee advises in writing that she will not make the employee's payments.

A Record of Employment must be provided for the employee's Employment Insurance application.

Employment standards' parental/adoption leave provisions vary depending on the province (up to 52 weeks, averaging 17–35 weeks). Parental/adoption leave is available to either parent, or it may be shared between the parents as they deem appropriate. The leave is unpaid, but Employment Insurance benefits are available to either spouse for a portion of that time.

To maintain coverage in the pension and group insurance plans for this period, employees must pay their share of the premiums and contributions to Human Resources—Pension and Benefits at the General Council Office unless they have elected to discontinue contributions. Legislation requires the employer to continue paying the employer's share for the period of time covered by Employment Insurance, unless the employee advises in writing that he or she will not make the employee's payments.

A Record of Employment must be provided for the employee's Employment Insurance application when starting a parental/adoption leave.

## **Bereavement Leave**

**2.5**

Employers are encouraged to support their employees during times of loss and provide bereavement leave to those who require it.

It is suggested that up to four days of bereavement leave with pay be provided to all employees upon the death of a member of their immediate family or significant person upon the employee's advice to the employer. The immediate family is usually considered to be the partner or spouse, child, stepchild, birth or adoptive parent, father-in-law, mother-in-law, sister, brother, grandparent, or stepparent. A significant person is usually a relative not included in the above, or a close friend.

Depending on the circumstances, this leave may be extended or combined with other leaves if it is considered to be appropriate.

## **Compassionate Leave**

**2.6**

Compassionate leave provides for reasonable time away with full pay for exceptional or extreme emergency situations not covered under other leaves. This is not an entitlement, and should be granted on an as-needed basis for unusual, unexpected circumstances or situations that require urgent and immediate attention, and where the employee is the only person able to respond.

Employers may want to establish a practice of granting compassionate leave (suggested to be up to five days per year and not cumulative) to employees who find themselves with a personal emergency.

For very exceptional circumstances, the employer may decide to grant compassionate leave for longer periods (generally not to exceed 10 days).

## **Extended Compassionate Leave**

**2.7**

All employers have been legislated to ensure that employees are legally permitted compassionate or family medical leave time. Employees may be entitled to Employment Insurance benefits and should directly contact the government department Human Resources and Skills Development Canada. The extended compassionate leave procedures are outlined on government websites.

Employees may be entitled to eight weeks of government employee benefits for compassionate or family medical leave where there is significant risk of death within 26 weeks of a family member (i.e., partner, spouse; a parent, step-parent, or foster parent of the employee; a child, stepchild, or foster child of the employee or the employee's spouse).

Employees must give written notice that they will be taking extended compassionate care leave. If an employee must begin leave before advising the appropriate supervisor, the employee will advise the supervisor as soon as possible after beginning the leave.

Employees returning from an approved leave will be reinstated to their former position or be provided with comparable alternative work.

## **Court Duty**

**2.8**

The United Church of Canada is committed to supporting the civic responsibilities of its employees and provides leave for jury and witness duty to those who are called to serve.

If an employee is called for court duty, the employer is legally obliged to release the employee from work but is not legally obliged to pay the employee for that time.

Normally, employees who miss work for court duty will receive full salary and benefits as usual. Absence for subpoenaed witness duty is treated the same as jury duty. Employees are expected to return to work as soon as court duty has been completed.

## **Unpaid Leave of Absence**

**2.9**

An unpaid leave of absence allows employees to take an extended period of time away from work with an assurance of returning to their position at a specific time. Leaves can be granted for a number of reasons, but M&P Committees need to be thoughtful about granting these leaves using consistent criteria that are consistently applied. Any request for a leave of absence needs to be negotiated with all parties involved.

If a leave is to be granted, it must be determined how the work of the employee will be covered and the effect this may have on other employees.

Vacation and sick leave credits do not accrue during an unpaid leave of absence. Benefits and pension coverage during a leave of absence is as follows:

- An unpaid leave of absence of more than 30 calendar days should be considered a break in continuous service for the purpose of benefits entitlement. The employee will keep benefits and service earned up to that date.
- In order to maintain provincial health care coverage, the employee will pay the full premium (employee and employer portions) directly to the payroll office. This applies only in provinces where health care premiums are paid by individuals.
- In order to maintain benefits coverage and membership in the pension plan, the employee will pay the full premiums (employee and employer portions) directly to The United Church of Canada Pension and Benefits Centre, our third-party pension and benefits administrator.

All benefits will be reinstated and the usual payroll deductions made upon the employee's return to work.

## Section 3: Employee Relations

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### Conflict of Interest

3.1

Situations must be avoided where personal interests are, or may potentially be, in conflict with an employee's duty to the employer. When faced with an actual, perceived, or potential conflict of interest, the employee is required to exercise the judgment of a responsible person, uninfluenced by considerations other than the best interests of the employer. If an employee knows that an actual, perceived, or potential conflict of interest exists, the employee must immediately provide all details of the conflict to the employer.

It may be problematic to have a lay employee serve on the advisory board, official board/ church board or church council, and/or Ministry and Personnel (M&P) Committee. This situation might constitute a conflict of interest in that the employee would serve in a dual role and may have difficulty making objective decisions.

Employment of relatives or members of a pastoral charge may create potential difficulties in supervision, conflict resolution, or conflict of interest. It is in the best interests of the employment relationship that no employee should be directly or indirectly supervised by a relative.

In order to help protect employees and the employer from adverse criticism, open disclosure of potential conflict-of-interest situations is encouraged. When relationships develop after the employment relationship starts, it is important that expectations around confidential issues be clearly stated and understood.

### Supervision and Performance Reviews

3.2

Supervision can have a significant impact in helping employees understand their role, their value to the church, and the contributions they make. Good supervision will help employees to grow and appreciate their gifts and strengths. Supervisors must offer mutual respect, guidance, support, motivation, and the leadership needed to foster employees' growth. Job performance evaluation is an ongoing process. It should commence the moment an individual is hired. There should be no "surprises" at the performance review, as any prior issues should have been resolved at the time they occurred.

At a performance review, existing goals are reviewed and new goals set; feedback should be clear, specific, and non-judgmental. A good performance discussion should

- focus on performance against set goals;
- build on what the employee is doing well;
- motivate the employee;
- find ways to help the employee grow;
- provide written feedback following the review.

It is good practice to have the employee write a self-appraisal based on the same set of goals. This has the advantage of seeing if there are any gaps in perception of the work being done.

In the case of unsatisfactory performance, employees are given written warning of the nature of the dissatisfaction and afforded every opportunity to improve their performance.

## **Problem Resolution**

**3-3**

It is recognized that from time to time conflict will arise between employees or complaints will arise over the application of policies that relate to terms and conditions of employment.

When there are such disagreements, it is in the best interests of everyone involved to have the matter resolved as quickly as possible. An employee who is in a conflict situation or who has a complaint is encouraged to bring the matter to the attention of the other party or parties involved so that both may make reasonable efforts to resolve the matter.

If an employee has a complaint over the application of policies and procedures that affect the terms and conditions of employment, the employee should raise the complaint with the appropriate supervisor.

If no resolution can be found at the supervisory level, it is recommended that the pastoral charge or presbytery have a process where the employee can address these concerns with the Ministry and Personnel (M&P) Committee, and/or the official board/church board or church council, where relevant information on the complaint is reviewed and reasonable efforts to resolve the issue can be taken.

# Helpful Websites and Contacts

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## Service Canada

Service Canada offers single-window access to a wide range of Government of Canada programs and services for both employers and citizens through more than 600 points of service located across the country, call centres, and the Internet.

To access the Human Resources Management for Employers tool, click on the Employers link under the heading Programs and Services for You. This section will assist you with hiring, managing employees, payroll and benefits, end of employment, and so on.

[www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)

## Employment Standards

Provincial employment standards legislation has been developed to protect both the employer and the employee. It provides fair and equitable minimum standards for any employment relationship. Employers may exceed these requirements but cannot provide less coverage than is required by the Employment Standards Act. This legislation includes such topics as minimum salaries, hours of work, vacation entitlements, notice periods, and termination requirements.

[www.hrsdc.gc.ca/eng/labour/employment\\_standards/ministries.shtml](http://www.hrsdc.gc.ca/eng/labour/employment_standards/ministries.shtml)

## Government of Canada

The Canada site has been designed to provide you with different avenues to find information. This webpage contains links to the official government websites of Canada's provinces and territories.

[www.canada.gc.ca/othergov-autregouv/prov-eng.html](http://www.canada.gc.ca/othergov-autregouv/prov-eng.html)

## Canada Revenue Agency

The Canada Revenue Agency (CRA) administers tax laws for the Government of Canada and for most provinces and territories. This website will be a resource for payroll purposes, e.g., deducting Canada Pension Plan (CPP) contributions, Employment Insurance (EI) premiums and income tax), Records of Employment, T4 slips, garnishment of employee's wages, and so on.

[www.cra-arc.gc.ca](http://www.cra-arc.gc.ca)

## Canadian Human Rights Commission

For the maintenance of a fair and just workplace, recruitment, employment, development, and promotion practices and policies must be as free as possible from both systemic and deliberate barriers. Provincial human rights legislation addresses discrimination on some or all of the following grounds: race or colour, religion or creed, physical/mental disability, sex (including pregnancy or childbirth), marital status, age, sexual orientation, ethnic origin, family status, dependence on alcohol or drugs, place of origin, political beliefs or association membership, pardoned convictions, record of criminal conviction, and source of income.

[www.chrc-ccdp.gc.ca](http://www.chrc-ccdp.gc.ca)

## Privacy Legislation

In Canada, we are protected by two federal privacy laws. The Privacy Act covers the personal information-handling practices of the federal government and the Personal Information Protection and Electronic Documents Act (PIPEDA) Act is Canada's private sector privacy law, which came fully into effect on January 1, 2004. This website offers information and clarification of these two laws.

[www.privcom.gc.ca/fs-fi/o2\\_o5\\_d\\_16\\_e.asp](http://www.privcom.gc.ca/fs-fi/o2_o5_d_16_e.asp)

## Canada's National Workplace Health and Safety Website

Occupational health and safety legislation has been put in place by all provinces to provide a safe environment in which to work. It is your responsibility to provide a safe environment for all your staff and to both initiate and respond to safety concerns.

Workers' compensation is a government agency that provides pay continuance for employees that are injured in the workplace. Certain types of employment automatically require coverage while others do not. In the church's case, coverage is not automatic; therefore, each individual church must make the decision to participate.

[www.canoshweb.org](http://www.canoshweb.org)

## The United Church of Canada Pension and Benefits Centre (Morneau Sobeco)

The United Church of Canada supports its employees by offering a comprehensive benefits plan to all eligible employees of the church and their families. For further information about the group insurance plan, please visit The United Church of Canada Pension and Benefits Centre website or call toll-free **1-888-657-4607** or locally **416-386-6539**.

[www.united-church.hroffice.ca](http://www.united-church.hroffice.ca)

## The Human Resources Policy Manual (For the Use of the General Council and Conference offices of The United Church of Canada)

The policy manual contains policies that apply to all staff in the General Council and Conference offices. Should you wish to use this manual as a guideline in setting up your own policies, it may be accessed on the United Church website.

[www.united-church.ca/minstaff/hr](http://www.united-church.ca/minstaff/hr)

For any questions or concerns please feel free to contact the General Council Office, Employee Relations group at **1-800-268-3781** or locally **416-231-5931**.

Susan Legault, Manager Employee Relations	ext. 3112
Carmen Flores, Employee Relations Administrator	ext. 3166
Diane Collier, Employee Relations Administrator	ext. 3148

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\$2.00 or download from [www.united-church.ca/handbooks](http://www.united-church.ca/handbooks)