

Ministry and Personnel Committees: Policy, Procedures, Practices

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The United Church of Canada
L'Église Unie du Canada



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Contents

Living Out God's Mission in the World.	4
Policies and Procedures	4
Best Practices	7
Structure of the Ministry and Personnel Committee.	7
Roles and Responsibilities of the Ministry and Personnel Committee	8

ABOUT THIS RESOURCE

This resource expands on the policy found under section B.7.8.5 in *The Manual*. Please refer to the current edition. This resource contains

- policies and procedures that must be followed
- best practices that provide information, guidance, and advice on the recommended ways to live out mandatory policies and procedures, which you are encouraged, but not required, to follow

This resource replaces the Ministry and Personnel (M&P) Committee Guidelines (January 2010), as well as Employment Guidelines for Lay Employee (March 2010).

A companion volume, *Resources for Ministry and Personnel Committees*, has checklists on the structural needs of the Ministry and Personnel Committee; more on its roles and responsibilities, including best practices on giving and receiving feedback, and developing and maintaining healthy ministry teams; resources for the recruitment and selection of lay employees and for annual performance reviews for staff; and lists of helpful websites.

All United Church documents that are referenced may be found at www.united-church.ca.

Living Out God’s Mission in the World

The United Church speaks of “the ministry of all” in the Statement on Ministry in The United Church of Canada (2012):

Through the Spirit, who enlivens and renews the church, all members are empowered to share in Christ’s ministry, the work of the church. The church is about God’s mission in the world, living out the gospel message through action, that there will be shalom for God’s creatures and healing for God’s creation. Ministry serves God’s mission in the world.

The policies and procedures of The United Church of Canada exist to support the church in living out God’s mission in the world. The Ministry and Personnel (M&P) Committee policies and procedures aim to support lay leaders who are specifically called to share their gifts in communication, consultation, and supervision.

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 living out God’s mission in the world.

For ministry personnel, the Ethical Standards and Standards of Practice for Ministry Personnel provide guidance for the ways that ministry personnel can live out God’s mission in the world through their practice of ministry.

Policies and Procedures

The policy about the Ministry and Personnel Committee may be found in the Local Ministry Unit section of *The Manual* at B.7.8.5. Policies that address the responsibility of the M&P Committee in regard to pastoral relationships between multiple staff may be found in the Pastoral Relations section of *The Manual* at I.1.4.4. Further additional policies are listed below.

The following policies and procedures must be followed.

Policies from *The Manual*

1. All congregations or pastoral charges must have a committee, which may be called the Ministry and Personnel Committee or a different name, with the following responsibilities:
 - a) being available for consultation and support for matters involving the pastoral charge staff;

The Ministry and Personnel Committee is the only mandatory committee of the governing body of a pastoral charge. It may be called the “Ministry and Personnel Committee” or by another name.

- b) overseeing the relationship of the pastoral charge staff to each other and to people in the congregation;
 - c) regularly reviewing the working conditions, responsibilities, and compensation of all pastoral charge staff;
 - d) making any recommendations needed as a result of these reviews to the governing body;
 - e) revising position descriptions of pastoral charge staff as needed;
 - f) conducting annual performance reviews of the pastoral charge staff;
 - g) ensuring pastoral charge staff make use of opportunities for continuing education that they have been given; and
 - h) maintaining close contact with the presbytery Pastoral Relations Committee.
(*The Manual*, 2016, B. Local Ministry Unit 7.8.5)
2. Ministry personnel settled in or appointed to a pastoral charge...may not be members of... the Ministry and Personnel Committee.
(*The Manual*, 2016, B. Local Ministry Unit 7.8.4)
3. The Ministry and Personnel Committee... is responsible for making decisions about compassionate leave.
(*The Manual*, 2016, I. Pastoral Relations 2.3.3)
4. The following requirements apply to a pastoral charge with two or more ministry personnel. The division of responsibilities between the ministry personnel and the accountability of each ministry personnel must be
- a) clarified by the pastoral charge governing body and the ministry personnel;
 - b) approved by the presbytery; and
 - c) reviewed by the pastoral charge M&P Committee at least annually.
(*The Manual*, 2016, I. Pastoral Relations 1.4.4)

“Ministry personnel” is a general term that refers to members of the order of ministry, designated lay ministers, candidates serving under appointment, diaconal supply, and ordained supply.

Additional Policies and Procedures

5. Lay employees of the pastoral charge may not be members of the M&P Committee.
6. When a ministry personnel is planning a sabbatical leave, the ministry personnel's sabbatical plan must be approved by the M&P Committee and reported to the governing body for information.
7. The M&P Committee, as a whole committee, shall not replace the Joint Search Committee in the event of a change in the pastoral relationship or a vacancy. If a local ministry has a vacancy that must be filled, a Joint Search Committee must be formed by electing a committee from the members and adherents of the pastoral charge.
8. In a multi-point pastoral charge, at least one member of the M&P Committee should come from each congregation in the charge.

Lay employees include congregational designated ministers, office administrators and assistants, musicians and choir directors, custodial staff, and camp counsellors.

Best Practices

Structure of the Ministry and Personnel Committee

Accountability to governing body

- Regularly reports to the governing body
- Makes recommendations to the governing body
- M&P Committee represented at every governing body meeting

Committee size

- Decided by the pastoral charge
- Ideally 3–7 people
- In a multi-point pastoral charge, all congregations represented

Building the committee

- Committee members identified through the nominations process
- Members are actively involved in the life of the congregation
- No ministry personnel or their immediate family members; no lay employees or their immediate family members

Term of office

- Elected at annual meeting
- Term set by governing body
- A balance of consistency and new energy is desirable

Training

- New members oriented with review of this resource
- Also provided with a copy of “Resources for M&P Committees” document
- In-person workshop through presbytery or Conference; online webinar through www.united-in-learning.com

Meeting requirements

- Set by governing body
- Meet at least quarterly, more often if necessary
- All staff notified of meetings and invited to raise issues for discussion; this might include an invitation to be present for those items

Meeting content

- Regular consultation with staff
- Regular workflow—review of job descriptions and policies
- Review concerns

M&P records include

- Orientation documents
- Meeting records
- Personnel files
- All must stored in a secure location

Please see Resources for Ministry and Personnel Committees for checklists of what to include in reports to the governing body, what to look for in building the membership of the M&P Committee, what to include in a meeting of the M&P Committee, as well as a suggested meeting schedule and a list of what should be kept as M&P records.

Roles and Responsibilities of the Ministry and Personnel Committee

The Policy and Procedures section outlined the responsibilities of the M&P Committee. The committee has three distinct roles: the consultative and supportive role, the healthy relationships role, and the supervisory role. These roles are helpful lenses through which to see the best practices, which can be used to fulfill the M&P Committee's responsibilities, according to each policy statement.

The Consultative and Supportive Role

“And [Jesus] said to them, ‘Take care!’” (Luke 12:15)

In Luke's gospel, we hear Jesus speaking to a crowd and inviting them to take care. These words of Jesus can easily be directed at the M&P Committee. The M&P Committee has a role of caring for ministry personnel and lay employees. The M&P Committee is called to be consultative and supportive.

Policy: The M&P Committee is responsible for being available for consultation and support for matters involving the pastoral charge staff.

The M&P Committee consults with ministry personnel, lay employees, and the pastoral charge on matters concerning their welfare and interests, and oversees the relationships of the ministry personnel and lay employees with the members of the congregation. The M&P Committee might extend expressions of appreciation, such as dinners or lunch invitations, motions of thanks at annual meetings, flowers for a special occasion, or a recommendation for a salary increase that exceeds the minimum. It should also ensure that ministry personnel are aware of sabbatical leaves, and that vacation time is taken each year.

The M&P Committee can be a consultative group for ministry personnel and lay employees, and meetings can be a place where staff can brainstorm, share ideas, or gather input. The M&P Committee can also be a sounding board for staff to consult with in their continuing leadership.

The M&P Committee's role is to continually monitor and review the effectiveness of staff in relation to the pastoral charge's mission, to communicate to the governing body regarding working conditions, to make recommendations regarding salary and compensation to the governing body, and to foster the development of an effective ministry team.

Policy: The M&P Committee is responsible for maintaining close contact with the presbytery Pastoral Relations Committee.

The M&P Committee lives into its consultative and supportive role by being in contact with the Pastoral Relations Committee of the presbytery. This contact also allows the M&P Committee to become familiar with resources available through the presbytery, Conference, and General Council to enhance the committee's effectiveness. The M&P Committee can also engage with the Pastoral Relations Committee for a confidential consultation. Contact your Conference office and Conference personnel minister for the contact information of your Pastoral Relations Committee convener.

The Healthy Relationships Role

“So then, whenever we have an opportunity, let us work for the good of all, and especially for those of the family of faith.” (Galatians 6:10)

The apostle Paul invited the church in Galatia to be encouraging. The M&P Committee can also listen to the wisdom from Paul. In placing a priority on nurturing and maintaining healthy relationships, the committee can be focused on working for the good of all.

Policy: The M&P Committee is responsible for overseeing the relationship of the pastoral charge staff to each other and to people in the congregation.

The M&P Committee helps ministry personnel, lay employees, members of the congregation, and adherents build and maintain healthy relationships. Working in a pastoral charge can be challenging, as members of the pastoral charge can have strong personal feelings of “ownership.” Although this is generally a positive phenomenon, it can have negative implications when ministry personnel and lay employees come to feel they have many “bosses.” Members of the congregation may have much input to offer about the work of ministry personnel and lay employees; ministry personnel and lay employees, in turn, may feel accountable to many voices in the pastoral charge.

The M&P Committee helps to ensure a climate where constructive feedback can be offered and received in a positive way. Helpful guidelines for giving and receiving feedback are included in Resources for Ministry and Personnel Committees. The M&P Committee ensures that when feedback is offered about work performance, it is done to allow for direct discussion, explanation, improvement, or change. Gossip, a reluctance to discuss issues in the appropriate place, or decisions made outside the decision-making structure of the pastoral charge can negatively affect working relationships.

It is important for the M&P Committee to ensure that everyone in the pastoral charge understands how issues can be raised. There must be a consistent, clear, and well-publicized process for appropriately raising concerns about the ministry personnel and lay employees. It is also the committee’s responsibility to ensure that concerns are raised through proper channels and that the pastoral charge knows those channels. A sample of a notice about the work of the M&P Committee that could be included in a bulletin or in a newsletter is included in Resources for Ministry and Personnel Committees.

Another relationship that the M&P Committee can nurture is between itself and other committees of the church. The M&P Committee should be in open communication with other committees, especially those who relate closely with staff. The M&P Committee should be clear with other committees on the lines of accountability. The M&P Committee has a supervisory role (explained further in the next section) and should know who is supervising each staff member. For example, it may make sense for the Property Committee to supervise the custodian, but the M&P Committee needs to be aware of this accountability and be updated on any positive feedback or concerns of the supervising committee.

Confidentiality

Confidentiality is vital to the work of the M&P Committee, keeping in mind that the committee is accountable to the governing body and is also in relationship with ministry personnel, lay employees, and the pastoral charge. Standards for confidentiality should be agreed upon by the M&P Committee and ministry personnel and lay employees, and be shared with the governing body and the pastoral charge. It is important to be clear about what can and cannot be shared beyond the M&P Committee. Open dialogue is essential between the M&P Committee members and ministry personnel and lay employees.

While the M&P Committee has a duty to hold confidence, the M&P Committee also has a duty to report. The M&P Committee should not keep information confidential if it discovers that someone is a danger to themselves or to others, or if it is made aware of concerns relating to child abuse. The M&P Committee has a duty to report to the police if it discovers that someone has harmed a minor. The term *confidential* in relation to the Sexual Misconduct Prevention and Response policy and procedures means the holding of information and protecting it from unauthorized disclosure. There are some situations where the M&P Committee will need to be able to ask for help. Often this assistance is requested of the Conference personnel minister, who will need to be informed of concerns or situations.

It is often the practice for ministry personnel and lay employees to propose one member to act as their liaison to the M&P Committee. This person should see the role as one of liaison and communication, not advocacy. A best practice for liaison people is to rotate the assignments annually. For example, if one member is currently the liaison for the office administrator, next year that member could be the liaison for the ministry personnel.

The M&P Committee should develop and publicize a process for handling concerns, so that the pastoral charge knows how to raise concerns appropriately, with specific details that will allow reasonable action. The committee must be very clear that it will not consider undocumented allegations, anonymous complaints, or rumours. For example, when the feedback begins, “People are saying...,” this is an anonymous complaint. No one knows who is upset or what it is really about, and these complaints will not be considered by the M&P Committee.

A lay employee must not serve on the governing body. The governing body is the employer of a lay employee within a congregation or pastoral charge. The situation of a lay employee serving as an elected member constitutes a conflict of interest in that the employee would serve a dual role, as both employee and employer.

There will be times when information must be shared with the governing body. These include situations in which recommendations are made for action to be taken (e.g., disciplinary action), when there is potential that such action may need to be taken in the future, when there may be a risk to the pastoral charge, or other scenarios at the discretion of the M&P Committee and as requested by the governing body. Concerns for confidentiality and protection of personal privacy need to be balanced by concerns for accountability.

Before M&P Committee reports go to the governing body, the committee should consult with the ministry personnel and lay employees affected. There may be occasions when matters are reported by the M&P Committee without the ministry personnel's or lay employee's agreement on content. But this should happen only after the M&P Committee has tried to develop a consensus on the issue, and has given prior notice to the ministry personnel and lay employees involved.

Employment Relationships

One of the relationships that the M&P Committee manages is the employment relationship with lay employees. There are different types of employment relationships, such as permanent employment, term employment, and honoraria. The details and differences between the types of employment relationships and fee for service contracts are further explained in Resources for Ministry and Personnel Committees.

Multi-staff Team Relationships

In a multiple staff ministry model, there are many relationships for the M&P Committee to oversee. Multiple staff ministries are those in which two or more individuals are settled in or appointed to a pastoral charge, mission, or outreach ministry. Issues of equity become important in multiple staff situations. It is not recommended that ministry personnel be subordinate or answerable to one another. It is essential that all team members are treated fairly, justly, and equitably and have the opportunity to share their gifts in tangible, visible ways that are recognized and appreciated.

Even in situations where there is only one ministry personnel employed by the pastoral charge, there could be other lay employees, who work with ministry personnel to form a staff team. As the M&P Committee oversees the relationships in the team and offers support to the staff team, it can be important for the committee to be aware of stages of team development, and be intentional about building and tending the staff team. More information about healthy development and maintenance of a ministry team can be found in Resources for Ministry and Personnel Committees.

Other Relationships with Ministry Personnel

During Supervised Ministry Education: As the requirements of supervised ministry education are being fulfilled, the M&P Committee may also need to oversee relationships. Sometimes a student will be in a pastoral appointment while at the same time fulfilling their supervised ministry education requirements. For example, the student could be completing the Designated Lay Ministry training program or enrolled in the Summer Distance Master of Divinity program at the Atlantic School of Theology. Additional scenarios are outlined in the Supervised Ministry Education resource.

Supervised ministry education is an intentional learning experience that enables a candidate for ministry to deepen their pastoral identity, to reflect theologically on the practice of ministry, to develop healthy practices for self-care, and to enhance ministry skills.

During these periods of training, clarity on roles and responsibilities of the M&P Committee and the Lay Supervision Team (LST) or equivalent is essential. The M&P Committee is focused on the employment relationship and job performance, while the Lay Supervision Team is focused on the learning, formation, and educational relationships.

If the M&P Committee is unsure of its role and responsibilities in relation to a student minister fulfilling their Supervised Ministry Education requirement while under appointment, it is a good idea to contact the Conference personnel minister for support.

During an Interim Ministry: Interim ministry offers particular, intentional service to a pastoral charge in a range of circumstances: change, conflict, grief, and reorientation. During the time of interim ministry, the M&P Committee continues to relate to the interim minister for specific employment issues (e.g., vacation, continuing education) and inter-relationships with other staff and volunteer leaders. The tasks and focus of the interim ministry, however, are overseen and monitored by the Transition Team. The M&P Committee can support the interim minister by clarifying their roles to the governing body and the pastoral charge.

The Lay Supervision Team is a representative group of lay people associated with the learning site, such as the pastoral charge, who are dedicated to the ministry and mission of the church. It supports the candidate for ministry as the candidate seeks to grow personally, intellectually, professionally, spiritually, and in social awareness.

Conflict Resolution

From time to time, conflict will arise in relationships within a congregation. Conflict is a normal part of the life of a community. The M&P Committee supports healthy responses to issues, concerns, and conflict situations arising between ministry personnel, lay employees, and the congregation or pastoral charge.

The M&P Committee has a role in encouraging conflict resolution or, if necessary, mediation. When concerns are raised or conflicts identified, it's essential to have a process of hearing all sides fairly. The committee can serve that need by having a confidential discussion of the legitimacy of the concerns. Ministry personnel and lay employees should be reminded that they may bring a support person with them to a meeting at which a concern about a conflict is to be addressed. This support person could be a member of the presbytery or a colleague in ministry, but should not be a member of the congregation.

In a situation of serious conflict, however, it is recommended that the M&P Committee consult early with the Conference personnel minister. Conference staff are aware of conflict resolution facilitators within their Conference. Sections J.5 and J.6 of *The Manual* outline principles and procedures for the resolution of conflicts.

Marlene Wilson, in her book on church volunteer management (*How to Mobilize Church Volunteers*, Augsburg, 1983), discusses four levels of conflict within a community and describes helpful ways to manage it.

- The first level of conflict is informational. People do not have all the information, and an easy sharing of facts and conflicting viewpoints is often sufficient to achieve clarity.
- A second level of conflict happens when there is disagreement about how things are to be done. Problem solving and brainstorming together is a helpful method to encourage input on how the committee or group can proceed.
- A third level arises when there are differences in why we do things the way we do. This level requires deeper conversation, attention, and possibly an outside facilitator to help resolve it.
- In the fourth level of conflict, the root of disagreement is over closely held ideas, beliefs, and values, which are in opposition. While challenging, the fourth level is a place where relationships can continue when common ground is discovered.

An outside facilitator would also be helpful to work through level four conflicts. Referring to these four levels of conflict could be helpful to an M&P Committee, to realize which level a conflict may be, as well as determining possible action to manage the conflict.

The Supervisory Role

“And the twelve called together the whole community of the disciples and said, ‘It is not right that we should neglect the word of God in order to wait on tables. Therefore, friends, select from among yourselves seven men of good standing, full of the Spirit and of wisdom, whom we may appoint to this task.’”
(Acts 6:2–3)

Even in the early church, the disciples were involved in the work of supervision, such as setting up a job description and overseeing the recruitment of the first seven deacons. The work of supervision is another role of the M&P Committee.

Policy: The M&P Committee is responsible for regularly reviewing the working conditions, responsibilities, and compensation of all pastoral charge staff, and making any recommendations needed as a result of these reviews to the governing body.

In the employment relationship in a pastoral charge, the pastoral charge is the employer. It is the responsibility of the governing body, often delegated to the M&P Committee, to ensure that as the employer, the pastoral charge is in compliance with provincial labour legislation. This is especially true for the employment relationship with lay employees. In some jurisdictions, ministry personnel are exempt from employment standards legislation. Many employment issues regarding ministry personnel are covered in *The Manual*. Employment issues for lay employees may be addressed by provincial employment standards.

Employment Regulations

Pastoral charges, regardless of their size, must be responsible employers and ensure that 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 Resources for Ministry and Personnel Committees. The resources document also contains a list of government regulations that the church is obliged to comply with.

Workplace Health and Safety

The M&P Committee has a responsibility to ensure workplace health and safety. The United Church of Canada is committed to providing safe environments for work, worship, and study, free from harassment and violence. It will not tolerate any behaviour by any person, including but not limited to members, adherents, lay and order of ministry staff, elected members, or volunteers that constitutes harassment or is violent or threatens violence toward those who are carrying out responsibilities for the church. Harassment and violence in the workplace are prohibited by federal and provincial law and the laws of the church. For assistance concerning the specific process for complaints of workplace violence and harassment, the Conference executive secretary/speaker should be contacted or the workplace violence and harassment policy of the pastoral charge should be followed. The United Church's Workplace Violence and Harassment Policy can be found on the United Church website.

Complaints relating to any form of abuse, such as sexual abuse, are subject to immediate action in accordance with United Church's Sexual Misconduct Prevention and Response Policies and Procedures. For assistance concerning the specific process for complaints of sexual abuse or child abuse, the Conference personnel minister should be contacted immediately or call complaint response at 1-800-268-3781 ext. 7788; e-mail complaintresponse@united-church.ca.

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 is committed to providing a safe environment for worship, work, and study in all communities of faith, institutions, agencies, and organizations, or other bodies that operate under its name. The United Church seeks to ensure that all ministry personnel, lay employees, and volunteers who work with vulnerable individuals in United Church settings share this commitment. This commitment is demonstrated by ministry personnel, lay employees, and volunteers 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 *Faithful Footsteps: Screening Procedures for Positions of Trust and Authority in The United Church of Canada*, a risk assessment should be conducted to determine what screening measures are needed for each position.

The governing body may also delegate to the M&P Committee any work related to compliance of provincial workplace violence and harassment legislation, as well as occupational health and safety legislation.

Compensation

Salary

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

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 that the employee commenced work and be based on positive work reviews.

Ministry personnel are entitled to receive a number of financial and other benefits, specified in section I.2.1 of *The Manual*. These benefits are also described in some detail in the schedule of Minimum Salary and Allowances for Ministry Personnel, which is updated annually and posted on the United Church website.

The M&P Committee ensures that the financial compensation package promised to ministry personnel and lay employees is honoured throughout the pastoral or employment relationship. The committee regularly reviews these items—referring, in the case of ministry personnel to the completed call or appointment forms—and brings recommendations to the governing body.

Pastoral charges must ensure that the salary paid to each of their ministry personnel does not fall below The United Church of Canada minimum standard (for the minister's increment category and the pastoral charge's cost of living group) or the initial agreement. If in doubt as to the correct increment category, the committee can consult the Ministry and Employment Unit at the General Council Office.

If the initial call or appointment provided for financial benefits above the minimum standards, the committee may be called upon to recommend interpretations or clarifications. If initial negotiations were for salary above minimum, it is not appropriate for that salary to be eroded over time.

As compensation is reviewed annually, ministry personnel and the M&P Committee may find it advantageous to consult the Compensation Workbook.

Travel

Where the work of a ministry unit requires ministry personnel to use a car, the pastoral charge must reimburse the ministry personnel for travel at least at the minimum per kilometre rate set annually by the Executive of the General Council.

The minimum rate per kilometre is provided in the annual schedule of Minimum Salary and Allowances for Ministry Personnel. Further details about the travel expense reimbursement and an example of a travel log can be found in Resources for Ministry and Personnel Committees.

The M&P Committee also monitors matters such as these:

- adequate administrative assistance should be provided to ministry personnel
- the adequacy of the manse (as applicable)

- basic phone service is also provided to ministry personnel

More detailed information about compensation, including allowances can be found in the Financial Handbook for Congregations.

Benefits

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 to all eligible employees of the church and their families.

The M&P Committee ensures that all staff participate in the Pension Plan and the Group Insurance Plan. Enrolment in the plans is mandatory and is a condition of employment for all ministry personnel serving 14 or more hours per week and for all lay employees (hired after December 31, 1988) working 14 or more hours per week; or less than 14 hours per week if, in each of the last two consecutive years, the employee earned at least 25 percent of the Canada Pension Plan year's maximum pensionable earnings (YMPE), or worked at least 700 hours.

Members of the Group Insurance Plan are entitled to the Employee and Family Assistance Program (EFAP) and the Restorative Care Plan. Contact information for The United Church of Canada Benefits Centre and the EFAP program are found in Resources for Ministry and Personnel Committees.

Medical Leave

The medical leave policy of the United Church is described in *The Manual*, section I.2.2, as follows:

The United Church is responsible for providing disability care and benefits for ministry personnel and lay employees who become unable to carry out the duties and responsibilities of their position because of illness or injury.

The Restorative Care Plan is for ministry personnel and lay employees who require a short-term medical leave from their jobs. It assists ministry personnel and lay employees during their illness and assists the pastoral charge with the financial responsibility of continuing salary and benefits for up to six months. Ministry personnel can access the Restorative Care Plan by contacting their Conference personnel minister. Lay employees can access the Restorative Care Plan by contacting the Disability Analyst at the General Council Office. For details, search “Restorative Care Plan Roadmap” on www.united-church.ca.

Other Leaves

Both ministry personnel and lay employees serving a pastoral charge may be entitled to take a leave of absence for a particular reason. The M&P Committee has a role in either granting or managing these leaves.

Further details about many of the leaves for ministry personnel can be found in section I.2.3 of *The Manual* or in the Pastoral Relations: Engaging and Supporting resource.

The following leaves are available to ministry personnel and/or lay employees:

Statutory Holidays and Vacation

To give staff time for rest and recreation, and in keeping with legislation, the United Church provides time off with pay for statutory holidays and vacation.

Each provincial Employment Standards Act has qualifications for paid statutory holidays. Lay employees in every province are entitled to holidays as determined by provincial legislation. Full-time and part-time staff must meet conditions related to length of employment, the number of days worked before and after the holiday, and so on. In some jurisdictions, ministry personnel are exempt from employment standards legislation. For example, many pastoral charges expect their ministry personnel to provide worship leadership on Good Friday, a public holiday. For ministry personnel, this kind of public holiday is a working day. A common practice, when ministry personnel are expected to work on public holidays, is for the M&P Committee to encourage them to take time off at another time. Employees who wish to take time off to celebrate other religious or ethnic holidays may use other leave provisions.

The M&P Committee must ensure that the minimum vacation is taken each year, according to provincial employment standards legislation.

While the employer may decide 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. Specifically, ministry personnel and lay employees consult with the M&P Committee to plan their annual vacation time, and the schedule is then reported to the governing body. The ministry personnel or lay employee does not announce when they are taking vacation, they request it. And unless there is a good reason not to grant the request, the employer agrees.

Employment standards legislation provides guidelines for lay 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.

According to section I.2.1.7 of *The Manual*, ministry personnel are given at least one month's vacation each pastoral year (a "pastoral year" is the period from July 1 of one calendar year to June 30 of the next calendar year). This may be a single calendar month including five Sundays. For ministry personnel who don't take a single calendar month of vacation, their vacation is 23 working days, if they are working full-time. For those working full-time, there are five working days in a week. Ministers who are working part-time hours each week still receive at least one month's vacation (or 23 working days) at their usual part-time salary. For those working part-time, the M&P Committee works with the ministry personnel to determine what the working days are in a week. If only part of the pastoral year is worked, the vacation allotment is pro-rated. Vacation time is an entitlement and cannot be banked beyond the end of the pastoral year. Also, the banking of vacation time does not lead to rest and renewal for ministry personnel.

The M&P Committee should be very clear with ministry personnel and lay employees about what their vacation allowance is, how much they have taken (at least once a year), and what the process is for going on vacation. Also, vacation should be tracked. A reason to track vacation is so that if a lay employee leaves or is terminated, vacation pay is paid out to them. Also, if ministry personnel change pastoral relations, it is clear which pastoral charge is responsible for vacation pay.

Sabbatical Leave

Sabbatical leave is available only to ministry personnel; it is described in *The Manual* section I.2.3.5:

Sabbatical leave is a paid leave of absence for at least three months. It is available to ministry personnel settled in or appointed to a pastoral charge. These ministry personnel are eligible for a sabbatical each time they have completed five years of continuous service in the same pastoral relationship. Every call, settlement, or appointment must include provision for sabbatical leave.

Support may be available to your congregation for visiting ministry personnel during the sabbatical leave. Search “sabbatical fund” at www.united-church.ca for details and an application form.

The responsibilities of the M&P Committee before and after the sabbatical leave, and more detailed information about the sabbatical leave policy, can be found in the Pastoral Relations: Engaging and Supporting resource.

Maternity and Parental Leaves

Maternity and parental leave benefits are available to ministry personnel in a pastoral charge. Full details of the maternity and parental leaves policies for ministry personnel, including details about top-up payments, can be found in the Pastoral Relations: Engaging and Supporting resource.

For lay employees, employment standards legislation entitles permanent full- and part-time employees to an unpaid maternity leave. 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.

Again for lay employees, employment standards’ parental leave provisions vary depending on the province. Parental 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.

While on maternity or parental leaves, ministry personnel and lay employees must continue to receive credit for service. To maintain coverage in the pension and group benefits plans for this period, ministry personnel and lay employees must pay their share of the premiums and contributions to the Ministry and Employment Unit at the General Council Office, unless they have elected to discontinue contributions. Legislation requires that the employer continue to pay the employer’s share unless the employee advises in writing that they will not make the employee’s payments.

For all staff taking either a maternity or a parental leave, a Record of Employment must be provided for their Employment Insurance application.

Bereavement Leave

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

For ministry personnel, bereavement leave is a paid leave of absence for four days plus travel time. It is available on the death of a member of a ministry personnel's immediate family or of another significant person in the ministry personnel's life, such as a close friend or relative.

For lay employees, 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

Compassionate leave is a paid leave and provides for reasonable time away for exceptional or extreme emergency situations not covered under other leaves. The length depends on the circumstances. Compassionate leave may be given to extend bereavement leave.

Policy: The M&P Committee is responsible for making decisions about compassionate leave.

For ministry personnel, a compassionate leave is normally for a maximum of 14 days. It may be extended to one month or longer where the life partner or child of the ministry personnel has died. Alternatively, it may be available in situations where the ministry personnel is the only person appropriate to respond to the circumstances, or when the ministry personnel is unable to carry out pastoral responsibilities because of the circumstances.

For lay employees, the M&P Committee and the governing body may wish 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). This is not an entitlement, and it should be granted on an as-needed basis for unusual, unexpected circumstances or situations that require urgent and immediate attention, and where the ministry personnel or the lay employee is the only person able to respond.

Extended Compassionate Leave

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 relevant 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, such as the M&P Committee, 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 provided with comparable alternative work.

Court Duty

The United Church of Canada is committed to supporting the civic responsibilities of its ministry personnel and lay employees, and provides leave for jury and witness duty to those who are called to serve. If a ministry personnel or lay employee is called for court duty, the employer is legally obliged to release the staff member from work but is not legally obliged to pay them for that time. In practice, staff 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. Staff are expected to return to work as soon as court duty has been completed.

Leave of Absence

For ministry personnel, the pastoral charge may grant a leave of absence for another reason, if requested by the ministry personnel. This leave of absence may be paid or unpaid, as agreed by the pastoral charge and ministry personnel. The presbytery must approve any leave of absence that will last more than three months.

An unpaid leave of absence allows ministry personnel or lay 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 the M&P Committee needs 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 ministry personnel or lay employee will be covered and the effect this may have on other staff.

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 ministry personnel or lay 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 ministry personnel or lay employee will pay the full premiums (employee and employer portions)

directly to the United Church 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.

Continuing Education Leave

Policy: The M&P Committee is responsible for ensuring pastoral charge staff make use of opportunities for continuing education that they have been given.

For the continuing education of ministry personnel, study leave is a paid leave of absence for three weeks per year. It is available to ministry personnel in pastoral charges or other presbytery-accountable ministries. Three full weeks (including Sundays) of continuing education each year are included in the terms of call, settlement, or appointment for all ministry personnel. Ministry personnel should be encouraged to utilize the three weeks each year.

A continuing education and learning resources allowance (of at least the minimum established by the General Council Office) is available to ministry personnel.

The dates of study leave for ministry personnel are set in consultation with the M&P Committee. The focus of the study leave is also discussed, which can often be connected to the annual goals of the ministry personnel or new competencies for ministry that the ministry personnel has identified as required for their ministry context. The study leave could also be focused on spiritual renewal or vocational vitality. The committee makes the necessary recommendations to the governing body, keeping in mind the interests and priorities of the pastoral charge as well as those of the individual. It is a best practice for the M&P Committee to regularly track study leave of the ministry personnel.

In terms of accountability for continuing education of ministry personnel, the responsibility for the M&P Committee is to make sure that ministry personnel make use of opportunities for the study leave and continuing education allowance that they have been given. The oversight of the continuing education of ministry personnel lies with the presbytery, for those settled in or appointed to a pastoral charge or other presbytery-accountable ministry.

Policy: The M&P Committee is responsible for revising position descriptions of pastoral charge staff as needed.

The M&P Committee is responsible for ensuring that all ministry personnel and lay employees (and if possible, volunteers) have current and accurate position descriptions. These position descriptions should include

- the tasks and responsibilities of the position;
- the position's relationship to other jobs;
- the accountability of the position;
- the conditions under which the work is performed; and
- the skills, knowledge, ability and other qualifications required.

Job titles should be descriptive of the position, and, where possible, be consistent with other similar positions.

When there is a change in a pastoral relationship, position descriptions for ministry personnel are developed by the Joint Needs Assessment Committee, in consultation with the M&P Committee and the governing body. Subsequently, the M&P Committee assumes responsibility for reviewing position descriptions regularly and making recommendations to the governing body when revisions are required. This may occur as part of an annual review.

When there is a change in a pastoral relationship in multiple staff ministries, *The Manual* requires that clear position descriptions for all ministry personnel be developed and approved by presbytery.

Initial position descriptions for lay employees may be developed, in consultation with the M&P Committee, by the committees that share in the staff member's oversight—for example, by the Property Committee for the custodian and by the Music Committee and the Worship Committee for the musician. Consultation with other staff members may also be appropriate.

Volunteer positions should also have written position descriptions. The governing body may delegate this work to the M&P Committee. For volunteers, the guidelines provided in *Faithful Footsteps* are helpful in conducting a risk assessment to determine what screening measures are needed for each position.

As the ministry articulation of the pastoral charge changes, the position descriptions of ministry personnel and lay employees can be modified through consultations with the staff members. These modifications occur to align the work of paid staff more closely with the mission of the faith community. For ministry personnel, a major change to the position description would trigger the need for a new joint needs assessment. What constitutes a major change is a judgment made in consultation with the presbytery Pastoral Relations Committee.

Resources for Ministry and Personnel Committees contains a sample lay employee job description template.

Recruitment and Selection of Lay Employees

For recruitment and selection of ministry personnel, the whole M&P Committee will be not be involved in the needs assessment or the search and selection. However, the committee is involved in the recruitment and selection of lay employees. Guidelines for the steps of recruitment and selection of lay employees can be found in Resources for Ministry and Personnel Committees.

Policy: The M&P Committee is responsible for conducting annual performance reviews of the pastoral charge staff.

The annual performance review is a means by which ministry personnel, lay employees, and people of the pastoral charge support one another in their mutual responsibilities for ministry and ensure alignment with their mission. It is not intended to interfere with the relationship between ministry personnel and the governing body, or with the relationship between lay employees and the committees that oversee their work. Rather, it is an occasion for helpful feedback in a climate of openness and trust that leads to constructive results. It is one of the key elements of the supervisory role of the M&P Committee.

The annual performance review process is established by the M&P Committee. The performance review is intended to be a healthy process, which facilitates two-way communication between each ministry personnel or lay employee and the pastoral charge.

Supervision can have a significant impact in helping staff understand their role, their value to the church, and the contributions they make. Good supervision will help staff to grow and appreciate their gifts and strengths. As supervisors, members of the M&P Committee must offer mutual respect, guidance, support, motivation, and their leadership needed to foster the growth of ministry personnel and lay employees. There should be no “surprises” at the performance review, as any prior issues should have been resolved at the time they occurred.

The first step of the performance review process is the setting of goals for the year. The performance review process can encourage growth when it is a mutual evaluation, of both staff and the pastoral charge. In this model, both the governing body and the staff set goals for the year. The performance review of staff would happen at the same time as a review of the pastoral charge’s goals.

Goals are most helpful when they are realistic. The SMART goal formula can be a good guide to establish goals. A SMART goal is **S**pecific, **M**easurable, **A**chievable, **R**ealistic, and **T**imely.

To begin the performance review, information is gathered concerning the work of each ministry personnel or lay employee as it relates to the mission and goals of the pastoral charge. Questionnaires might be circulated or interviews conducted with the individuals and committees with whom the ministry personnel and lay employees work most closely, for example, the Property Committee in the case of a caretaker; various committees for ministry personnel. Ministry personnel and lay employees can be consulted in the same way.

Once the information has been gathered, it is reviewed, confidentially, by the M&P Committee with each ministry personnel or lay employee. In multiple staff team situations, it is also beneficial for the ministry personnel and lay employees to meet together with the M&P Committee to review working relationships.

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

The annual performance review considers the relationships between ministry personnel and lay employees, as well as the relationships between ministry personnel and lay employees and all of the groups and individuals to whom they relate in the course of their ministry. The performance review also offers the opportunity for the M&P Committee to ensure that the pastoral charge is fulfilling its obligations to all staff.

During the course of the performance review, matters may arise that should be referred to the governing body or another committee for resolution. The M&P Committee consults with the ministry personnel or lay employee regarding issues to be referred elsewhere.

Recommendations arising from the performance review are recorded and shared with all parties concerned, and then reported to the governing body. Where there is disagreement about a recommendation, every effort should be made to reach a common understanding before reporting to the governing body.

Recommendations should be specific and include clear expectations of both the ministry personnel or lay employee and the M&P Committee. Decisions made by the governing body on recommendations from the M&P Committee should be communicated to the ministry personnel and lay employees and recorded in the personnel files.

A mutual annual performance review process can be a fruitful journey. This evaluation process is about equipping staff and lay members for God's mission in the pastoral charge. It is about strengthening ministry. It is about building up the body of Christ.

Disciplinary Action and Termination

Staff may be terminated for different reasons. The reasons are separated into those that are considered to be “without cause,” which include restructuring, downsizing, and position, redundancy and those that are considered to be “with cause,” which include dishonesty such as theft or other criminal behaviour, wilful misconduct, neglect of duty, or performance problems that are well documented. An employer must ensure that there is a fair process of performance management before dismissal is considered.

In any case involving ministry personnel, where a concern exists that may require disciplinary action, up to and including ending the pastoral relationship, the M&P Committee must contact the presbytery and the Conference personnel minister at the earliest possible opportunity to ensure that the required procedures are followed, and that protection is provided for all parties involved. The process for changing pastoral relations for ministry personnel is found in *The Manual*, section I.3.1.

For lay employees, presbytery does not have to be consulted. It is recommended that the advice of an employment lawyer be sought prior to terminating a lay employee.

In all cases of termination, it is required that the staff member be given written notification that employment is going to end permanently. A lay 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.

For lay employees, 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 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 lay employee. Normally, one is the direct supervisor of the employee, such as the chair of the M&P Committee, and the other could be the chair of the governing body. 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 them 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 the Ministry and Employment Unit at the General Council Office for any questions about benefits and pension plan options.

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 earned a vacation, but has not taken that earned vacation in vacation days (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.

Resignation and Retirement

Reasonable notice is expected of a staff member who finds that circumstances necessitate a change in employment.

Ministry personnel can request a change in pastoral relations to end the pastoral relationship because of a new call or appointment, to retire, or for other personal reasons. The requirements of this process are found in *The Manual* in section I.3.1.3, including the need to provide 90 days' notice.

More information about the retirement of ministry personnel can be found in *The Manual*, section I.3.2, and in the Pastoral Relations: Engaging and Supporting resource.

The normal expectation of notice given by a lay 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 members of The United Church of Canada pension plan must begin receiving their pension no later than the first of December in the year they turn 71. If a staff member 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.

Exit Interviews

Exit interviews, held when ministry personnel and lay employees leave their positions in a pastoral charge, are becoming common in the United Church.

When a joint needs assessment is in progress, an exit interview for the ministry personnel is part of the process; the specific method will be decided by the Joint Needs Assessment Committee. If the needs assessment process is not organized before the end of the pastoral relationship, an exit interview for the ministry personnel may be organized by a few members of the presbytery Pastoral Relations Committee or the M&P Committee.

When a lay employee is leaving, it is appropriate for the M&P Committee to recommend to the governing body that an exit interview take place. Given the M&P Committee's responsibility for the annual review, the M&P Committee might be asked to undertake the exit interview as well. Issues identified in an exit interview may be helpful in the subsequent hiring process.

Resources to help with this task may be available through Conference offices.

It is a privilege and a challenge to be a member of an M&P Committee. Building good relationships in your pastoral charge can be exciting and rewarding work—hopefully you will also find some enjoyment in the process!

This handbook has been designed as a resource for your M&P Committee. Further assistance is always available through your presbytery Pastoral Relations Committee, presbytery Pastoral Oversight Committee, and Conference personnel minister.

As you deepen into your consultative and supportive, healthy relationships, and supervisory roles, may you see how your work on the M&P Committee aids in living out God's mission in your own life and the life of your pastoral charge.

As you engage with the roles and responsibilities of the M&P Committee,
may you feel blessed
by the Creator, who supervised creation into being,
by the Christ, who taught us about being in a healthy relationship with God,
and by the Spirit, to whom we turn for support and consultation.
Amen.



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