



Upstate New York Synod

Evangelical Lutheran Church in America

God's work. Our hands

EMPLOYEE HANDBOOK

2015

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Prepared by
HR One Consulting, Inc.
220 West Manlius Street • P.O. Box 118
East Syracuse, New York 13057
Telephone: 315.463.0004
www.peopletopayroll.com

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100 INTRODUCTION

101 *Welcome Message*

Welcome to **Upstate New York Evangelical Lutheran Church** hereafter referred to throughout this employee handbook as the “Synod.” We are pleased to have you as a member of the Synod team and we believe you can make an important contribution to our future. Every employee, individually and as a team member, has an important role in our operations and we value the abilities, experience and background that you bring with you to our Synod, It is our employees who provide the services that our customers rely upon and enable us to grow and create new opportunities in the years to come. We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

102 *About the Upstate New York Synod of the Evangelical Lutheran Church in America*

The Upstate New York Synod of the Evangelical Lutheran Church in America is part of the universal Church of Christ. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God’s creative, redeeming, and sanctifying activity in the world. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of the Church are to be carried out under His rule and authority.

The Upstate New York Synod, one of the three expressions of the ELCA, is one of 65 separately incorporated synods. The congregations and the church wide organization are the other two expressions of the whole church. The relationships between the three expressions of the ELCA are ecclesiastical in nature. Under the civil law, the church wide organization, each synod, and each congregation are separate and distinct from one another. Their separate legal status allows each entity to function in the secular world by engaging in activities like making contracts, hiring employees, and owning property. While legally separate, the three expressions together constitute this church. The ELCA Upstate New York Synod is a partner synod of the Central/Southern Illinois Synod. We are also a companion synod with both the Evangelical Lutheran Church in Zambia and the Evangelical Lutheran Church in Zimbabwe.

This Employee Handbook has been approved by the Synod Council of the Upstate New York Synod, the board of directors, of the synod. Included here are significant policies, practices and procedures followed by the synod with regard to our organization’s employees. Employees who have questions that are not answered in this document should address those questions to their supervisor or the Office Manager. Different policies may apply to some pastoral employees or certain contract staff. These policies do not apply to employees of any of the Upstate New York Synod’s congregations, nor to other agencies or affiliated organizations.

103 *Employee Handbook Definitions*

For the purpose of this employee handbook, the following terms are defined as follows:

Main Office - The main office is located at **5811 Heritage Landing Drive, 1st Floor, East Syracuse, NY 13057**, and serves as the base of operations for the Accounting, Customer Service, and Human Resource departments.

Hire/Anniversary Date - The date of an employee's first day of employment with Synod. This date is used to compute certain employee benefits.

Employee - An individual who is employed, called or elected by Synod as a full-time, part-time, or temporary worker as defined in *200 Employment Classifications*. Independent contractors and individuals employed by temporary employment agencies who are assigned to work at Synod on a short-term basis are not considered employees.

Management - An individual who has been designated by the Synod to direct a division or department.

Supervisor - An individual who has been designated by the Synod to assign, direct, and/or appraise the work of a designated group of employees.

Personnel Officer – An assistant to the Bishop or other management level employee shall be appointed by the Bishop to administer these personnel practices. All personnel matters requiring attention of the Synod Council shall be forwarded to them through the Personnel Officer.

104 Employee Handbook Disclaimer

Employment Contract - The policies, procedures, and rules set forth in this employee handbook are not intended to be all-inclusive. The employee handbook should therefore not be interpreted as forming an express or implied contract of employment.

Policy Exceptions - The employee handbook should not be interpreted as a guarantee that the policies discussed in it will be applied in all cases. At its sole discretion, the Synod may make exceptions to its policies from time to time.

Policy Interpretation - The Synod reserves the right to make the final decision as to the interpretation of all information presented in this employee handbook.

Compliance with Government Regulations – Synod has made every effort to ensure the policies in this Handbook are in compliance with all federal, state, and local employment laws and regulations. In the event that a federal, state, or local regulation conflicts with any provision contained in this employee handbook, the appropriate law or regulation shall prevail and the provision deemed amended to the extent necessary to comply with said law or regulation.

105 Purpose of Employee Handbook

Purpose - The purpose of this employee handbook is to familiarize employees with the Synod and to communicate important information about many of the personnel policies that affect employment and guide daily operations. The employee handbook provides an overview of the Synod's policies that relate to rules, regulations, procedures, practices, compensation, and employee benefits. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described.

Previous Employee Handbook - Unless otherwise notified, this employee handbook supersedes and replaces any and all previous employee handbooks issued by the Synod concerning all policies contained herein.

Employee Responsibility - The employee handbook answers many questions about employment with Synod. Each employee is therefore expected to read, understand, and comply with all provisions of this employee handbook. Because the employee handbook serves as an excellent source of information, it should be retained for future reference.

Questions - An employee is encouraged to contact the Office Manager regarding any questions regarding the information provided in this employee handbook.

106 Employee Handbook Revisions

Policy Statement - The Synod reserves the right, at its sole discretion to interpret, change, modify or rescind any section of this handbook at any time with or without cause or notice, with the exception of the employment-at-will policy.

Employee Handbook Updates - Every effort is made to keep the information in this employee handbook up-to-date. From time to time, however, policies may be added, revised, or revoked before a written revision is made to the employee handbook.

An employee is responsible for updating his or her own employee handbook with any new and revised policies that are issued by the Synod.

200 EMPLOYMENT CLASSIFICATIONS

Policy Statement - Each employee is classified as Category I, Category II, Category III, Category IV, Category V, full-time regular, or part-time regular. Each position is also designated as exempt or non-exempt from minimum wage and overtime requirements in accordance with federal and state regulations. Employees are notified of their employment classification and exempt/non-exempt status at the time of hire and if changed during the course of employment. For the purpose of this employee handbook, the following terms are defined as follows:

201 Category I Employees – Executive (Officers and Assistants to the Bishop)

A category I employee is an employee who is elected, called or appointed to an approved executive position in the Synod. The Bishop is included in this category. Category 1 employees are classified as exempt.

202 Category II Employees – Supervisory/Administrative

A category II employee is an employee who is hired to perform supervisory or administrative duties under the direction of an executive staff member. Category II employees may be classified as exempt or non-exempt.

203 Category III Employees - Support

A category III employee is an employee who is hired to perform clerical, secretarial or service functions on a regular full-time or part-time basis. Category III employees are classified as non-exempt.

Full-Time Regular – works 35 -40 hours per week.

Part-Time Regular – works a pre-determined schedule as follows:

- Work week consists of no more than 34 hours;
- Salary and benefits are determined on a proportionate basis in relation to a full-time 35 hour schedule.

204 Category IV Employees

A category IV employee is an employee who is hired to perform clerical, secretarial or maintenance functions on a temporary, or on call/as needed basis, including summer or seasonal workers. The Synod cannot guarantee a specific number of hours or certain days of employment for these employees. Employees in this category are not eligible for paid vacation, paid leave, sick leave, holidays or other benefits unless specifically provided for in Section 9 or required by statute. Category IV employees are classified as non-exempt. Employment beyond any initially stated period does not imply a change in employment classification nor does the Synod guarantee employment for any set period of time.

205 Category V Employees - Adjunct

A Category V employee is usually elected, called or appointed to serve in special ministry (i.e., interim consultant pastor, director spiritual formation, etc.) and usually serve under a contract. Employees in this category are not eligible for paid vacation, paid leave, sick leave, holidays or other benefits. Conference Deans are considered Adjunct.

206 Exempt Employees

An exempt employee is an employee who qualifies for an exemption from federal and state minimum wage and overtime provisions. In accordance with these regulations, an exempt employee is not eligible for overtime compensation.

207 Non-Exempt Employees

A non-exempt employee is an employee who is subject to federal and state minimum wage and overtime provisions. In accordance with such regulations, a non-exempt employee is paid the current statutory minimum wage or higher and overtime compensation when more than 40 hours are worked during a workweek.

300 EMPLOYMENT POLICIES

301 *Employment-at-Will*

Policy Statement - Synod follows the practice of employment-at-will. The Synod does not promise or guarantee employment for any specified period of time. Either an employee or the Synod may end the employment relationship at any time, for any reason, with or without cause or notice.

Employment Contract - A supervisor does not have the authority to enter into a verbal or written employment contract with an applicant or employee. The President is the only Synod representative that has the authority to enter into a binding employment contract. Any such employment contract must be in writing and signed by both the President and the employee. No other oral or written statements or representations can limit Synod's right to terminate employment-at-will.

302 *Hiring Practices*

Policy Statement - Synod has implemented policies and procedures to select and hire the most qualified candidates for open positions within the Synod.

Selection Process - Synod selects and hires individuals on the basis of many factors including, but not limited to, their ability, experience, education, skills, and cooperative spirit. The selection process includes written application, personal interviews, verification of applicant information, criminal background check and reference checks.

Employment Application - All applicants are required to complete an *Employment Application*. The Rostered Leader Profile (RLP) is considered a required part of the employment application for a rostered leader. Applicants must provide complete and accurate information regarding their qualifications on this form. Misrepresentations or omissions on an *Employment Application* may remove an applicant from consideration for employment, or if already hired, subject the employee to termination of employment.

Criminal Convictions - A criminal background check will be conducted in compliance with the Fair Credit Reporting Act (FCRA), New York State FCRA and New York State Correction Law Article 23-A on all individuals hired, promoted, or reassigned, to ensure a safe and secure workplace for all employees and the public. A criminal conviction does not necessarily bar an applicant from employment. Employment decisions based on a conviction take into consideration the extent to which the offense relates to the functions of the particular job, the seriousness of the offense, rehabilitation, and length of time since the conviction.

Former Employees - A former employee may be considered for re-employment with Synod based on the reason for the previous separation and the Synod's current business needs. An employee who resigns without submitting or fulfilling the requested notice or who is terminated for misconduct is generally not considered for re-employment.

Re-employment is subject to the following:

- The re-hired individual is considered a new employee effective on the date of re-employment and a new orientation period must be completed;
- Eligibility for group insurance programs is the same as for all new hires;
- Prior service under the retirement plan is restored in accordance with government regulations and the terms of the plan; and
- With the exception of the retirement plan, there is no credit for prior service for purposes of seniority or paid leave benefits.

Relatives - A member of an employee's family may be considered for employment if the individual possesses the qualifications required for the position. The Synod reserves the right to review potential conflicts of interest based on reporting relationships. Generally, an individual may not be hired if he or she would be directly or indirectly supervised by an immediate family member. This policy is also considered when transferring or promoting an employee. Refer to the *Employee Handbook Definitions* policy for the definition of an immediate family member. No advantage or disadvantage will be given to anyone because of the employment of an immediate family member.

303 **Orientation Period**

Policy Statement - All new and rehired employees participate in an orientation period that is conducted by the employee's supervisor and the Office Manager. The purpose of the orientation period is to welcome new employees and familiarize them with the Synod. Throughout the orientation period, new employees are given the opportunity to learn their job duties and demonstrate satisfactory performance and attendance.

Length - The orientation period generally extends for the first 30 days of employment. The Synod reserves the right to extend or shorten the orientation period at its sole discretion.

Topics Covered - Topics normally covered during the orientation period include, but are not limited to, a tour of the office, distribution and review of this employee handbook, and enrollment in Synod-sponsored benefits, if applicable. In addition, the employee's supervisor is responsible for introducing the employee to coworkers, scheduling on-the-job training, and reviewing the job description and performance requirements of the position.

Performance Appraisal - Throughout the orientation period, the employee's supervisor monitors and evaluates the employee's job performance, work habits, attendance, cooperation, and potential for development in the position so that any concerns can be addressed with the employee. The supervisor also determines if continued employment is appropriate.

Employment Contract - The orientation period is not a contract of employment for any set period of time nor does completion of the orientation period change an employee's status as an at-will employee.

304 **Performance Appraisals**

Policy Statement - Synod has implemented a performance appraisal program to evaluate each employee's job performance on a regular basis. The purpose of the performance appraisal program is to recognize an employee's achievement of established performance standards and goals, address any areas where the employee may not be meeting performance standards, encourage career development, and set goals for the next appraisal period. Another important component of the performance appraisal program is the opportunity for an employee to address any questions, concerns, or suggestions about the job or the Synod with the employee's supervisor.

Employment Decisions - An employee's performance appraisal is normally a factor in decisions affecting transfer, promotion, compensation, layoff, and disciplinary action.

Wage Adjustments - An employee does not automatically receive a pay increase at the time of a formal appraisal. Any pay increase received is based on merit and financial capability of the Synod.

Frequency - Formal performance appraisals are generally conducted on an annual basis. Formal appraisals may occur more or less frequently at the discretion of the employee's supervisor. Informal performance discussions also occur on throughout the year.

Leaves of Absence - The annual performance appraisal is based on 12 months of active service. If an employee's service with the Synod is interrupted by a leave of absence or temporary layoff, the performance appraisal is generally delayed by the length of the absence.

Promotions and Transfers - A written performance appraisal is generally conducted at the time an employee is promoted or transferred to a new position. Thereafter, an employee's appraisal date is adjusted to the anniversary date of the promotion or transfer.

305 Separation from Employment

Category I Employees – Recall or dismissal of Category I employees is governed by provisions of the constitution of the Synod and the Evangelical Lutheran Church in America (ELCA).

Termination of Staff Officials – Since a Category I employee is elected or called for a period of four to six years, employment shall terminate at the end of that time unless the election is to be renewed. If the election is not to be renewed, the Synod Council Secretary or Vice President, on behalf of the Synod Council shall notify the employee in writing at least three months prior to the end of employment period.

Notice of Resignation - An employee who elects to resign or retire from employment with Synod is asked to submit a written notice to the employee's supervisor two workweeks before the date of resignation/retirement is to be effective. Category I employees are asked to give three months' notice. The resignation letter should include the reason for resigning and the date the resignation is to take effect. If an employee provides more notice than requested, the Synod will determine whether the additional notice is necessary for efficient operations.

An employee is generally not allowed to rescind a verbal or written notice of resignation once it has been submitted to the employee's supervisor.

Completion of Notice Period - When a resignation notice is submitted, the Synod reserves the right to waive some or all of the notice period.

Use of Paid Benefits - An employee will not normally receive authorization to use credited, unused vacation, or personal leave during the notice period unless the time off was approved before the notice of resignation was submitted. To receive paid sick leave during the notice period, an employee may be required to provide verification of the illness from the employee's health care provider.

Return of Synod Property - All Synod property in the employee's possession, such as, but not limited to, customer and Synod files (e.g., electronic and paper files), equipment, keys, uniforms, and Synod-issued clothing, must be returned to the employee's supervisor in good working order when requested, but no later than the employee's last day of work. If an employee fails to return any Synod property, the Synod may initiate legal proceedings.

Credited Benefits - Refer to the *Employee Benefits Section* to review the vacation, sick, and personal leave policies for information regarding payment for benefits at the time of separation from the Synod.

Final Paycheck - Refer to the applicable time off policy in *Section 900* for information regarding payment for credited, unused vacation, sick, and/or personal leave at the time of separation.

306 Severance Pay

Eligibility – Employees who are eligible for severance pay will be given a copy of the severance pay policy.

400 SYNOD AND EMPLOYEE RECORDS

401 *Confidentiality of Synod and Employee Records*

Policy Statement - All Synod and customer information is to be treated with discretion and confidentiality. An employee is prohibited from discussing, photocopying, duplicating, recording, or otherwise revealing Synod or customer information that is not generally known to the public in any form to anyone outside the Synod. Disclosure of confidential or sensitive information via any app or text message is prohibited – including taking or sending pictures of such information.

Confidential Information - All records and files maintained by the Synod are confidential. This includes, but is not limited to: personnel records, medical information, trade secrets, and confidential information relating to customers, products, processes, know-how, designs, drawings, formulas, test data, marketing data, accounting records, pricing information, business plans and strategies, training materials, negotiations and contracts, sales reports, inventions, discoveries, and any other proprietary information.

Confidential information may be in physical form or may be learned through conversations with others regarding Synod or its customers. Information obtained as a result of employment with Synod and from contact with customers is considered proprietary and can only be used in the course of employment with the Synod. Confidential information does not include employee compensation or other terms or conditions of employment.

All Synod information, whether generated through a personal or corporate device, belongs to the employer, not to the employee, and is subject to Synod policies limiting use and disclosure of such information. Confidential information should only be shared with other employees within the Synod who have a business need to receive such information. Confidential information should not be disclosed to external parties, including customers, family members, and friends, except as authorized or allowed by Synod or as required by government regulation.

Synod Property - All confidential information and products developed by an employee, such as, but not limited to, computer programs, designs, or inventions, remain the sole property of Synod.

Personal Identifying Information - The Synod does not publicly post, display, or share an employee's personal identifying information with the general public nor are employees allowed to divulge such information. For the purpose of this policy, personal identifying information includes, but is not limited to, social security number, home address or telephone number, personal e-mail address, Internet name or password, parent's surname prior to marriage, or drivers' license number.

Security and Removal of Confidential Information - An employee is responsible for properly securing and maintaining confidential and proprietary material obtained or learned during employment. This includes Synod information stored on smart phones, flash drives, and laptops, as well as home computers that are used to conduct Synod business. An employee should exercise caution when using a wireless device or laptop for business purposes in public areas to ensure that confidential information cannot be viewed by others or that equipment is not stolen. Unauthorized removal of confidential or proprietary information from Synod premises is prohibited.

Confidentiality/Non-Disclosure Agreement - As a condition of employment, an employee who is hired for a sensitive position is required to sign a confidentiality/non-disclosure agreement.

Confidentiality Breach - An employee is responsible for reporting any breach of confidential Synod or employee information to the Bishop or Synod council immediately.

Separation from the Synod - The obligation to maintain confidential Synod information remains in effect after an employee separates from employment with Synod.

402 *Personnel Records*

Policy Statement – The Synod maintains records and/or confidential personnel files on employees, former employees, and applicants in accordance with government recordkeeping and reporting requirements. Each employee is responsible for completing any employment-related forms that are required by government regulation or that are necessary for efficient Synod operations.

Control and Review of Personnel Files - Employee personnel records and medical information is confidential and is maintained and controlled by the Office Manager. Access to personnel files is limited. A supervisor may only review an employee's personnel file if there is a business reason to review the record. A current employee must submit a written request to review his or her own personnel file to the Office Manager. Based on the reason for the request, the employee may be allowed to review the contents of his or her personnel file in the presence of an authorized member of management. An employee may not copy, remove, or place any material in the employee's personnel file.

Control of Medical Records - A separate confidential medical file is maintained on all employees by the Office Manager. Any protected health information (PHI) that is maintained by the Synod is confidential, and only Synod officials who have a business need to know have access to these medical records. Information can only be released to others with the expressed, written authorization of the employee or if the Synod receives a court order to do so.

Employment Eligibility Verification – The Synod does not knowingly hire or continue to employ undocumented persons who are not authorized to work in the United States. All employees must complete and sign Section 1 of Form I-9 and provide documents to prove the employee's identity and eligibility to work in the United States on the first day of work. Documentation is subject to verification. I-9 Forms are confidential and are maintained separately from employee personnel files in a secure location.

Changes in Status - An employee is responsible for ensuring that Synod receives all information needed to maintain up-to-date personnel records. An employee must provide written notification to the Office Manager of a change in name, address, telephone number, emergency contact, insurance beneficiary, insurance enrollees, tax withholding status, or marital/dependent status. This list is not all-inclusive. The Synod is not responsible for any errors that result from an employee's failure to inform the Synod of changes in this information in a timely manner.

403 *Electronic Documents Retention*

Policy Statement – It is Synod policy that employees retain electronic documents that are needed for business purposes or to comply with government regulations.

Potential Litigation - An employee is responsible for saving any electronic documents that may be needed for legal and/or business reasons. If an employee believes that documents may be relevant to potential litigation or the employee has been notified of pending litigation, all applicable electronic documents must be saved until informed by management that they are no longer needed.

Retention Period - The retention period for electronic documents depends on the subject matter and must be looked at on a case-by-case basis.

Method of Retention - E-mails that are to be retained should be printed and saved in the appropriate file or copied into a Word document. Instant messages should be saved using the logging function on Instant Messenger or by copying the message into a Word document. If any electronic documents that are stored on laptops, wireless devices, and/or home computers are to be retained, they should be forwarded to an employee's business e-mail so that they can be saved on the Synod's network server.

Back-Up Tapes - Information on the Synod's network server is saved to a back-up tape on a regular basis.

404 *Records Disposal*

Policy Statement - The security of all confidential Synod, employee, and customer information is a top priority of Synod. Documents that no longer need to be retained for business or legal purposes are to be disposed of in accordance with government regulations and Synod policy.

Disposal of Paper Documents - Any paper document containing personally identifiable information regarding an employee or customer must be shredded, destroyed, and/or modified to make it unreadable prior to its disposal.

Disposal of Electronic Documents – An employee should destroy or erase electronic files or media containing employee information and routinely delete outdated or otherwise unnecessary e-mails and computer files that no longer need to be retained.

Definition of Personally Identifiable Information - Personally identifiable information includes any information regarding an individual which, because of name, number, personal mark, or other identifier, can be used to identify said person in combination with any one or more of the following: social security number, driver's license number, non-driver identification card number, mother's maiden name, home address or telephone number, personal e-mail address, financial services or banking account number or code, electronic serial number, or personal identification number.

405 *Outside Requests for Information*

Reference Requests - All requests for information regarding current and former employees that are received from individuals outside the Synod must be referred to the Office Manager. No other supervisor or employee is authorized to provide information to any outside source or to "recommend" or comment on the job performance of a former employee via LinkedIn or other social media. Synod is not responsible for information provided by an unauthorized employee.

The Office Manager will verify dates of employment and position(s) held without the signed consent of the individual.

Synod does not guarantee that it will release employment-related information to an outside source even with written consent. Exceptions to this policy are made only if the Synod is legally or constitutionally required to provide the information by court order or subpoena.

501 *Equal Employment Opportunity*

Policy Statement - Synod is an Equal Opportunity Employer and is committed to both the spirit and the applicable legal requirements of equal employment opportunity. The Synod does not unlawfully discriminate on the basis of a person's race, religion, creed, color, sex, age, national origin, disability, sexual orientation, marital or family status, pregnancy, military status, veteran status, predisposing genetic characteristics or carrier status, arrest or conviction record, domestic violence victim status, or any other legally protected class or status.

Preference shall normally be given to those maintaining active membership in congregations of the Lutheran Church since an understanding of the spirit and purposes of the Lutheran Church is valuable in satisfactorily performing the work of this Synod, but it is not a requirement of employment and is at the discretion of the Bishop and the Personnel Officer.

The Synod will not discharge or discriminate against employees or applicants who inquire about, discuss, or disclose their own compensation or the compensation of other employees or applicants. An exception exists where the employee or applicant makes the disclosure based on information obtained in the course of performing his or her essential job functions.

This policy applies to all aspects of the employment relationship, including, but not limited to, recruiting, hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation, benefits, training, working conditions, and social and recreational programs.

New York State Human Rights and Labor Regulations - In compliance with New York State human rights and labor regulations, Synod will not discriminate or retaliate against an employee or intern for opposing prohibited practices or for filing a complaint, testifying or assisting in a proceeding brought under the New York State Human Rights Law, including, any of the following:

- Requesting or taking lactation breaks;
- Requesting or taking time off from work to vote;
- Displaying an American flag on the employee's person or in the employee's work area;
- Engaging in lawful, leisure-time recreational activities outside of working time for recreational purposes (e.g., sports, games, hobbies);
- Being a member in a union;
- Participating in political activities outside of working time;
- Legally using consumable products during non-working time unless it violates the Synod's substance free workplace policy; or
- Being a victim of a crime *and* requesting time off from work to appear in court as a witness, to consult with a district attorney, or to obtain an order of protection.

Diversity and Fair Treatment - Synod recognizes the rich diversity of its employees and the varying cultures, backgrounds, and experiences they each bring to the workplace. The Synod is committed to maintaining and promoting a work environment where employees' and customers' similarities and differences are respected and valued. An employee is expected to treat coworkers, customers, vendors, suppliers, and other non-employees that the employee comes in contact with on the job with fairness, dignity, and respect. The Synod prohibits an employee from engaging in any form of discrimination, harassment, bullying, or other offensive behavior targeted towards another individual based on any of the protected classes or groups listed above.

Discrimination by Others - The Synod prohibits employees, vendors, suppliers, visitors, customers, and any other individual that an employee comes in contact with during the course of employment from harassing or discriminating against Synod employees based on any protected class or status.

Reasonable Accommodation – Synod does not discriminate against qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the employment position held or desired. Synod will provide a reasonable accommodation to an employee or applicant with a disability, unless it imposes an undue hardship on the Synod. Any employee with a disability and any pregnant employee who believes an accommodation is needed to perform the essential functions of the employee's job should contact the Office Manager. If the need for accommodation is not obvious, the Synod may require medical documentation verifying the existence of a disability and the reason(s) why the requested accommodation is needed. When more than one accommodation would benefit an employee, the Synod reserves the right to choose the accommodation that is less costly or that is easier to provide.

Complaint Procedure - An employee who believes that the actions or words of an employee or non-employee have violated this policy is required to report the behavior to the Synod immediately. Refer to the *Complaint Procedure and Investigations* policy for information on filing a complaint and the Synod's investigation procedures.

Policy Violations - Any employee who violates this policy will be subject to disciplinary action, up to and including termination. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, as determined by management.

502 ***Anti-Harassment and Sexual Harassment***

Policy Statement - Synod is committed to maintaining a professional work environment where employees and non-employees are free from any form of harassment, including sexual harassment and harassment based on any of the protected classes or groups listed in the Equal Employment Opportunity policy. The Synod takes all necessary measures to prevent harassment in the workplace or, in the event it occurs, to stop the conduct immediately. The Upstate New York Synod requires that all employees participate in a synod approved Boundary Awareness training at least once every five years.

Definition of Workplace - For the purpose of this policy, the workplace includes the office, customer locations, social functions sponsored by Synod both on and off Synod premises, business meetings, business-related travel, and/or any location while representing the Synod.

Sexual Harassment Definition - The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature to an individual of the same or opposite gender when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions (e.g., promotion, termination, pay increase) affecting that individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited Behavior - Unprofessional, inappropriate, or offensive conduct committed by a supervisor, coworker, vendor, supplier, visitor, customer, or any other non-employee is prohibited, even if the conduct is welcome by the recipient(s). Prohibited conduct includes, but is not limited to:

- Insulting, lewd, or sexually oriented comments, jokes, racial slurs, epithets, innuendoes, or stories. This includes verbal harassment as well as written, recorded, and electronically transmitted material;
- Demeaning, insulting, or sexually suggestive comments used to describe an individual or the individual's appearance or body;
- Leering, ogling, obscene gestures or sounds, or whistling;
- Unwelcome sexual flirtations, advances, propositions, or demands for sexual favors;
- Unwelcome physical contact, including touching, groping, grabbing, hugging, massaging, fondling, petting, pinching, hitting, pushing, or intentionally rubbing up against a person's body;

- Viewing, displaying, storing, or transmitting sexually oriented or pornographic pictures, posters, cartoons, or other materials;
- Sending sexually suggestive or obscene letters, gifts, or invitations;
- A supervisor threatening or implying that a subordinate's acceptance or refusal of the supervisor's sexual advances will affect the subordinate's terms or conditions of employment (e.g., promotion, demotion, pay increase, termination).

Supervisory Responsibility - A supervisor is responsible for providing a work environment that is free from unsolicited, unwelcome, and intimidating behavior, including behavior of a sexual nature. A supervisor is required to take immediate and appropriate corrective action in the event he or she is a witness to, or becomes aware of, any violations of this policy. The supervisor is also responsible for immediately notifying the Office Manager or Bishop of any policy violations.

Complaint Procedure - An employee or intern who believes that he or she is the victim of harassment is required to report this behavior to the Synod immediately. Refer to the *Complaint Procedure and Investigations* policy for information regarding how to file a complaint and the Synod's investigation procedures.

Policy Violations - Any employee or intern who violates this policy or who retaliates against a coworker or non-employee, or knowingly files or supports a claim they know to be false, will be subject to disciplinary action, up to and including termination.

503 Continuation of Insurance Benefits

Policy Statement - Lay employees and their eligible family members may continue health coverage for up to 18 months at their own expense by notifying the Portico Customer Care Center within 60 days of the day your employment ends. ELCA pastors and rostered laypersons on leave from call have the option to continue health and basic group life insurance. These employees need to notify Portico Customer Care Center within 60 days of the day their employment ends for specific guidelines on continuation of coverage.

Continuation of coverage is available through Portico for eligible surviving spouse (ESGP) and dependents.

504 Health Insurance Portability and Accountability Act (HIPAA)

Policy Statement - Synod complies with the provisions of the Health Insurance Portability and Accountability Act (HIPAA), both in its role as an employer and as a plan sponsor. It is the policy of Synod to ensure, to the extent possible, that PHI is not intentionally or unintentionally used or disclosed in a manner that would violate the HIPAA Privacy Rule or any other federal or state regulation governing confidentiality and privacy of health information. All documents containing PHI will be stored appropriately to reduce the potential for incidental use or disclosure. Documents will not be accessible to any unauthorized staff. The Synod does not receive Protected Health Information (PHI) about participants in the group sponsored health insurance plan.

Protected Health Information - PHI information includes medical conditions, health status, medical histories, physical examinations, genetic information, FMLA certification and evidence of disability.

Retaliation - The Synod will not retaliate against any employee for exercising his or her rights under the HIPAA regulations.

505 Complaint Procedure and Investigations

Policy Statement - Synod takes all complaints of discrimination, harassment, sexual harassment, unfair treatment, and retaliation seriously. A comprehensive complaint procedure has been developed to address any concerns or complaints received from employees and non-employees.

Reporting Policy Violations - An employee or intern who believes that the actions or words of a supervisor, coworker, vendor, supplier, visitor, customer, or any other non-employee has violated the Synod's Equal Employment Opportunity and/or Anti-Harassment Policies is required to report the behavior to the Office Manager or Bishop immediately. Any supervisor, manager, or Company officer who receives a complaint about, hears of, or witnesses any inappropriate conduct is required to immediately notify the Office Manager or Bishop.

Investigation of Complaint - All complaints received are investigated promptly, thoroughly, and in as impartial a manner as possible. An investigation generally involves talking with the parties involved as well as any witnesses. All employees are required to cooperate in an investigation.

Confidentiality - An employee's confidentiality will be protected to the greatest extent possible, consistent with conducting a full investigation. However, the Synod cannot guarantee complete confidentiality.

Retaliation by the Synod - Synod will not retaliate, intimidate, threaten, discriminate, or otherwise take any adverse employment action against an employee or intern who files a complaint, testifies, or assists in any complaint made under this policy or with a court or government agency. In addition, the Synod will not retaliate against an employee or intern for opposing any practices that are prohibited under any federal or state employment regulation.

Retaliation by Employees - The Synod prohibits an employee from intimidating, threatening, or retaliating against a coworker or non-employee for filing a complaint and/or participating in an investigation.

Policy Violations - Any employee who violates the Synod's Equal Employment Opportunity or Anti-Harassment policies or who retaliates against a coworker or non-employee, or knowingly files or supports a claim they know to be false, will be subject to disciplinary action, up to and including termination.

Remedial Action - Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, as determined by management.

600 OPERATIONAL POLICIES

601 *Hours of Operation*

Business Hours - Normal office hours are Monday through Friday from 8:00 am to 5:00pm.

602 *Work Schedules*

Normal Work Schedules - An employee's work schedule is established by the employee's supervisor. An employee's work hours may differ from the normal hours of operation depending on the particular needs and requirements of the Synod.

Changes in Work Schedules – The Synod reserves the right to revise an employee's normal work schedule at any time. This includes the employee's starting and ending times, the total number of hours worked per day and/or per week, and the days worked. Employees are notified of any changes in work schedules.

Meetings and Assemblies - It is expected that all employees may be required to work at assemblies of the Synod or meetings that may take place in another city. In these instances overtime shall be paid as described in policy 802, including work performed on Saturday, Sunday or holidays. The normal schedule or working hours may be revised by the Personnel Officer or appropriate supervisor to fit the needs of the assembly or meeting. In compliance with the Fair Labor Standards Act, travel time during normal working hours shall be counted as working time, but travel outside normal working hours shall not be counted unless on authorized synod business.

603 *Meal Periods*

Meal Periods - An employee who is scheduled to work more than six hours in a given day receives a 30-minute unpaid meal period between the hours of 11:00 a.m. and 2:00 p.m.

Scheduling of Meal Periods - Employees are generally allowed to determine the time of their meal period, taking workload and customer service requirements into account.

Observance of Meal Periods - In accordance with New York State regulations, an employee who works more than six hours in a given day is required to take the scheduled meal period. An employee is not allowed to work through the meal period to make up lost work time or to leave work early. In addition, the meal period may not be taken at the end of an employee's work day in order to leave work before the normal quitting time.

Location of Meal Periods - A break room is available for employees to use during their meal periods. Unless otherwise specified by departmental rules, an employee may leave the office for meal periods.

Meal Allowances – An employee who is required to work at his/her established place of work for a period of two hours or more beyond the end of a normal working day, shall be entitled to a supper allowance. An employee who is required to work two hours or more spanning lunchtime on a Saturday or holiday, shall be entitled to a lunch allowance.

604 **Break Periods**

Break Periods – Short, paid breaks may be taken during the workday to accommodate an employee's need for periods of rest, to obtain beverages or snacks, to make personal phone calls, or for other personal reasons. An excessive number of breaks or breaks of extended length are not allowed.

Scheduling of Break Periods - There are no set break periods. Employees are generally allowed to choose the time of their break periods.

Extension of Break Periods - Employees should be punctual in starting and ending all break periods. An employee may not extend a break period beyond the time allowed unless prior approval is obtained from the employee's supervisor.

Failure to Take Break Periods - An employee who chooses not to take an allowed break period may not take an extended meal period, arrive at work later than the normal starting time, leave work before the normal quitting time, or receive extra compensation. Unused break periods cannot be accumulated for use at a later date.

Location of Break Periods - A break room is available for employees to use during their break periods. Unless otherwise specified by departmental rules, an employee may not leave the office for break periods.

605 **Lactation Breaks**

Policy Statement – A female employee who is nursing her child will be granted time off to express milk during the workday for up to three years after the child's birth. Whenever possible, an employee who is on a leave of absence is encouraged to give her supervisor advance notice of her intent to take lactation breaks upon return to work.

Lactation Room - The Synod will make a reasonable effort to provide an employee with a private room or other location in close proximity to the employee's work area to express milk.

Length of Lactation Breaks - The Synod will grant an employee reasonable paid break time of not less than 20 minutes (at least 30 minutes if the lactation room is not in close proximity to the employee's work area) as needed throughout the workday to express breast milk. An employee may choose, however, to take a lactation break of less than 20 minutes.

At the employee's option, her lactation break may run concurrently with her regularly scheduled paid break or unpaid meal period.

Payment for Lactation Breaks - Any lactation break of less than 30 minutes will be paid. Deductions will not be taken from an exempt employee's pay for lactation breaks of any length.

Storing Expressed Milk - A refrigerator is available in the break room to store expressed breast milk. All expressed milk must be stored in a closed container, regardless of the method of storage, and must be taken home at the end of each workday. Synod is not responsible for the safekeeping of an employee's milk.

606 *Emergency Closings*

Policy Statement - Synod's goal is to maintain normal operations during scheduled work hours. However, there may be times when inclement weather, power failure, or other similar emergency requires the Synod to close.

Notification - In the event our normal hours of operation are modified or the Synod remains closed for the day, an attempt will be made to notify employees via telephone.

Inclement Weather - Employees are expected to report to work and remain at work during inclement weather conditions unless otherwise notified by the Synod. Employees can use their discretion in determining whether to report to work. If an exempt employee has no paid leave benefits available, the employee will only be docked if a full workday is taken.

Compensation for Exempt Employees - Exempt employees receive their regular salaries when the Synod officially opens late, shuts down early, or closes for any partial workweeks due to emergency operating conditions. Exempt employees are not paid if the Synod is closed for an entire workweek or longer.

Compensation for Non-Exempt Employees - When the Synod officially opens late, closes early, or remains closed for an entire workday due to emergency operating conditions, full-time and part-time non-exempt employees are paid for their normally scheduled work hours at the employee's base rate of pay.

Compensation for Employees On Scheduled Leave - An employee who is out of work on sick, vacation, or personal leave during an emergency closing will be charged such leave as scheduled.

607 *Time Records*

Policy Statement - Federal and state employment regulations require Synod to maintain accurate records of employee work hours. Accurate time records allow the Synod to calculate each employee's compensation for time worked and authorized paid leave taken in a given workweek.

Working Time - Generally, time worked is considered all time an employee is on duty performing assigned tasks as well all time an employee is required to be on the Synod's premises or at a designated work site.

Procedures for Non-Exempt Employees - Non-exempt employees are responsible for recording their work hours on a time sheet. The time sheet must indicate the daily number of hours worked and all paid and unpaid absences. To ensure accuracy, time sheets should be filled out on a daily basis.

A non-exempt employee is not permitted to perform any unauthorized work before or after the employee's scheduled work shift.

Arriving at Work Before or After Scheduled Work Hours - Arriving at work before the scheduled starting time or leaving work after the scheduled ending time for an employee's own convenience when no work is performed for the Synod is not to be included in working time.

Correction of Errors - Any errors on time sheets should be brought to the attention of the employee's supervisor immediately. The supervisor shall investigate the matter and make and initial the correction once the error is verified.

Lost Time Cards - Lost time cards should be reported immediately to the Office Manager.

Falsification of Time Records - Altering, falsifying, or tampering with an employee's own time record or a coworker's time record is prohibited and may result in disciplinary action, up to and including termination of employment for both employees.

608 **Business Expenses**

Policy Statement - Synod reimburses employees for pre-authorized business expenses. These expenses include, but are not limited to, mileage, tolls, parking fees, air fare, meals, lodging, and training and membership fees. All business expenses should be limited to reasonable amounts. The Synod reserves the right to deny reimbursement for any business-related expense that was not pre-authorized or that is considered unreasonable under the circumstances.

Transportation - Employees whose duties require them to travel should arrange transportation at the lowest possible cost consistent with their travel requirements. Reimbursement will be allowed on the following basis:

- Air - Regular coach or tourist fare when such accommodations are available within requirements of employee's itinerary; first class when coach facilities are not available.
- Rail and Bus Regular coach fare - When itinerary requires overnight rail travel roomette pullman accommodations will be allowed.
- Employee's Automobile - Reimbursement shall be made at current IRS rates plus parking and tolls per Synod Council policy.
- Rented Automobile - Full charges allowed. However, this mode of transportation is not recommended unless necessary to meet employee's itinerary and time requirements.
- Other - Taxicab, airport bus, subway and similar fares shall be allowed in full, but an employee shall be expected to use the most economical form of transportation possible within itinerary and time requirements

Hotel - Motel - Single occupancy accommodations in a hotel or motel at the lowest rate available. When members of family acSynod employees, reimbursement to employees shall be based on the rate for single occupancy accommodations.

Laundry and Valet - In unusual or emergency situations laundry and valet charges will be allowed.

Meals - Reimbursements for actual amounts expended including gratuities. Staff will be reimbursed actual expenses within the IRS regulation for per diem limits for breakfast if they leave home before 7: 00 a.m. and for dinner if they are not home until after 7:00 p.m. Employees will continue to be reimbursed for any meal taken while in meetings.

Gifts - When meals and/or room have been provided in a private home to an employee, the expenses of a gift to the host/hostess, in a reasonable amount, shall be considered appropriate and reimbursable to the employee.

Telephone - Reimbursement to be made for business calls while traveling and for toll charges incurred on behalf of the Synod on an employee's personal telephone.

Accounting for Expense - All expenses shall be accounted for at least monthly unless an extended itinerary makes this impossible. The Synod will maintain a uniform expense form to be used by all employees when submitting documentation for reimbursement of expenses. Wherever possible, receipts in accordance with Internal Revenue regulations should be attached.

Credit Cards - Credit cards may be issued or authorized by the Bishop or Assistant to the Bishop for Operations if practicable and appropriate. Authorization for use of the Synod credit card may be approved by the Assistant to the Bishop for Operations or by the Office Manager for purchases in consultation with the bookkeeper. Credit cards also may be used for office-related purchases. Credit cards may not be used for personal purchases or alcohol.

700 ABSENCE FROM WORK POLICIES

701 Attendance

Policy Statement - In order to maintain a productive work environment, employees are expected to work all scheduled work hours and to keep unscheduled absences and tardiness to a minimum. Poor attendance, tardiness, and early departures place a burden on the Synod, other employees, and customers.

Tardiness and Unscheduled Absences - An employee is expected to be on time and ready to begin work at the start of the employee's scheduled work day. An employee who is going to be tardy or who is unable to report to work must personally notify the Office Manager prior to the start of the employee's scheduled starting time. The reason for the tardiness or absence and when the employee expects to report to work must be indicated.

Asking a relative, friend, or another person to call in on the employee's behalf is not permitted nor is leaving a message on the answering machine or with a coworker. Notification requirements may be waived in cases of emergency.

Scheduled Absences - Requests for scheduled time off must be submitted in writing to the employee's supervisor as far in advance as possible, but no less than 24 hours in advance. The Synod reserves the right to request the reason for the absence. Vacation requests must be submitted in accordance with the vacation leave policy (See the *Vacation Leave policy* for additional information). All time off requests are subject to supervisory approval on a case-by-case basis.

Time Off for Domestic Violence - We understand that domestic violence can affect performance and attendance. An employee who needs time off because he or she is a victim of domestic violence will be treated the same as any other employee who needs time off from work for other reasons. If the need for time off is to receive medical or mental health care, the employee will be granted the time off unless it would create an undue hardship on the Synod.

Unexcused Absences - Notification of an absence to an employee's supervisor does not automatically mean the absence is authorized. Any time off from work that is without supervisory approval is considered an unexcused absence. An unexcused absence is without pay for non-exempt employees.

Daily Notification - If an employee is unable to report to work for more than one workday, the employee must personally notify the supervisor each day of the absence, unless the absence was pre-authorized or the employee is on an approved leave of absence (e.g. jury duty, military leave).

Failure to Call in or Report to Work - An employee who does not report for work or notify the supervisor of the employee's absence for two consecutive workdays will be considered job abandonment and voluntarily resigned their position with the Synod.

Documentation of Absences - An employee who demonstrates a pattern of frequent absences may be required to provide documentation of the reason for any future absences.

Medical Verification - An employee who is absent from work for more than three consecutive workdays due to personal illness or injury may be required to provide medical verification of the employee's absence. Medical verification may also be required for certain shorter absences. If an employee is on an authorized leave of absence, the provisions of the *Leave of Absence* policy shall apply. Failure to produce the medical verification may result in an employee receiving the time off without pay and/or jeopardize continued employment with the Synod.

The employee may also be required to provide a medical statement from the employee's health care provider releasing the employee to return-to-work. In the event the medical statement indicates there are work restrictions, the Synod reserves the right to evaluate if the restrictions can be reasonably accommodated (See the *Equal Employment Opportunity* policy for additional information). An employee is not allowed to return to work until an adequate medical statement is provided to the employee's supervisor.

Leaving the Premises - An employee must notify and obtain approval from the employee's supervisor before leaving Synod premises during working time for personal reasons. An employee who leaves Synod premises during the workday due to business reasons must notify the employee's supervisor in accordance with department policy. Non-exempt employees leaving the premises for personal reasons must record the time on their time sheet.

Time Off Without Pay - An employee must use all credited, unused vacation leave before requesting time off without pay. Supervisors, at their discretion, may deny requests for unpaid time off except for time off taken under the Family and Medical Leave Act.

A non-exempt employee may be allowed to make up lost work time during the current workweek with prior supervisory approval. Authorization is granted only if work is available and only at a time that is mutually convenient for the employee and the employee's supervisor. A non-exempt employee is generally not allowed to make up lost work time due to tardiness, unauthorized absence, or early departure.

In accordance with the Fair Labor Standards Act (FLSA), if an exempt employee has no paid leave benefits available, the employee's pay will be docked only if a full workday off is taken due to sickness or personal reasons. Exempt employees are generally not docked for partial day absences. If an exempt employee has no paid leave benefits available, the employee will generally be granted unpaid time off in full day increments only.

Policy Violations - Violations of this policy may result in disciplinary action, up to and including termination. This includes falsification of the reason for absence, unexcused absence(s), a record of excessive absences or early departures, or a pattern of absenteeism, even if excused.

702 Jury and Witness Duty Leave

Policy Statement - Employees are encouraged to fulfill their civic responsibilities and will be granted time off to serve on jury duty or to appear as a witness in a criminal proceeding. In accordance with New York State penal regulation, an employee who is a victim of a crime will be granted time off to appear in court as a witness, to consult with a district attorney, or to obtain an order of protection. An employee will not be subject to any adverse action as a result of taking time off to serve as a juror or witness.

Notification Requirements - When an employee receives notice to report for jury duty or a subpoena to testify as a witness, a copy of the notice/subpoena should be submitted to the Office Manager.

Compensation for Exempt Employees - In accordance with federal regulations, an exempt employee who serves as a juror or witness is paid the employee's regular salary for any workweeks in which he or she performs any work but is not paid for any workweeks in which no work is performed for the Synod. If an exempt employee does not perform any work for the Synod during the first workweek of jury duty service, the employee will receive \$40 per day for the first three days of service. An employee is entitled to any stipend paid by the court.

Compensation for Non-Exempt Employees - A non-exempt employee who is required to report for jury duty on a regularly scheduled workday is paid \$40 per day (or full pay, up to \$40 per day), up to a maximum of the first three days. Thereafter, a non-exempt employee is no longer paid by the Synod but is entitled to any stipend paid by the court. Time off for witness duty is without pay.

Verification of Service - An employee must provide written verification from the court noting the date(s) and time(s) served as a juror or witness in order to receive compensation from the Synod.

Return to Work - An employee who is excused from court for the entire day should report to work if it is a normally scheduled workday. If an employee is released early from jury or witness duty on a given day, he or she should contact the employee's supervisor to discuss reporting requirements if there are two or more hours left in the employee's scheduled work shift. An employee will not be required to work on any days when he or she is not normally scheduled to work in order to make up for any time lost due to jury duty service.

Accrual of Benefits - Synod will continue to provide medical, dental, and life insurance benefits for an eligible employee during the time spent as a juror or witness. All employee contributions, if any, must be paid on a timely basis in order to maintain the continuous coverage of benefits. Vacation leave also continues to accrue.

Rescheduling of Jury Duty - Synod may request that an employee seek to have the jury duty rescheduled.

703 Military and Reserve Leaves

Policy Statement - Synod recognizes the importance of military service and complies with all federal and state regulations relating to military leaves of absence, encampment, and temporary military duty. The Synod shall grant an employee time off to serve in the U.S. Armed Forces, including the military reserves, Army National Guard, and Air National Guard.

Notification - An employee is required to give advance notice to the employee's supervisor of the dates of military service unless unable to do so because of military necessity or if it is otherwise impossible or unreasonable to do so. An employee is asked to give as much notice as possible.

Benefits during Leave - An employee retains and accrues any Synod-sponsored benefits that are tied to seniority during a military leave. The employee is also allowed to participate in the medical insurance plan and other Synod-sponsored benefits that are not determined by seniority to the same extent as an employee who is granted a leave of absence, so long as the employee meets the eligibility requirements of each benefit plan. During a military leave of 30 days or less, the Synod will make its normal contribution towards an employee's insurance benefits.

Return from Leave - An employee retains certain rights relating to reinstatement, seniority, status, length of service promotions, and compensation upon return from military duty, as long as the employee is not separated with a dishonorable or bad conduct discharge and the employee's cumulative military leave with the Synod does not exceed five years. Certain types of uniformed service do not count against an employee's five-year maximum, including service during war or call-ups during national emergencies, reserve drills, and annually scheduled active duty for training.

If an employee terminated coverage in Synod's medical insurance plan or elected COBRA/New York State continuation coverage while on a military leave of absence, the employee will be reinstated in the group medical plan upon return to work without a waiting period or any pre-existing exclusions.

Temporary Military Duty - The Synod will attempt to rearrange an employee's work schedule, if possible, when the employee needs to attend a weekend drill or encampment.

Compensation for Exempt Employees - In accordance with federal regulations, an exempt employee who is on military or reserve leave for any partial workweeks is paid the employee's regular salary for those workweeks. Any military pay received is deducted from the employee's salary. An exempt employee is not paid for any workweeks in which no work is performed for the Synod. An employee may request to use credited, unused vacation leave during any portions of the leave that are unpaid.

Compensation for Non-Exempt Employees - Military and reserve leave is without pay for a non-exempt employee. An employee may request to use credited, unused vacation leave during the leave.

704 Bereavement Leave

Eligibility - Synod grants full-time and part-time employees paid bereavement leave in the event of the death of an immediate family member. Part-time employees receive prorated bereavement leave based on the number of hours the employee is normally scheduled to work on the day bereavement leave is taken, with 40 hours equal to 100%.

Allowance - Full-time and part-time employees are eligible upon hire for up to three consecutive workdays off with pay if the services are local. Full-time and part-time employees are eligible for up to five consecutive workdays off with pay from the employee's regularly scheduled work hours if the services are out of town.

Verification of Need for Leave - The Synod reserves the right to request verification of the need for bereavement leave.

Immediate Family Member - For the purpose of this policy, an immediate family member is defined as an employee's spouse (includes same or opposite sex spouse), domestic or same-sex partner, child, stepchild, parent, stepparent, grandparent, grandchild, sibling, step sibling, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household. In accordance with New York State regulation, paid bereavement leave is also available for the same immediate family members of the employee's domestic or same-sex partner.

Extension of Bereavement Leave - An employee may request to use credited, unused vacation leave to extend bereavement leave. If an employee has no paid leave available, unpaid leave may be granted with prior supervisory approval.

705 Medical and Personal Leaves of Absence

Policy Statement - An employee may request a leave of absence of up to 60 days due to medical, family, or personal reasons. The granting and duration of each leave of absence is determined by the Synod and is not guaranteed.

Workers' Compensation and Disability - An employee who is eligible for - or receiving - workers' compensation or disability benefits will be placed on workers' compensation/disability and a medical leave of absence concurrently. The employee is responsible for complying with both the requirements of workers' compensation/disability and this leave of absence policy.

Notification Requirements - An employee must submit a written leave of absence request at the approval of the Bishop at least 30-calendar days prior to the requested start date of the leave. When the need for leave is unforeseen, notice must be provided as soon as the need for leave is known. Permission or denial of the leave will normally be communicated to the employee in writing within five business days after the Synod receives the request.

Medical Certification - Proper documentation may be required to support an employee's leave request. Medical certification from a health care provider is required for leave requests due to an employee's or family member's serious health condition or the birth of a child.

Benefits during Leave - For the purpose of this policy, the following applies to employee benefits during the leave:

- **Use of Paid Leave** - An employee's available paid time off benefits (e.g., vacation, sick leave) must be used at the beginning of the leave, so long as the terms and conditions set forth in the applicable time off policy are met. Once all of an employee's paid time off benefits have been exhausted, the remainder of the leave will be unpaid.

The use of paid time off benefits does not apply to employees who are receiving workers' compensation or disability benefits.

When credited, unused sick leave is used to supplement the employee's wages during any portion of the leave, the insurance carrier will normally send the benefit payments directly to the Synod. The Synod will then pay the employee the employee's normal wages, and will make a pro rata restoration to the employee's sick leave account after it receives payment from the insurance carrier.

During any period of the leave when credited, unused vacation leave is used to supplement the employee's normal wages, the insurance carrier will normally send the benefit payments directly to the employee. The Synod will pay the employee the difference between the employee's normal wages and

the workers' compensation/disability benefit, and a pro rata deduction will be taken from the employee's applicable time off account.

- **Accrual of Paid Leave Benefits** - An employee continues to be credited with paid vacation and sick leave and receive holiday pay during any portion of a leave that is paid. For the purpose of this policy, paid leave is defined as leave during which the employee is using credited, unused vacation and/or sick leave. After all such paid leave is exhausted, the remaining portion of the leave is unpaid. An employee will not accrue vacation or sick leave or receive holiday pay during any portion of a leave that is unpaid.
- **Insurance Benefits** - The Synod will continue its contribution towards an employee's medical, dental, and life insurance premiums. All employee contributions, if any, must be paid on a timely basis in order to maintain the continuous coverage of benefits. Coverage will be cancelled if the employee's premium payments are not made within a 30-calendar day grace period of the due date. Premium payments and policy coverage are subject to change.
- **Flexible Spending Accounts** - Employee contributions towards a medical and/or dependent care flexible spending account (FSA) continue to be deducted from an employee's paycheck on a pre-tax basis during any portion of a leave that is paid. Employee contributions towards a dependent care FSA do not continue during any portion of a leave that is unpaid. For an unpaid leave or at the time a paid leave becomes unpaid, an employee will be given the opportunity to elect COBRA continuation coverage for the medical FSA, if applicable. If elected, contributions are on an after-tax basis.

Status Reports - If an employee's request for a leave of absence does not indicate a specific return to work date or if an employee requests a leave extension, the employee must update the Office Manager as to the employee's status and intent to return to work every two weeks.

Extension of Leave - An employee may request an extension of a leave by submitting a written request at the approval of the Bishop at least two weeks prior to the end of the scheduled return-to-work date. In compliance with the Americans with Disabilities Act, Synod may grant a leave extension if it does not impose an undue hardship on the Synod. The Synod reserves the right to deny any leave extension request.

Employment Restrictions - While on an approved leave of absence, an employee may not work for another employer during the same work hours that the employee is normally scheduled to work for Synod.

Return-to-Work - At the conclusion of the leave, the following conditions apply:

- **Return Date** - If the employee's leave request indicates a specific return-to-work date, the employee should contact the employee's supervisor at least ten days prior to this date. If the ending date of the leave was not known at the time leave was granted, the employee must immediately notify the supervisor when a return-to-work date is established. If the Synod determines that a position is available, the employee must report to work when scheduled;
- **Fitness-for-Duty Certification** - If the leave was due to the employee's own serious health condition, a fitness-for-duty certification from the employee's health care provider is required prior to returning to work. The certification must address the employee's ability to perform the essential functions of the job, indicate any work restrictions, and release the employee to return to work. In the event work restrictions are indicated, the Synod reserves the right to evaluate if the restrictions can be reasonably accommodated (See the *Equal Employment Opportunity* policy); and
- **Job Restoration** - When a leave of absence is granted, Synod cannot guarantee return to employment or the position held. When an employee is able to return to work, the Synod will attempt to return the employee to a position based on business needs and the availability of a position for which the employee is qualified.

706 ***Time Off to Vote***

Policy Statement - In accordance with New York State regulation, an employee who is a registered voter and does not have four consecutive nonworking hours to vote when the polls are open will be given up to two hours off with pay during the workday to vote. Any additional time off needed to vote is without pay for non-exempt employees unless credited, unused vacation leave is used. Generally, the time off will be granted either at the start or the end of the employee's work shift.

Time Off Requests - An employee must submit a written time off request to the employee's supervisor no more than 10 nor less than two workdays before an election.

707 ***Time Off to Donate Blood***

Policy Statement - In accordance with New York State regulation, eligible employees are granted time off during regular work hours to donate blood.

Eligibility - An employee who works an average of 20 or more hours per week is eligible for time off from work to donate blood or bone marrow.

Amount of Time Off - An employee will be granted up to three hours each calendar year to donate blood at an off-site location of the employee's choosing. An employee may elect to use credited, unused vacation leave; otherwise the time off is without pay for non-exempt employees. Exempt employees who have no paid time off benefits available will not be docked for any partial-day absences.

Time Off Requests to Donate Blood - A written time off request to donate blood must be submitted to the employee's supervisor at least three work days in advance. If the employee is donating blood for his or her own surgery or the surgery of a family member, a shorter notice period is permissible

Verification of Time Off - An employee is responsible for providing verification from a blood bank or similar organization showing that the time off was to donate blood.

708 ***Volunteer Emergency First Responders***

Policy Statement – The Synod understands the need for recognized volunteer community services and organizations to provide them. The Synod may grant requests to employees who are volunteer firefighters or members of a volunteer ambulance corps to take reasonable leave to respond to declared states of emergency.

Declared States of Emergency - In the event the governor declares a state of emergency where the employee's volunteer fire department and/or ambulance service is called upon to respond, the employee must notify the Office Manager of their intent to take leave and, if possible, provide an estimate of the duration of the absence. If the Synod determines that the employee's absence will not create an undue business hardship, the employee will be granted a leave of absence to respond to the declared emergency.

Local Emergencies - In the event there is a local emergency where the employee's volunteer fire department and/or ambulance service is called upon to respond, an employee may be excused without corrective discipline and/or if they are engaged in their volunteer capacity during non-work hours that overlaps with their normally scheduled shift/workday. An employee may not leave work to respond to a call without the written permission of their supervisor.

Verification of Service - Within 5 business days of return to work, the employee must provide a letter from the head of the fire department and/or ambulance service confirming the dates and times of their volunteer service. Failure to provide this documentation will result in the tardiness or absence being regarded as unauthorized, in which case the employee will be subject to corrective discipline up to and including termination.

Compensation for Exempt Employees - An exempt employee who is on approved first responder leave for any partial workdays is paid the employee's regular salary for those workdays. An employee may request to use credited, unused vacation leave during any portions of the leave that are unpaid.

Compensation for Non-Exempt Employees - First responder leave is without pay for a non-exempt employee. An employee may request to use credited, unused vacation leave during the excused absence.

Prohibition on Termination and Discipline- No employer shall terminate or discipline an employee who is a volunteer emergency responder and, in the line of duty, has responded to a call prior to the time he was due to report for work resulting in an overlap with their normally scheduled shift/workday.

709 *Synodical or ELCA Activities*

Policy Statement - An employee who is a delegate to an assembly or a member of a committee of the Synod, the ELCA, or one of its auxiliaries, may be granted time off with pay while serving in that capacity provided such absence does not seriously impair the normal operations of the office and shall not exceed seven (7) working days per year.

710 *Sabbatical or Extended Study Leave*

Policy Statement - This Synod affirms that sabbaticals/extended study leaves are of value to both rostered individuals and congregations/agencies/ministries/synods. This particular policy is written for the Synod's pastoral staff (Program and Ministry Consultants would be governed by their congregation's policies and practice). This policy is also in line with the general policy of the Synod for sabbaticals adopted by the Synod Council in 2015.

Definition - Sabbaticals may be for study, personal growth, spiritual life, and/or renewal in life. They are not vacations.

Continuing Education - The Upstate New York Synod encourages planning for continuing education on an annual or semi-annual basis, including discussion with the congregation's leadership (i.e. Mutual Ministry Committee, Congregation Council, Personnel or Executive Committee, etc.). A Cont. Ed. Covenant or similar model can assist in this planning. Such planning need not necessarily define which workshops or seminars are to be attended, but what areas should be targeted for study or growth.

This Synod affirms the ELCA guidelines for continuing education for all active rostered persons: "All ordained ministers, associates in ministry, diaconal ministers, and deaconesses are expected to participate regularly in continuing education. The ELCA expects a minimum of 25 hours (contact hours) annually in focused continuing education.

Study Leave and Continuing Education Funds for Full Time Calls - This Synod affirms that the minimum compensation package should include at least the ELCA recommended minimum of \$1,000 in annual contribution by congregations and agencies for continuing education. Rostered persons are expected to contribute additional funds as well.

It is possible to accumulate continuing education funds from year to year. Procedures for the deposit and withdrawal of funds held for this purpose must be agreed upon by the Congregation Council and rostered person prior to their accumulation. Such agreement should include what amount or percentage of funds would be transferred to another setting should the rostered person retire or change calls. This accumulation should be reviewed annually.

Study leave is for bona fide study programs, retreats or independent study (i.e. Trexler Fellowship Trips). It is not to be considered or used as vacation time. All rostered personnel shall be granted time for study leave of 2 weeks per year which may be accumulated up to 6 weeks at the same place of ministry. All time for study leave must be taken in consultation with and with the approval of the Congregation Council (or appropriate group for those in specialized ministry).

The Upstate New York Synod affirms that 2 weeks of study leave each year be included in the minimum compensation package for all rostered persons. These 2 weeks may include 2 Sundays. If the study leave is taken one day at a time, the 2 weeks shall be equivalent to 12 days (no Sundays).

Study leave may be accumulated for up to 3 years (up to 6 weeks total) if the Congregation Council (or other appropriate body) has approved the rostered person's request to do so, prior to the beginning of the accumulation. This accumulation is to be reviewed annually. Study leave may not normally be carried from one ministry to another.

Study Leave and Continuing Education Funds for Part Time Calls - Both continuing education funds and study leave time will be decided on an individual basis to be determined at the time of issuance or renewal of each part-time call, using the policy for full-time calls as a guideline.

Sabbaticals - A sabbatical is understood to be a time away from normal duties in order that a rostered leader may devote time to study and renewal. The Upstate New York Synod affirms that a sabbatical may be granted for a period of up to 6 months*.

Sabbatical requests should be negotiated with the Congregation Council and in consultation with the Bishop. Such discussion should happen well in advance of the planned sabbatical and should include plans for replacement services, financial considerations, type of study and post sabbatical reporting.

711 Maternity/Parental Leave

Policy Statement – Up to eight (8) consecutive weeks of paid leave is available to employees in Category I, II, and III when a child is born or adopted.

712 Leave Without Pay

Policy Statement - Leave without pay may be granted to an employee for personal reasons after due consideration has been given to the work requirements of the office. Service credits and other benefits do not accrue during absence of one month or longer, but insurance benefits will be protected to the extent possible.

800 COMPENSATION

801 *Pay Rates and Pay Increases*

Policy Statement - Synod's goal is to compensate each employee based on merit and consistent with the employee's job duties and responsibilities. The wages being paid for similar work in the community and industry is also taken into account. All compensation policy decisions take into consideration the Synod's overall financial condition.

Pay Notice - A new employee will receive written notification within 10 days of hire of the employee's rate of pay, method of pay (e.g., hourly, salary), eligibility for overtime, and other information as required by New York State labor regulation. The Synod will provide at least seven calendar days advance written notice to the employee of any changes to this information or the changes will be reflected on the employee's pay stub.

Merit Pay Increases - Merit-based pay increases may be awarded by the Synod on an annual basis in an effort to recognize outstanding job performance. An employee's performance appraisal is generally considered in determining if an employee is eligible for a pay increase. Any pay increase received is based on merit and financial capability of the Synod.

802 *Overtime*

Policy Statement - To meet operational requirements, an employee may be required to work beyond the employee's normally scheduled work hours and/or on a normally scheduled day off.

Authorization - A non-exempt employee must receive authorization from the employee's supervisor before working beyond the employee's scheduled work hours. It is expected that an exempt employee may need to work beyond the employee's scheduled work hours on an as needed basis. An exempt employee does not need prior supervisory approval to work overtime hours.

Compensation for Non-Exempt Employees - A non-exempt employee who works beyond the employee's normally scheduled work hours receives the employee's base rate of pay for each additional hour worked, up to 40 hours during the workweek. Overtime compensation is provided for all hours worked in excess of 40 during a workweek at 1½ times the employee's regular rate of pay.

Credit for Paid Leave - Only actual hours physically worked are used to compute an employee's overtime hours. Paid holidays and vacation, sick, personal, bereavement, and jury duty leave are not considered time worked for the purpose of determining overtime hours. In addition, non-work time paid to a non-exempt employee due to emergency operating conditions is not considered time worked for the purpose of determining overtime hours.

Compensation for Exempt Employees - In accordance with federal and state regulations, an exempt employee is not eligible to receive additional or overtime compensation for any hours worked in excess of the employee's normal workday or workweek, including any hours worked over 40 during the workweek.

Mandatory Overtime - Employees are expected to work additional hours as needed to maintain optimal business operations. An employee's failure to work overtime hours that have been requested by the employee's supervisor may result in disciplinary action.

803 **Payroll Period and Payday**

Payroll Period - The payroll period is the 1st through the 15th of the month and the 16th through the last day of the month.

Payday - Employees are paid bimonthly on the 15th and the last day of the month for the hours worked during the previous pay period. If a payday falls on a designated holiday, paychecks are normally distributed on the preceding workday. The Synod will notify employees in advance of any changes in pay days.

Commissions - Employees who are paid on a commission basis are paid their commission according to the Synod's written commission plan, but not later than five business days after the commission becomes earned. Refer to *306 Separation from Employment* for information regarding the payment of commissions at the time of separation.

Distribution - Paychecks are available in the Office on pay day or mailed to an employee's home address.

Direct Deposit - An employee may elect to have all or part of the employee's paycheck deposited directly into a checking and/or savings account at the employee's designated financial institution each payday. An employee must submit a signed, written authorization to the Synod to initiate or change direct deposit.

Authorized Check Release - An employee's supervisor shall not release a paycheck to anyone other than the employee unless the employee has provided a signed, written authorization to the Synod.

804 **Payroll Deductions**

Statutory and Voluntary Deductions - In compliance with government regulations, Synod deducts the required portion of an employee's wages for federal, state, and social security taxes. An employee may voluntarily authorize payroll deductions for items that are for the benefit of the employee, by submitting a written authorization to the Synod. All statutory and voluntary payroll deductions are indicated on an employee's pay stub.

Deductions from Exempt Employees' Pay - In accordance with the Fair Labor Standards Act, exempt employees are generally paid on a salary or fee basis. Exempt employees generally receive a predetermined amount each pay period that is not reduced because of variations in the quality or quantity of their work. The Synod may make deductions from an exempt employee's pay under the following, limited circumstances:

- When an employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- For absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- To offset jury and witness fees or military pay;
- Unpaid suspensions of one or more full days for violations of workplace conduct rules;
- Penalties imposed for violation of safety rules of major significance; or
- During the initial or last week of employment if the employee does not work the entire workweek.

Improper Payroll Deductions - The Synod prohibits any deductions from an employee's paycheck that are in violation of federal or state regulations. An employee who believes that an improper paycheck deduction has been made should contact the Bookkeeper immediately. If it is determined that an improper deduction was made, the employee will be promptly reimbursed.

Wage Overpayment or Underpayment - If there is ever a time when there is a question about proper payment, the employee should report the perceived inaccuracy to the bookkeeper. The bookkeeper will investigate the situation and if necessary, will make the employee whole, or in the case of an overpayment, make arrangements to collect the overpayment. Both the bookkeeper and the employee will sign an acknowledgment form signifying agreement to the correction.

Garnishments - An employee is notified as soon as possible if the Synod is required to deduct any garnishments from the employee's wages.

Questions - Questions concerning paycheck deductions or how they were calculated should be directed to the Bookkeeper.

805 *Pay Advances and Employee Loans*

Policy Statement - Synod does not give pay advances or employee loans nor does it distribute paychecks earlier than the scheduled payday.

900 EMPLOYEE BENEFITS

901 *Employee Benefits Administration*

Policy Statement - The Synod participates in the ELCA's benefit programs, a comprehensive benefit program, administered by Portico Benefit Services, for its full-time employees and other employees who are regularly scheduled to work at least 20 hours per week (15 hours per week for clergy and lay rostered employees) for six months or more per year. The program includes health coverage, the ELCA Retirement Plan, a life insurance benefit, long-term disability benefits, and a flexible spending plan option. Benefits eligibility depends on a variety of factors, including employee classification. Further information is available directly from Portico Benefit Services (www.porticobenefits.org and 800-352-2876).

Plan Documents - Detailed information about insurance benefits is covered in greater detail in the applicable benefit plan documents. Employee benefits are administered according to applicable government regulation, insurance contract, certificate of coverage, plan document, and/or Synod policy. In the event of a discrepancy between the information presented in this employee handbook and the applicable government regulation or insurance document, the government regulation or insurance document will take precedent.

In addition, the Synod has discretionary authority to determine eligibility for benefits and to interpret the terms of each benefit plan.

Changes in Benefits - The Synod reserves the right to add, modify, or terminate benefits for all current and former employees, to change carriers, and/or offer alternative insurance plans at any time. Further, the ELCA has the right to change benefit programs or to modify eligibility requirements or coverage at any time.

Plan Administrator - The Bookkeeper is the Plan Administrator of the Synod's benefit plans. The Plan Administrator is responsible for all employee communications and disclosures concerning Synod benefits and is available to answer any questions.

Enrollment Information - An employee must complete the applicable insurance enrollment forms and payroll deduction authorization forms in order to receive insurance benefits.

Waiver of Benefits - An employee who is eligible to participate in an insurance plan but who declines coverage must sign a waiver declining such coverage.

Change in Employment Classification - If an employee's employment classification changes or the number of hours normally worked per week falls below eligibility requirements for a particular benefit, the employee will be notified of any changes in Synod benefits. This notification includes information regarding insurance continuation coverage, if applicable.

The following is a brief overview of the benefits available to eligible employees. It is intended as a source of general information only. More detailed information on insurance benefits is available in the applicable plan document or government regulation.

902 *Medical Insurance*

Policy Statement - The Synod offers eligible employees comprehensive medical insurance coverage.

Eligibility – Full-time and part-time employees who are regularly scheduled to work at least 20 hours per week (15 hours per week for clergy and lay rostered employees) for six months or more per year are eligible to participate in a group sponsored medical insurance plan on the first day of employment provided all eligibility requirements of the plan are met. Eligible employees may also enroll in the medical insurance plan during the annual open enrollment period or at the time of a qualified change in employment or family status, as defined by the Internal Revenue Service (IRS) and the insurance carrier.

Coverage- Individual, two person and family coverage are available. Other health coverage alternatives may be available to you through the Health Insurance Marketplace. For more information about health insurance options available through a Health Insurance Marketplace, visit www.healthcare.gov.

Premium Payment - The Synod pays 100% of the premium for individual and for spouse/same gender partner and/or family members as applicable to the individual employee.

Cancellation of Coverage - An employee who is not participating in the Section 125 pre-tax premium plan may elect to cancel the medical insurance coverage at any time. The appropriate insurance cancellation form may be obtained from the Bookkeeper. Cancellation becomes effective immediately.

Continuation of Coverage - If a covered employee, spouse, and/or dependents lose their group medical insurance coverage due to certain qualifying events, they may be eligible to temporarily continue such coverage at their own expense (See *503 Continuation of Benefits*).

903 Dental Insurance

Policy Statement - The Synod offers eligible employees comprehensive dental insurance coverage.

Eligibility - Full-time and part-time employees who are regularly scheduled to work at least 20 hours per week (15 hours per week for rostered employees) for six months or more per year are eligible to participate in a group sponsored dental insurance plan on the first day of employment provided all eligibility requirements of the plan are met. Eligible employees may also enroll in the dental insurance plan during the annual open enrollment period or at the time of a qualified change in employment or family status, as defined by the Internal Revenue Service (IRS) and the insurance carrier.

Coverage – Individual and family coverage are available.

Premium Payment - The Synod pays 100% of the premium for individual and for spouse/same gender partner and/or family members as applicable to the individual employee.

Cancellation of Coverage - An employee who is not participating in the Section 125 pre-tax premium plan may elect to cancel the dental insurance coverage at any time. The appropriate insurance cancellation form may be obtained from the Bookkeeper. Cancellation becomes effective immediately.

Continuation of Coverage - If a covered employee, spouse, and/or dependents lose their group dental insurance coverage due to certain qualifying events, they may be eligible to temporarily continue such coverage at their own expense (See *503 Continuation of Benefits*).

904 Section 125 Plan

Eligibility - Full-time and part-time employees may enroll in a Section 125 plan on the first day of employment provided all eligibility requirements of the plan are met.

Pre-Tax Insurance Premiums - An employee may elect to pay the employee's contribution towards the medical and dental insurance premiums with pre-tax dollars, which means deductions are taken from the employee's paycheck before federal, state, and social security taxes are calculated. This reduces the employee's taxable income and increases net wages.

905 *Life Insurance*

Eligibility – The Synod offers Basic Group Life Insurance through the ELCA Survivor Benefits Plan to full-time and part-time employees who are regularly scheduled to work at least 20 hours per week (15 hours per week for rostered employees) for six months or more per year on the first day of employment provided all eligibility requirements of the insurance plan are met.

Coverage - Basic Group life insurance pays out a sum of money upon the death of a sponsored member. The Basic Group life insurance includes:

- A death benefit equal to two times the employee's annual defined compensation, with a minimum benefit of \$6,000 and a maximum of \$50,000.
- If the employee dies while sponsored between the ages of 70 and 74, the benefit is reduced to 50% of the original amount, but not less than \$6,000.
- If the employee dies while sponsored at age 75+, the benefit is reduced to 25% of the original amount, but not less than \$6,000.
- Optional Supplemental Life insurance and Dependent Life Insurance is available to employees at the employee's expense.

Premium Payment - The synod pays 100% of the Basic Group life insurance premium for eligible employees. The employee is responsible for 100% of the premium for spouse/same gender partner and/or dependent coverage.

906 *Retirement Plan*

Policy Statement - Synod administers a pension plan that allows eligible employees to save towards their retirement. The ELCA Retirement Plan offers you a defined contribution plan that starts helping you achieve financial security for your retirement during your working years.

Eligibility - Full-time and part-time employees who are regularly scheduled to work at least 20 hours per week (15 hours per week for clergy and lay rostered employees) for six months or more per year are eligible to participate in the plan on the first day of employment.

Contributions - Synod contributes a percentage of an employee's gross annual wages to the employee's plan each year. The Synod's contribution is subject to change. You can increase your retirement savings by making your own pretax contributions to your retirement account through payroll deduction. All contributions are pretax and tax-deferred. That means your deferrals and earnings aren't taxed on the money in your retirement account until you withdraw them (typically during retirement).

907 *Vacation Leave*

Eligibility - Full-time and part-time category I, II & III employees are eligible for paid vacation leave for a period of rest and relaxation in recognition for services performed throughout the year. Category IV & V Employees are not eligible for paid vacation.

Allowance - Eligible employees are credited with paid vacation leave as of January 1 in accordance with the following schedule:

Category I Employees are eligible for a minimum of four weeks' vacation including Sundays, each year.

Category II & III Employees

| COMPLETED CONTINUOUS LENGTH OF SERVICE | VACATION LEAVE CREDITED AS OF JANUARY 1 ST |
|--|--|
| 0-1 Year | 5 Days |
| 1 Year | 10 Days |
| 5 Years | 13 Days |
| 7 Years | 14 Days |
| 10 Years | 15 Days |
| 11+ Years | 1 Day for each additional year, up to a maximum of 20 Days |

Vacation leave is credited based on the number of hours an employee is normally scheduled to work, up to a maximum of eight hours per day and 40 hours per workweek for a full-time employee. Part-time employees are credited with paid vacation leave in accordance with the vacation schedule above prorated by the average number of hours the employee works in a workweek, with 40 hours equal to 100%.

Vacation leave is credited on January 1st for the preceding calendar year of service.

Vacation leave is not credited prior to January 1st and may be taken only after it is credited.

New Employees - A newly hired employee is credited with vacation leave on the first day of employment. Vacation leave is prorated based on the amount of service the employee completes between the first day of employment and the end of the current calendar year. On January 1st of the first year of employment, newly hired employees are credited with prorated vacation leave based on the amount of service completed between the employee's first day of employment and December 31st.

Benefit Year - The benefit year is the period commencing on January 1st and ending on December 31st.

Vacation Leave Pay - A non-exempt employee is compensated at the employee's current base rate of pay for each hour of vacation leave taken. An exempt employee receives the employee's regular salary for the vacation period.

Scheduling - Vacation requests must be submitted to an employee's supervisor at least two workweeks in advance. Every effort is made to authorize vacations in accordance with employee requests, taking the date the request is received, operating requirements, and length of employment into account. Due to business needs, the Synod may limit the number of employees taking vacation leave at any given time. In addition, the Synod reserves the right to designate when some or all of an employee's vacation leave is taken. The same procedure is followed for time off requests immediately preceding or following a Synod-observed holiday. However, in the event vacation leave must be denied to one or more employees due to multiple requests, consideration is given to the frequency with which an employee has previously requested and received time off around designated holidays.

Use of Vacation Leave - Vacation leave may be used in increments of 2 hours.

Accumulation - Vacation leave is not cumulative and cannot be carried over into the next benefit year except under extenuating circumstances when exception may be made by the Personnel Officer in consultation with the Bishop of the Synod. Approved vacation carryover must be used by March 31st of the following year.

Holiday During Scheduled Vacation - If a Synod-observed holiday falls on an employee's normally scheduled workday and the employee is on paid vacation, the day is counted as a paid holiday and not a vacation day. No allowance is made for sickness or other paid absence occurring during a scheduled vacation.

Leave of Absence - Vacation leave accrues while an employee is on a paid leave of absence but does not accrue while an employee is on an unpaid leave of absence. For the purpose of this policy, paid leave is defined as leave during which an employee is using credited, unused vacation and/or sick leave. An

employee who has taken an unpaid leave of absence during the preceding benefit year is credited with prorated vacation leave on January 1st based on the time worked during the preceding year.

Separation from Employment - An employee who resigns, retires, or is laid off is eligible to receive compensation for credited, unused vacation leave at the time of separation from the Synod. To be eligible for this payment, the employee must give and complete the required written notice and return all Synod property in the employee's possession. An employee's credited, unused vacation leave is forfeited if the employee is terminated for misconduct or poor performance.

908 **Sick Leave**

Eligibility - Full-time and part-time Category I, II, and III employees are eligible for paid sick leave for personal illness or injury and for doctor and dentist appointments. Sick leave may also be used to provide direct care to an ill parent, spouse and/or same gender partner, domestic partner, child, or other family member residing in the employee's household. Category IV & V employees are not eligible for paid sick leave but are allowed unpaid time off with prior supervisory approval.

Category I Employees – Category I employees are eligible for paid sick time with full salary for up to 60 days continuously and not more than an aggregate of three months during any twelve-month period. Thereafter, salary at one-half rate may be continued for a period not to exceed three months at the option of the Personnel Officer with the concurrence of the Bishop of the Synod. All the foregoing benefits are reduced by income received from Workers' Compensation, New York State Disability or ELCA Portico benefits coverage.

Category II & III Employees – Category II and III employees are eligible for paid sick time with full pay at the rate of one working day for each month worked since date of employment, on a cumulative basis, subject to restriction of accumulation specified below. When these sick leave credits have been exhausted, paid sick time may be continued, with the approval of the Personnel Officer, in the event of extended illness, at one-half rate, provided that the period of full pay and the period of half pay, when combined, will not exceed six calendar months. All the foregoing benefits are reduced by income received from Workers' Compensation, New York State Disability or ELCA short term disability benefits coverage.

Sick leave is not credited before January 1st and may be taken only after it is credited.

Sick leave is credited based on the number of hours an employee is normally scheduled to work, up to a maximum of eight hours per day and 40 hours per workweek for a full-time employee. Part-time employees are credited with prorated sick leave based on the average number of hours the employee works in a workweek, with 40 hours equal to 100%.

New Employees - Newly hired employees are credited with sick leave on the first day of employment. On January 1st of the first year of employment, newly hired employees are credited with prorated sick leave based on the amount of service completed between the employee's first day of employment and December 31st.

Benefit Year - The benefit year is the period commencing on January 1st and ending on December 31st.

Sick Leave Pay - A non-exempt employee is compensated at the employee's current base rate of pay for each hour of sick leave taken. An exempt employee receives the employee's regular salary for the period of sick leave taken.

Notification Procedures - An employee who is unable to work due to illness or injury must notify the employee's supervisor in accordance with the Synod's attendance policy (See *701 Attendance*).

Accumulation - A maximum of 40 sick days for employees in Categories II and III may be carried over from one benefit year to the next. Any sick days over 40 are forfeited on the last day of the benefit year. An employee is not eligible to receive payment for any credited, unused sick leave that is forfeited.

Use of Sick Leave - Sick leave is a benefit to be used for illness of the employee and the employee's immediate family members only and is not intended to be an extension of vacation leave. When it is necessary for an employee to have medical or dental attention during regular working hours, the time taken shall be charged in multiples of full hours against available sick leave.

Medical Certification - An employee who is absent from work for more than five consecutive workdays due to illness or injury will be required to provide documentation from the employee's health care provider verifying that the employee is unable to work. Medical documentation may also be required for certain shorter absences, if it is suspected that the employee has developed a pattern of sick leave use or if an excessive amount of sick leave has been used. If an employee is on an authorized leave of absence in accordance with the Leave of Absence Policy, the medical certification provisions of the policy apply. Failure to produce the medical certification may result in an employee receiving the time off without pay and/or jeopardize continued employment with the Synod.

Upon return to work, the employee will also be required to provide a medical statement from the employee's health care provider indicating that the employee is able to return-to-work and listing any work restrictions, if applicable. In the event work restrictions are indicated, the Synod reserves the right to evaluate if the restrictions can be reasonably accommodated (See *501 Equal Employment Opportunity*). An employee is not allowed to return to work until a medical statement is provided to the Synod.

Leave of Absence - Sick leave accrues while an employee is on a paid leave of absence but does not accrue while an employee is on an unpaid leave of absence. For the purpose of this policy, paid leave is defined as leave during which an employee is using credited vacation and/or sick leave. An employee who has taken an unpaid leave of absence during the preceding benefit year is credited with prorated sick leave on January 1st based on the time worked during the preceding year.

Separation from Employment - An employee's credited, unused sick leave is forfeited at the time of separation from employment with the Synod.

909 **Holidays**

Observed Holidays - The Synod office is closed for business to observe the following holidays:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Day before or after Christmas Day determined yearly

Eligibility - All Category I, II, and III employees are eligible for paid holidays upon hire. Category IV employees are eligible for paid holidays if the day the Synod observes the holiday is a normally scheduled workday.

Holiday Pay Requirements - An employee must work the entire scheduled workday before and after the holiday unless time off has been authorized in advance or verification of the employee's illness is provided from the employee's health care provider. A non-exempt employee who fails to follow this procedure will not be eligible for holiday pay. An exempt employee's pay will not be docked for failure to follow the required procedure but may be subject to disciplinary action.

Holiday Pay - A non-exempt employee is eligible for holiday pay at the employee's current base rate of pay. An exempt employee receives the employee's regular salary for each Synod-observed holiday.

Leave of Absence - An employee who is on a paid leave of absence is eligible to receive compensation for any Synod-observed holidays that occur during the leave. For the purpose of this policy, paid leave is defined as leave during which the employee is using credited, unused Vacation or personal leave.

An employee who is on an unpaid leave of absence is not eligible for any paid holidays that occur during the leave.

Holiday Occurs during Vacation - If a Synod-observed holiday falls on an employee's normal workday and the employee is on paid vacation, the day is counted as a paid holiday and not a vacation day.

Holiday Observance - If a scheduled holiday falls on a Saturday, employees are normally given the preceding Friday off. If a scheduled holiday falls on a Sunday, the holiday is normally observed on Monday.

Holidays Not Designated by the Synod - An employee may request time off for Sabbath observance or to observe any other particular holy day in accordance with his or her religion. An employee may also request time off to participate in a religious practice of his or her religion. Requests should be submitted in accordance with the Synod's attendance policy (See the *Attendance* policy for additional information). An employee will not be denied time off solely because it has been requested for religious reasons. Time off is generally granted so long as it does not create an undue hardship on the Synod. A non-exempt employee may be allowed to make up the lost work time during the current workweek with prior supervisory approval, so long as work is available and a mutually convenient time can be agreed to by the employee and the supervisor. A non-exempt employee also has the option of using credited, unused vacation, personal leave or taking the time off without pay.

910 ***Disability Coverage***

New York State Disability

Policy Statement - New York State Disability benefits are available as a temporary benefit to eligible employees who work in New York and are unable to work for a period of more than seven days due to a non-work related injury or illness.

Eligibility - An employee who has worked for the Synod for at least four consecutive weeks or has recently worked for a "covered" employer is normally covered by Synod's disability plan. Minors who are currently attending high school are normally not covered.

An employee who is on an unpaid leave of absence for any reason other than the employee's own disability will remain eligible for New York State Disability insurance benefits for up to four weeks after the unpaid leave commences, should a qualifying injury or illness occur. After four weeks, an employee will no longer be eligible for New York State Disability benefits.

Coverage - Eligibility for benefits is determined by the Synod's disability insurance carrier. An eligible employee is covered for the period of disability specified by the employee's health care provider and approved by the insurance carrier, starting with the eighth day of the disability and continuing up to a maximum of 26 weeks.

Benefits - An employee generally receives 50% of the employee's average weekly wages based on the previous eight weeks of employment, up to a specified maximum per week. There is no coverage for medical care related to the disability.

Premium Payment - Employees contribute a small amount towards New York State Disability insurance. The Synod pays the remaining portion of the premium.

Leave of Absence - The Synod's Leave of Absence policy normally applies to an employee who is receiving New York State disability benefits. Please refer to this policy for information regarding leave requests, benefit continuation, job restoration, etc.

Short-Term Disability

Eligibility - Full-time and part-time employees are eligible to participate in a Synod-sponsored short-term disability plan that provides income at the time of a qualifying injury or illness. Employees should contact the Synod bookkeeper for information on short term disability coverage.

Coverage - Eligibility for short-term disability benefits is determined by the insurance carrier. Benefits begin on the 8th day of disability and continue up to 60 days.

Premium Payment - The Synod pays 100% of the insurance premium for eligible employees.

ELCA Long-Term Disability

Eligibility - Full-time and part-time employees are eligible to participate in a Synod-sponsored long-term disability plan that provides income, health and survivor coverage, and contributions to your ELCA Retirement Plan account if you become unable to work because of a disability. Refer to the ELCA Disability Benefits Plan Document for full details.

Coverage - Eligibility for long-term disability benefits is determined by the insurance carrier. Benefits begin on the 61st day of disability and continue up to a maximum benefit period.

Benefits - Long-term disability benefits may be offset by any other benefits an employee receives.

Premium Payment - The Synod pays 100% of the insurance premium for eligible employees.

911 Workers' Compensation

Policy Statement - Workers' compensation benefits for lost wages and medical care are provided to eligible employees who suffer a job-related injury or illness.

Eligibility - Employees are covered by Synod's workers' compensation plan upon hire.

Coverage - The Workers' Compensation Board determines an employee's eligibility for benefits. If deemed eligible, an employee is covered for the period of disability specified by the employee's health care provider and the Workers' Compensation Board.

Benefits - Coverage is normally provided for all necessary medical care that is directly related to the original injury or illness and the recovery from such disability. An employee who is totally or partially disabled and unable to work for more than seven days is eligible for cash benefits starting with the eighth day of disability. If the disability extends beyond 14 days, cash benefits are paid retroactively for the first seven days of the disability. Cash benefits are normally calculated based on two-thirds of an employee's average weekly wages during the previous year multiplied by the percentage of disability, up to a specified maximum.

Voluntary, Off-Duty Conduct - Neither Synod or its insurance carrier is liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Synod.

Leave of Absence - The Synod's Leave of Absence policy normally applies to an employee who is receiving workers' compensation benefits. Please refer to this policy for information regarding leave requests, benefit continuation, job restoration, etc.

Premium Payment - The cost of workers' compensation insurance is paid entirely by the Synod.

912 *Unemployment Insurance*

Policy Statement - Unemployment insurance benefits provide short-term financial assistance to individuals who have lost their jobs due to no fault of their own and are ready, willing, and able to work.

Eligibility - Eligibility for unemployment insurance is determined by the State Department of Labor.

Cost - The cost of unemployment insurance coverage is paid entirely by the Synod.

913 *Social Security and Medicare*

Policy Statement - Social Security and Medicare benefits are available for retirement, survivor's benefits, and medical costs under qualifying conditions as determined by the Federal Social Security Administration Office.

Cost - The Synod matches employee contributions to Social Security (FICA) and Medicare.

914 *Employee Assistance Program*

Policy Statement - The Synod makes available an Employee Assistance Program (EAP) to provide counseling services to employees and eligible family members. The EAP offers confidential counseling and referral services on a variety of personal issues, such as, but not limited to, financial concerns, alcohol and drug dependence, and marital and family conflicts.

Eligibility - Full-time and part-time employees, their spouses (including same-sex spouses), and dependents are eligible to participate in the EAP as of the employee's first day of employment.

Employer Mandated Contact - If an employee is experiencing a work-related problem such as poor job performance or excessive absenteeism, the employee's supervisor may refer the employee to the EAP. In some cases, continued employment may be contingent on the employee contacting the EAP. In such an event, the EAP will only notify the employee's supervisor as to whether the employee has contacted the EAP and, if ongoing treatment is necessary, if the employee is attending scheduled appointments.

915 *Death of an Employee*

Policy Statement - In the event of the death of an employee (except Category V), salary or wages shall be paid to a dependent surviving spouse/same gender partner through the month in which death occurs, plus one additional month. Where no dependent spouse/same gender partner survives, decision concerning the amount of payment to other surviving dependents shall be made by the Personnel Officer in consultation with the Bishop.

916 *Housing Allowance*

Policy Statement - A portion of the compensation of an ordained employee shall be designated by the Synod Council as Housing Allowance. The amount of the Housing Allowance shall be established upon the records of the Synod Council in its minutes, or in such manner as to comply with the requirements of the Internal Revenue Service, and prior to the period for which the compensation is to be paid.

Requests for Housing Allowances – Requests must be submitted to the Bookkeeper on an annual basis with sufficient time allowed for the request to be approved and recorded in the official files.

1000 PERSONAL CONDUCT

1001 *Personal Appearance*

Policy Statement – The Synod has developed dress and appearance standards for employees to promote a professional image to customers and the public. Each employee is expected to dress appropriately according to the work situation and to practice good grooming and hygiene. Acceptable personal appearance is a requirement of employment with the Synod.

Dress Standards for Office Employees - Employees who work in the office or have regular contact with the public and customers are required to wear business attire. Business casual attire is permitted. However, when an employee is representing Synod to customers, prospective customers, or vendors, the employee is expected to wear formal business attire.

Inappropriate Attire - Office employees are prohibited from wearing the following clothing at any time because it does not present a businesslike appearance: suggestive, form fitting, or low-cut clothing; sweatpants; strapless or halter tops; spaghetti-strap shirts; tank tops; revealing shirts of any kind; athletic clothing; flannel shirts; beachwear; ripped, faded, or stained clothing; clothing with holes; hats unless required in observance of a religious custom or practice; T-shirts; or shirts with inappropriate wording or pictures. This list is not all-inclusive.

Grooming Standards - An employee's hair, sideburns, mustache, and/or beard should be clean, combed, and well-groomed. Employees who have regular contact with customers and/or the public are not allowed to have visible tattoos and/or body piercings (other than earlobes). At the discretion of management, an employee may be required to fully cover a large tattoo.

Radical departures from conventional dress (e.g., excessive body piercings or offensive tattoos) or grooming and hygiene standards (e.g., excessive perfume or cologne, body odor) are not permitted. Synod reserves the right to require employees to conform to its standards of personal presentation and appearance.

American Flag - In accordance with New York State labor regulation, the Synod will allow an employee to display an American flag on the employee's person as long as it does not substantially or materially interfere with the employee's job duties.

Reasonable Accommodation - The Synod will generally make an exception to its clothing, hairstyle, and/or grooming standards in order to reasonably accommodate an employee's disability or sincerely-held religious practice, unless it imposes an undue hardship on the Synod. An employee should contact the Office Manager to request an accommodation.

Policy Violations - An employee who reports to work inappropriately dressed or groomed may be sent home to change. A non-exempt employee is not compensated for any time lost from work to comply with this policy.

1002 Misrepresentation

Policy Statement -The Synod is committed to operating the Synod honestly, with integrity, and in compliance with government regulations. All employees are expected to share this commitment.

Prohibited Conduct - Employees must refrain from any illegal, fraudulent, or dishonest business activity. Examples of conduct that is prohibited include, but are not limited to, violations of government or Securities and Exchange Commission (SEC) regulations, preparing fraudulent accounting records or financial reports, and billing customers for services not performed or goods not delivered or over/undercharging them. It also includes misrepresenting a Synod product or service to our customers or intentionally giving false information.

Reporting Policy Violations – An employee is required to report any conduct that he or she reasonably believes violates this policy by notifying the Office Manager immediately.

1003 Substance-Free Workplace

Substance-Free Workplace - It is Synod's goal to provide a drug- and alcohol-free, healthy, and safe workplace. Employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

Prohibited Behavior - An employee is prohibited from possessing, using, selling, purchasing, storing, distributing, or manufacturing alcoholic beverages, illegal drugs, controlled substances, or narcotics on Synod premises, at work sites, or at any location while representing the Synod. An employee is also prohibited from having alcoholic beverages, illegal drugs, controlled substances, or narcotics present in the employee's system when reporting to work, during working time, or at any time while conducting business-related activities. Drug paraphernalia, such as pipes and needles, is prohibited on Synod premises, at work sites, and in vehicles being used for Synod business.

The Synod prohibits the off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, and/or the Synod's reputation in the community.

Business Functions - At certain times, Synod may designate that alcohol can be consumed on Synod premises or during business activities that are conducted in a social setting (e.g., dinner meetings with customers, Synod-sponsored office parties). Employees are expected to exercise moderation and good judgment at all times, and will be held to the same standards of behavior as otherwise required, regardless of the circumstances. An employee who becomes intoxicated, acts inappropriately, and/or violates one or more Synod policies (e.g., sexual harassment, attendance, driving on Synod business) during these activities may be subject to disciplinary action.

Use of Prescription and Over-the-Counter Drugs - Prescription drugs must be in the possession of the individual to whom the prescription was written, taken in the dosage prescribed, and maintained in their original containers. An employee is not allowed to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. An employee must inform the employee's supervisor of any prescription or legal, nonprescription (e.g., over-the-counter) drugs including medical marijuana that are currently being taken if they could in any way affect or impair the employee's ability to perform the job safely. The legal use of prescribed and over-the-counter drugs is only permitted on the job if it does not impair an employee's ability to perform the job safely and it does not affect the safety or well-being of other individuals in the workplace.

An employee should not drive on Synod business if the employee's ability to drive safely has been impaired by illness, fatigue, injury, prescription medication, illegal drugs, or alcohol.

Reporting of Problems - Any observation or knowledge of an employee who is in a condition that impairs the employee's ability to perform job duties, presents a hazard to the safety and welfare of others, or appears to otherwise be in violation of the Synod's substance-free workplace policy should be reported to the Office Manager immediately.

Screening for Drug or Alcohol Use - An employee may be tested for alcohol or illegal drugs where there is a reasonable suspicion that abuse, impairment, or a violation of this policy exists. Testing will be conducted in accordance with applicable state or municipal regulations and will generally follow Department of Transportation (DOT) regulations. An employee who agrees to take a reasonable suspicion test must sign a consent form authorizing such test and the Synod's use of the test results for the purpose of administering its discipline policy. It is a violation of this policy to refuse to consent to the test or to test positive for alcohol or illegal drugs. A refusal will result in disciplinary action, up to and including termination. Drug and alcohol tests are paid for by the Synod, and are the property of the Synod.

An employee who tests positive to a confirmed test for alcohol or controlled substances will be subject to disciplinary action, up to and including termination of employment. In the event an employee is not immediately discharged for testing positive or for some other violation of this policy, the Synod, in its sole discretion, may allow the employee to return to work pursuant to the employee executing a written agreement acknowledging that:

- 1) The employee tested positive or otherwise violated this policy; and
- 2) In exchange for the Synod not discharging the employee for this instance of testing positive or otherwise violating this policy, the employee agrees to:
 - a) Undergo rehabilitation, counseling or other activities prescribed by the Synod's EAP provider and/or a licensed medical professional;
 - b) Periodic, unannounced drug and/or alcohol testing for a set time period: and
 - c) Be subject to discharge for any future violation of this policy.

An employee's participation in a treatment program does not prevent Synod from disciplining the employee for violations of this or other Synod policies.

An employee who tests positive, admits to illegal drug use or related misconduct, or who voluntarily seeks assistance, and is not discharged, will not be allowed to return to work or continue working until the employee has been evaluated by a health care professional of Synod's choice to determine if the employee can safely return to work.

Policy Violations - Violations of this policy may result in disciplinary action, up to and including termination. The possession, use, sale, purchase, distribution, or manufacture of illegal drugs shall also be brought to the attention of the appropriate law enforcement agency.

1004 Outside Employment

Policy Statement - An employee is generally permitted to hold a second job as long as it does not interfere with the employee's job performance, pose an actual or potential conflict of interest, or compromise the interests of the Synod. Outside employment that does or may constitute a conflict of interest is prohibited.

Performance and Work Schedule Requirements - An employee is judged by the same performance standards, regardless of any existing outside work requirements. An employee must meet all scheduling requirements of the Synod, including business travel and overtime hours, and shall not receive authorization to report to work late or to leave work early in order to accommodate a second job.

Use of Paid Leave Benefits - An employee is not allowed to use paid leave or to take time off without pay to work at another employer.

Restrictions - An employee may not work for another employer or be self-employed if such work is in direct competition with Synod. An employee is not permitted to perform any work for the Synod's customers during non-working time if these services are normally available from and/or performed by Synod. Further, an employee is prohibited from soliciting or performing any work for another employer, for the employee's own personal business, or for any other personal gain during working time. No Synod-owned equipment, supplies, or confidential trade information or techniques may be used for furtherance of an employee's personal business or for another employer.

Notification of Outside Employment - An employee who is interested in obtaining outside employment must discuss the matter with the employee's supervisor prior to accepting the job to ensure that the above guidelines are maintained. Newly hired employees who are employed by another employer, own their own business, or partake in other work activities must disclose this information on their *Application for Employment Form*.

1005 Driving on Synod Business

Policy Statement - Employees in certain positions may be required to drive Synod, leased, rental, or personal vehicles to conduct business on behalf of Synod. Employees who drive on Synod business must operate vehicles in a safe and responsible manner, and in compliance with all applicable motor vehicle and traffic regulations.

Driver's License - An employee who drives on Synod business must possess a valid driver's license free from major infractions at the time of hire and throughout employment.

The driving records of final applicants and employees who apply for positions that involve driving are checked following a conditional offer of employment. Thereafter, the Synod conducts motor vehicle record checks on a regular basis in compliance with the Fair Credit Reporting Act (FCRA).

Driving While Impaired - An employee is prohibited from driving on Synod business if the employee's ability to drive safely has been impaired by illness, fatigue, injury, prescription medication, illegal drugs, or alcohol.

Change in Status or Loss of Driver's License - An employee who drives on Synod business must immediately notify the employee's supervisor if a ticket is received while driving a Synod vehicle or if a conviction is received for any traffic violation (except parking) during working or non-working time. The employee's supervisor must also be notified immediately if the employee's driver's license is suspended, revoked, or cancelled, or if the employee becomes disqualified from operating or loses the right to operate a motor vehicle, including a commercial motor vehicle, for any period. An employee is not allowed to drive on Synod business with a suspended or revoked license.

Suspension of Driving Privileges - An employee's Synod driving privileges may be suspended for receiving an excessive number of traffic citations, regardless of whether the citations were received while driving on Synod business. If an employee's Synod driving privileges are suspended and the employee's position requires regular use of a vehicle, the employee may be reassigned to another position, if available, or terminated for inability to perform the duties of the job.

Traffic Violation - The employee is responsible for paying the cost of any traffic or parking tickets, moving violations, or fines that result from driving on Synod business.

Use of Personal Vehicle for Synod Business - An employee who drives a personal vehicle to conduct Synod business must have auto liability insurance (for both bodily injury and property damage) and proof of a minimum policy for liability coverage of \$100,000 per person/\$300,000 per accident. Proof of such insurance is required upon hire and on an annual basis thereafter. If an employee's liability insurance lapses, the employee's supervisor must be notified immediately.

Synod Liability - The Synod does not assume any liability for injury to members of the public caused by the negligence of an employee who is driving a personally owned vehicle in the course of Synod business. In addition, the Synod is not responsible for any damage to an employee's personal vehicle or loss or damage to personal property contained within the vehicle.

Cell Phones - In accordance with New York State regulation, an employee is not allowed to make or receive calls on a cell phone while driving unless a headset or hands-free device is used. In addition, an employee is prohibited from reading, writing, or sending text messages while driving. Attention to the road should always be a driver's number one priority.

Accident - An employee must notify the Bookkeeper immediately in the event of an accident, theft, or damage involving a vehicle being used for Synod business, regardless of the lack of damage or injuries. A law enforcement officer should be summoned to the scene of any accident involving an employee or vehicle being used for Synod business and an ambulance should be summoned if anyone appears injured. A copy of the Accident Report should be obtained from the police for submittal to the Bookkeeper.

Use of Synod Vehicles - Synod-provided vehicles may be assigned to employees for the purpose of conducting Synod business. Only authorized employees are allowed to drive Synod vehicles. Synod vehicles should only be used for authorized Synod business and may not be used for the personal use or private gain of an employee or to transport unauthorized individuals or materials. Certain employees may be allowed to use Synod vehicles for personal reasons. Those employees will be notified of this privilege. No unauthorized passengers are allowed in Synod vehicles.

Synod Vehicle Maintenance - Employees are responsible for maintaining Synod vehicles in a neat and clean condition at all times. Papers and garbage are to be removed from the vehicle at the end of each trip. Vehicles should be maintained in a safe and secure condition when not in use. It is the employee's responsibility to notify the Bookkeeper when a Synod vehicle is in need of maintenance or repair work.

1006 Personal Conduct

Policy Statement - For the benefit and safety of employees, customers, and the Synod, an employee must comply with Synod's standards of behavior and performance. Conduct that interferes with business operations, discredits Synod, or is offensive to coworkers, customers, or the public is not tolerated.

Employee Responsibilities - Employees are expected to conduct themselves in a professional manner and to treat coworkers, customers, vendors, and visitors with courtesy and respect. Appropriate employee conduct includes, but is not limited to:

- Performing all assigned job duties efficiently, to the best of the employee's abilities, and in accordance with established performance standards;
- Being fair, considerate, and honest with supervisors, coworkers, customers, vendors, and members of the public;
- Reporting any suspicious, unethical, potentially violent, or illegal conduct by coworkers or any other persons with whom the employee conducts business on behalf of the Synod; and
- Cooperating with any Synod investigation.

Prohibited Conduct - An employee may be subject to disciplinary action, up to and including termination for a violation of a policy, procedure, or rule outlined in this employee handbook or otherwise established by the employee's supervisor. In addition, an employee may be subject to disciplinary action for engaging in any of the following:

- Offensive or unprofessional conduct;
- Improper performance of job duties or repeated failure to perform assigned duties and responsibilities;
- Unauthorized expenditure of Synod funds;
- Insubordination or refusal to obey a supervisor's instructions;
- Refusing to sign a corrective discipline notice or any other requested acknowledgement form;
- The use of foul or abusive language, including racial slurs and epithets;

- Sabotaging the work of a coworker;
- Illegal gambling while on duty; and
- Theft of any kind; and

The above list is illustrative only and is not intended to limit the Synod's right to impose discipline in other appropriate situations.

1007 Corrective Discipline

Policy Statement - To ensure smooth and efficient operations, Synod must have certain policies, procedures, and rules. Any conduct that interferes with operations or that discredits the Synod will not be tolerated. The Synod's disciplinary policy and procedures are intended to promote employee understanding of acceptable conduct and performance and to encourage corrective action to meet those standards. The Synod strives to impose corrective discipline fairly, consistently, and in relation to the seriousness of the offense.

Forms of Discipline - Disciplinary action may include a verbal warning, written warning, suspension with or without pay, termination of employment, or other disciplinary measures, depending on the circumstances. The Synod does not guarantee that one type of discipline shall precede another. Further, the Synod reserves the right to suspend an employee with or without pay while an investigation is conducted.

Payment During Disciplinary Suspensions - In accordance with the Fair Labor Standards Act (FLSA), an exempt employee may be suspended without pay in partial or full-day increments for safety rule infractions of major significance or in one or more full-day increments for violations of workplace conduct rules (e.g., violations of the Synod's policies relating to sexual harassment, discrimination, violence, and substance testing). Unpaid suspensions for exempt employees for any other reason are generally in full-week increments only as required by the FLSA. Paid suspensions for exempt and non-exempt employees may be in partial day or partial week increments.

Disciplinary Action - As a condition of employment, an employee will be required to sign the acknowledgment portion of the corrective discipline notice indicating that a discussion of the issue has taken place. An employee who refuses to sign the acknowledgement will have violated our Synod policy and will be subject to disciplinary action, up to and including termination.

1008 Fraternalization

Policy Statement - In order to avoid an actual or perceived conflict of interest, the Synod prohibits dating between a supervisor and an employee if the employee directly or indirectly reports to that supervisor. This policy is considered when assigning, transferring, or promoting an employee.

1009 **Ethics**

Policy Statement – The Synod expects all employees to maintain the highest standards of professionalism and integrity in the performance of their job duties and while representing the Synod. All work must be performed in an ethical manner and in accordance with government regulations and Synod policy. An employee should never use the employee's position with the Synod or relationship with customers for private gain.

Prohibited Conduct - An employee is expected to refrain from any illegal, unethical, and/or dishonest business activity. Examples of prohibited conduct include, but are not limited to:

- Directly or indirectly soliciting or accepting a bribe, kickback, loan, gift, service, or entertainment from a current or prospective vendor, supplier, customer, or competitor for the employee's personal gain in return for being influenced in connection with Synod business;
- Directly or indirectly giving a bribe, kickback, loan, gift, service, or entertainment to a current or prospective vendor, supplier, customer, or competitor in return for influencing that individual or organization in connection with Synod business;
- Having a direct or indirect financial interest or a personal business relationship with any business or person that does business with Synod without disclosure to and approval of the Synod; and
- Investing in the stocks, bonds, or securities of a vendor, supplier, customer, or competitor if such transactions are based on any "inside information."

Employee Guidance - Because the Synod is unable to list every example of conduct that may violate this policy, an employee should use good judgment and seek guidance and assistance from the employee's supervisor, if needed.

Gifts - An employee who is offered a gift, money, service, travel, entertainment, or other special consideration from any current or prospective vendor, supplier, or customer must politely refuse the gift, advising the giver of Synod's policy that prohibits its acceptance.

1010 **Conviction Notification**

Policy Statement - An employee must, as a condition of employment, inform Synod of all criminal convictions. An employee is responsible for notifying the Office Manager within three days of receiving a misdemeanor or felony conviction.

Employment Decisions Based on Conviction - A criminal conviction does not necessarily disqualify an applicant from employment consideration or result in termination of a current employee. Employment decisions based on a conviction take into consideration the extent to which the offense relates to the functions of the particular job, the seriousness of the offense, rehabilitation, and length of time since the conviction.

1100 SYNOD PREMISES AND WORK AREAS

1101 *Synod Property*

Policy Statement - The purpose of Synod's property is for the smooth and efficient operations of the Synod.

Employee Responsibility - An employee is responsible for any items issued by the Synod that are in the employee's possession and/or control. All equipment must be used appropriately, handled carefully, and maintained in good condition. In addition, all operating and maintenance instructions must be followed. Supplies should be used efficiently and not wasted in order to save money and resources.

Prohibited Uses of Synod Property - An employee should not deliberately destroy, deface, or misuse Synod property. The theft or unauthorized removal or possession of Synod property is prohibited.

Damage to Synod Property - An employee must immediately stop using any damaged, defective, or malfunctioning Synod property and notify the Office Manager.

Personal Use of Synod Property - An employee may not borrow or remove any Synod property from the premises for personal use.

Personal Use of Synod Facilities - Employees and private individuals are prohibited from conducting any type of personal business, entertainment or non-business related activity on Synod premises.

Definition of Synod Property - For the purpose of this policy, Synod's property is defined as equipment, tools, supplies, keys, uniforms, vehicles, and this employee handbook. This list is not all-inclusive.

1102 *Personal Belongings*

Policy Statement - The Synod discourages an employee from bringing valuable, unnecessary, or inappropriate personal property to work. Personal property that is brought onto Synod premises must be appropriate for a business environment, should not be offensive to others, disrupt work, or pose a safety risk to other employees, customers, or visitors.

Personal Liability - Synod is not responsible for the personal belongings of employees. The Synod will not repair, replace, or reimburse an employee for any damage to, or loss of, an employee's personal property. This includes personal items in Synod, leased, rental, or personal vehicles.

Music - Radios, CD players, and similar items are allowed in work areas as long as the volume is kept low and the choice of music is not offensive to others.

1103 *Maintenance of Work Area*

Policy Statement – The Synod is dedicated to providing a safe, clean, and pleasant work environment for employees, customers, and visitors. Work areas are to be kept clean and orderly. Equipment and supplies should be returned to their proper location after use. Coats and other personal items should be stored in designated locations.

American Flag - In accordance with New York State labor regulation, the Synod allows an employee to display an American flag in the employee's work area as long as it does not substantially or materially interfere with the employee's job duties.

Food and Beverages - Employees should use caution when taking food and beverages in work areas. Beverages should be in covered containers and any spills or crumbs should be wiped up immediately

Housekeeping - It is the responsibility of employees to keep the break room, conference rooms, meeting rooms, restrooms and the entire premises clean at all times. Please put items in their proper location after each use, dispose of garbage in the appropriate trash cans, and wash and put away dishes. Office paper, cardboard, newspapers, and other items that can be recycled should be placed in the designated containers.

1104 *Parking*

Designated Parking - Employee parking is available in designated areas. Employees should not park in designated handicapped parking areas. When off-site, employees must follow the parking guidelines established by the customer.

Damage to Vehicles - Synod is not responsible for the security of or damage to, employees' vehicles or their contents while parked on the premises or while on Synod business. The Office Manager must be notified immediately of any accident, theft, or damage to a vehicle that occurs while on Synod premises, regardless of the severity, so that the proper authorities may be notified.

1105 *Smoke-Free Workplace*

Policy Statement - In compliance with New York State regulation, the Synod maintains a smoke-free work environment. This policy covers the smoking of all tobacco and tobacco-like products, including but not limited to, cigarettes, electronic cigarettes, cigars, pipes, herbal tobacco products, chewing tobacco and the use of smokeless or "spit" tobacco, and vaping, and applies to both employees and non-employee visitors. The smoking and chewing of these products is prohibited throughout the entire workplace, including the office, meeting rooms, private and non-private offices, hallways, restrooms, in Synod vehicles, outside on Synod grounds, and in the parking lot.

Smoking Breaks - Employees are allowed to smoke outside in designated smoking areas during authorized meal and break periods. An employee is not allowed additional or special breaks for smoking purposes.

Maintenance of Smoking Locations - Smoking areas should be kept litter-free. Cigarettes and matches should be completely extinguished after use and placed in the appropriate receptacle.

Policy Violations – Violations of this policy will result in disciplinary action up to, and including termination.

1106 *Charitable Solicitation and Distribution*

Policy Statement - The Synod is supportive of charitable causes in the community. However, so as not to interfere with normal business operations, employees are not allowed to distribute literature or solicit coworkers, customers, vendors, and/or visitors on Synod premises or at any location while representing the Synod. This includes advertising, promoting, or soliciting for an employee's outside business ventures, personal parties, membership in any organization, or other matters not connected to Synod's business. The only exceptions to this policy are charitable and community activities supported by Synod.

Non-Employees - In an effort to ensure a productive and harmonious work environment, the Synod prohibits non-employees from soliciting, posting, distributing literature, or engaging in similar activity on Synod premises at any time for any purpose.

Synod Premises - For the purpose of this policy, Synod premises is defined as the office, parking lot, grounds, and work sites.

1200 SAFETY AND SECURITY

1201 *Safety Program*

Policy Statement - Synod is committed to providing a safe and healthy workplace for employees, customers, and visitors. The objective of the Synod's safety program is to reduce the number of workplace injuries and illnesses to zero. Accidents can often be prevented through the use of reasonable precautions and the practice of safe working habits.

Safety Officer – The Office Manager has been designated as the Synod's Safety Officer.

Employee Suggestions - Some of the best safety improvements come from employees. Employees with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to contact their supervisor or the Safety Officer.

Safety Hazards - Any suspected safety hazard must be brought to the attention of a supervisor or the Safety Officer immediately. Examples of potential safety hazards include, but are not limited to, slippery floors, torn carpet, cords in aisles, and boxes located in walkways or blocking exit doors. Reports about workplace safety issues may be made anonymously. An employee will not be retaliated against for making a report.

Investigations - The Safety Officer conducts an investigation of all job-related injuries, illnesses, and near misses to determine the cause and attempt to prevent a recurrence.

1202 *Accidents and Injuries*

Accident Procedures - In the event of a workplace accident or injury, take the following steps:

1. Stop work;
2. Eliminate or isolate the immediate cause of the accident to prevent further injury;
3. Obtain aid for the injured person and summon assistance. If the injury appears serious, dial 9-1-1;
4. Call a supervisor immediately;
5. Take appropriate steps to prevent any additional accidents; and
6. Complete an *Accident Report* with full details of the accident and submit it to the Office Manager before the end of the current workday. When there is an accident involving a non-employee, notify the Office Manager immediately, no matter how minor the accident or injury may appear and even if no one was hurt.

First Aid Kits - First aid kits are located in designated locations throughout the building.

1203 *Building Evacuation*

Evacuation Procedures - An employee should be familiar with all exits in the building. In the event of a fire or other emergency that requires the building to be evacuated, the following procedures must be followed:

1. Leave the building by walking rapidly but calmly to the nearest exit door (do not run or push), assisting others along the way;
2. Immediately notify a supervisor or other designated person if anyone is having trouble leaving the building;
3. Do *not* take time to gather any Synod property or personal belongings;
4. Once outside, assemble at the far side of the parking lot at a safe distance from the building; and
5. Do not re-enter the building until a supervisor or other designated person gives authorization to do so.

Supervisors are responsible for the orderly exit of all employees within their department. Each supervisor should be the last one out of the department and should make sure that all doors are closed. Once outside, the supervisor should account for all department employees.

Fire Extinguishers - Fire extinguishers are located throughout the building. Employees should be familiar with the location and operation of fire extinguishers. A fire extinguisher should only be used by an individual who has received training in its use and only if the fire is containable (e.g., wastepaper basket, garbage bin). In the event of a containable fire, a coworker should be instructed to dial 9-1-1 simultaneously. Leave the building immediately if the fire does not go out; never attempt to use a second extinguisher or take other measures to try and contain the fire.

1204 OSHA

Policy Statement - The Synod makes every effort to provide a workplace which is free from recognized hazards that could cause physical harm to employees. In order to help the Synod maintain a safe workplace, employees are expected to abide by all OSHA rules and regulations.

OSHA Inspection – The Office Manager is to be notified immediately if an OSHA inspector arrives.

1205 Building Security

Safety Precautions - In order to ensure employee safety, prevent theft, and reduce accidents, an employee who enters or remains in the building before or after normal business hours must exercise reasonable care for the employee's protection.

Video Recording - Video surveillance equipment is used for safety and security purposes. In accordance with New York State labor regulation, the Synod prohibits video recording in bathrooms, locker rooms, and designated changing rooms.

Security System – The building is equipped with a security system. Employees who are authorized to enter or remain in the building before or after normal business hours are assigned a key and given the security code. The last person to leave the building at the end of the workday is responsible for turning the security system on.

1206 Visitors

Normal Business Hours - Visitors should enter the office through the main entrance and report to the Receptionist.

Non-Business Hours - For safety and security reasons, visitors are prohibited from being on Synod premises before or after normal business hours without prior approval from a Synod staff member.

Definition of Visitor - For the purpose of this policy, a visitor is defined as a customer, vendor, supplier, friend or family member of an employee, or any other non-employee.

Personal Visitors - An employee may have personal visitors on Synod premises for occasional, brief visits during normal business hours.

1207 *Workplace Violence*

Policy Statement - Synod considers the safety of its employees, or any individual on Synod property to be of paramount importance. The Synod has zero tolerance for any type of workplace violence committed by, or against, an employee. This includes, but is not limited to, threatening, intimidating, or inferring violence against any person or property associated with the Synod.

Notification of Threatening Behavior - An employee who is a victim of, witness to, or becomes aware of any potentially dangerous situation, aggressive, bullying, or hostile behavior, or threats or acts of violence, must inform his or her supervisor or another member of management immediately. Any suspicious individuals or activity must also be reported.

Investigations - Synod treats any threat of violence as legitimate, and will take immediate appropriate action, including an investigation of the matter and the involvement of the police department.

Prohibited Conduct - The following conduct is prohibited at all times while on Synod or at any location while representing the Synod:

- Fighting, provoking a fight, or threatening violence;
- Horseplay;
- Hostile behavior that creates a reasonable fear of harm to others or property; and
- Intentionally damaging Synod or coworker property.

Firearms and Weapons – An employee is prohibited from possessing firearms or weapons of any kind while on Synod premises; in Synod, leased, rental or personal vehicles while conducting business for Synod or any other location during working time or while representing the Synod, regardless of whether the employee is licensed to carry the weapon. The only exceptions are law enforcement personnel and security guards.

Policy Violations - Violations of this policy will result in disciplinary action, up to and including termination and/or legal action.

1208 *Security Inspections*

Policy Statement - Synod reserves the right to inspect all Synod and personal property brought onto Synod premises or work sites at any time with or without notice if there is suspicion of theft, illegal activity, or similar behavior that may violate Synod policy or government regulation. This includes, but is not limited to, Synod and personal vehicles, packages, briefcases, purses, desks, lockers, and file cabinets, even if locked. The inspection will normally be conducted in the presence of the employee.

Policy Violations - An employee who refuses to allow management to inspect the employee's Synod or personal property may be subject to disciplinary action, up to and including termination. In addition, an employee who steals from the Synod will be subject to disciplinary action, up to and including termination and legal action.

1300 COMMUNICATION POLICIES

1301 *Employee Questions and Concerns*

Policy Statement - Open communication between employees and management is essential to a productive and successful work environment. It is Synod's intent to be responsive to employees' questions and concerns.

Complaint Procedure - An employee is required to bring any concerns to the attention of the employee's supervisor. Normally, employee issues can be resolved through conversations with the employee's supervisor. In the event that the supervisor does not resolve the issue to the employee's satisfaction or the concern involves the supervisor, the employee may contact the Office Manager. The Office Manager will review the situation and provide a timely response to the employee.

Complaint Procedure for Compliance Policies - If an employee's complaint involves one of the Synod's compliance policies relating to harassment, sexual harassment, and/or discrimination, the employee must follow the complaint procedure outlined in *505 Complaint Procedure and Investigations*.

Retaliation - An employee will not be subject to retaliation or any adverse employment action that could affect the employee's job security or potential advancement because of bringing any work-related questions, concerns, or complaints to management's attention. An employee who believes that he or she has been retaliated against for filing a complaint should contact the Office Manager immediately.

1302 *Employee Communications*

Policy Statement - Synod and job-related information is communicated to employees via a variety of communication channels, including memos, staff meetings, and bulletin board postings.

Staff Meetings - Mandatory staff meetings are held periodically to update employees on Synod and department matters.

Bulletin Board - A bulletin board is located near the copy machine for the posting of Synod announcements and information of general interest. An employee should review the bulletin board on a regular basis to stay up-to-date regarding Synod news.

An employee is prohibited from defacing or removing any items posted on the Synod bulletin boards.

An employee must receive prior approval from the Office Manager to post personal messages (e.g., for sale signs, garage sale notices) on the bulletin board.

1303 *Use of Communications Systems*

Policy Statement - Synod's communication systems and equipment are an integral part of the Synod's business, and are provided to employees to aid them in the performance of their job duties and to promote efficient operations.

Definition of Communications Systems and Equipment - For the purpose of this employee handbook, the Synod's communications systems and equipment include, but are not limited to, telephones, voice mail system, pagers, wireless devices, photocopiers, fax machines, incoming/outgoing mail, video and audio taping devices, and computer systems (e.g., networks, laptops, iPads, hardware, software, Internet, intranet, e-mail, instant messaging, text messaging, and computer files).

Synod Property - All Synod communications systems and equipment are the sole property of Synod. This includes all information and documents created, transmitted, received, stored, and downloaded on such systems and equipment. Synod expects all employees to use reasonable care when using Synod-provided electronic communication equipment, such as not eating food or drinking beverages near equipment to avoid damaging equipment.

Passwords - For security purposes, some of Synod's communications systems require a password. Passwords are issued to employees by the communications staff member. An employee may not use a password that has not been issued to the employee or that is unknown to the Synod. Passwords are confidential and should not be disclosed to anyone other than the employee's supervisor or the Office Manager. If it is suspected that a password has become known to others, it must be changed immediately and the Communications staff member must be notified.

Prohibited Uses - The following uses of the Synod's communications systems and equipment are prohibited. This list is meant to be illustrative and not exhaustive:

- Engaging in any illegal activity that violates copyright or other United States regulations, including the copying or distributing of copyrighted materials without the express permission of the author;
- Transmitting confidential, proprietary, or trade secret information;
- Engaging in any form of slander or defamation;
- Using verbal or written obscenities, vulgarities, or threats;
- Making verbal or written remarks that are discriminatory, offensive, demeaning, intimidating, insulting, or harassing;
- Distributing chain letters;
- Displaying, writing, transferring, e-mailing, sending, or storing obscene or sexually suggestive messages or graphic images;
- Accessing, or attempting to access, the computer files or e-mail, text, instant, or voicemail messages of a coworker without appropriate authorization from the coworker or a supervisor;
- Reading, copying, modifying, or deleting a coworker's computer files or e-mail, text, instant, or voicemail messages without authorization from the coworker or a supervisor;
- Using or aiding in the unauthorized use of another person's password, account or identity;
- Soliciting or proselytizing for commercial ventures, other employers, religious or political causes;
- Transmitting messages under an assumed name or attempting to obscure the origin of any message;
- Attempting to remove or modify computer network equipment or software without proper authorization;
- Downloading or using non-business and entertainment software, such as games, puzzles, wallpaper, screen savers, and videos on Synod computers, or wireless devices;
- Harming or destroying software, data, files, or messages (other than editing or deleting information in the normal course of job duties); and
- Intentionally tampering with, obstructing, or impairing the availability of any computer system, anti-virus software, network, or security feature, or circumventing any system intended to protect the privacy or security of another user.

Synod's Right to Monitor Communications Systems and Equipment - There is no guarantee of privacy when using Synod-owned communications systems and equipment. To the extent allowed by regulation, management reserves the right to access, search, and monitor the Synod's communications equipment and files at any time in the normal course of business, with or without advance notice or consent of the employee and/or in the employee's absence. This applies to all information, messages, and files that an employee creates, transmits, downloads, receives, views, stores, or deletes on such systems, including items that are password protected. The Synod has the ability to monitor sites visited by an employee on the Internet, chat rooms, newsgroups, all voice mail messages, and every e-mail message and file transfer into and out of the Synod's network as well as any information created or discussed on social media sites, blogs, or personal web sites.

Use of Audio and Video Recording Devices - Due to confidentiality and personal privacy concerns, the use of cameras, wireless devices, tape recorders, and other audio and video recording devices are restricted in the workplace. Video recording devices and cameras are specifically prohibited in restrooms or in any other location where personal privacy is expected.

An employee is not allowed to photograph, audiotape, or videotape any Synod property, coworker, customer, or anyone affiliated with the Synod without prior authorization from the employee's supervisor except as otherwise provided by law. Advance authorization from the individual(s) being photographed or taped is also required.

1304 Computers and the Internet

Policy Statement - The Internet is a powerful communications tool and a valuable source of information. However, an employee's improper use of Synod-provided Internet services can waste time and resources and create legal liability and embarrassment for both Synod and the employee.

Computer Hardware and Software - All computer software must be licensed and registered to the Synod. No unauthorized or unlicensed hardware or software may be used or installed on any Synod-owned computer, laptop, or wireless device. An employee may not reproduce, transfer, download, modify, or share licensed or non-licensed software with any coworker, business, customer, or for the employee's personal use.

User IDs and Passwords - An employee is responsible for all computer transactions made with the employee's user ID and password. When leaving a workstation for an extended period of time, an employee should log off of the computer. IDs and passwords should not be shared with anyone except an employee's supervisor or the Communications staff member.

Virus Detection - Files obtained from sources outside of the Synod, including disks brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; e-mail attachments; and files provided by customers or vendors may contain dangerous computer viruses that may damage the Synod's computer network. An employee should not download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-Synod sources, without first scanning the material with anti-virus software. The Communications staff member should be contacted immediately if an employee receives a suspicious e-mail attachment or believes there is a virus on the employee's computer or laptop.

Professional Messages - All business e-mail, text, and instant messages should be written in a professional manner that reflects positively on both the Synod and the employee.

Personal Use - The Synod's computers, laptops, and the Internet are generally reserved for business purposes. However, personal use is allowed during non-working time (e.g., authorized meal and break periods) so long as it does not cause harm to Synod, violate any Synod policies, disrupt operations, or interfere with productivity. Personal use during working time is prohibited. Prior supervisory approval is therefore required before using the Synod's computers, laptops, or the Internet for personal use.

Inappropriate Web Sites and Computer Files - An employee should not intentionally log on to any inappropriate or sexually explicit web sites. The Synod will delete any inappropriate files or material on Synod-owned computers without notification to the employee.

1305 Social Media

Social Media –For the purpose of this employee handbook, the term “social media” refers to any Internet-based media that facilitate activities such as professional or social networking, posting comments or opinions, and sharing photos, audio, video, or other content. Examples include, but are not limited to: Facebook, YouTube, LinkedIn, MySpace, Twitter, personal websites, blogs, podcasts, chat rooms, RSS feeds, and Wikis.

Guidelines

- All Synod policies, including its discrimination, sexual/anti-harassment, equal employment opportunity (EEO), anti-bullying, ethics, and confidentiality policies, apply to the use of social media.
- An employee is prohibited from disclosing any trade secrets, products, processes, proprietary information, strategic business plans, or any other private or confidential information about the Synod or customers via social media. Respect copyright, trademark, fair use and financial disclosure laws.
- Do not post any information or engage in any online activity that violates applicable local, state or federal laws, or professional rules of conduct.
- If an employee indicates on any social media that he or she is a Synod employee, he or she must clearly state that the views expressed are solely the personal views of the employee and that they do not represent those of the Synod, customers, or suppliers. This applies to posts, blogs, and videos occurring on any computer during both working and non-working time.
- Do not use Synod email addresses to register on social networks, blogs or other online tools utilized for personal use. In addition, the Synod’s logo and trademark should not be added to an employee’s personal blog or profile.

Using Social Media At Work - An employee must receive prior authorization to develop, post to, or maintain a corporate blog or use social networking sites to conduct Synod business. An employee who has received such authorization may post or blog during working time for business purposes only. Engaging in social networking at work for personal use is strictly prohibited.

Using Social Media During Non-Working Time - Synod respects an employee’s right to self-expression, especially when using social media during non-working time. However, because customers and the public may have access to employees’ posts and videos, employees are expected to use good judgment and to use social media in a responsible manner that does not violate Synod’s policies. An employee should not make false statements about the Synod, customers, vendors, or competitors.

Retaliation - The Synod will not retaliate against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Policy Violations - Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated. Employees are solely responsible for what they post online. Keep in mind that any conduct that adversely affects job performance, the performance of coworkers or otherwise adversely affects members, customers, suppliers, or the legitimate business interests of Synod may result in disciplinary action up to and including termination.

1306 Telephone/Wireless Device Usage

Policy Statement - Because personal telephone calls can negatively affect productivity and distract coworkers, employees are asked to limit personal phone calls during working time. This includes the use of both Synod telephones, wireless devices and employees' personal cell phones. Long distance, personal calls should not result in charges to the Synod. Wireless devices include, but are not limited to, cell phones, smart phones, tablets, and mobile hotspots.

Personal Wireless Devices - An employee should limit non-business related calls on his or her personal wireless device during working time, except in an emergency. This includes sending or receiving and viewing text messages.

Excessive Use - If an employee's personal calls become excessive, affect the employee's job performance, and/or distract coworkers, the privilege of making personal phone calls during working time may be revoked.

1307 Mail

Personal Mail - An employee may place personal letters with the Synod's outgoing mail as long as the employee's own postage is used.

Personal mail, including magazines and packages, should not be delivered to the workplace. The Synod reserves the right to review all incoming mail, including mail addressed to individual employees.

1308 Employee Suggestions

Policy Statement - Synod values the suggestions and ideas of employees. Giving and receiving feedback is encouraged in order to promote a positive, productive, and cooperative atmosphere. An employee is strongly encouraged to inform the employee's supervisor of any suggestions that may be valuable to the Synod's productivity and success. All suggestions are carefully reviewed and implemented, if feasible.

1309 Public and Media Relations

Public Relations – Members of the public should be assisted promptly and treated courteously and professionally at all times. Positive public relations can greatly enhance goodwill, while a negative experience can easily destroy a valuable relationship.

An employee who receives a complaint from a customer, vendor, supplier, or member of the public should immediately report it to the Bishop for resolution.

Media Relations - All requests for information from the media (e.g., television, radio, and newspaper) regarding any aspect of Synod must be referred to the Bishop.

Written Documents Released to the Media - All press releases, publications, articles, and any other written documents for release to the media must be approved in advance by the Bishop.

**SYNOD
EMPLOYEE HANDBOOK ACKNOWLEDGMENT**

I hereby acknowledge that I have received a copy of Synod's employee handbook, which includes an overview of the policies, procedures, rules, and benefits of the Synod.

I further acknowledge that I have read or will read the contents of the employee handbook and I agree to abide by the policies contained therein. I am aware that if I have any questions regarding the contents of the employee handbook I should contact the Office Manager.

I understand that Synod reserves the right to interpret, add, modify, or revoke any provision in the employee handbook with or without cause or notice. I also understand that the employee benefits, policies, procedures, and rules in this employee handbook will remain in effect until notified otherwise by the Synod. I agree to retain my copy of the employee handbook for future reference and to update it with any policy additions or revisions that the Synod issues.

I am aware that any Synod property in my possession must be returned to the Synod upon my separation from employment or when requested by the Synod.

Employment at Synod is employment-at-will. Accordingly, this employee handbook is not intended to be a contract of employment, a warranty of benefits, or a limitation on the Synod's ability to terminate employees.

Failure to sign this employee handbook acknowledgement may result in disciplinary action, up to and including termination.

Employee Name (Please Print)

Employee Signature

Date of Signature

Signature of Manager or Supervisor

Date of Signature