

## THE EMPLOYEE CONDUCT POLICY OF THE

**DISTRIBUTION:** All Employees of \_\_\_\_\_  
Name of local church

**LOCATION OF CHURCH:** \_\_\_\_\_

**EFFECTIVE DATE:** July 1, 2008

**REVISION DATE:** April 1, 2013

**APPROVED BY:** Staff Parish Relations Committee

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### I. Introduction

The \_\_\_\_\_ United Methodist Church (sometimes referred to as "the Local Church") is committed to fostering and building a culture of diversity and inclusion. "For just as the body is one and has many members, and all the members of the body, though many, are one body, so it is with Christ." (1 Corinthians, 12:12) "If one member suffers, all suffer together with it; if one member is honored, all rejoice together with it." (1 Corinthians 12:26)

As a United Methodist Church, there will be times when employment preferences based on religion are appropriate and should be a factor with respect to one's employment. Subject to this consideration and the requirements of our denomination's *Book Of Discipline*, we are mindful of our social obligations with respect to fair employment practices. We strive to create and maintain a work environment in which people are treated with dignity, decency and respect. We encourage differences among our leaders, employees and local churches as embraced in the "Social Principles" contained in *The Book Of Discipline Of The United Methodist Church*.

This passion for reaffirming the relationship of God among all of God's people guides our desire that every local church be welcoming to all persons. The environment of the Church, in its many settings, should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. We believe that each employee has the right to work in an environment free of harassment; therefore, this Local Church, as an employer, has adopted this Employee Conduct Policy. Anyone violating this policy will be subject to disciplinary action, up to and including termination.

This policy is adopted by the Staff Parish Relations Committee\* (or its equivalent under the governing *Book Of Discipline Of The United Methodist Church*), the body responsible for overseeing personnel matters for the Local Church.

While the Local Church expects all of its staff, clergy and lay, to abide by the terms of this Employee Conduct Policy as set forth below, the Local Church recognizes *The Book of Discipline of The United Methodist Church* provides the exclusive methods for bringing complaints against appointed or ordained United Methodist clergy and the sanctions that may

be applied. Depending on the issue, such as income tax status, the category of the person serving in a pastoral role, the person serving the Local Church in a pastoral role may or may not be deemed an “employee” of that congregation. Nevertheless, by signing this Employee Conduct Policy, the person serving this Local Church in a pastoral role acknowledges he/she is subject to the terms and requirements contained herein except where *The Book Of Discipline* provides otherwise.

## **II. PROHIBITED CONDUCT UNDER THIS POLICY**

The definition of harassment is when an employee is subjected to unwelcome verbal or physical conduct or other offensive behavior, especially where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual’s employment; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive environment.

It is the Local Church’s policy that no employee may engage in any form of sexual abuse or sexual misconduct, racial or sexual harassment, or harassment based upon any other characteristic protected by law. Through enforcement of this policy and by education of leaders, employees, and volunteers, this Local Church will seek to prevent, correct and discipline behavior that violates this policy. All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur.

### **A. Racial Harassment**

This Local Church will not tolerate any acts or communications intended to intimidate, demean, annoy, or insult an individual on the basis of his/her race, national or ethnic origin.

This Local Church prohibits any abusive and or derogatory language, behavior, print or visual documents, that in a subtle or overt manner belittles, humiliates, defames, or demeans a person or group of persons based on race, nationality, or ethnic traits or characteristics of their heritage.

### **B. Sexual Harassment**

This Local Church prohibits all forms of sexual harassment. This Local Church will not tolerate any offensive physical, written or spoken conduct, including the use of a computer, regarding any of the following subjects:

- (1) Unsolicited and unwelcome or unwanted written, verbal, physical and/or visual contact with sexual overtones. Written examples: suggestive or obscene letters, notes and unwelcome invitations. Verbal examples: derogatory comments, slurs, jokes and epithets. Physical examples: assault, touching, impeding or blocking movement. Visual

examples: leering, gestures, display of sexually suggestive objects or pictures, cartoons, posters or magazines.;

(2) Unwelcome requests or demands for sexual favors. This includes either subtle or blatant solicitations, pressures or requests for any type of favor, including unwelcome requests for dates, when it is known they are unwelcome, whether or not they are accompanied by an implied or stated promise of preferential, and whether or not they are accompanied by an implied or stated promise of preferential treatment or negative consequence concerning employment

(3) Verbal abuse or kidding that is sexually oriented and considered unwelcome such as telling "dirty jokes" or any tasteless, sexually oriented comments, innuendo or actions that offend;

(4) Creating a work environment that is intimidating, hostile, abusive or offensive because of unwelcome or unwanted conversations, suggestions, requests, demands, physical contacts or attentions related to a prohibited form of harassment;

(5) Continuing to express sexual or romantic interest after being informed that the interest is unwelcome. (Reciprocal or mutual attraction is not considered sexual harassment);

(6) Making reprisals, threats of reprisals, or implied threats of reprisals following negative a response to efforts to establish relationship, where the reprisal relates to compensation, promotion, discipline, tenure or job assignments;

(7) Engaging in coercive sexual behavior which is used to control, influence or affect the career, salary, and/or work environment of another employee; or which may have that effect;

(8) Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations or reclassifications in return for sexual/romantic favors;

(9) Offering sexual favors in exchange for employment benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations, or reclassifications; and

(10) Sending pornographic, sexually explicit, or sexually erotic material through the computer or other means.

Normal courteous, mutually respectful, pleasant, non-coercive interaction among employees, both men and women, that is acceptable to both parties, is not considered to be harassment, including sexual harassment.

### **C. Sexual Abuse and Misconduct**

As an employer this Local Church prohibits all forms of sexual abuse and misconduct by an employee. It is the Local Church's policy that no employee may engage in any form of sexual

abuse or misconduct. Anyone violating this policy will be subject to disciplinary action, up to and including termination.

All employees are expected to create an atmosphere free of sexual abuse and misconduct. Furthermore, all staff leaders and members are expected to immediately report any knowledge of sexual abuse or misconduct.

### **III. Computer Use and Electronic Communications Policy**

This Local Church is committed to providing an environment that encourages the use of computers, telephones, fax machines, and other electronic communications as essential tools to support the Congregation's ministry. In utilizing either your own personal computer or the Local Church's computers and electronic communications systems including, but not limited to, electronic mail and access to the Internet, it is important for all employees and users (hereinafter sometimes referred to collectively as "User" or "Users") to be aware of the Local Church's policy regarding responsible use. It is the responsibility of each User to ensure that this technology is used for proper purposes and in a manner that 1) is responsible, professional, and legal; 2) does not compromise the confidentiality of proprietary, or other sensitive information, or confidential communications within the clergy/parishioner privilege; 3) does not compromise the security of the Local Church's computer resources; and 4) is consistent with good stewardship and the mission and ministry of the Local Church.

All computers, electronic and telephonic communications system, all email systems created and maintained by the Local Church, and all communications and information transmitted by, received from, or stored in these systems or a computer or service made available to a User, is the property of the Local Church. E-mail messages and Internet access are not private, and Users should not consider their e-mail messages and Internet access to be private. An employee's or User's access code or password does not give her or him any right to privacy.

The Local Church reserves the right to monitor and review your computer and the e-mail system, without prior notice, in order to ensure that it is being used for appropriate purposes. Additionally, the Local Church also reserves the right to monitor and review your own personal computer and e-mail when brought onto Local Church property and/or when used for Local Church business. Employees and Users do not have a personal right to privacy in any matter created, received or sent from the e-mail or internet.

Expectations regarding the use of e-mail in conducting business include the following:

- (1) All employees and Users should be sensitive to the fact that e-mail can create a permanent written record. Therefore, no text should be included in an e-mail message that would not be included in any other written communication.
- (2) Great caution should be used when distributing any material marked "confidential" "not for distribution" or "internal use only" when transmitted via e-mail.
- (3) Any questions about a specific item to be e-mailed should be directed to the department Director or her/his designee.

- (4) No computer, electronic or telephonic communications system is to be used for the purpose of accessing pornography, sexually explicit or sexually erotic material, or any site for a purpose to be immoral or against the law.

#### **IV. PROCEDURES FOR REPORTING VIOLATIONS OF THIS EMPLOYEE CONDUCT POLICY**

If you feel you have been the subject of racial, sexual, or other harassment or sexual misconduct you should:

- (1) If the circumstances permit, state firmly and clearly to the alleged violator that this behavior is unwelcome and you want it to stop. This action, in many cases, will resolve the issue.
- (2) If the issue cannot be resolved through personal discussions with the alleged violator, you must inform the Senior Pastor and either your immediate supervisor, the Chair of the Staff Parish Relations Committee, or any member of the Staff Parish Relations Committee. If the Senior Pastor is the subject of the Complaint, then you must report the matter to the District Superintendent. Employees should report any incident of abuse or misconduct in writing, if possible.

To report a violation of the Computer Usage Policy, notify the alleged violator's direct supervisor or the Chair of the Staff Parish Relations Committee.

The Local Church will not retaliate against an employee who in good faith files a complaint alleging a violation of this Employee Conduct Policy, nor will the Local Church retaliate against an individual for cooperating in good faith in an investigation of harassment.

If a complaint is made, an investigation will be conducted as promptly as possible. The investigation of a complaint regarding a non-ministerial employee or non-appointed clergy will be completed within thirty (30) days from the submission of the complaint, provided there are no extenuating circumstances. If the complaint involves an appointed member of the clergy, the matter will be referred to the District Superintendent for investigation and handling under *The Book of Discipline*.

If an individual is found to have violated this Local Church's Employee Conduct Policy, or if a complainant is found to have intentionally made false or malicious allegations, disciplinary actions may be taken up to and including termination of employment.

Clergy misconduct is subject to the procedures contained in *The Book Of Discipline* and any complaint against clergy must follow the applicable provisions contained therein. Clergy, and those who have a grievance against clergy, whether or not the complainant or the violator is lay or clergy, are encouraged to address any concerns directly with the other person as a means of resolving the issues. If the issues are between two clergy and the two cannot resolve the issues among themselves, the one claiming a violation is encouraged to seek the assistance of her/his Superintendent as a means of resolving the issues. If the clergy person's complaint involves her/his Superintendent, or if either is a Superintendent, the complainant is encouraged to invoke the guidance of a member of the Conference staff, another Superintendent, or the Bishop to assist in resolving the grievance prior to filing a formal complaint.

*I have received and read and agree to abide by the provisions of this Employee Conduct Policy.*

Date:
Print Name:
Signature:
Name of Church/Ministry:
Position/Title of Signer:

\*For purposes of this policy, Staff-Parish Relations Committee shall refer to the body acting as the Local Church's personnel committee if known by another name.