

Family Medical Leave Policy for the Presbytery of Middle Tennessee: May 2021

Eligibility

Because of the unique situation that is a church family, illness, the addition of a child to a family, or the illness of a pastor's loved one creates a unique burden on both a pastor and the pastor's congregation. This policy is our attempt to build a shared understanding of faithfully safeguarding both needed support of the pastor and their family, and the continued vitality of the congregation. As a connectional church, with shared leadership between Teaching and Ruling Elders, we hope to foster communication for mutual care.

This policy covers all Ministers of Word and Sacrament serving a PC(USA) entity including those serving in temporary/transitional or part-time positions, as well as in installed positions. Churches are encouraged to extend similar benefits to other employees, at the session's discretion.

Parameters

- Within any 12-month period, a maximum of 12 weeks (total, regardless of precipitating event or circumstance) of Paid Leave may be agreed upon with as much advance notice as possible. For the sake of the health of each congregation, consecutive use of Paid Leave, vacation and sabbatical is discouraged.
Specific circumstances which call for the family/medical leave will help guide the agreement reached about the length of the time for the family/medical leave. Possible partial performance of pastoral duties during the absence is negotiable between the pastor and session. If desired, the Committee on Ministry can provide assistance and support for these conversations. If there is disagreement about the necessity of leave when it is not clear through the guidelines of the Board of Pensions, either the pastor or the session can call on COM for help negotiating the Paid Leave.
- Paid Leave may be used consecutively or intermittently. Tracking use and substantiating documentation of intermittent absences is the responsibility of each session and pastor.
- During Paid Leave, the pastor will continue to receive all benefits in their terms of call, including dues paid to and benefits provided by the Board of Pensions.
- Paid Leave is not vacation or sabbatical, and Paid Leave Time will not reduce the vacation/study leave/sabbatical time in the pastor's/employee's terms of call/contract. At the discretion of the pastor and session, vacation time may be used to extend the Paid Leave outlined in this policy.
- Following the period of Paid Leave, the pastor shall be entitled to return to the same position with the same title, terms of call, hours worked, and job description.
- We recommend that the pastor/full-time employee, COM representative(s), and session/board representative(s) participate in a reentry/reevaluation conversation during the Paid Leave, before the pastor/employee returns to work.
 - Becoming a parent, healing from a personal loss, and caring for ill/disabled family members are major life events that can be substantially impactful. Having a conversation about the changes in perspective/priorities brought about during/from the Paid Leave can smooth the pastor/employee's reentry into the life of the church/entity.
- Churches and pastors/employees are encouraged to use the energy, intelligence, imagination, and love promised in ordination vows to approach the structure of each leave situation.
 - For example, an employee with a life-altering reason for Paid Leave may be helped with a gradual return to their job duties, which would ultimately benefit both the life of the church and the thriving of the pastor/employee.

If desired, COM will consult with churches on pulpit supply — supported either by an emergency pastoral supply fund, or by suggesting preachers who have agreed to forgo an honorarium under such circumstances.

Types of Leave

Events and Circumstances impacting the pastor — These situations affect a pastor's personal ability to perform their duties. The Board of Pensions' policy covers 60% of the effective salary of the pastor in these situations:

- **Medical Leave:** Temporary Disability is defined by the Board of Pensions as when an employee is “unable to perform regular work duties because of sickness or injury. Temporary disability benefits are generally available for up to 90 days from the date of the disability, after a 14-day waiting period.” The Board of Pensions Temporary Disability benefit will cover 60% of the pastor/employee's salary during Medical Leave, thus reducing the financial burden on the church. It is up to the Session of each congregation to determine if they are able/willing to pay the remaining 40% of the pastor/employee's salary during his or her leave.
- **Parental Leave:** Within one year of birth or adoption, a pastor/employee may take up to twelve consecutive or intermittent weeks of time off for bonding and care for the new family member.
- **Childbirth:** The Board of Pensions Temporary Disability benefit will cover 60% of the pastor/employee's salary during Parental Leave *with approval from a physician*, thus reducing some of the financial burden on the church. It is up to the Session of each congregation to determine if they are able/willing to pay the remaining 40% of the pastor/employee's salary during her leave.
- **Adoption:** In cases of adoption, the Temporary Disability Benefit will not apply. It is recommended that churches pay either 60% of the employee's salary, the full salary less the amount needed to pay for pulpit supply, or some other amount negotiated by the session and pastor/employee. The Board of Pensions does offer an adoption grant that the pastor/employee should be made aware of as they navigate the costs of adoption.

Events and Circumstances impacting the family of the pastor:

- **Caregiver/Family Leave:** When a family member requires care due to an illness or disability, a pastor/employee may take up to twelve weeks Paid Leave, either consecutively or intermittently, depending on the nature of illness and need. It is appropriate for pastors and other covered employees to clarify the necessity or relationship that requires caregiving. It is recommended that churches pay either 60% of the employee's salary, the full salary less the amount needed to pay for pulpit supply, or some other amount negotiated by the session and pastor/employee.
- **Personal Loss Leave:** In the event of the death of a loved one or a tragic event, a pastor/employee may take up to twelve weeks Paid Leave, either consecutively or intermittently, depending on the nature of event and need. It is recommended that churches pay either 60% of the employee's salary, the full salary less the amount needed to pay for pulpit supply, or some other amount negotiated by the session and pastor/employee.

Church [and Other PC(USA) Entity] Support

- Where possible, pastors/employees are encouraged to anticipate Paid Leave with as much advance notice as possible, and with sensitivity around the needs of the church/entity/body such as temporary replacement and fulfillment of duties. Again, the COM is available to help sessions arrange appropriate pulpit supply and pastoral services.
- Paid Family Leave is not intended to be a burden but rather a source of joy and comfort as churches/entities encourage pastors to take time for the good of their families. Churches with smaller staffs are encouraged to consult with the presbytery about implementing this policy.
 - Pastors laboring outside the parish setting are to be guided by their employers' FMLA policies (e.g. hospital chaplains). In the absence of an FMLA policy, this policy is recommended.