

PRESBYTERY OF NORTH CENTRAL CALIFORNIA
SAMPLE and MINIMUM PAID FAMILY AND MEDICAL LEAVE POLICY
for Congregations and Specific Categories of Presbytery Approved Pastoral Leaders

Minimum Requirement

G-2.0804

The terms of call shall always meet or exceed any minimum requirement of the presbytery in effect when the call is made. The session shall review annually the minister's terms of call and shall propose for congregational action (G-1.0501) such changes as the session deems appropriate, provided that they meet the presbytery's minimum requirements. The call shall include **provision for a minimum of twelve weeks paid family medical leave** and participation in the benefits plan of the Presbyterian Church (U.S.A.) including both pension and medical coverage, or any successor plan approved by the General Assembly.

Effective immediately, all terms of call and contracts for installed pastors, covenant pastors and Commissioned Ruling Elders are to include:

a minimum of 12 weeks of paid family/medical leave and continuation of benefits as outlined in the terms of call or contract:

- for the birth of a child
- for fostering or adopting a child
- for caring for an ill or disabled family member
- for healing after a loss or tragic event

Worshiping communities are encouraged to anticipate the possibility. Possible steps include:

- regularly setting aside funds to cover the pulpit supply costs (as for Sabbaticals),
- identifying and encouraging elders to preach on occasion (if not more),
- using NCCP's Pulpit Supply list during the pastor's vacation and study leave,
- reaching out to Vitality in Ministry when a need arises so they can share best practices,
- use the template below to prepare your congregation's policy,
- provide encouragement and
- perhaps also provide a grant.

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The following policy was prepared by the PC(USA) General Assembly Attorney

<NAME OF CONGREGATION>

<ADDRESS OF CONGREGATION>

PAID FAMILY AND MEDICAL LEAVE POLICY

Paid Family and Medical Leave Introduction

"Paid Family Leave is not intended to be a burden but rather a source of joy as churches/entities encourage pastors to take time for the good of their families. In the spirit of the connectional church, councils of the PC(USA) are encouraged to work together to assist individual churches/entities in the development of funding Paid Family Leave in order best to serve the Kingdom of God. Presbyteries and

synods are encouraged to facilitate conversations regarding how individual churches/entities might fund Paid Family Leave.*

Where possible, communication of mutual needs and planning is vital to minimize disruption for the entity served by the pastoral leader. Pastoral leaders are encouraged to anticipate leave with sensitivity around the needs of the church/entity/body, including but not limited to temporary replacement and fulfillment of duties.” (*lightly edited from the rationale from the Family Leave Task Force*)

This Family and Medical Leave Policy, when combined with other leave options such as **<add any leave benefits particular to your congregation such as Bereavement, Emergency, available Sick Time or benefits available to those who participate in the Board of Pensions>** is intended to provide a comprehensive leave program. Together, this leave program provides paid leave for life circumstances such as the birth, foster placement, or adoption of a child, care for a family member with a serious health condition, care for your serious health condition, or healing following a loss or tragic event.

Paid Family and Medical Leave Policy

Under this policy, you are eligible for up to 12 weeks of paid leave in a calendar year **<or other definition of “year” you may use and can be more than 12 weeks>**. You are eligible for multiple leaves during a calendar year provided you do not exceed a total of 12 weeks annually. You may use Paid Family and Medical Leave for:

- a. The birth of a child and in order to care for that child.
- b. The adoption or placement of a child for foster care with you and to care for the child.
[NOTE: Leave for birth, adoption or foster care of a child must be taken within one (1) year of the birth or placement of the child.]
- c. To care for an immediate family member** with a serious health condition.
- d. Your own serious health condition that makes you unable to perform the functions of your position.
- e. Your own healing following a loss or tragic event when under medical care.

Serious Health Condition Definition

A serious health condition is:

- a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with inpatient care;
- a condition that requires continuing care by a licensed health care provider (ex. surgery, physical therapy after surgery);
- illnesses of a serious and long-term nature, resulting in recurring or lengthy absences (ex. migraines, restorative surgeries); or
- a chronic or long-term health condition which, if left untreated, would result in a period of incapacity of more than three (3) days (for example: cold or flu that incapacitates you for more than 3 days and you are under care of a physician).

You must provide **<your manager, personnel committee, etc.>** with a note from a medical provider explaining the need for leave and length of leave.

Benefits During Leave

<name of congregation> will continue your health benefits during the leave period at the same level and under the same conditions as if you did not take leave. If you choose not to return to work for reasons other than a continued serious health condition of your own or your family member or a

circumstance beyond your control, **<name of congregation>** may require you to reimburse **<name of congregation>** the amount it paid for your health insurance premium during the leave period. For any optional benefits you may receive such as dental, flexible spending account, etc., deductions will continue to be taken from your pay during any paid leave or for unpaid leave. **<name of congregation>** will advance your portion of the cost for these benefits. On return to work, **<name of congregation>** will agree with you on repayment of these advanced costs, in full, through payroll deduction.

Use of Paid Time Off During Leave

Before using Family and Medical Leave, you must use any paid sick time you have available, although you may hold back **<XX>** sick days. If you use all your sick time and you are still on Family and Medical Leave, you will continue to receive your full pay up to 12 weeks annually. **<Optional statement you may include: You are not required to use any of your vacation or emergency time during your leave.>**

Status After Leave

If you take leave under this policy, you will be able to return to the same position you were in when your leave started.

When you return from Family and Medical Leave under this policy, you must provide a return-to-work note from a medical provider.

*NCCP encourages congregations and pastors to be prepared:

- set funds aside for such a situation
- have back up plans for covering the work to be done—pulpit supply, guest moderator from the presbytery, ruling elders capable of preaching and presiding at communion
- look into BOP financial protection programs (contact our regional rep)

**“Immediate family” generally refers to your spouse, partner, children, parent, stepparent, parent-in-law, sibling (including step and half), grandparent, grandchild, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, and daughter-in-law. Your spouse is an individual to whom you are legally married in a marriage that conforms to the definition in the Book of Order of the Presbyterian Church (U.S.A.). This includes individuals in a common law marriage, a state-licensed civil union or state-licensed domestic partnership, as well as individuals in marriages validly entered into outside of the United States that conform to the Book of Order definition. Your children include biological, adopted, or foster children and legal wards and children and stepchildren for whom you provide care and financial support on a daily basis.

This list is descriptive, not exhaustive. It realizes there are many non-traditional relationships that are equally important to our employees; therefore, the definition may also apply to any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.