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# EMPLOYEE HANDBOOK

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for Shared Employees of

# ST. MARK PRESBYTERIAN CHURCH

July 1, 2012



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# **Welcome to St. Mark Presbyterian Church and SWBC Professional Employer Services II, LLC**

**Purpose:** This policy handbook and employee information guide (“employee handbook”) is designed to inform you of the objectives, practices, policies and expectations of St. Mark Presbyterian Church and SWBC Professional Employer Services II, LLC regarding their shared employees. It is also intended to provide you with information required by laws that regulate this employment relationship. This handbook is for your benefit and is provided to meet our objective to keep you well informed. It is **not** intended to be all inclusive. Certain situations may arise that require management actions that may not be addressed in this handbook. Policies, procedures and benefits referred to in this handbook are subject to change or cancellation at any time, without notice, and are subject to any state or federal law that may apply. Nothing in this handbook constitutes a guarantee of employment. Any compensation amount or employee benefit program referred to in annual or monthly terms is stated for convenience only and does not create a contractual agreement for any specific period of time.

**This handbook is effective as of 7/01/12. It replaces all previous employee handbooks.**

**Shared Employment Status:** SWBC Professional Employer Services, Inc. (also referred to as “SWBC PEO”) is a Texas licensed Professional Employer Organization (“PEO”). St. Mark Presbyterian Church (also referred to as “SMPC” or “Church”) has contracted with SWBC PEO to perform certain professional employer services on behalf of SMPC and its employees. Many of these services affect you, the employee (also referred to as “employee”, “work-site employee”, “you”, “your”, or “yours”). You are a shared employee of SWBC PEO and SMPC. The contract between SMPC and SWBC PEO provides that certain responsibilities remain with SMPC and others are the responsibility of SWBC PEO. They deal with right of direction, payment of wages, payment of payroll taxes, discipline and hiring policies. Although SWBC PEO shares in the right of direction and control of your work efforts, you will be subject to daily work direction and means of performance by SMPC. Any questions regarding your status as a shared employee may be directed to SWBC Professional Employer Services II, LLC 30815 US Highway 281 North Bulverde, Texas 78169 (830) 980-1200 or (877) 704-0454.

**Questions or Complaints:** Pursuant to Texas Labor Code, §72.70(a), the Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711, or 920 Colorado, Austin, Texas 78701, telephone number (800) 252-8026 or (512) 463-6599, oversees the provision of staff leasing services in the State of Texas. Unresolved complaints regarding a licensee or questions concerning the regulation of staff leasing services may be addressed to the Texas Department of Licensing and Regulation.

# TERMS OF EMPLOYMENT

**At Will Employment:** This handbook and the policies, provisions and procedures contained herein do not constitute a contract of employment. To the contrary, you are an employee at will. As such, you are free to resign at any time for any reason. Likewise, SMPC and/or SWBC PEO may terminate your employment at any time for any reason. Nothing contained herein or in any publication by SMPC or SWBC PEO is an expressed or implied employment contract. Every employee agrees to accept employment based on this employment at will provision. This at will employment relationship can be altered, modified, or amended only by a written agreement between you, SMPC, and SWBC PEO.

**Equal Employment Opportunity Policy:** SMPC and SWBC PEO provide equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, genetic information, or status as a covered veteran in accordance with applicable federal, state and local laws. SMPC and SWBC PEO comply with applicable state and local laws governing non-discrimination in employment in every location in which either company has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, promotion, discharge, pay, fringe benefits, membership, job training, classification, and other aspects of employment. Employees who believe they are the victims of discrimination are encouraged to report this matter to the Senior Pastor of SMPC, and the President of SWBC PEO.

## **Classification of Employees/definitions:**

- **Exempt** – A salaried employee who is not eligible for (exempt from) overtime pay according to the Fair Labor Standards Act.
- **Non-Exempt** – An hourly employee who is eligible for overtime pay according to the Fair Labor Standards Act.
- **Full-Time** – For the purpose of qualifying for health, ancillary, and/or life insurance benefits, an employee who regularly works 30 hours or more per week. For the purpose of qualifying for all other employee benefits, an employee who regularly works 30 or more hours or more per week.
- **Part-Time** – For the purpose of qualifying for health, ancillary, and/or life insurance benefits, an employee who regularly works from twenty to twenty nine hours per week. For the purpose of qualifying for all other employee benefits, an employee who regularly works from twenty to 29 hours per week.
- **Casual Employee** – An employee having a regular work schedule of less than 20 hours per work week and is by definition a nonexempt, hourly employee. A casual employee may, on occasion, work 20 or more hours in a work week without changing status.
- **Temporary Employee** – An employee that SMPC occasionally hires on a temporary basis. The job assignment, work schedule and duration of the position will be determined on an individual basis. Temporary Employees are not entitled to receive employee benefits.

**Work Week:** A period of one 168 consecutive hours (24 hours x 7 days) that has a fixed start and end for each employee. For nonexempt employees, hours actually worked in excess of forty per workweek must be paid at the overtime rate.

**Work-Schedule Rule:** The normal, expected number of hours to be worked per day or per week. The WSR reflects the stated or typical hours per day or hours per week but does not necessarily indicate *which* calendar days of the week are to be worked. For purposes of calculating all forms of paid time off as well as unpaid leave, a WSR record must be documented for each employee showing:

- Scheduled number of hours per work day;
- Scheduled number of work days per week;
- Scheduled number of hours per work week.

Example 1 (Full-Time):

- Scheduled number of hours per work day: 8
- Scheduled number of work days per week: 5
- Scheduled number of hours per work week: 40

Example 2 (Part-Time):

- Scheduled number of hours per work day: 6
- Scheduled number of work days per week: 4
- Scheduled number of hours per work week: 24

Example 3 (Casual):

- Scheduled number of hours per work day: 4
- Scheduled number of work days per week: 3
- Scheduled number of hours per work week: 12

Once an employee's WSR is determined, it should not be changed unless the schedule changes. Such changes could affect PTO record-keeping and thus require advance approval of SMPC's Personnel Committee.

Irregular schedules (e.g., "4.5 days per week" or "40 hours over six days") will require extra documentation for purposes of defining paid or unpaid time off.

**Introductory Period:** The introductory period refers to the first ninety (90) days of employment. It is a time of evaluation of the employment relationship. Employees in the introductory period are generally not eligible for voluntary employee benefits, with the exception of workers' compensation.

**Workers' Compensation Insurance:** To protect you, SWBC PEO has purchased workers' compensation insurance coverage. You must immediately report to the Senior Pastor or his or her designee all on-the-job injuries or illnesses. If you need assistance in reporting a workers' compensation claim, contact SWBC PEO. No one has the authority to interfere

with your obligation to timely report an on-the-job injury or illness. For more information about your workers' compensation rights you should contact any office of the Texas Workers' Compensation Commission or call (800) 252-7031.

**Promotions:** In certain cases, SMPC will find it necessary to employ applicants from outside SMPC to fill positions when, in the opinion of SMPC, there are no current employees qualified to staff that position. However, every effort will be made to promote from the ranks of current employees. SMPC has the discretion to post job openings when appropriate.

**Employment of Relatives:** Employment of relatives is generally allowed by SMPC. However, SMPC retains the right to make exceptions to this policy depending on the circumstances and its personnel needs. If, in the judgment of SMPC, an actual or perceived conflict of interest could exist by hiring a relative of a current employee, that applicant will not be considered for employment.

**Change of Status:** Any material life change should be reported at once (but in no event later than 31 days from the date of change) in writing to SWBC PEO and SMPC, including, but not limited to:

- Change of address or phone number;
- Change in marital status or in the number of dependents;
- Change in the number of exemptions claimed for income tax purposes
- Change in insurance beneficiary; and
- Requested change(s) in any employee benefit.

**Resignation:** If you decide to leave SMPC, we ask, BUT DO NOT REQUIRE, that you inform the Senior Pastor in writing two weeks prior to your date of departure so that an orderly transition can be made. In some cases, SMPC may decide it is best that a resigning employee leave SMPC as soon as the resignation is given. All Church property must be returned in a timely manner. However, all church keys must be surrendered upon demand. **Your resignation as an employee of SMPC shall also constitute your resignation as a shared employee of SWBC PEO.**

**Final Paycheck:** Your final paycheck may be picked up from SMPC office at 208 West Bandera Boerne, Texas 78006.

**Unemployment Benefits:** If you are terminated or laid off by SMPC, you must contact SWBC PEO by the end of the first business day immediately following the day you are terminated or laid off in order to seek reassignment to a new position. **You must contact SWBC PEO by calling (830) 980-1200, and request reassignment. If you fail to contact SWBC PEO by the end of the first business day following the day you are terminated or laid off, you will be deemed to have abandoned your employment relationship with SWBC PEO and, under Texas law, you may be denied unemployment insurance benefits. Reassignment is not guaranteed.**

## **WAGE AND SALARY POLICY**

**Overview:** It is the intent of SMPC to pay wages that are competitive with those in our Presbytery. SMPC classifies each position based on knowledge and ability requirements, education and training, variety and scope of responsibilities as well as physical and mental demands. Wage increases will be based on employee performance and are not automatic or guaranteed.

**Overtime Pay:** Non-exempt employees must obtain approval from the Senior Pastor before overtime hours are worked. Such pay will be calculated at one and one half (1½) times your normal pay rate for hours worked in excess of 40 hours during a seven (7) day work week, as designated by SMPC.

**Payroll Deductions:** Federal Income Tax and Social Security and Medicare Tax will be automatically deducted from every employee's wages. Employees may designate other voluntary deductions, such as payment of benefits, 401(k) deferrals, direct deposits, etc. Garnishments from your paycheck that are ordered by a duly authorized municipal, county, state or federal agency or any established court of law will be withheld from your paycheck and forwarded to the designated person, entity or address.

**Additional Deductions:** SWBC PEO may withhold certain funds from your paycheck, be it a paycheck on the usual pay cycle, your final paycheck or a check issued to you after your employment has been terminated. In the event of the following occurrences, you may become liable to the SWBC PEO which will result in funds being withheld from your paycheck:

- Failure to return Church owned property that is in your care, custody or control. Property means tangible property including, but not limited to, items such as cell phones, uniforms, keys to Church buildings and equipment, vehicles, computers, telephones, tools, supplies and all other Church owned property;
- A dollar amount equal to the actual cost of repair or replacement of property owned by SMPC or others that is damaged beyond the usual wear and tear while in your care, custody, or control;
- Charges that become the liability of SMPC that were incurred due to an employee's negligence, for unauthorized business purposes, for personal use, or that were unreasonable, excessive, or unsubstantiated. This includes, but is not limited to, phone calls resulting in a toll charge, charges made to a Church credit card, supplies, services and property purchased or ordered for non-Church use or benefit;
- Any inadvertent or unintended payment of wages;
- Insurance premiums and 401(k) contributions that are paid on behalf of an employee for any reason that are found to be in error or over and above the established Church participation levels;
- The employee's portion of any premium that was paid on behalf of the employee in accordance with the Family & Medical Leave Act or any other applicable law;
- Payments owing on any loan or salary advance made to you by SMPC.

**Church Property:** The value of tangible property not returned will be based on the actual cash value of such property. The value of services and fees will be based on the actual cost of such services and fees. In both instances, legal expenses, if any, that are incurred by SMPC to settle such accounts will also be charged to the employee. Late fees, interest, penalties and service charges, that become the liability of SMPC, that were incurred by an employee for unauthorized business purposes or for personal use will be charged to the employee. Property that has been returned with damage beyond the usual wear and tear may be repaired or replaced by SMPC, based on the extent of the damage. The cost of repairs or replacement will be charged to the employee.

**Accounting:** If funds are withheld from an employee's paycheck for any of the above reasons, the employee will be given a detailed report showing the reason(s) for the deduction. Funds owed to SMPC or SWBC PEO by current employees are immediately due and payable unless a repayment plan acceptable to SMPC or SWBC PEO is adopted; provided, however, in the event of a final paycheck, the entire balance owing may be withheld.

**Paydays:** SMPC and SWBC PEO pay employees on the paydays designated by SMPC. **Pursuant to Texas Labor Code, Chapter 91, §91.032(c), SMPC Presbyterian Church is solely obligated to pay any wages for which:**

- **obligation to pay is created by an agreement, contract, plan, or policy between SMPC Presbyterian Church and you; and**
- **SWBC PEO has not contracted to pay.**

**Electronic Deposit:** Employees may elect to have their paycheck electronically deposited into their bank or credit union account. Such electronically deposited funds will generally be available on the pay day, but there may be extenuating situations where funds are not available until the following business day. Those who elect direct deposit agree that neither SWBC PEO nor SMPC are responsible for any consequences that may stem from an employee's paycheck not being available on their usual pay day. Paychecks will only be released to employees, unless prior written authorization to the contrary is given by the employee to SMPC.

## **HARASSMENT POLICY**

**Overview:** SMPC and SWBC PEO are committed to providing a work environment free of unlawful harassment, including sexual harassment. Harassment on the basis of race, color, national origin, religion, sex, age, disability, genetic information, veteran status, or any other protected status, is unlawful under federal, state, and/or local laws. SMPC and SWBC PEO do not tolerate harassment of employees by staff, co-workers, contractors, or vendors.

**Prohibited Unlawful Harassment:** any behavior, including off-duty conduct, by an individual (whether verbal, physical, visual, or via electronic communications) that has the purpose or effect (on a reasonable employee) of creating an intimidating, offensive, or hostile working environment or that interferes with work performance. Examples of prohibited harassment include, but are not limited to, verbal conduct such as racial, sexual or ethnic jokes, slurs or offensive comments; visual conduct such as derogatory and/or sexually oriented posters, cartoons, emails, gestures, or pictures; physical conduct such as

assaults, unwanted touching, or blocking of normal movement; and solicitation, threats or demands that an individual submit to certain conduct or perform certain actions, in order to keep or get a job, or as a condition of job benefits, security, or promotion, or other verbal, visual or physical conduct of an unlawful nature.

**Reporting Procedures:** If you believe that you or a co-worker may be the subject of harassment you should report it to the Senior Pastor and to the President of SWBC PEO within 72 hours of the alleged incident(s). The central telephone number of SMPC is (830) 816-3000 and the central telephone number for SWBC PEO is (877) 704-0454 or (830) 980-1200. Employees who receive complaints or who observe discriminating or harassing conduct should immediately inform the Senior Pastor of SMPC and the President of SWBC PEO. Failure of an employee to report allegations of harassment could lead to disciplinary action against the employee if it is determined that he or she knew but did not report the information to the appropriate person.

**Investigations:** All such complaints of harassment will be promptly investigated. Although SMPC and SWBC PEO will attempt to maintain the confidentiality of the information the employee provides, SMPC and SWBC PEO cannot guarantee such confidentiality. SMPC and SWBC PEO will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint of unlawful harassment.

**Consequences:** If it is determined that unlawful harassment has occurred, prompt and appropriate remedial action will be taken. Any employee(s) determined to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including immediate termination. If action is taken against the accused, the action will be made known to the employee lodging the complaint, and appropriate action to prevent further discrimination or harassment will be taken. Non-employee violators of this policy against harassment may be subject to expulsion from Church facilities.

## **COMPUTER NETWORK AND INTERNET POLICY**

**Overview:** The Internet is a worldwide network of computers that contains billions of pages of information. Employees using SMPC's computer resources and the Internet ("Users") are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Additionally, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk and SMPC is not responsible for material viewed or downloaded by Users from the Internet. To minimize these risks, your use of the Internet at SMPC is governed by the following policies.

**Permitted Use of Internet and Church Computer Network:** The computer network is the property of SMPC and may only be used for legitimate business purposes. Users are provided access to the computer network to assist them in the performance of their jobs. Additionally, Users may also be provided with access to the Internet through the computer network. All Users have a responsibility to use SMPC's computer resources and the Internet in a professional, lawful and ethical manner. Abuse of the computer network or the

Internet, may result in disciplinary action, including possible termination, and civil and/or criminal liability.

**Communication of Confidential Information:** Unless expressly authorized to do so, users are prohibited from sending, transmitting, or otherwise distributing proprietary information, data, or other confidential information belonging to SMPC. Unauthorized dissemination of such material may result in severe disciplinary action up to and including termination as well as substantial civil and criminal penalties under state and federal laws.

**Network Security:** By passing or failing to follow any computer network security established by SMPC is strictly prohibited.

**Frivolous Use:** Users must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, using social media, uploading or downloading files or programs, accessing streaming audio and/or video files, or otherwise creating unnecessary loads on network traffic associated with non-business-related uses of the Internet. Frivolous use of social networking does not include use of social networking tools useful or necessary for the execution of one's duties.

**Virus Detection:** Files obtained from sources outside SMPC, including disks brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files attached to e-mail, and files provided by customers or vendors, may contain dangerous computer viruses that may damage SMPC's computer network. If you suspect that a virus has been introduced into SMPC's network, notify the senior pastor immediately.

**No Expectation of Privacy:** Employees are given computers and Internet access to assist them in the performance of their jobs. Employees should have no expectation of privacy in anything they create, store, send, or receive using SMPC's computer equipment. The computer network is the property of SMPC and may only be used for SMPC purposes.

**Waiver of Privacy Rights:** Users expressly waive any right of privacy in anything they create, store, send or receive using SMPC's computer equipment or Internet access.

**Monitoring of Computer and Internet Usage:** SMPC has the right to monitor and log any and all aspects of its computer system including, but not limited to, monitoring Internet sites visited by Users, monitoring chat and newsgroups, social media sites, monitoring file downloads, and all communications sent and received by Users.

**Blocking Sites with Inappropriate Content:** SMPC has the right to utilize software that makes it possible to identify and block access to Internet sites containing sexually explicit or other material deemed inappropriate.

## **PERSONAL BLOGS POLICY**

It is the policy of SMPC to respect the creativity and freedom of speech that employees may engage in through personal blogs or similar media (internet message boards, etc.).

However, limits as to what content may be posted and limits as to when blogging can occur must be enforced.

**Procedures:** Personal blogging may not occur on Church property (computers or PDAs) and may not occur during normal work hours.

If you engage in blogging or other internet postings outside the workplace, you are expected to refrain from making any references to SMPC as your employer, and you are expected to clearly express that the views expressed are your own—not those of SMPC. Postings must not contain confidential Church or member information, trade secrets, harassment of a coworker or member at SMPC, or otherwise indicate improper conduct.

SMPC reminds you that its current members and future guests, members, or others may read your blogs or postings; so you are advised to use discretion in such activities.

If an employee develops or is assigned to work on a Church-related blog or similar social-media activity, SMPC will establish guidelines for acceptable content.

### **Additional Information**

Violations of this policy may result in disciplinary action, up to and including termination.

**Employees may be investigated under the Harassment Policy in the event that their personal social networking activity has the purpose or result of a significant, adverse effect on working conditions or relationships in the workplace.**

## **SUBSTANCE ABUSE POLICY**

**Overview:** SMPC and SWBC PEO acknowledge the problem of substance abuse (including alcohol) in our society. Substance abuse is a serious threat to our employees, clients, and their customers. The ultimate goal of this policy is to balance our respect for individual privacy with our need to keep a safe, productive, drug-free environment. Our intention is to prevent substance abuse. We encourage those who use drugs or abuse alcohol to seek help in overcoming their problem. With these basic objectives in mind, SMPC and SWBC PEO have established the following policy with regard to use, possession, or sale of alcohol, inhalants, or drugs.

### **Definitions:**

- **“Legal Drug”** – includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used solely for the purpose for which they were prescribed or manufactured.
- **“Illegal Drug”** – any drug or product (including inhalants): (a) which is not legally obtainable; (b) which may be legally obtainable but has not been legally obtained; or (c) which is being used in a manner or for a purpose other than as prescribed or directed.
- **“Workplace”** – is defined as “any place where the business of SMPC or SWBC PEO is conducted, to include, but not limited to, the premises or property of SMPC or SWBC PEO, or the premises or property of their customers.”

**Policy and Work Rule:** It is the policy of SMPC and SWBC PEO to employ a work force free from use of illegal drugs and abuse of alcohol in the course and scope of employment. Any employee determined to be in violation of this policy is subject to disciplinary action, which may include termination, even for the first offense. It is a Standard of Conduct of employees of SMPC and SWBC PEO that employees shall not use illegal drugs, inhalants, or abuse alcohol; nor shall employees possess illegal drugs or alcohol at the work place or while on Church business.

**General Procedures:** An employee reporting for work visibly impaired will not be allowed to work. If possible, the senior pastor should first seek another staff member's opinion to confirm the employee's status. Then the senior pastor should consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the senior pastor, the employee is considered impaired, the employee should be sent home or to a medical facility, by taxi or other safe transportation, accompanied by the senior pastor or another employee. An impaired employee should **NOT** be allowed to drive.

**Employee Drug and Alcohol Testing:** SMPC and SWBC PEO will maintain screening practices to identify employees who use illegal drugs or abuse alcohol in the course and scope of employment. It shall be a condition of continued employment for all employees to submit to drug and alcohol testing:

- **Reasonable Suspicion:** When there is a reasonable suspicion to believe that an employee is using or has used illegal drugs or is abusing or has abused alcohol.
- **Post-Accident Testing:** When there is any mishap or accident involving the employee in which injury to persons or damage to property has occurred.

**Chain of Custody:** Drug and Alcohol testing will be performed with legal chain of custody standards. All employees directed to submit to testing will be required, prior to testing, to execute consent and release form. All tests will be conducted by a certified laboratory.

**Employee Assistance Program:** SMPC and SWBC PEO will assist an employee in obtaining a referral to a community based assistance program. It is the responsibility of each employee to seek assistance before alcohol and drug problems lead to disciplinary actions. Once a violation of this policy occurs, subsequently using a voluntary community based assistance program will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action.

**Disciplinary Action:** The employee's decision to seek prior assistance from a community based assistance program will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding.

**Property Inspection:** It shall be a condition of continued employment for all employees to submit to an inspection of the employee's person or property (including, but not limited to, automobiles, lockers, hand bags, and brief cases) when there is reasonable suspicion that the employee may be in violation of this policy.

**Grounds for Discipline/Termination:** The following violations of the Substance Abuse policy shall be grounds for disciplinary action including termination.

**Illegal Drug Use:** An employee is guilty of misconduct and is subject to discipline including termination or suspension without pay from employment, even for the first offense, in the event the Employee does any of the following: Being in possession of, being under the influence of, possessing in the employee's body, blood, or urine in any detectable amount, or using, consuming, transferring, selling or attempting to sell or transfer any form of illegal drug as defined above at the workplace or while on Church business or at any time during the hours between the beginning and ending of the employee's workday, whether on duty or not, and whether on Church business, property or not.

**Alcohol Abuse:** An employee who is under the influence of alcoholic beverages at any time while at the workplace, or on Church business, shall be guilty of misconduct and is subject to discipline including termination or suspension without pay from employment, even for the first offense. An employee shall be determined to be under the influence of alcohol if:

- The employee's normal faculties are impaired due to consumption of alcohol, or;
- The employee has a blood alcohol level of .08 or higher.

**Failure to Submit to Testing or Inspection:** Failure to submit to required medical or physical examinations or tests and/or or failure to submit to a request for inspection of any employee's person or property, is misconduct and is grounds for termination or suspension without pay from employment.

## **STANDARDS OF EMPLOYEE CONDUCT, RESPONSIBILITIES, AND PROHIBITED ACTS**

**Overview of Expectation:** It is impossible, of course, to list every duty and responsibility of an employee or to list all acts that are prohibited. The intent is to give you an overview of what is expected of the shared employees of SMPC and SWBC PEO. Management and supervisory personnel may add to or delete from this list from time to time.

**Quality Service:** All employees are expected to give their total work effort to maintain the high standard of quality service SMPC provides to its, staff members, church members and visitors. You have a responsibility to perform your work assignment in an efficient manner. The quality of your work will reflect directly upon the reputation of SMPC in the eyes of its customers. Your job is to work in cooperation with management and fellow employees to provide quality services. Reputations are fragile. You have the responsibility to uphold the image and reputation that SMPC has earned over the years and continues to earn today.

**Dress Code:** We would like employees of SMPC to enjoy their work while creating extraordinary results and maintaining a professional image. To help meet this goal, we have established a casual dress code with certain provisions.

Listed below is a general overview of acceptable office attire during regular business hours as well as a list of some of the more common items that are not appropriate for SMPC. Neither list is intended to be all-inclusive, but they should clarify the general parameters for appropriate work attire. In addition to the acceptable and unacceptable attire below,

body piercings will not be allowed. Earrings must be worn in the ears only and should not distract from the work environment. Exposed tattoos must be covered and out of sight at all times. In addition, hairstyles should be natural in color and style and not distract from the workplace. Exceptions to this requirement may be made by the Senior Pastor in his or her discretion.

For church activities at all other times and places, dress shall be appropriate for any activity sanctioned by SMPC. Employees are expected to use good judgment in such cases.

### **Acceptable**

#### **Pants:**

- ✓ Jeans
- ✓ Slacks – Khakis, cotton
- ✓ Calf-length Capri pants
- ✓ Wind suits, velour sweat suits
- ✓ Knee length shorts

#### **Shirts:**

- ✓ T-shirts (without personal or inappropriate messages)
- ✓ Blouses
- ✓ Regular or banded collared shirts
- ✓ Golf shirts
- ✓ Sweaters or turtlenecks

#### **Dresses & Skirts:**

- ✓ Appropriate length
- ✓ Sleeves cut no shorter than the top of shoulder
- ✓ Proper fitting – Not too tight or low cut
- ✓ Knee length shorts

#### **Footwear:**

- ✓ Clean, polished loafers
- ✓ Boots
- ✓ Flats or dress shoes
- ✓ Athletic shoes
- ✓ Sandals or other leather shoes

### **Unacceptable**

#### **Pants:**

- ✓ Pants which are too baggy or too tight
- ✓ Spandex leggings and other form-fitting pants
- ✓ Low-rise Pants that don't cover the front, back or mid-section

#### **Shirts:**

- ✓ Crop tops, halter tops, or any shirt that does not fully cover the mid-section
- ✓ Tank-tops
- ✓ Spaghetti straps or strapless
- ✓ T-shirts with inappropriate language or messages

#### **Dresses, Skirts or Shorts:**

- ✓ Shorts
- ✓ Mini-skirts
- ✓ Dresses that over-expose the back

#### **Footwear:**

- ✓ Beach flip-flops or water-shoes
- ✓ Slippers

#### **Additional Inappropriate Items:**

- ✓ Revealing or transparent outfits
- ✓ Distressed clothing, i.e., wrinkled, stained, dirty, torn, oversized, etc.
- ✓ Hats/ headgear, bandanas

**Professional Conduct:** Employees are expected to conduct themselves in a businesslike and professional manner at all times. Employees will not be allowed to conduct themselves in an abusive, indecent, insubordinate, confrontational, hostile, threatening or intimidating manner. A spirit of cooperation and teamwork is expected of every employee at all times. Every employee must refrain from taking action or engaging in conduct, whether on-duty or off-duty that could cause embarrassment to SMPC or any of its employees or that could otherwise cause SMPC to be held in disrepute.

**Attendance, Punctuality and Time Keeping:** Attendance and punctuality are important to the efficient operation of any business. Good attendance and punctuality are essential components of solid employee performance and are measured by objective standards. Poor attendance and tardiness disrupt productivity and make it difficult to function effectively.

**Tardiness:** Tardiness is any time when you arrive late at your work station and/or are not dressed and ready to work. Employees are expected to be ready to commence and end work on schedule. Accordingly, arriving late or leaving early in connection with scheduled work times, breaks, or meal periods is impermissible. Repeated incidents of tardiness or leaving work early may result in disciplinary action, including possible discharge.

**Absenteeism:** Absenteeism is any time you are scheduled to work and are unable to report for duty. This does not include pre-approved time off for vacation, holiday, bereavement leave, jury duty, leave of absence or Church initiated time off. Excessive absenteeism or any absence without notice will result in disciplinary action and possible discharge.

**Reporting Tardiness or Absenteeism:** On occasion, you may have reason to be late or absent from work. If you are unable to report to work or will be at least 30 minutes late for work, you are expected to contact the senior pastor or his or her designee at least one hour before your scheduled starting time on the first day and each subsequent day of an unscheduled absence, i.e., due to a personal or dependent illness or an emergency. Employees must indicate the reason and probable duration of the absence.

**No Call/No Show:** Disciplinary action up to and including immediate termination may be imposed against an employee who is absent for one or more days without proper notice to the senior pastor. An employee who is absent for three or more days without reporting to the senior pastor will be considered to have abandoned his/her job and to have voluntarily resigned. Reporting to a co-worker will not be accepted.

**Leaving the Work Area:** Leaving the work area or walking off the job without the permission of the senior pastor is strictly prohibited. "Side trips" when on a Church errand are not allowed unless pre-approved by the senior pastor.

**Time Card/Sheet:** Employees are responsible for maintaining a work record of their time worked. You may not make entries in or modify any work record but your own. SMPC may make an exception to this policy in certain situations.

**Work Schedule:** Hours of operation are determined by SMPC. Your work schedule will be given to you by the senior pastor who will inform you of the time and duration of lunch

breaks, the number of hours to be worked each day, when the work day is over and other scheduling requirements necessary to meet the needs of SMPC.

**Maintenance of Work Area:** Work areas must be maintained in a neat and orderly manner. Work areas should be cleaned at the end of each work day.

**Church Equipment:** Great care is to be exercised when using Church equipment. Each employee will be held responsible for the negligent loss of or damage to such equipment. Report any malfunctioning or damaged equipment to the senior pastor or his or her designee. The personal use of Church equipment, supplies, etc. or the bartering of Church property for personal services or products is prohibited without the express approval of the Senior Pastor of SMPC or the Chair of its Personnel Committee.

**Reporting Improper Use:** In addition to SMPC equipment policy stated above, employees may be asked to handle or otherwise come in contact with certain other assets. Some examples are equipment owned by members or contractors. Any case of suspected fraud, theft, embezzlement or other improper use of such Church or non- Church assets must be reported to the senior pastor of SMPC or to the President of SWBC PEO.

**Purchase Orders:** Church purchase orders may not be used for any purpose other than to procure supplies, services, or equipment for SMPC or its facilities without the express approval of the senior pastor of SMPC.

**Church Time:** Employees, while on Church time, may not be directed to work for any purpose other than in the furtherance of the business of SMPC without the express approval of Senior Pastor Director of SMPC.

**Compliance with Safety Policies:** Our objective is to decrease the frequency and severity of on-the-job injuries as much as possible and this can only be achieved when everyone makes safety a high priority. Work related injuries cost everyone. Therefore, every employee is expected to do her or his job in a safe manner, follow safety rules at all times, and to report unsafe hazards. Also, every employee should strive to make the facilities of SMPC a safe workplace.

**Confidentiality:** The nature of your work is confidential. As such, SMPC has a vested interest in any policies, methods of operation, and business plans it is implementing or intends to implement. Information regarding the work product, procedures, policies, records, salaries, payroll records, medical records, information regarding members or visitors served and information concerning fellow employees is to be held in the strictest confidence.

**Copying Records:** By accepting employment with SMPC, you agree to keep knowledge of these subjects in confidence, both while employed and upon termination. The copying or reproduction of any written records is prohibited without specific approval of the senior pastor. Removal of such records requires the specific approval of the Senior Pastor.

**Conflicts of Interest:** Outside employment that interferes with an Employee's performance of his/her job duties is prohibited. Employees are expected to make full disclosure to SMPC regarding potential conflicts of interest.

**Solicitation:** Employees, as well as persons not employed by SMPC or SWBC PEO, are prohibited from engaging in the sale or distribution of any non-Church sponsored product or service or the distribution of printed material not related to SMPC during business hours or at the worksite. Solicitations of members, visitors or fellow staff members of SMPC for the purchase of non-Church sponsored products or services are also prohibited. Exceptions to these rules must have written approval from the Senior Pastor of SMPC.

**Prohibited, Illegal or Dishonest Activity:** You must bring to the attention of the senior pastor the following prohibited, illegal or suspicious activities occurring at the worksite, including, but not limited to, gambling, bookmaking, unlicensed possession or use of handguns and other lethal weapons, stealing, embezzlement, falsifying of records, malicious mischief, and/or worksite violence. **NOTE: Except as otherwise specially permitted by applicable law, having a Texas license to carry a concealed handgun does not allow employees to be in possession of such weapons at any work-site or on any premises owned or occupied by SMPC. "Premises" do not include a locked vehicle in SMPC parking lot.**

**Personal Telephone Calls:** Telephone calls to and from friends or relatives, during work hours is permitted but should be kept to a minimum. Excessive use of personal cell phones or other personal electronic devices while on duty could result in additional limitations on access to such devices at work

## **CONSEQUENCES FOR FAILURE TO ABIDE BY STANDARDS**

The above standards of employee responsibility and acceptable conduct are established to promote a professional and businesslike working atmosphere at SMPC. Activity or conduct that violates these standards is not acceptable. The consequences for failure to abide by these standards range from a written warning, to suspension without pay, to termination, at the discretion of SMPC. Your termination by SMPC because of a violation of the above standards shall also be grounds for your immediate termination by SWBC PEO.

## **APPROVED ABSENCES FROM WORK**

**Excused Absences:** There are several instances where employees may be excused from scheduled work duty. This section of the handbook will address these situations and give you guidance regarding each of them.

## **FAMILY AND MEDICAL LEAVE OF ABSENCE**

**Covered Employer:** The FMLA applies to any employer in the private sector who engages in commerce, or in any industry or activity affecting commerce, and who has 50 or more employees each working day during at least 20 calendar weeks in the current or preceding calendar year.

**FMLA Employee Eligibility:** To be eligible for Family and Medical Leave of Absence (FMLA) benefits, an employee **must** meet the following requirements:

- The Client Company to which you are assigned (hereinafter referred to as the “Company” and/or “Primary Employer”) must be a “Covered Employer” as defined above;
- You must work at a Company site with at least 50 employees within 75 miles;
- You must have been employed by the Company for at least 12 months (which do not have to be consecutive); and
- You must have worked for the Company at least 1250 hours during the 12 months immediately before the date FMLA leave begins.

**FMLA Leave Entitlement:** If you are an eligible employee, you may receive up to a total of 12 workweeks of unpaid leave during a “rolling” 12-month period for one or more of the reasons listed below:

- The birth of a child and to care for the newborn child within one year of birth;
- The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- To care for the employee’s spouse, child, or parent who has a serious health condition;
- A serious health condition that makes the employee unable to perform the essential functions of his or her job;
- Because of a qualifying exigency arising out of the fact that your spouse, son, daughter, or parent is on active duty or called to active duty status in support of a contingency operation as a member of the National Guard or Reserves; or
- Because you are the spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness.

The rolling twelve months is reviewed by looking back at the 12 months prior to the leave request to determine how much leave has been taken.

**Military Caregiver Leave:** Is granted to eligible employees under following circumstances and provisions:

- For the spouse, son, daughter, parent, or “next of kin” to care for a “member of the Armed Forces”, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- Eligible employees may take up to **26 workweeks** of unpaid leave in a “single 12-month period”, measured forward from the first day of leave. Eligible employees are entitled to a combined total of up to 26 workweeks of all types of FMLA.

**Intermittent Leave:** Intermittent leaves and leaves taken by reducing your work schedule will be granted when necessary due to your own serious health conditions or that of a covered family member or servicemember. Intermittent and/or reduced schedule leaves due to the birth and care, or placement for adoption or foster care, may be granted.

**Pay Adjustment:** If you work a reduced-hours schedule due to an intermittent FMLA leave, you will receive an adjustment to your pay based upon the reduced schedule.

**Leave for Co-Employed Spouses:** The Company reserves the right to limit the leave period for spouses when both are employed by the Company. Spouses employed by the Company are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered servicemember with a serious injury or illness is also used). Leave for the birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

**Requesting FMLA Leave:** A 30 day notice of request for FMLA leave is required whenever the leave is foreseeable. If the leave is unexpected, notice must be given as early as possible (within 1-2 working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible). If the leave is due to your own medical emergency, have a family member or other adult contact your supervisor as soon as possible if you are unable to do so. You should first contact your supervisor regarding your request for leave. Your supervisor will then forward the request to the Company's designated Leave Coordinator for approval. Any changes or updates related to your leave must be given to the Company's designated Leave Coordinator.

**Certification/Verification:** You may be required to submit verification for the leave, such as medical certification for your own serious health condition or that of a family member, birth certificate, adoption papers, etc., as well as periodic recertification of medical status. If required, the certification must be returned within fifteen (15) days, absent unusual circumstances. Failure to return the medical certification may result in denial of the leave which may result in the time being designated as an unauthorized absence. The Company may require you to periodically report on the status of your leave and your intent to return to work. If your FMLA leave was due to your own serious medical condition, you may be required to provide verification from your health care provider upon your return to work that you are able to perform the essential functions of your position with or without specified reasonable accommodation.

**Benefit Eligibility and Compensation During a Leave of Absence:** Group health benefits, if any, will continue while on leave provided you continue to contribute your portion of any premiums. These benefits will cease if you inform the Company of your intent not to return from leave, if you fail to return from leave, or if your leave expires pursuant to other leave policies. You will not receive holiday payment for any holidays that fall during the leave period. The timing of performance appraisals and salary increases may be adjusted based upon the length of the leave in accordance with the Company's policy.

**Concurrent Use of Paid Leave Benefits:** If any paid leave is available from the Company, it must be taken concurrently with Family/Medical leave beginning with the first day of the leave. Finally, if the Company provides any other leave of absence, it too must be taken concurrently with Family/Medical leave under this policy.

**Reinstatement:** As an eligible employee, you will be restored to your previous position or an equivalent one upon return from your FMLA leave with the same pay, benefits and other terms and conditions of employment unless your former position was eliminated due to a reduction in force, restructuring or other job elimination that was unrelated to your leave.

**Key Employees:** Those employees defined as “key employees” under the FMLA may be denied reinstatement at the Company’s discretion and will be notified of such at the time leave is requested or as soon as a determination can be made by the Company that reinstatement of such “key employee” will result in substantial and grievous economic injury to operations.

## **NON-FMLA QUALIFIED LEAVE OF ABSENCE**

**General Requirements:** This leave of absence is only available for employees who are not currently eligible for Family and Medical Leave of Absence (“FMLA”). In this regard, a non-FMLA qualified leave of absence shall only be given in place of a FMLA absence and not in addition thereto.

**Reasons for Non-Qualified Leave of Absence:** If an employee is required to be absent from work for at least 8 consecutive work days or more for medical/disability reasons occurring as a result of an off-the-job injury, illness, and/or activity, and/or for personal reasons (including pregnancy) or other reasons acceptable to the Company, a non-FMLA qualified leave of absence may be granted. In addition, in the event an employee is required to be absent from work for at least 8 consecutive days or more for medical/disability reasons occurring as a result of an on-the-job workers’ compensation injury, a non-FMLA qualified leave of absence shall be automatically granted and no request shall be required from the employee.

**Request for Non-FMLA Qualified Leave of Absence:** In order for a non-emergency leave to be granted, the employee must make his/her request in writing on the "Request for Non-FMLA Qualified Leave of Absence" form at least ten (10) days prior to the requested absence. The leave of absence requested must be approved by the Company’s designated Leave Coordinator. In the event of an emergency, the request for leave form will be completed by the Leave Coordinator and the employee will be asked to sign it as soon as possible.

**Benefits:** All non-FMLA qualified leaves of absence shall be without loss of seniority, but an employee's seniority shall not continue to accumulate during the leave. Thus, a leave of absence interrupts the timetable for accumulating any employee benefits. This timetable resumes when the employee returns to full time employment.

**Vacation Accrual:** Upon return to full time employment, the employee will be eligible to earn vacation appropriate to his/her seniority date. No vacation or other paid days off shall be earned during a non-FMLA qualified leave of absence.

**Payment of Premiums:** Subject to the terms and conditions of a given insurance policy (which may contain greater limitations/requirements), the Company and SWBC PEO shall continue their respective health and ancillary benefits to employees on a non-FMLA

qualified leave for no longer than 12 weeks from the beginning date of the leave so long as the employee timely pays all premiums due and payable for such benefits.

**Termination of Employment:** Normally, a single leave of absence cannot exceed twelve (12) weeks. However, an extension may be granted in accordance with any applicable law. In this regard, an employee who does not return to work on the first regular working day following the end of the period provided in the non-FMLA qualified leave of absence shall be discharged unless an extension is requested in writing by the employee and granted by the Leave Coordinator before the expiration of the originally approved leave. With respect to a non-FMLA qualified leave of absence automatically given in connection with a workers' compensation injury, unless an extension is requested in writing by the employee and granted by the Leave Coordinator, the employee shall be discharged from the Company in the event the employee does not return to work on the next work day immediately following the employee's release for duty by his/her treating physician.

**Job Restoration Not Guaranteed:** Every effort will be made to place an employee returning from a non-FMLA qualified leave of absence in the same job or in a job comparable to that which the employee held before leaving. However, an employee returning from a leave of absence may be offered any job for which the employee is qualified either with the Company or with another client company. If such position is offered to the employee returning from a non-FMLA qualified leave of absence and the employee fails to accept such offer, the employee will be considered as having voluntarily quit their employment with the Company and SWBC PEO.

**Leave Requirements:** An employee on a non-FMLA qualified leave of absence is required to keep the Leave Coordinator informed at least weekly as to his/her status and condition. Additionally, the employee, if requested, must provide the Leave Coordinator with documents from an attending physician and/or a Company designated physician as to the medical condition, its seriousness, recommended future treatment, and anticipated dates of recovery, either partial or complete.

## **OTHER APPROVED ABSENCES**

**Military Leave:** If you are called to active duty from a reserve unit of the United States Armed Forces, you will be granted a military leave without pay following the guidelines of the Uniformed Services Employment and Reemployment Rights Act (USERRA). USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

**Paid Holidays:** The Senior Pastor and eligible staff shall determine each December the specific paid holidays that will be observed the following year, subject to Session approval, not to exceed eight days.

**Eligibility Guidelines:** Full-time and part-time employees are eligible for paid time off for the holidays as determined above;

- Part-time employees receive holiday pay only if the holiday falls on a day the employee was scheduled to work, in which case the holiday pay is equal to one day's normal pay;
- Casual employees will be granted the time off but are not eligible for holiday pay

**Paid-Time-Off (PTO) Bank:** SWBC PEO does not provide Paid-Time-Off (PTO) to its shared employees. However, SMPC provides the PTO under the following guidelines:

Full-time and part-time employees will receive Paid Time Off (PTO) in accordance with following policy.

1. PTO will be granted for such needs as vacation, personal sick leave, to care for the needs of family members, for appointments, personal business, etc.
  - If you are a nonexempt, hourly employee who is not at work during your normal scheduled work hours for any reason other than pre-approved time off, you must use any available PTO. "Pre-approved time off" means time off granted by SMPC in accordance with another leave policy, including holidays, bereavement leave, jury duty, FMLA, or employer-initiated time off.
  - If you are an exempt employee who misses four or more full hours in a scheduled workday for any reason other than pre-approved time off, you must use available PTO for the hours missed.
2. Full-time and part-time employees are eligible to use PTO time when granted as described in paragraphs 4 and 5.
3. Casual employees are not eligible for PTO benefits under this policy.
4. PTO will be granted after an introductory period of three months of continuous service following date of hire. Initial PTO will be calculated as follows:

<u>Month of Hire</u>	<u># Days of PTO After Introductory Period</u>
January	11
February	10
March	9
April	8
May	7
June	6
July	5
August	4
September	3
October	16 *
November	16 *
December	16 *

\* These days would be available in the calendar year following the date of hire and only after completing the introductory period.

5. After the first calendar year of employment, the following provisions apply.
  - On January 1 of calendar years 2 – 6, eligible employees will receive 16 days of PTO for that calendar year. An employee who has not yet completed the three-month introductory period as of January 1 will be eligible to begin taking PTO time only upon completing the introductory period.
  - On the date of an eligible employee's fifth employment anniversary, an additional five days of PTO will be granted for that calendar year.
  - On each January 1 after reaching the fifth employment anniversary, an eligible employee will receive 21 days of PTO for that calendar year.
6. PTO is paid in terms of hours, according to the employee's work schedule rule (See Definitions).
  - Nonexempt, hourly employees may not take PTO in increments of less than one-half hour.
  - Other than pre-approved time off (as defined above), nonexempt, hourly employees who have used all of their PTO grant will not be paid for time not worked.
  - Exempt, salaried employees generally do not have to record absences of less than four hours.
  - An exempt, salaried employee who misses one or more full days after she has used all available PTO hereby authorizes SMPC to deduct from her salary an amount of money corresponding to each full day missed from work that is not covered by PTO or other pre-approved time off.
  - A request to use PTO must be submitted to the Senior Pastor thirty (30) calendar days in advance. In the case of personal or dependent illness or other emergency, notice as soon as practicable is required.
7. An employee can carry over up to five days of unused PTO time from year to year up to a total of six weeks' accumulation (based on the regular schedule), in order to have a reserve in case of an extended absence.
  - The six weeks' accumulation limit does not include the current year's grant.
  - In the event an employee's work schedule changes, the accumulated PTO will be recorded as hours. The previously accumulated total will neither be increased nor reduced as a result of schedule changes, but the additional accumulation available will be based on the employee's current work schedule rule.
  - For example, if a 40-hour/week employee has accumulated four weeks of PTO, the accumulation equals 160 hours. Should the employee's work schedule change to 32 hours/week, then the six-week accumulation limit will be 192 hours. Thus, one additional week of accumulation equal to 32 hours may be added to the reserve.
  - SMPC will maintain a process whereby employees will designate in writing how much PTO to transfer into their accumulation.
8. At the end of each calendar year, employees with less than five years of continuous service may elect to receive payment for up to two days of unused PTO that will not

be carried over. Employees with five or more years of continuous service at year end may elect to receive payment for up to three days of unused PTO that will not be carried over.

9. PTO is granted to eligible employees as of January 1. PTO does not accrue during one year to be taken the next year.
10. Except as provided in paragraphs 7 and 8 above, all unused PTO is forfeited after December 31 of each calendar year.
11. Upon voluntary termination with at least two calendar weeks of prior notice to SMPC, an employee will receive a payment equal to the unused PTO hours accumulated, including the current year and any carryover.
12. All rights to PTO time or payments will be forfeited if the employee is terminated for cause or if the employee resigns without providing at least two weeks' notice to SMPC.

If a previously ineligible employee becomes eligible for PTO (e.g., a casual employee becomes a full-time employee), prior length of service in the ineligible status will nonetheless be recognized to determine 16 days or 21 days of PTO entitlement. If an employee becomes eligible for PTO in the middle of a calendar year, a prorated entitlement for that year will be granted. For example, if a casual employee with more than five years of service becomes an eligible part-time employee as of September 1, he would immediately be granted seven days of PTO for the remainder of the calendar year (i.e., one-third of 21 days).

**Bereavement Leave:** SMPC provides bereavement leave to eligible employees for their immediate family. Immediate family members are defined as the employee's spouse, children, parents, grandparents, siblings, daughters-in-law, sons-in-law and grandchildren. Bereavement leave will be granted according to the following guidelines:

- Up to three calendar days of leave per instance;
- Full-time, part-time and casual employees are eligible for paid bereavement leave after three (3) months of continuous service;
- Up to three work days of paid leave per calendar year (for example, if a part-time employee works M-W-F each week and takes M-T-W for bereavement leave, the employee would receive two days' paid leave);
- Additional days of leave are unpaid;
- Casual employees will be granted the time off but are not eligible for paid bereavement leave;
- All bereavement leave must be approved by the senior pastor in advance.

**Jury Duty:** SMPC provides Jury duty leave to eligible employees under the following guidelines:

- Up to three work days of paid leave per calendar year (for example, if a part-time employee works M-W-F each week and needs M-T-W for jury duty, the employee would receive two days' paid leave);

- Additional leave, if needed, would be unpaid;
- Casual employees will be granted the time off but are not eligible for paid leave
- Exceptions to this policy may be granted by the Senior Pastor or Chair of the Personnel Committee on a case by case basis.

## **EMPLOYEE BENEFITS**

**Employee Benefit Plans:** Brochures that explain benefits and their eligibility requirements have been or will be given to you. All employee benefit plans are voluntary.

**Employee Enrollment Responsibility:** While the administrator of a given benefit plan will make an effort to notify you prior to your eligibility date for participation in such plan, it is solely your responsibility to notify the plan administrator in writing of your desire to participate. Neither SMPC nor SWBC PEO is responsible for consequences that may stem from your failure to enroll in any benefit plan. Certain benefit plans may require the completion of an application before coverage becomes effective. SMPC will pay one-half (1/2) of the premiums incurred by eligible employees for employee only medical insurance written through the SMPC group medical insurance plan. Employees with children enrolled in the SMPC ELC will receive a twenty percent (20%) reduction in tuition rates and fees. Other than as stated above, SMPC employees are entitled to no other benefits.

## **DRIVER EVALUATION PROGRAM**

**Overview:** Auto accidents can be very costly in terms of personal injury to employees and to the general public. In addition, the cost of repair or replacement of damaged vehicles can be very expensive. It has been shown that people with poor driving records tend to be involved in more auto accidents than those who have good driving records. This driver evaluation program, therefore, has been established to set guidelines as to what is expected from the employees of SMPC and the consequences for failure to maintain an acceptable driving record. All employees who operate a vehicle within the course and scope of their employment with SMPC are subject to this program.

**Motor Vehicle Accidents:** If within the course and scope of your employment with SMPC, you are involved in an auto accident, a report must be made to the senior pastor as soon as reasonably possible (but in no event later than 24 hours). Accidents that occur on public property must also be reported to the police or to the law enforcement entity having jurisdiction.

**Accident Procedures:** Actions taken in the first few minutes following an accident can have significant impact. The legal liability of the individual driver and of SMPC may be affected by action taken or not taken immediately following an accident. The following procedures are not intended to be all inclusive. They are general guidelines to follow in case of an accident. Nothing can take the place of good judgment and common sense at the scene of an accident:

- Remain calm. Do what is reasonable to reduce the chance of further injury or damage. If you are not seriously injured, try to reduce further injury to others and

damage to the vehicles involved. If possible, have someone divert traffic around the scene.

- If you sustain a minor injury, move to a place of safety and ask for help. If you are seriously injured, remain as calm and still as possible unless there is a fire. Ask for help and wait for emergency assistance.
- If you are not injured but others are, render first aid **only to the extent that you are qualified by training**. If injuries are not believed to be serious, assist the injured to a place of safety. If you are not sure of the severity of injury, do not move the injured person unless there is a fire. Cover the injured with a blanket or wrap. Have the injured remain as calm and still as possible.
- Record the details of the accident. If possible, get vital information from witnesses and other parties to the accident. **NEVER ADMIT LIABILITY OR FAULT**. Nothing is gained by attempting to assess blame at an accident scene, so do not debate the cause of the accident with others. Give vital information only to police. Call the senior pastor as soon as is practical. If possible, cell phone pictures of the accident scene and vehicle damage should be taken and provided to the Senior Pastor.
- If your vehicle is to be towed away, get the name of the driver, the towing company and where the vehicle is to be taken.

**Evaluation Program:** The following is the evaluation program for employees who operate Church vehicles in the course and scope of their employment. The purpose is to establish guidelines that measure the suitability of employees to operate such vehicles. A Motor Vehicle Report (“M.V.R.”) may be obtained to verify the driving record as disclosed by job applicants who, as a regular part of their work assignment, are hired to drive vehicles. Such a report may also be obtained each year for current employees whose duties include the regular and frequent use of vehicles, owned or operated by SMPC Presbyterian Church.

**Unsafe Driving:** Any employee who in the opinion of management has an adverse MVR or who is required to be excluded from coverage under the SMPC automobile insurance policy will lose driving privileges. If the ability to drive is a part of your normal job duties, loss of driving privileges may result in your termination. A new MVR may be obtained periodically.

**Legal Compliance:** Employees shall comply with all applicable Texas and United States Department of Transportation rules and regulations.

## **ACKNOWLEDGEMENT OF RECEIPT**

**(Employee Copy)**

I acknowledge receipt of the Employee Handbook of St. Mark Presbyterian Church and SWBC Professional Employer Services II, LLC d/b/a SWBC PEO (the “Co-Employers”). I understand it is my responsibility to read and become familiar with the procedures, rules and regulations contained in the handbook. I understand this handbook replaces all previous handbooks. I understand this handbook is subject to change, modification or amendment at the discretion of the Co-Employers at any time and without advance notice. Further, this handbook, whether considered alone or in conjunction with other employment documents, is not a contract of employment between Co-Employers and any employee for a specific period of time. The employment relationship between Co-Employers and all of their employees is based upon mutual consent and can be terminated at any time by either the employee or the Co-Employers without advance notice and without any requirement of cause.

I agree to comply with all of the policies, procedures, rules and regulations of the Co-Employers whether oral or written, including those contained in this handbook.

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Employee’s signature

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Employee’s Printed Name

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Date



**NOTES:**





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