



Employee Handbook

May 10, 2023

HANDBOOK DISCLAIMER

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with St. Mark Presbyterian Church (SMPC). Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. SMPC adheres to the policy of employment at will, which permits the Church or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No Church representative other than the Pastor may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be signed in writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Church documents. These Church documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general Church guidelines. The Church may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the Pastor.

This handbook supersedes all prior handbooks.

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Section 1 - Governing Principles of Employment

1-1 Welcome

Welcome to St Marks Presbyterian Church. It is our employees who provide the services that our members rely upon, and who will enable us to create new opportunities in the years to come.

1-2 Covered Employment Status

SWBC Professional Employer Services (also referred to as “SWBC PEO”) is a 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”, “worksite employee”, “you”, “your”, or “yours”). You are a “covered employee” (as that term is defined in Chapter 91 of the Texas Labor Code) that has a co-employment relationship with SMPC and SWBC PEO. 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 covered employee may be directed to SWBC Professional Employer Services, 30815 US Highway 281 North, Bulverde, Texas 78169, (830) 980-1200 or (877) 704-0454.

Questions or Complaints: Pursuant to 16 Texas Administrative Code, Chapter 72, 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, www.tdlr.texas.gov, oversees the provision of professional employer services in the State of Texas. Unresolved complaints regarding a licensee or questions concerning the regulation of professional employer services may be addressed to the Texas Department of Licensing and Regulation.

1-3 Equal Employment Opportunity

SMPC is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, creed, color, religion, alienage or national origin, ancestry, citizenship status, age, disability or handicap, sex, marital status, veteran status, sexual orientation, genetic information, arrest record, or any other characteristic protected by applicable federal, state or local laws. Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

Accommodations for Individuals with Disabilities: The Church will make reasonable accommodations, as required by law, for the known physical or mental disabilities of an otherwise qualified applicant or employee, unless doing so would impose an undue hardship upon the Church's business operations. An accommodation is not reasonable if, even with the accommodation, the employee is unable to perform essential job duties in a manner that would not endanger the employee's health or safety of the employee or others.

Any applicant or employee who believes they require an accommodation in order to perform the essential functions of the job should contact the employee's supervisor to request such an accommodation. Employees should specify what accommodation they need to perform the job and submit supporting medical documentation explaining the underlying physical or mental disability and the basis for the requested accommodation. The Church then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made. The Church will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The employee will be notified of the Church's decision regarding the request within a reasonable period. The Church treats all medical information submitted as part of the accommodation process in a confidential manner.

The Church will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on the Church's operations. If employees wish to request such an accommodation, they should contact the employee's supervisor.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the employee's supervisor. The Church will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact the employee's supervisor. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including termination. All employees must cooperate with all investigations.

1-4 Non-Harassment

It is St. Mark Presbyterian Church policy to fully support enforcement of state and federal laws prohibiting harassment. All ordained clergy, paid staff (including both employees and contractors), session members, deacons, trustees and volunteers are prohibited from engaging in the harassment of any person in the course of or in connection with employment or volunteer service at St. Mark. The desired standard of behavior is one of cooperation and respect for each other, despite any differences. St. Mark will not tolerate any infractions of this policy by its staff members, volunteers, members of the congregation, or any outside parties, including visitors, vendors, and suppliers.

It is the responsibility of all church leaders to be adequately informed about St. Mark's Harassment Policy and to ensure that all persons engaged in service to St. Mark are able to

work in an environment that is harassment free. Church leaders who see inappropriate conduct shall take immediate steps to correct such conduct.

Sexual harassment of a child or youth under 18 years of age is covered under the St. Mark Youth & Child Protection Policy. Other issues of church discipline may be handled as outlined in Section D, Rules of Discipline, in the Book of Order.

Definitions

- For the purposes of this policy, '**staff member**' shall be defined as ordained clergy, paid staff (including both employees and contractors), session member, deacon, trustee or other volunteer engaged in employment or volunteer service with St. Mark.
- The term **harassment** is broadly defined as 'inappropriate behavior' and includes, but is not limited to: slurs, jokes and other verbal or physical conduct relating to a person's race, color, sex, religion, national origin, citizenship, age, disability, sexual orientation, and other protected categories. Other categories of harassment are:
- **Sexual harassment** is defined by the Equal Opportunity Employment Commission (EEOC) as any unwelcome sexual advances, unwelcome requests for sexual advances, requests for sexual favors, unwelcome or offensive touching, and other unwelcome verbal or physical conduct of a sexual nature.

Persons who engage in **sexual misconduct** are in violation of the principles set forth in Scripture and also of the ministerial, pastoral, employment, and professional relationship. Sexual misconduct is offensive, obsessive or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling that is injurious to the physical or emotional health of another. It is never permissible or acceptable for a staff member to engage in sexual misconduct.

Misuse of technology that results in harassing another person, including texting or emailing suggestive messages, is prohibited. It is also never appropriate to view pornography on church property. There is never an expectation of personal privacy when using technological equipment owned by the church. (Pastor's computer is exempt from the expectation of privacy statement. If there is a reported issue, St. Mark shall seek guidance from Presbytery.)

Inappropriate conduct or behavior **contributing to a hostile environment** is prohibited by this policy. These include unwelcome comments and advances, crude or offensive language, unwelcome physical conduct, sexually explicit jokes or statements (verbal or electronic), and demeaning comments or actions.

Every 'staff member' has a right not to fear **retaliation**. Retaliation of any kind against a 'staff member' who makes a complaint or who participates in an investigation concerning a complaint is considered harassment and is strictly prohibited.

Harassment also includes actions taken by church members, visitors, guests, consultants, and vendors against any St. Mark 'staff member'.

For the purposes of this policy, harassment does **NOT** include respectful verbal or written criticism of a 'staff member's' job performance, respectful oversight and/or management of a 'staff member's' work by a supervisor, or the use of offensive language in any manner not directed at another 'staff member', and/or that does not otherwise constitute language of a nature that creates an intimidating, hostile or offensive working environment, as prohibited by this policy.

The EEOC has additional information on their website: eeoc.gov/laws/types/index.cfm. Various types of discrimination prohibited by the laws and enforced by EEOC are described. Also links to the relevant laws, regulations and policy guidance are provided, as are fact sheets, Q&As, best practices, and other information.

Confidentiality

All information concerning a harassment complaint will be treated as confidential. Existence of and content of a harassment complaint, whether verbal or written, will not be disclosed except as a part of an investigative. To the extent permitted by law, complaints will remain confidential and information about them will be provided only to those persons who need to know in order to achieve a timely resolution of the complaint.

Complainant Responsibility

A 'staff member' who believes that they have been the subject of, or who has witnessed, an act constituting harassment prohibited by this policy, should take the following steps:

If circumstances warrant, confront the person accused of doing the harassing. A third person should accompany the 'staff member' if desired. The 'staff member' should state how they feel about the harasser's actions and request that the person cease the harassment immediately.

The 'staff member' should report the behavior to the Pastor or the Personnel Committee Chair if the harassment is considered serious or the harassment continues after confronting the harasser. If the Pastor or Personnel Committee Chair is the harasser, they should report the behavior to the other position.

If the 'staff member' believes the behavior of the harasser to be in violation of the law, the 'staff member' should notify the police and inform the Pastor and/or Personnel Committee Chair.

If a 'staff member' is unsure whether behavior constitutes harassment, they should confer with the Pastor and Personnel Committee Chair. It is not necessary, however, for the 'staff member' to take all of the steps listed above.

If a 'staff member' feels that any of the steps would not be desirable or effective because of the circumstances surrounding the harassment, the 'staff member' may make a report directly to the Pastor and Personnel Committee Chair.

For serious infractions of this policy, the 'staff member' must file a complaint alleging harassment with the Pastor and Personnel Committee Chair for investigation. To initiate an investigation, the 'staff member' making the complaint must submit in writing specifically setting forth the details of the behavior that is the subject of the complaint and include the name(s) of any witnesses to the incident.

Process and Resolution

When a complaint of harassment is received, it shall be given prompt attention. The complainant and the alleged harasser shall be separated or other measures put in place to ensure no further incidents.

The Pastor and the Personnel Committee Chair shall take steps to ensure that complaints of harassment and the investigation into allegations remain confidential. No one shall release any information concerning such complaints to a third party or to anyone within St. Mark not authorized to know of the investigation. When a complaint is against ordained clergy or the complaint is particularly egregious, the Pastor or the Personnel Committee Chair shall notify the Mission Presbytery Committee on Ministry Liaison for St. Mark to inform them of the situation.

Upon the receipt of a complaint, an investigation of the facts and circumstances of the claim of harassment will be conducted by a team chosen by the Pastor and the Personnel Committee Chair. The investigation of a complaint shall proceed with due diligence and be concluded within 60 days.

All involved in the investigation should keep detailed records of its actions and minutes of its deliberations and its conversations with the accuser, the accused, and other parties involved, correspondence, and copies of the reports received from committees or commissions. Such records shall be kept confidential as far as possible.

Where the investigation reveals that the complaint is valid, prompt disciplinary action designed to stop the harassment immediately and to prevent its recurrence will be taken. At a minimum, violations of the St. Mark Harassment Policy will result in a counseling session for anyone who violates this policy. The Pastor and/or the Personnel Committee Chair may also take additional disciplinary action, up to and including immediate termination from employment or, in the case of a volunteer, from volunteer service. If the investigation reveals that laws have been violated, then the police should be notified.

The Pastor or Personnel Committee Chair shall provide a written response to the complainant at the conclusion of the investigation.

If the 'staff member' is not satisfied with the decision, they may appeal the decision to the Personnel Committee Chair in writing within five (5) working days after receipt of the decision. The Personnel Committee Chair, or designee, will review the harassment complaint and the investigations conducted thus far, and/or conduct a further investigation and consult with the

Pastor to arrive at a final decision. The appeal decision of the Personnel Committee Chair completes the internal process for harassment complaints.

A 'staff member' who knowingly makes a false complaint or statement under this policy is subject to discipline, up to and including termination from employment or, if applicable, volunteer service. There shall be no discipline for sincere or good faith reports, regardless of whether the information provided proves to be true, untrue or unfounded.

1-5 Drug-Free and Alcohol-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to protect Church property, and to ensure efficient operations, SMPC adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for the Church.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances, drug paraphernalia or alcohol by an individual anywhere on Church premises, while on Church business (whether or not on Church premises) or while representing the Church, is strictly prohibited. Employees are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug-testing requirement, to the extent permitted by and in accordance with applicable law. This restriction does not apply to responsible drinking of alcohol at business meetings and related social outings.

Violation of this policy will result in disciplinary action, up to and including termination.

The Church maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history, which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any Church employee, including themselves.

Employees must notify the Church within five (5) calendar days if they are convicted of a criminal drug violation.

All employees are hereby advised that full compliance with the foregoing policy shall be a condition of employment at the Church.

Any employee who violates the foregoing drug-free workplace policy described above shall be subject to discipline up to and including immediate termination.

At the discretion of the Church, any employee who violates the drug-free workplace policy may be required, in connection with or in lieu of disciplinary sanctions, to participate to the Church's satisfaction in an approved drug assistance or rehabilitation program.

General Procedures: An employee reporting for work visibly impaired will not be allowed to work. If possible, the employee's supervisor should first seek another supervisor's opinion to confirm the employee's status. Then the supervisor 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 supervisor, 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 supervisor 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, either on or off the job. It shall be a condition of continued employment for all employees to submit to drug and alcohol testing.

The Church retains the right to require the following tests:

- **Pre-Employment:** Applicants may be required to pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.
- **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:** 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 forms. 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.

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, handbags, and brief cases) when there is reasonable suspicion that the employee may be in violation of this policy.

Failure to Submit to Testing or Inspection: Failure to submit to required medical or physical examinations or tests and/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.

1-6 Workplace Violence

SMPC is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Church and personal property.

SMPC does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, SMPC specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, SMPC does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Church policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any Church employee **WILL NOT BE TOLERATED**. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto Church premises.

Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede SMPC's ability to investigate and respond to the complaints. All threats will

be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If the Church determines, after an appropriate good faith investigation, that someone has violated this policy, the Church will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for the Church to be aware of any potential danger in its offices. Indeed, the Church wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

1-7 Workplace Bullying

SMPC and SWBC PEO define bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.”

The purpose of this policy is to communicate to all employees that the Church will not tolerate bullying behavior. Employees found in violation of this may be subject to disciplinary action, up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. SMPC and SWBC PEO consider the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks;
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property; and
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.

Section 2 - Operational Policies

2-1 Employee Classifications

For purposes of this handbook, all SMPC employees fall within one of the classifications below.

SMPC established the following categories for both exempt and non-exempt employees:

- **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 32 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 less than 30 hours per week. For the purpose of qualifying for all other employee benefits, an employee who regularly works less than 40 hours per week;
- **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; and

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

2-2 90-Day Evaluation Period

The first 90 days of an employees' employment is an evaluation period. This is an opportunity for SMPC to evaluate the employee's performance. It also is an opportunity for employees to decide whether they are happy being employed by the Church. The Church may extend the evaluation period if it desires. Completion of the evaluation period does not alter the employee's at-will status. At the end of the 90 day evaluation period the employee will receive a performance review.

2-3 Promotions

In certain cases, SMPC will find it necessary to employ applicants from outside the Church to fill positions when, in the opinion of the Church, 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.

2-4 Your Employment Records

In order to obtain their position, employees have provided personal information, such as address and telephone number. This information is contained in their personnel file.

Employees should keep their personnel file up to date by informing the SWBC PEO Payroll Service Representative of any changes. Employees also should inform the SWBC PEO Payroll Service Representative of any specialized training or skills they acquire, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach employees in a crisis could cause a severe health or safety risk or other significant problem.

2-5 Work Week

The work week runs from Monday to Sunday. A period of one 168 consecutive hours (24 hours x 7 days) that has a fixed start and end for each employee. For non-exempt employees, hours actually worked in excess of 40 hours per workweek must be paid at the overtime rate.

2-6 Prohibited "Off the Clock" Work

At no time should non-exempt employees perform work while "off the clock". All time spent working should be properly recorded. If given a directive to perform work "off the clock," please promptly notify your supervisor, or if your supervisor has given a directive to work "off the clock" and/or has told you not to properly record all hours worked, notify a supervisor of SMPC or SWBC PEO. No employee will be penalized in any way for making such a complaint.

2-7 Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, using the timekeeping system prescribed by management.

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including termination.

2-8 Overtime

Like most successful companies, SMPC experiences periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) their normal hourly wage for all time worked in excess of 40 hours each week, unless otherwise required by law.

Employees must obtain approval from the Pastor before overtime hours are worked.

2-9 Travel Time for Non-Exempt Employees

Overnight, Out-of-Town Trips

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled workdays (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

Out-of-Town Trips for One Day

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: time spent traveling between the employee's home and the local railroad, bus or plane terminal; and meal periods.

Local Travel

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday.

Commuting Time

Under the Portal-to-Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near their home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half times (1.5) the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

2-10 Safe Harbor Policy for Exempt Employees

It is SMPC's policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for SMPC. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- Family and Medical Leave Act absences (either full or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because the Church has decided to close a facility on a scheduled work day;

- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact the employee's supervisor or any other supervisor in SMPC with whom the employee feels comfortable.

2-11 Additional Deductions

SMPC may instruct SWBC PEO to 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 Church, which may result in funds being withheld from your paycheck:

- Payments owing on any loan or salary advance made to an employee by the Church; provided, however, in the event of a final paycheck, the entire balance owed may be withheld;
- Any inadvertent or unintended overpayment of wages;
- An amount of money corresponding to any time missed from work that is not covered by paid leave;
- Any inadvertent or unintended overpayment of insurance premiums or 401(k) employer matching funds that are over and above established employer participation levels. In addition, an employee's premium that was paid by the Church on the employee's behalf in accordance with the Family & Medical Leave Act or any other applicable law;
- A dollar amount equal to the actual cost of repair or replacement of property owned by the Church or others that is damaged beyond the usual wear and tear while in the employee's care, custody or control;
- A dollar amount equal to the actual cash value of property owned by the Church or others that is in an employee's care, custody or control if the employee fails to return such property when asked to do so by their supervisor. Property means tangible property including, but not limited to, items such as cell phones, uniforms, tools, keys to Church buildings and/or equipment, vehicles, computers, telephones, sales materials, supplies, and all other property owned by the Church;
- A dollar amount equal to charges that become the liability of the Church that were incurred by an employee due to his/her negligence, for unauthorized business purposes, for personal use, or that were unreasonable, excessive, or

unsubstantiated. This includes, but is not limited to, personal use of a Church phone that results in a toll charge, personal or unauthorized charges made to a Church credit card, Church supplies used for personal purposes, and charges incurred from personal or unauthorized use of the Internet, fax machine, copy machine, Church cell phone, etc.; and

- A dollar amount equal to shortages of cash that was under an employee's custody or control.

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 the Church to settle such accounts will also be charged to the employee. Late fees, interest, penalties and service charges that become the liability of the Church that was 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 the Church, based on the extent of the damage. The cost of repairs or replacement will be charged to the employee.

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 deductions. 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 owed may be withheld.

2-12 Payment of Wages - SWBC PEO

Pursuant to Sec. §91.032 (a)(2) of the Texas Labor Code, SWBC PEO has assumed responsibility for the payment of wages (being compensation for labor or services rendered, whether computed on a time, task, piece, or other basis) to an employee without regard to payments by SMPC. Notwithstanding Subsection (a)(2), SMPC is solely obligated to pay any wages for which:

1. The obligation to pay is created by an agreement, contract, plan, or policy between SMPC and an employee; and
2. SWBC PEO has not contracted to pay.

In this regard, SWBC PEO has not contracted to pay under a written agreement between SWBC PEO and SMPC or under a written agreement between SWBC PEO and an employee (and SMPC remains solely obligated to pay) for any fringe benefit or bonus due an employee including, but not limited to, vacation pay, holiday pay, sick leave pay, parental leave pay, severance pay, bonuses, commissions, stock option grants, or deferred compensation owed to an employee under a written agreement between SMPC and the employee.

2-13 Your Paycheck

Employees will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, SMPC is required to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in any employee's pay, the employee should bring the matter to the attention of the SWBC PEO Payroll Client Service Representative immediately so the Church can resolve the matter quickly and amicably.

Paychecks will be given only to the employee, unless the employee requests that they be mailed or authorizes in writing that another person may accept the check.

2-14 Direct 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 payday, 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 payday.

If you elect not to have your paycheck electronically deposited please contact the SWBC PEO Payroll Department toll free at (877) 704-0454 to make alternate arrangements.

2-15 Salary Advances

SMPC does not permit advances on paychecks or against accrued paid time off.

2-16 Performance Review

SMPC will conduct performance reviews both after the 90-day evaluation period and annually thereafter. A positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, the Church encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

Section 3 - Benefits

3-1 Benefits Overview

Brochures that explain benefits that may be offered to you by the Church or SWBC PEO and their eligibility requirements have been or will be given to you. All employee benefit plans are voluntary.

3-2 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.

3-3 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 exempt and full-time non-exempt/hourly employees are eligible for holiday pay as determined above

Part-time hourly 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

3-4 Paid Time Off

Note: SWBC PEO does not provide Paid-Time-Off (PTO) to its shared employees. However, St Mark Presbyterian Church (SMPC) provides PTO under the following guidelines:

Eligibility Guidelines:

- Full-time exempt and non-exempt employees are eligible for Paid Time Off (PTO)
- 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.
- Part-time hourly employees are not eligible for paid time off

- If you are a full-time non-exempt/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.
- Full-time exempt and full-time non-exempt/hourly employees are eligible to use PTO time when granted as described below
- 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

After 1st Calendar Year

On January 1 of calendar years 2 – 6, eligible employees will receive 16 days of PTO for that calendar year

Employee's 5th Employment Anniversary Date

An eligible employee will receive an additional five days of PTO for that calendar year (e.g, if an employee's 5 year anniversary date is June 5th, then 5 additional days will be added for that calendar year)

Employee's 5th Employment Anniversary Date on January 1

An eligible employee will receive 21 days of PTO for the next year following their 5th year anniversary date.

How PTO is Paid

- PTO is paid in terms of hours according to the employee's work schedule.
 - Full-time non-exempt/hourly employees may not take PTO in increments of less than one-half hour
 - Other than pre-approved time off, full-time non-exempt/hourly employees will have used all of their PTO grant will not be paid for time not worked – they will not be allowed to go into a negative balance
 - Exempt salaried employee do not have to record absences of less than four hours
 - An exempt salaried employee who misses one or more full days after they have used all available PTO hereby authorizes SMPC to deduct from their salary an amount equal to the amount of regular salary for that day
 - Requests for PTO must be submitted to the Pastor thirty (30) calendar days in advance. In the event of personal or dependent illness or other emergency, notice as soon as practicable is required.

PTO Carryover

An employee can carry over up to five days of unused PTO time from year to year up to a total of six weeks accumulated in order to have a reserve in case of an extended absence

- The six weeks accumulator limit does not include the current year's grant
- If the 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
- If an employee changes from a 40 work week to a 32 work week, the accumulation will be reflective of the new work week hours
- **Carryover of unused PTO is capped each year (5 days per year up to 6 weeks accumulation).**

End of Year PTO Payment Options

Employees with less than five years of continuous service at year end may elect to receive payment for up to two days of unused PTO that would not be carried over due to the maximum PTO carryover rules. Unused PTO time that does not include the two days and is over the PTO maximum carryover will be forfeited.

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 would not be carried over due to the maximum PTO carryover rules. Unused PTO time that does not include the three days and is over the PTO maximum carryover will be forfeited.

Employees eligible for the PTO receive the annual grant on January 1. PTO does not accrue during the first year of employment. Eligible employees receive the annual grant on January 1 of their second year.

PTO Forfeiture

Except for provisions defined in **PTO Carryover** and **End of Year PTO Payment Options**, all unused PTO is forfeited after December 31st of each calendar year

Voluntary Termination and PTO

Employees who provide two calendar weeks notice to SMPC, they will receive a payment equal to the unused PTO hours accumulated including the current year and any carryover.

Involuntary Termination for Cause and PTO

All rights to PTO time or payments will be forfeited if the employee is terminated for cause or if the employee resigns without providing two weeks' notice to SMPC.

Part-Time to Full-Time Status Change

If a part-time/hourly employee's status is changed to a full-time employee status, their prior length of service (in an ineligible status) is recognized to determine their full-time eligibility of PTO entitlement. If the part-time/hourly employee status changes to full-time in the middle of a calendar year, a pro-rated entitlement for that year will be granted.

3-5 Inclement Weather or Emergencies

Inclement weather is defined as an emergency policy that will be applied upon the direction of the Pastor. If there is an emergency situation that prevents an employee from reporting to the office (i.e., weather, building circumstances), then the Pastor will send a notification to all employees advising them to stay home.

Employees should code their timesheets with the appropriate paycode of EMG.

3-6 Lactation Breaks

SMPC will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their infant child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided. If the break time cannot run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

The Church will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall to express milk in private. This location may be the employee's private office, if applicable. The Church may not be able to provide additional break time if doing so would seriously disrupt the Church's operations, subject to applicable law. Please consult your supervisor with questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

3-7 Workers' Compensation

You may elect to retain your common law right of action if no later than five (5) days after you begin employment or within five (5) days after receiving written notice from the employer that the employer has obtained coverage, you notify your employer in writing that you wish to retain your common law right to recover damages for personal injury. If you elect to retain your common law right of action, you cannot obtain workers' compensation income or medical benefits if you are injured.

COVERAGE: SMPC and SWBC PEO have workers' compensation insurance coverage to protect you in the event of work-related injury or illness. Any injuries or illnesses covered by the policy will be handled by the workers compensation insurance carrier. An employee or a person acting on the employee's behalf must notify the Church of an injury or illness not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an illness, unless the Texas Department of Insurance – Division of Workers' Compensation ("Division") determines that good cause existed for failure to provide timely notice. The Church is required to provide you with coverage information when you are hired or whenever the Church becomes or ceases to be covered by workers' compensation insurance.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers' compensation claim. Division staff will explain your rights and responsibilities under the Texas Workers' Compensation Act and assist in resolving disputes about a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031.

SAFETY HOTLINE: The Division has established a 24-hour toll-free number for reporting unsafe conditions in the workplace that may violate occupation health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health and safety violation. Contact the Division at 1-800-452-9595.

3-8 Jury Duty

SWBC PEO does not provide benefits for jury duty leave to its covered employees. SMPC provides Jury duty leave to eligible employees under the following guidelines:

- Up to three (3) workdays 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 will receive two (2) days' paid leave);
- Additional leave, if needed, would be unpaid.
- Exceptions to this policy may be granted by the Pastor or Chair of the Personnel Committee on a case-by-case basis.

3-9 Bereavement Leave

SWBC PEO does not provide bereavement leave benefits to its covered employees. However, 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 (3) calendar days of leave per instance.
- Full-time and part-time employees are eligible for paid bereavement leave after three (3) months of continuous service.
- Additional days of leave are unpaid.
- All bereavement leave must be approved by the Pastor in advance.

3-10 Voting Leave

SWBC PEO does not provide time off for voting to its covered employees. SMPC will provide eligibility requirements for time off to vote. In the event employees do not have sufficient time outside of working hours to vote in a statewide election, if required by state law, the employee may take off enough working time to vote. Such time will only be paid if required by state law. This time should be taken at the beginning or end of the regular work schedule. Where possible, supervisors should be notified at least two (2) days prior to the voting day.

Section 4 - Leaves of Absence

4-1 Personal Leave

If employees are ineligible for any other Church leave of absence, SMPC, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records. Normally, a leave of absence will be granted for a period of up to twelve (12) weeks. However, a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days or sick days. SMPC will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to the Church in a timely manner, subject to the terms of the plan documents.

When the employees anticipate returning to work, they should notify management of the expected return date. This notification should be made at least one (1) week before the end of the leave.

Upon completion of the personal leave of absence, the Church will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified, or a continued absence from work beyond the time approved by the Church will be considered a voluntary resignation of employment.

Personal leave runs concurrently with any other Church-provided Leave of Absence.

4-2 Military Leave

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that SMPC can maintain proper coverage while employees are away.

Section 5 - General Standards of Conduct

5-1 Gifts and Relationship Building

To avoid appearance of impropriety, any gifts, gratuities or special favors to individual staff members shall not be accepted for any person or organization that sells to, delivers to or receives any goods or services to or from St. Mark. This prohibition includes those persons or organizations that desire to enter into such a transactional relationship with St. Mark. **Staff members shall not accept monetary gifts of any amount from such persons or organizations.** Occasional unsolicited small gifts (less than \$50 in value), such as flowers or food which are shared within the work area are not deemed to be to an individual staff member and are acceptable. Meals and relationship-building activities with persons or organizations in connection with St Mark business may be accepted up to a limit of \$50. If a fit, meal or activity exceeds \$50, the staff member shall promptly provide a written report to the Personnel Committee Chair and the Pastor containing a description of the gift or activity, the dollar value, the name of the person/organization providing it and their reason for providing the gift or activity.

5-2 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 the Church or any of its employees or that could otherwise cause the Church to be held in disrepute.

5-3 Workplace Conduct

As a Church team member, employees are expected to accept certain responsibilities, follow acceptable business principles in matters of conduct, and exhibit a high degree of integrity at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that employees refrain from any behavior that might be harmful to themselves, co-workers, the Church, or that might be viewed unfavorably by current or potential customers or by the public at large. Employee conduct reflects on the Church. Employees are, consequently, encouraged to observe the highest standards of professionalism at all times.

Types of behavior and conduct that the Church considers inappropriate include, but are not limited to, the following:

- Falsifying employment or other Church records;
- Violating the Church's Anti-Harassment Policy;

- Violating state, federal or local laws and regulations;
- Violating security or safety rules or failing to observe safety rules or the Church safety practices; failing to wear required safety equipment; tampering with the Church's equipment or safety equipment;
- Soliciting gratuities from customers or SMPC without proper authorization;
- Exhibiting excessive unexcused absenteeism or tardiness;
- Except as otherwise specifically permitted by applicable law, possessing firearms, weapons or explosives on Church property without authorization;
- Using Church property or supplies, in an excessive, unnecessary or unauthorized way;
- Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone either on or off Church premises or when representing the Church;
- Negligent damage or destruction of Church property or equipment;
- Violation of the Church's Substance Abuse Policy;
- Committing theft or unauthorized possession of Church property or the property of fellow employees; possessing or removing any Church property, including documents, from the premises without prior permission from management; using Church equipment or property for personal reasons without proper authorization; using Church equipment for personal profit;
- Giving confidential or proprietary Church information to competitors or other organizations, or to unauthorized Church employees; or for the employee's personal use or profit; working for a competing business while an employee of the Church; breaching confidentiality of personnel information;
- Using obscene, abusive or threatening language or gestures;
- Acting in an insubordinate manner;
- Spreading malicious gossip and/or rumors; engaging in behavior which creates discord and/or lack of harmony; interfering with another employee's performance of their job duties; restricting work output or encouraging others to do the same;
- Sleeping or loitering during working hours;
- Soliciting during working hours and/or in work area; selling merchandise or collecting funds of any kind for charities or others without authorization during business hours, or at a time or place that interferes with the work of another employee on Church premises;
- Posting, removing or altering notices on any bulletin board on Church property without the permission of an officer of the Church or in violation of procedures related to same;
- Smoking in restricted area or at non-designated times, in accordance with Church policy;
- Unauthorized use of SMPC computers, information systems or software;
- Violation of the Church's cell phone policy;
- Failure to perform assigned duties;
- Performing work of a personal nature during work time;
- Unsatisfactory job performance; and
- Any other violation of Church policy.

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory based on violations either of the above or of any other Church policies, rules or regulations, the employee may be subject to disciplinary action, up to and including termination.

Before or during imposition of any disciplinary action, employees may be given an opportunity to relate their version of the incident or problem at issue and provide any explanation or justification they consider relevant.

Where appropriate and as circumstances may dictate, supervisors will follow a process of progressive employee discipline. Examples of employee discipline include:

Verbal Counseling – A “verbal counseling” is a verbal communication to an employee that his/her conduct is unacceptable, and that repeated or continued failure to conform conduct or performance to the Church's standards and/or policies may result in more severe disciplinary action. A record of the notice of the verbal counseling may be made and retained in the employee's personnel file.

Written Counseling – A “written counseling” describes the unacceptable conduct or performance of the employee and specifies needed changes or improvements, and that repeated or continued failure to conform conduct or performance to the Church's standards and/or policies may result in more severe disciplinary action. A copy of the written counseling will be retained in the employee's personnel file.

Termination – If an employee fails to conform his/her conduct or performance to the standards required by the Church, the Church may, in its sole discretion, terminate the employee's employment.

Notwithstanding the potential for less severe discipline before termination, the Church reserves the right to administer discipline in such a manner as it deems appropriate to the circumstances and may, in its sole discretion, terminate an employee without prior discipline or without following a particular order of discipline.

5-4 Punctuality and Attendance

Employees are hired to perform important functions at SMPC. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive, and place an unfair burden on fellow employees and supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including termination.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the work day. Asking another employee, friend or relative to give this notice

is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Unreported absences of three (3) consecutive work days will be identified as job abandonment and generally will be considered a voluntary resignation of employment with the Church.

5-5 Leaving the Work Area

Leaving the work area or walking off the job without the permission of your supervisor is strictly prohibited. Unauthorized “side trips” when on a Church errand are not allowed.

5-6 Use of Communications and Computer Systems

SMPC communication and computer systems are intended primarily for business purposes; however, limited personal usage is permitted if it does not hinder performance of job duties or violate any other Church policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of SMPC systems.

SMPC may access the voice mail and e-mail systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Church deems it appropriate to do so. The reasons for which the Church may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Church operations continue appropriately during the employee's absence.

Further, SMPC may review Internet usage to ensure that such use with Church property, or communications sent via the Internet with Church property, are appropriate. The reasons for which the Church may review employees' use of the Internet with Church property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Church operations continue appropriately during the employee's absence.

The Church may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The Church's policies prohibiting harassment, in their entirety, apply to the use of Church's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since the Church's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including termination.

5-7 Use of Social Media

SMPC respects the right of any employee to maintain a blog or web page or to participate in a social networking platform or similar site, including but not limited to, Twitter, Facebook and LinkedIn. However, to protect Church interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, or similar site, during work time or at any time with Church equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Tik Tok, Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether the employees are posting something on their own blog, web page, social networking platform, or similar site or on someone else's, if the employee mentions the Church and also expresses either a political opinion or an opinion regarding the Church's actions that could pose an actual or potential conflict of interest with the Church, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not the Church's position. This is necessary to preserve the Church's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking platform, or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous or violent is forbidden. Church policies apply equally to employee social media usage.

SMPC encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their supervisor. Failure to follow these guidelines may result in discipline, up to and including termination.

5-8 Personal and Church-Provided Portable Communication Devices

SMPC provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the Church to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through the Church's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a Church-provided or personal device, employees must comply with applicable Church guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a Church-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If employees who use a personal PCD for business resign or are terminated, they will be required to submit the device to the Church for resetting on or before their last day of work. At that time, the Church will reset and remove all information from the device, including but not limited to, Church information and personal data (such as contacts, e-mails and photographs). The Church will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the Church on or before their last day of work for resetting and removal of Church information. This is the only way currently possible to ensure that all Church information is removed from the device at the time of termination. The removal of Church information is crucial to ensure compliance with the Church's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a Church-issued device, the Church's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

Portable Communication Device Use While Driving

Employees who drive on Church business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving. Further, even if usage is permitted, employees may choose to refrain from using any PCD while driving. "Use"

includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while driving, and permitted by law, employees must use a hands-free option and advise the caller that they are unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and emailing while driving is prohibited in all circumstances.

5-9 Camera Phones/Recording Devices

Due to the potential for issues such as invasion of privacy, sexual harassment and loss of productivity, as well as inappropriate disclosure of confidential information, no employee may use a camera phone function on any phone on Church property or while performing work for the Church without management approval.

The use of tape recorders, or other types of voice recording devices anywhere on Church property, including to record conversations or activities of other employees or management, or while performing work for the Church, is also strictly prohibited without management approval.

5-10 Inspections

SMPC reserves the right to require employees while on Church property, or on a clients property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on Church or a clients property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to the Church or to its customers. Employees are expected to cooperate in the conduct of any search or inspection.

5-11 Smoking

The Church maintains a smoke and tobacco free office. No smoking or other use of tobacco products (including, but not limited to, cigarettes, electronic cigarettes, vaping, pipes, cigars, snuff, or chewing tobacco) is permitted in any part of the building or in vehicles owned, leased, or rented by the Church. Employees may smoke outside in designated areas during breaks. When smoking or otherwise using tobacco or similar products outside, do not leave cigarette butts or other traces of litter or tobacco use on the ground or anywhere else. No additional breaks beyond those allowed under the Church's break policy may be taken for the purpose of using tobacco or similar products.

Because the Church may be subject to criminal and civil penalties for violations of applicable smoking laws, we must insist on strict adherence to this policy. Employees smoking in any non-smoking area may be subject to disciplinary action, up to and including termination.

5-12 Personal Visits and Telephone Calls

For safety and security reasons, employees are prohibited from having personal guests visit them anywhere in SMPC facilities other than the reception areas without permission from management.

5-13 Solicitation and Distribution

To avoid distractions, solicitation between employees or by any non-employee is prohibited while either employee is on work time. "Work time" is defined as the time the employee is engaged, or should be engaged; in performing his/her work tasks for SMPC.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of the Church is prohibited at all times. Distribution of literature by non-employees on Church premises is prohibited at all times.

5-14 Bulletin Boards

Important notices and items of general interest are continually posted on SMPC bulletin boards. Employees should make it a practice to review bulletin boards frequently. This will assist employees in keeping up with what is current at SMPC. To avoid confusion, employees should not post or remove any material from the bulletin board.

5-15 Confidential Church Information

Staff members shall not disclose to those without a need to know, any business, financial or operational information about St. Mark that is not known outside of St. Mark, or is not known by

public means, without permission of the Pastor and Session. This includes safeguarding all physical, financial information and other St. Mark assets and records.

5-16 Conflict of Interest and Business Ethics

All staff members shall avoid conflicts of interest, potential conflicts of interest, and situations that give even the appearance of a conflict of interest. "Conflict of Interest" means any situation in which a staff member may be influenced or appear to be influenced in church related decision making or business dealings by any motive or desire for personal advantage other than the success and interest of St. Mark. Personal advantage means a financial or personal interest, whether present or potential, whether direct or indirect. This standard applies to both actual and contemplated transactions. When in doubt, the staff member is to assume there might be a conflict and should raise the question to the Personnel Committee Chair and the Pastor.

Disclosure. As they become known to staff members, all present or potential conflicts of interest must be disclosed in writing using the approved form. Staff members are to disclose relationships that have the potential for giving rise to the appearance of a conflict. Dealings with a staff member's friends and family are particularly sensitive and are to be disclosed and carefully evaluated because of the potential for interference of personal advantage and the appearance of impropriety. If a conflict is known in advance of any meeting, business transaction or other activity at which issues may be discussed or on which the issues may have a bearing on the staff member's approach, whether directly or indirectly, it shall be disclosed ahead of time and the staff member shall abstain from any participation in the discussion or decision. Minutes of meetings should reflect when a staff member disclosed that they have a conflict of interest and how the conflict was managed. For example, minutes may say: "There was a discussion on a matter without the conflicted staff member in the room and/or a vote was taken with the conflicted staff member abstaining." If the conflict is not known in advance it shall be disclosed when the conflict becomes apparent. All disclosures are to be made promptly in writing using the approved form, to the Personnel Committee Chair and the Pastor.

5-17 Outside Employment

Employees may hold outside jobs so long as their outside employment does not interfere with the performance standards of their job with the Church. All employees will be judged by the same performance standards and will be subject to scheduling demands, regardless of any existing outside work requirements. If it is determined that an employee's outside work conflicts or interferes with performance, safety or the ability to meet the requirements of the Church as they are modified from time to time, the employee may be asked to terminate the outside employment if he/she desires to remain with the Church.

Outside employment that constitutes a conflict of interest is prohibited. Employees also may not receive any income or material gain from individuals outside the Church for materials produced or services rendered while performing their jobs with the Church.

5-18 Use of Facilities, Equipment and Property, Including Intellectual Property

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines.

Employees should notify the Pastor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of loss, damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Supervisors can answer any questions about the employees' responsibility for maintenance and care of equipment used on the job.

Employees also are prohibited from any unauthorized use of the Church's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including termination.

Further, the Church is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

5-19 Health and Safety

The health and safety of employees and others on Church property are of critical concern to SMPC. The Church intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the Church's premises, or in a product, facility, piece of equipment, process or business practice for which the Church is responsible should be brought to the attention of management immediately.

Periodically, the Church may issue rules and guidelines governing workplace safety and health. The Church may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

5-20 Employee Dress and Personal Appearance

SMPC maintains a professional image. As representatives of this company, employees must adhere to the dress code policy. Employees should note that their appearance matters when representing our company in front of members, visitors, or other parties.

This policy applies to all employees of SMPC.

SMPC requires employees to maintain a neat and clean appearance that is appropriate for the workplace. Appropriate workplace dress includes clothing that is well-fitting, in clean condition, and projects professionalism. Workplace dress does not permit revealing or inappropriate clothing. Clothing with rips, tears, or frays; or any extreme style or fashion in dress, footwear or accessories is not permitted. SMPC requires that visible body piercings and tattoos are removed and or covered during work hours. SMPC asks that employees maintain acceptable levels of bodily hygiene to ensure that interactions with other staff and members remain positive and pleasant.

5-21 Publicity/Statements to the Media

Only the Pastor is authorized to make or approve public statements on behalf of the Church. No employees, unless specifically designated by the Pastor, are authorized to make those statements on behalf of Church. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of the Church must first obtain approval from the Pastor.

5-22 Operation of Vehicles

All employees authorized to drive Church-owned or leased vehicles or personal vehicles in conducting Church business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

Employees must have a valid driver's license in their possession while operating a vehicle off or on Church property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

Church-owned or leased vehicles may be used only as authorized by management.

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 ("MVR") 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.

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.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

5-23 Business Expense Reimbursement

Employees will be reimbursed for reasonable approved expenses incurred in the course of business. These expenses must be approved by the employee's supervisor, and may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to employee's supervisor along with the receipts in a timely manner.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their supervisor in advance if they have any questions about whether an expense will be reimbursed.

5-24 References

SMPC will respond to reference requests through SWBC PEO. SWBC PEO will provide general information concerning the employee such as date of hire, date of termination, and positions held. Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to SWBC PEO.

5-25 If You Must Leave Us

Should employees decide to leave the employment of the Church, we ask that they provide a supervisor with at least two (2) weeks advance notice of departure. Thoughtfulness will be appreciated. All Church property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of the Church's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the Church (through payroll deduction, if lawful) for any lost or damaged Church property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

5-26 Exit Interviews

Employees who resign are requested to participate in an exit interview with the Department Head, if possible.

5-27 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.

5-28 A Few Closing Words

This handbook is intended to give employees a broad summary of things they should know about SMPC. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, SMPC, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about the Church or its personnel policies and practices.

General Handbook Acknowledgment

This employee handbook is an important document intended to help employees become acquainted with SMPC. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the Church's operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this handbook.

I have received and read a copy of SMPC employee handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the Church at any time.

I further understand that my employment is terminable at will, either by myself or the Church, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no representative of SMPC other than the Pastor may alter "at will" status and any such modification must be in a signed writing.

I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the Church's employee handbook.

Employee's Printed Name: _____

Employee's Signature: _____

Position: _____

Date: _____

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.