



Ministry Guidelines

For the Care of

Professional Church Workers

(Salary Guidelines)

2017

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TABLE OF CONTENTS

PREFACE	3
SALARY AND HOUSING	4
HEALTH, DISABILITY, AND RETIREMENT	4
MOVING EXPENSES	4
SICK TIME	5
VACATION TIME	5
HOLIDAYS	6
EXCELLENCE AND ACCOUNTABILITY	6
SALARY/COMPENSATION	9
PROFESSIONAL GROWTH	11
ACKNOWLEDGEMENT, RECOGNITION, AND CELEBRATIONS	12
SABBATICALS	12
WORKER SUPPORT TEAM	13
PROTECT YOUR MINISTRY	14
EMPLOYMENT/LABOR LAW	14
EMPLOYMENT CATEGORIES	15
FAIR LABOR STANDARDS ACT	15
FEDERAL REGULATIONS	16
STATE REGULATIONS	16
UNEMPLOYMENT AND DISABILITY COMPENSATION	17
WORKER'S COMPENSATION	17
NON-DISCRIMINATION	17
BACKGROUND CHECKS AND SEXUAL ABUSE	17
BREAK PERIODS	17
TERMINATION	18
EMPLOYEE HANDBOOKS	19
APPENDIX A -SAMPLE HOUSING ALLOWANCE RESOLUTION	18
APPENDIX B - DEDUCTIBLE ITEMS FOR HOUSING ALLOWANCE	19
APPENDIX C - TAX PREPARERS	20
APPENDIX D - SAMPLE RESOURCES FOR MINISTRY EXCELLENCE	21

PREFACE

Dear Friends in Christ Jesus,

We are happy to provide this new guide for you and your congregation/school as you provide care, support and encouragement to your fellow staff and colleagues in ministry. This new tool is a comprehensive resource for you in all areas of ministry and worker care. We are hopeful that the information in this electronic document, with its many links to samples and models, will contribute to enhancing staff morale, loyalty and engagement by clearly communicating guidance in areas such as care, compensation, benefits, employment law, etc.

"Whatever you do, work at it with all your heart, as working for the Lord, not for human masters, since you know that you will receive an inheritance from the Lord as a reward. It is the Lord Christ you are serving." Colossians 3:23-24

We pray that you will support the workers among you, and look to your Lord daily as you are about your work in a way that is suggested in this portion of a prayer from "The Lutheran Book of Prayer."

"Grant that I may day by day put forth efforts which are pleasing to You, helpful to my fellow men, and sufficient to provide for my daily needs. Keep me mindful that my service must be done not merely to men but to You. Help me to remember that in all things, my sufficiency is of You and that whatever I do is to be done to Your glory. Give me joy in my labor, sincerity in my service, and unselfishness in all my striving. Help me to be faithful in all things, for the sake of Him who died for me." Amen

When workers accept a Call or appointment to service, they make a commitment to faithful and full service to the best of their ability, with the help of God. Congregations and schools must also commit to provide for the worker's needs. Congregations and schools (ministries) should not only be concerned with the fair and just compensation of the worker, but also the care and well-being for the whole family as a key component to ministry of the church or school. Other benefits should also be considered which would enhance the worker's feeling of security and contribution to the ministry. A healthy staff makes for a healthy ministry, focused on discipling and reaching their community with the precious Gospel of Jesus!

"My hope and prayer is that congregations, schools, and institutions of the church will support their workers and thereby help defend them against the assaults of Satan." ~Holding Up the Prophet's Hand, Bruce Hartung

We pray that this guide will assist you and provide necessary resources to equip you to prayerfully care for the workers in your ministry!

The Guidelines for Ministry Care Task Force,

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For God did not appoint us to suffer wrath but to receive salvation through our Lord Jesus Christ. He died for us so that, whether we are awake or asleep, we may live together with Him. Therefore encourage one another and build each other up, just as in fact you are doing." 1 Thessalonians 5:9-11

SALARY AND HOUSING

Social Security: While considered employees (under current IRS guidelines) for income tax and reporting purposes, all rostered individuals of Synod, (pastors, commissioned ministers, directors of Christian education, and deaconesses) are not employees for Social Security and self-employment tax purposes as classified as “self-employed”. (For more detailed information consult the “[Congregational Treasurers’ Manual](#)” as well as “[Taxes and Ministers](#)”)

Housing Allowance: A called worker’s housing allowance (sometimes called a parsonage allowance or a rental allowance) is excludable from gross income for income tax purposes but not for self-employment tax purposes. Prior to each calendar year, all called workers on your staff should be requested to submit their requested housing allowance for formal approval by Church Council or School Board. This record may be necessary if the worker is audited. Workers should be encouraged to consult a professional tax preparer who specializes in tax preparation for church workers to determine what current tax law allows as deductible for housing allowance in order to determine an appropriate housing allowance for an individual worker’s circumstances. In this document, **Appendix A** contains a sample resolution for establishing housing allowance in a church council or school board meeting, Best practice is an annual approved housing allowance resolution. **Appendix B**, provides a list of deductible items for housing allowance, and **Appendix C** provides a list of tax preparers specializing on church workers taxes.

HEALTH, DISABILITY, AND RETIREMENT

The PSD recommends that congregations and schools strongly consider Concordia Plan Services for health, retirement, and related needs. The Salary Committee of the PSD strongly recommends congregations pay 100% of the cost of health, dental, and vision coverage for the worker. The worker may purchase dependent coverage for eligible dependents by payroll deduction. The Salary Committee recommends that the employer contributes a portion of spouse and family coverage, to be determined by the individual school. The policy must be applied consistently to all workers, otherwise organizations could jeopardize their legal and tax-exempt status by providing unequal coverage of the benefits to all workers and be subject to discrimination lawsuits. The Salary Committee further recommends that congregations provide 100% coverage for both short-term and long-term disability for the employee.

Congregations are encouraged to support the employee’s retirement by contributing to the employee’s retirement account. Following is one example the Salary Committee viewed as noteworthy: One of the high school’s in the PSD pays an amount equal to 5.3% of the employee’s salary into a 403B account. Further, the school matches up to 3% of the employee’s contribution into that retirement account. This benefit applies to all employees who work at least 1000 hours in the course of one year.

MOVING EXPENSES

When preparing to welcome additional staff to your ministry, consideration of the cost of relocation should be considered. The actual cost of moving varies depending on the current location, experience, and family situation of the new staff member. Included in moving costs normally are: professional packing, loading, transporting and unloading of household furnishings, transportation costs to new location, and meals and lodging en route. The Salary Committee of the PSD recommends that the first \$1,000 or \$2,000 of expenses be covered in full, and 50% to 75% of additional expenses be covered as well. Tools are available to assist employers and employees calculate moving expenses (e.g. <http://www.moving.com/movers/moving-cost-calculator.asp>). Reimbursement for some moving expenses may be considered to be income by

the IRS. Check with your accountant or IRS representative for complete details. Generally, a deadline for submitting moving expenses is one year from the date of beginning employment.

SICK TIME

Sick time is an authorized period of time off the job due to illness, with or without pay, and is granted at the discretion of the congregation's administrative body. The congregation may choose to allow a portion of paid sick time to carry over from year to year. There are sick time regulations which apply only to California: Effective July 1, 2015, Assembly Bill No. 1522 (Healthy Workplaces, Healthy Families Act of 2014) requires California employers to provide paid sick time for all workers, whether they are full-time or part-time. Quoting from AB 1522, section 3, Article 1.5:246:

- (a) An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the commencement of employment is entitled to paid sick days as specified as specified in this section.
- (b) (1) an employee shall accrue paid sick days at the rate of not less than one hour per every 30 hours worked, beginning at the commencement of employment or the operative date of this article, whichever is later.
- (c) An employee shall be entitled to use accrued paid sick days beginning on the 90th day of employment, after which day the employee may use paid sick days as they are accrued.

The above information is provided as a guide. For more specific information, consult AB 1522. For additional information on sick leave regulations in your state please use the following information or links:

- Arizona: Arizona law does not require employers to provide employees with sick leave benefits, either paid or unpaid. See the AZ Industrial Commission's pamphlet, "The State of Arizona's Labor Law: Your Wages and Working" (not available online). If an employer chooses to provide sick leave benefits, it must comply with the terms of its established policy or employment contract.
- California: http://www.dir.ca.gov/dlse/paid_sick_leave.htm
- Nevada: Nevada law does not require employers to provide employees with sick leave benefits, either paid or unpaid. If an employer chooses to provide sick leave benefits, it must comply with the terms of its established policy or employment contract.

VACATION TIME

Days of vacation for the worker are based on prior service at the current site; however, at the congregation's discretion, a percentage of years of previous experience may be included in calculating vacation days, as long as that percentage is applied consistently for all employees. Vacation days typically accrue each month and no more than 150% of total vacation days may be accrued at any time. Vacation days for twelve-month workers are any days away from assigned duties, including Christmas and Easter breaks, not inclusive of holidays as listed below. Congregations are advised to consider the maximum level for positions of great responsibility. The Guidelines for Ministry Care Task Force recommends the following tiers be considered when allotting vacation days. **The levels are based on a school setting and may be adjusted for congregational purposes.**

Level 1

Full-time 12-Month Hourly Staff Members	1 - 2 Years	3 - 15 Years	16+ Years
	2 weeks/10 days	3 weeks/15 days	4 weeks/20 days

Level 2

Full-time 12-Month Directors/ Associate Pastors	1 - 2 Years	3 - 5 Years	6-19 Years	20+ Years
	2 weeks/10 days	3 weeks/15 days	4 weeks/20 days	5 weeks/25 days

Level 3

Full-time 12-Month Primary Administrators/Senior Pastors	1 - 2 Years	3 - 5 Years	6+ Years
	3 weeks/15 days	4 weeks/20 days	5 weeks/25 days

HOLIDAYS

An approved schedule of paid holidays should be published and provided to all employees each year. A sample list, which provides generous recognition beyond federally recognized holidays, is provided below.

- New Year's Day (Friday off if on a Saturday and Monday off if on a Sunday) (1) One
- Martin Luther King Junior Day (1) One
- Presidents' Day (1) One
- Good Friday (1) One
- Memorial Day (1) One
- Independence Day (Friday off if on a Saturday and Monday off if on a Sunday) (1) One
- Labor Day (1) One
- Veterans' Day (aligned with current academic calendar) (1) One
- Thanksgiving Day and Friday (2) Two
- Christmas Day (Friday off if on a Saturday and Monday off if on a Sunday) (1) One
- Christmas Eve and New Year's Eve (Friday if on a Saturday or Sunday) (2) Two

Total: 13 days

EXCELLENCE AND ACCOUNTABILITY

Ultimately, a professional church worker is accountable to Christ, our Lord and Savior. Staff members should work as a team with all other personnel of the church and school. Relationships should be characterized by loyalty and cooperation in a common purpose and ministry for Christ. Professional staff members and church workers represent the Church and Schools in a very special way.

Recognizing that we have a right, responsibility, and calling to educate, we desire to adhere to the highest Christian and professional ethical standards. To that end, we are committed to the following principles:

Principle I: Commitment to the Lord and His Church

Professional church workers are dedicated to serving their Lord Jesus Christ. By His grace they are empowered to recognize that their call is to assist the congregation as it seeks to equip the saints supporting the programs and people who share the ministry (Romans 15:5-6). In fulfillment of the obligation to the congregation, professional church workers:

- Are regular and faithful in worship attendance and the Sacrament of Holy Communion.
- Are visible at major congregational functions.
- Serve as called upon.
- Promote a spirit of unity among the various ministries of the church supporting and building them up positively by their participation, communication, and attitude; refraining from negative behavior, talk, or communications at all times and in all circumstances; praying to the Lord on their behalf; and understanding that they represent the ministry staff of the Church and Schools.
- Are regular in their study of the Word as interpreted by the Confessions of the Lutheran Church.

Principle II: Commitment to the Student

Professional church workers strive to help all children realize their God-given potential and their worth as one of His children making the welfare of each child the primary basis for all decisions and actions (Mark 9:37). In fulfillment of the obligation to the student, Professional church workers:

- Present a daily living model of the Christian faith building others up in word and action.
- Nurture and protect students physically, emotionally and spiritually.
- Present subject matter clearly, without suppression or distortion.
- Encourage students to learn independently.
- Treat students fairly and honestly.
- Respect student privacy and confidentiality.

Principle III: Commitment to the Families

Professional church workers recognize that ministry extends beyond the classroom doors to the homes of its individual students and will be honest in their dealings (Hebrews 13:18); keep the confidentiality entrusted to them (Ephesians 4:29); and accept and respect all people (Galatians 3:26-28). In fulfillment of the obligation to families, Professional church workers:

- Show respect for parental authority and choice in decisions regarding students.
- Encourage parents in their God-given duty to train up their children in the way they should go (Proverbs 22:6) .
- Extend personal invitations to school families for worship and major functions at their congregation.
- Keep parents informed of student progress and daily happenings at the school.
- Except where prohibited by law, respect family privacy and confidentiality.

Principle IV: Commitment to the Profession

Professional church workers are committed to the Lutheran teaching profession and dedicated to ministry of the congregation upholding professional standards (Titus 2:7-8). In fulfillment of the obligation to the teaching profession and congregational ministry, Professional church workers:

- Model a life of faith and good stewardship of time talents and treasures as God has given them using them appropriately.
- Present a professional appearance in dress and demeanor avoiding losing their temper and exploding with rage, resorting to passive aggressive behavior or other negative behavior but instead speaking

truthfully and avoiding deceit of all kinds not letting their silence on a matter be a means of deception.

- See themselves as lifelong learners, not finished products, both professionally and spiritually and are committed to taking all appropriate opportunities to grow and increase in capabilities.
- Keep abreast of best practices and research in education.
- Teach to the adopted standards of the church/school.
- Support, respect and cooperate with their fellow Professional church workers.
- Promote a spirit of unity with the entire church/school staff putting the best construction on the actions of fellow church workers (positive intent) being careful not to bear false witness (Exodus 20:16) and resolving disagreements in a manner that demonstrates an understanding of Confession and Absolution as a model for reconciliation (Matthew 5 and 18).
- Speak well of the church/school ministry in the community building up all students, parents, congregational members, and fellow staff members with all their words and actions.

Congregations are strongly encouraged to conduct annual performance evaluations by their supervisor or, when applicable, the Board of Directors or Board of Elders. For the Pastor, the Chairman of the Congregation and Chairman of the Elders should work mutually with the Pastor for setting goals and objectives of the ministry. A clear definition of accountability should be established and reviewed on a regular on-going basis. The purpose of evaluation is to improve performance so that the mission, vision, philosophy and goals of the church and school are fully accomplished. Evaluation stimulates professional growth, ensures the preservation of policies and principles of the church and/or school, and maintains high standards of professional competency.

The objectives of evaluations should be, as follows:

- To promote improvement in ministry.
- To assist each staff member in improving his/her performance.
- To support and strengthen effective performance.
- To promote a close, cooperative working relationship among the staff.
- To monitor progress toward personal, church and school goals.

Annual written observations and/or evaluations should become part of each worker's permanent file. These evaluations should be shared with the worker involved. Staff evaluations should be based upon the individual's position description.

To support the Professional church workers in attaining excellence and accountability, the following links are available as examples for your ministry:

- | | |
|--|---|
| ● Annual Employee Evaluations/Goal Setting | ● National Lutheran Schools Accreditation |
| ● Care & Recognition | ● New Staff Orientation Checklist |
| ● Classroom Observation | ● Organizational Chart |
| ● Code of Ethics | ● Parent Handbook & Surveys |
| ● Early Childhood Curriculum Guide | ● Parent/Teacher Conferences |
| ● Employee Handbook | ● Professional Development |
| ● Interview Questions | ● Reference Check Questions |
| ● Job Descriptions | |

- Labor & Tax Law
- Licensing Title 22
- Mission Statement
- Social Media
- Sunday School
- Youth Ministry

Appendix D provides a list of links to sample documents in each of the areas listed above.

Recommended books related to accountability:

- [*Holding Up the Prophet’s Hand \(Bruce Hartung\)*](#)
- [*Crucial Conversations \(Patterson, Grenney, McMillan, Switzler\)*](#)
- [*Thanks for the Feedback \(Douglas Stone & Sheila Heen\)*](#)
- [*Boundaries \(Dr. Henry Cloud & Dr. John Townsend\)*](#)
- [*The 5 Languages of Appreciation in the Workplace \(Gary Chapman and Paul White\)*](#)
- [*21 Irrefutable Laws of Leadership \(John C. Maxwell\)*](#)

SALARY/COMPENSATION

Demographics Salary Calculator

The purpose of the [Demographic Salary Calculator \(DSC\)](#) is to give congregations a more representative tool when calculating the base salaries for professional church workers than has been previously available. This DSC model uses a “Five Tier” model in the determination of the base salary for several different job descriptions. The Salary Guidelines Committee feels this five tier model gives the member congregations a more accurate method of calculating a fair salary for the differing locales of the Pacific Southwest District.

To determine which “Tier” Group to use as the basis for your base salaries, we recommend the use of Zillow.com as an easy and accessible online way to get the value of the average home in the ZIP Code of the congregation or school where a worker serves. Instructions current at the time of this writing are: Go to www.zillow.com, then hover over “SELL”, then click on Neighborhood Home Values. Enter your city and state in the “Search Home Values” bar at the top of the page. The current Zillow Home Value Index will indicate which Tier Group to use for the average cost of home ownership in that area.

Based upon information from our congregations, The Synod and other districts, the base salaries in these guidelines take into account the various levels of responsibility and authority included within the expectations and position descriptions of church worker positions. Additionally such sources were used to develop multipliers for congregational size, experience and additional education to reflect the difference in value the worker brings to the congregation/school. This is called the [Education and Experience Multiplier Table](#).

To use the administrative multipliers, add the appropriate multiplier(s) to the multiplier in the experience and education table then multiply the applicable base salary by the result.

For example, a Senior Pastor whose church is in the ZIP code “85203” with a PhD and 10 years professional

experience who is serving a congregation with average worship attendance of 325, is calculated below.

Go www.zillow.com, as described above and enter the zip code of the church or school. In the example zip code, in December 2016, the average home value fell into Tier II. Using the Demographic Salary Calculator find the congregation/school size multiplier. To the left of that number will be your base salary.

Next go to the Education and Experience Multiplier Table; find the appropriate column and drop down to the “years of experience” to find the multiplier.

Using our example above:

Tier II Senior/Sole Pastor base salary is \$57,051 Congregation/School Size is 301-500, so the multiplier is: 0.05. The PhD with 10 years in Ministry multiplier is 1.650. Add the two multipliers together for the sum of multipliers $0.05 + 1.65 = 1.70$ Then multiply the base salary of \$57,051 by 1.70 (sum of multipliers) for a salary of \$96,986.70, ($\$57,051 \times 1.70 = \$96,986.70$).

Congregations are encouraged to promote equity as outlined in the Compensation Guidelines among all their church workers including early childhood educators.

Early Childhood Directors are exempt employees (salaried) if they spend at least 50% of their time in executive, administrative or professional responsibilities, including supervising employees.

The Fair Labor Standards Act designates preschool teachers as non-exempt employees who are to be paid hourly and are eligible for overtime (time and ½ over 40 hours per week or 80 hours per two-week time period). The hourly rate for preschool teachers with an AA or BA can be determined using the appropriate base table and dividing the annual amount by 2080 (# of hours worked by full time employees).

Examples for calculating Early Childhood Educators:

A. An EC Director in Tier II with a BA and 14 years’ experience:

$$\$48,899 \times 1.21 = \$59,167.79.$$

B. An EC teacher (12 month) in Tier III with an AA and 10 years’ experience:

$$\$44,571 \times .90 = \$40,113.9/2080^* = \$19.29 \text{ per hour}$$

C. An EC teacher (10 month) in Tier IV with 24 units and 5 years’ experience:

$$\$41,387 \times .665 = \$27,522.36/1733^* = \$15.88 \text{ hourly}$$

*2080 hours make up a 12-month equivalent

*1733 hours make up a 10-month equivalent

Note: If congregation or school feels that their principal location ZIP code does not reflect the predominant ZIP code of their constituency, they may elect to use the ZIP of their choice.

FOR ADDITIONAL INFORMATION SEE THE FOLLOWING

Personnel Matters:

[Employment Resource Manual](#)

Provided to assist congregations and districts of The Synod understand and apply good sound employment principles.

Call Documents:

[Concordia Publishing House](#) offers free, downloadable call documents. Call the District Office for login information.

Concordia Plan Services:

[Learn about your benefits](#) as an employee in an LCMS congregation/school (if enrolled in CPS).

Financial Matters:

[Congregational Treasurer's Manual](#)

The Congregational Treasurer's Manual provides information on various aspects of the duties of congregational treasurer.

2017 IRS Mileage Rates:

Changed on 1/1/2017: IRS has decreased the standard business mileage rate to .535¢ per mile. The standard medical and moving mileage rate has decreased to 17¢ per mile. These new rates apply to mileage reimbursements paid to an employee on or after January 1, 2016 with respect to transportation expenses paid or incurred by the employee on or after January 1, 2017.

The rate used for charitable deduction purposes, set by statute rather than IRS, remains at 14¢ per mile.

PROFESSIONAL GROWTH

Professional church workers should be encouraged to participate in carefully designed and approved programs of continuing education. Since a designed and approved program will benefit the congregation, a set amount should be included in the congregation's budget in order to support this program. The Salary Committee of the PSD recommends that congregations partner with employees who pursue an APPROVED continuing education plan by paying, at minimum, 50% of the cost. In order to maintain consistency of Lutheran thought and teaching eligible non-Lutheran or non-synodically trained employees should be encouraged to enroll in the colloquy program as a component of their continuing education.

Conventions, retreats, conferences, and workshops directly related to the worker's effectiveness in the ministry, or mandated by membership in Synod, are part of the business of the congregation and should not be treated either as part of the worker's vacation or completed at the expense of the employee. The Pacific Southwest District expects synodically trained rostered church workers to attend the Lutheran Educators' Conference annually. Generally, employees should be encouraged to attend conferences and conventions with all expenses (travel, meals, lodging, registration, etc.) paid by the congregation. Therefore, congregations are encouraged to budget for ongoing professional development opportunities.

In addition to retreats, conferences, and workshops, mission trips represent an important form of professional growth and development. In recognition of our employees commitment to the Great Commission, consideration should be given to those employees who desire to take part in ministry-sponsored mission trips. It is understood that mission trips that take place during the academic year may place a significant financial burden on school operations; therefore, employees should take advantage of such opportunities during the summer months or pre-determined vacation periods. Mission trips may interfere with expected duties and requests should be made to an appropriate administrator at least four to six months ahead of the anticipated departure date. When administrative approval is received, it is recommended that, when possible and appropriate, mission trips not be treated either as part of the worker's vacation or sick time.

ACKNOWLEDGEMENT, RECOGNITION, AND CELEBRATIONS

It is recommended that birthdays, special occasions, holiday celebrations, and workplace anniversaries are recognized in a fashion that displays care for the worker. Whether you choose to use cards signed by many, a gift card, snacks or treats, and/or another type of recognition, acknowledging these important events will assist in displaying care for the worker. Holidays are often celebrated by appropriate gatherings at which food and fellowship is provided. While all congregations do not implement all celebrations, congregations are encouraged to prayerfully review and implement suitable protocols.

Lutheran church and school workers offer their time, talents, and treasures to the ministries they serve. Ministries, in turn, proclaim Christ through broad efforts. Ministries are encouraged to partner together to better serve His kingdom by recognizing the efforts and responsibilities of all workers in the Pacific Southwest District of the Lutheran Church - Missouri Synod. As a component of partnering together, ministries are encouraged to offer tuition discounts to full-time employees, regardless of the specific LC-MS school at which they work. Examples of this practice exist and it is recommended that schools at all levels (*e.g.* K-8, 9-12) prayerfully consider reducing tuition by a minimum of 50% for all full-time workers at schools, district offices, and universities within the Pacific Southwest District.

SABBATICALS

A sabbatical may be defined as a period of time, often three months, when ministry leaders and congregations set aside a leader's normal responsibilities for the purpose of rest and renewal toward sustained excellence in ministry. A ministry sabbatical is not an extended vacation nor is it synonymous with an academic sabbatical that normally involves extensive study; rather, a ministry sabbatical is a release from the routine of the call for the physical, emotional, spiritual, and intellectual well-being of a ministry leader. Below are links to Wheat Ridge Ministries sites that provide guidance and resources for congregations and schools in the development of their own sabbatical policies.

- What is a Sabbatical (wheatridge.org/resources/ministry-sabbatical-center/what-is-a-ministry-sabbatical/)?
- Planning a Sabbatical (wheatridge.org/resources/ministry-sabbatical-center/planning-a-sabbatical/)
- Sabbatical Resources (wheatridge.org/resources/ministry-sabbatical-center/sabbatical-resources/)

WORKER SUPPORT TEAM

Beginning ministry in a new place can be a challenge even for veteran church workers. Churches and schools that organize a Worker Support Team can assist in the transition of new workers. Further, a Worker Support Team assists church workers in sustaining their ministry by encouraging healthy personal practices. Areas of focus for a Worker Support Team may include:

- Lay of the Land: Help workers get comfortable with the community by assisting them with recommendations on where to find groceries on a budget, a good mechanic, recreation areas, traffic patterns in the area, and other aspects of life particular to your community.
- Connections: Help workers get to know members of the church and/or school, families, and other workers in the circuit, region, and district. They may also provide a list of key church and school leaders, and work to make intentional introductions. Finally, they should encourage workers to connect with fellow workers in their area in similar ministry positions. For example, pastors should be encouraged to attend circuit pastors meetings, Directors of Christian Education should attend cluster meetings, etc.

Grace Place Ministries notes that “the Worker Support Team lovingly and caringly challenges workers in the church to practice self-discipline in caring for their own spiritual, physical, and emotional needs. The Worker Support Team might also advocate for the Pastor and other workers for supportive policies and practices by the congregation, ensuring adequate care for their physical and financial needs as well as the needs of their families.”

According to *Grace Place Ministries*, some practices that the Support Team might strive toward could include:

- Physical health
 - Encourage and engage the workers in physical activity
 - Encourage or provide gym membership
 - Encourage regular medical checkups and self-care
- Spiritual growth
 - Encourage a weekly study/share group with others where they are not the leader
 - Pray for and with the pastor before the church service
- Healthy connections for mental fitness
 - Encourage socialization outside of congregational members
 - Encourage activities and hobbies which take them away from congregational worries
 - Encourage conference attendance
- Personal financial stability
 - Encourage seeking of financial advice
 - Listen confidentially to the concerns of spouses
 - A robust family life
 - Encourage time off and vacations

- Ongoing education for renewal
- Encourage ongoing education at a seminary or college
- Encourage personal coaching

For the larger document from Grace Place Ministries, go to: http://www.graceplacewellness.org/wp-content/uploads/2013/06/Church_Worker_Support_Teams_MTWW.pdf

In preparation for the establishment of a Worker Support Team, we recommend reading *[Holding Up the Prophet's Hand: Supporting Church Workers](#)*, noted above.

PROTECTING YOUR MINISTRY

Churches and schools face the daunting task of navigating complex legal issues. From child safety concerns to property matters, employment law, church governance and more, they are responsible for understanding and acting in accordance with applicable legal requirements.

As our churches and schools come under increased scrutiny, The Lutheran Church—Missouri Synod is dedicated to helping pastors, church workers, church administrators, lay leaders and others learn how to better protect their church or school from potential legal challenges.

In collaboration with Alliance Defending Freedom (ADF), a legal guide has been developed in this regard. *[Protecting Your Ministry](#)* is a legal guide for LCMS congregations, schools and ministries. Please read through this entire booklet carefully to understand the full scope of the issues and how you can protect various ministries. Watch for up-dates at <http://www.lcms.org/resources/legal-issues>.

EMPLOYMENT/LABOR LAW

Labor law can be a daunting aspect of employment policy at a congregation or school. Many organizations are privileged to work with local attorneys or to employ a human resource specialist. It is strongly recommended that each congregation or school have a staff member tasked with monitoring current labor law developments in their state or municipality.

The LC-MS has published a comprehensive Employment Resource Manual detailing many of the applicable labor laws. Be encouraged to find that document in the appendix. Organizations may also consider joining the Society for Human Resource Management (www.shrm.org). An annual membership is \$190.00. In addition to monitoring HR issues nationally and in each state, membership allows a designated staff member to ask a Knowledge Advisor up to 15 questions per year. While this is not a substitute for legal advice, the Knowledge Advisor can alert an employer to potential risks and benefits in handling HR issues.

The following details are also not intended as a substitute for legal advice, but offer some of the essential rules and regulations of which employers should be aware. The District makes no representations about the legal veracity of the following descriptions.

EMPLOYMENT CATEGORIES

Workers at Lutheran churches and schools may be categorized in a variety of ways (e.g. called and contracted, salary and hourly, full-time and part-time). It is of legal note that the same benefits should be provided to all workers within the same employment category. For example, a full-time, called worker should not receive a tuition discount for his or her children, if all other full-time, called workers are not provided the same discount. Below are descriptions of some of the most common employment categories:

Called: These workers have graduated from a Lutheran Church-Missouri Synod college or university, or been certified through colloquy, and have received a “divine call” from a congregation, school, or RSO of the LC-MS. Called workers are recognized on the Minister of Religion Roster (Ordained or Commissioned) of the LC-MS. Calls may be tenured or non-tenured. They may also be exempt or non-exempt.

Contracted: These workers have received a contract in which terms of employment (e.g. salary, benefits, responsibilities, duration) have been detailed and affirmed by the employer and employee. Contracted workers are ordinarily not eligible for a call.

At-Will: These workers have been employed without call or contract. Their employment must adhere to applicable state and Federal labor laws, and may be terminated by the employer or employee at any time, provided such termination would not violate any state or Federal labor statute (e.g. against discrimination).

Salary: These full-time workers are compensated based on an annual amount divided among pay periods (e.g. bi-weekly, twice monthly, monthly). Salaried workers are not required to submit time-cards or report the number of hours worked in any given pay period. Their compensation is ordinarily spread over ten or twelve months.

Hourly: These full- or part-time workers are compensated based on the number of hours worked in a given pay period. The number of hours worked are determined by the employer and must be documented by a time-card or time-sheet.

Part-time hourly workers (less than 40 hours per week): might receive different benefits than full-time employees. For example, many employers will provide retirement benefits to those working more than 20 hours per week and health benefits to those working more than 30 hours per week. Note that part-time hourly workers employed the same number of hours as one another must be offered the same benefits.

Exempt or Non-Exempt: These descriptions refer to a worker’s status relative to the Fair Labor Standards Act (FLSA). Generally, exempt employees are those receiving a guaranteed minimum salary (salary basis test), or those with executive or administrative responsibilities (job duties test), such as supervising two or more employees or having management as a primary responsibility of the job. Exempt employees are not entitled to overtime compensation or provisions under the FLSA. Wage and hourly regulations regarding minimum wage, overtime, etc. for non-exempt employees should be implemented.

FAIR LABOR STANDARDS ACT

Employment regulations which address hiring, compensation, overtime, and the like are governed by both state and Federal statutes. Wage and hourly laws are specifically addressed by the Fair Labor Standards Act (FLSA) and/or a state labor code.

“Generally, private schools are subject to federal and state wage and hour laws. A significant exemption applies to “ministerial” employees at religious schools. For those employees who serve in a religious capacity –who are ministers as a matter of law – the FLSA and state wage and hour laws do not apply. Teachers at religious schools, for example, may qualify as ministers. (Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC 2012) The California Court of Appeals has also recognized preschool teachers as ministers. (Henry v. Red Hill Evangelical Lutheran Church of Tustin 2011) The Ninth Circuit Court of Appeals has applied this exemption specifically to state wage and hour claims. (Alcazar v. The Corporation of the Catholic Archbishop of Seattle 2010)” Excerpted from Liebert Cassidy Whitmore Legal Bulletin (www.lcwlegal.com).

The LCMS’ legal counsel, Thompson Coburn LLP, has also provided a comprehensive [letter](#) and [webinar](#) regarding the FLSA.

Watch for up-dates on litigation that may affect hourly and overtime thresholds on ChurchLawandTax.com and ManagingYourChurch.com.

FEDERAL REGULATIONS

The federal government provides additional direction regarding employment by religious organizations. (Equal Employment Opportunity Commission, Title VII of the Civil Rights Act: <http://www.eeoc.gov/policy/docs/threshold.html>. This reference contains resources pertaining to the Religious Organization Exception and the Ministerial Exception. The religious organization exception allows congregations and schools to prefer to employ individuals who share our religion. The exception does not allow organizations to otherwise discriminate in employment on the basis of race, color, national origin, sex, age, or disability.

The ministerial exception indicates that Courts have upheld that minister of religion generally cannot bring claims under the federal employment discrimination laws, including Title VII, the Age Discrimination in Employment Act, the Equal Pay Act, and the Americans with Disabilities Act. This comes not from the text of the statutes, but from the First Amendment principle that governmental regulation of church administration impedes the free exercise of religion.

STATE REGULATIONS

Arizona, California, and Nevada labor laws vary significantly. There may also be differences in various cities, particularly in California. Individual congregations and schools are strongly advised to know the laws in their state and municipality. Be encouraged to consult the following resources:

- Arizona:
 - The Industrial Commission of Arizona website: <http://www.ica.az.us/Labor>
 - The current (as of October 2016) minimum wage in Nevada is \$8.25 per hour.
- California:
 - Labor and Workforce Development Agency: <http://www.labor.ca.gov>
 - Department of Industrial Relations: <http://www.dir.ca.gov/dlse>
 - Requires that employers pay up to 24 hours of sick pay for part-time staff members. Some cities require more hours.

- As of January 1, 2016, the state minimum wage in California is \$10.00; however, plans to increase minimum wage are in place and therefore the links above should be referenced regularly. Furthermore, some cities some cities require a higher rate.
- Nevada:
 - Office of the Labor Commissioner: <http://www.labor.nv.gov>
 - The current (as of October 2016) minimum wage is \$8.25 per hour.
 - Legislation is being considered to increase the NV minimum wage by steps, up to \$13.00 per hour.

UNEMPLOYMENT AND DISABILITY COMPENSATION

Under existing state and Federal laws churches and church-related schools are exempt from the Unemployment Compensation Act. This means that any employee who terminates or is terminated, and is unable to find new employment, is not eligible to collect unemployment insurance benefits. Churches and church-related schools are also exempt from participating in state disability insurance programs.

WORKER'S COMPENSATION

Worker's Compensation pays benefits for a work-related injury. You should report any injury to your supervisor as soon after the injury as possible. (For more detailed information consult the [Congregational Treasurers' Manual](#))

NON-DISCRIMINATION

The following information is provided to ensure that salary provisions are morally fair, legal, and non-discriminatory. Synod has determined that all teachers who have graduated from one of its colleges and have received a Lutheran Teacher Diploma or received a Lutheran Teacher Diploma through colloquy should receive calls rather than contracts. Teachers without the Lutheran Teacher Diploma are to be classified as lay teachers and may be contracted. Title IX of the Education Amendments of 1972 expressly stipulates that there shall be no sex discrimination in hiring practices. In effect, this means that salaries should be equal for men and women.

BACKGROUND CHECKS AND SEXUAL ABUSE

Background checks should be made on all employees yearly for those in contact with children as stipulated by law. Yearly training courses on avoiding sexual abuse and harassment must be conducted yearly for school employees and is also a good practice for all church employees. These services should be paid for by the congregation and/or school.

BREAK PERIODS

Laws differ by state. Arizona employers are not governed by any state rest or meal break regulations. California employers are required to offer a paid, 10-minute rest break for each 4 hours worked. An unpaid, 30-minute meal break is also required for employees working more than 5 hours in a day. Employees may waive the rest break, but may not be influenced by their employer to do so. Employees may also waive the meal break provided they don't work more than 6 hours in a day. Nevada employers are required to offer an unpaid, 30-minute rest break for any continuous work period of eight hours.

TERMINATION

Terminating employment is a circumstance that should be handled with Christian care and according to applicable laws. Called or contracted employees should have the terms of their call or contract honored. These supersede any “at-will” policy in the applicable state. California, Nevada, and Arizona are all “at-will” work states. This means employees may be terminated at any time for any reason, provided their termination would not violate any state or federal statute (e.g. against discrimination). Employers are strongly encouraged to document performance-based reasons for the termination of an employee, including all efforts to work with the employee to improve performance, and all communication with the employee (including dates and participants) regarding performance. Employers are also encouraged to consult with an employment law attorney regarding any questions.

EMPLOYEE HANDBOOKS

Congregations and/or schools are strongly encouraged to publish an employee handbook. (Please consult **Appendix D** for an example.) Sections to be included in the handbook are not limited to:

- Employment Categories (e.g. Called, Contracted)
- At-Will Employment
- Equal Opportunity Employment
- Salary, Wages, and Benefits
- Professional Growth Opportunities
- Vacation and Holidays
- Sick Leave
- Morals Policy
- Harassment Policy
- Conflict-Resolution Policy
- Personal Leave Policy
- Professional Leave Policy
- Termination Policy
- Safety Procedures

APPENDIX A - SAMPLE HOUSING ALLOWANCE RESOLUTION

**SAMPLE
All Employed Ministers—Stated Dollar Amount
RESOLUTION**

RESOLVED, that (name of congregation), authorizes and establishes the following individual(s) housing allowance for the year 20xx:

Name _____ Amount _____

Name _____ Amount _____

Name _____ Amount _____

Name _____ Amount _____

Name _____ Amount _____

Name _____ Amount _____

The housing allowance will be paid from _____, 20xx, to December 31, 20xx.

APPENDIX B - DEDUCTIBLE ITEMS FOR HOUSING ALLOWANCE

Minister's Estimate of Expenses for Housing Allowance:

Home/Apartment Rent:	
Garage Rental:	
Down Payment (including legal, loan and, title fees related to the purchase of home):	
Mortgage Payments (principal and interest):	
Property Tax:	
Property Insurance (homeowner/renter):	
Utilities: Gas:	
Utilities: Electricity:	
Utilities: Telephone (basic service):	
Utilities: Trash:	
Utilities: Water:	
Utilities: Other_____:	
Utilities: Other_____:	
Furnishing and appliances (purchase and repair):	
Structural repairs and remodeling:	
Lawn care and landscaping:	
Maintenance items (household cleaners, light bulbs, pest control):	
Homeowners' Association Dues:	
Other allowable expenses (specify):	

Total:	
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APPENDIX C - TAX PREPARERS

Clergy Tax and Financial Services

<http://www.clergytax.com/>

562-906-9906

service@clergytax.com

Schmidt & Associates

<http://www.schmidt-tax.com/>

714-573-1720

APPENDIX D - SAMPLE RESOURCES FOR MINISTRY EXCELLENCE

Sample Documents for Developing Ministry Excellence & Accountability:

- Annual Employee Evaluations/Goal Setting
 - [Directors Eval.1.doc](#)
 - [How to Help.pdf](#)
 - [LCMS Synod Performance Appraisal Worksheet.doc](#)
 - [Mid-Year Parent Survey.doc](#)
 - [Performance Appraisal Forms.doc](#)
 - [Performance Review DCE Teacher.pdf](#)
 - [Performance Review Pastor_Principal.pdf](#)
 - [Principal Evaluation Sample.dco](#)
 - [Principaleval.doc](#)
 - [Principals Evaluation-by teacher1.doc](#)
 - [Self-Growth Profile 08.doc](#)
 - [teacherevaluation1.doc](#)
- Care & Recognition
 - [21 Employee Perks That Attract The Best Talent.pdf](#)
 - [Church Worker Appreciation - Sample Schedule.pdf](#)
 - [Church Worker Support Teams.pdf](#)
 - [Top 20 Employee Benefits & Perks.pdf](#)
 - [Twelve Warning Signs of Health.pdf](#)
- Classroom Observation
 - [Collegial Classroom Visits 1.doc](#)
 - [Observation Apps.docx](#)
 - [Observation, 5 minute walk through.pdf](#)
- Code of Ethics
 - [DCE-Code-of-Ethics.pdf](#)
 - [ECE Code of Ethics.pdf](#)
 - [Staff Employee Ethics - Bethany, Long Beach \(ECE\).pdf](#)
- Early Childhood Curriculum Guide
 - [Early Childhood Curriculum Guide.pdf](#)
- ECE State Regulations Information
 - [Regulations by State for ECE Centers.docx](#)
- Employee Handbook
 - [Counseling, Discipline and Discharge.doc](#)
 - [Employee Manual.docx](#)
 - [Employment Resource Manual_062816.pdf](#)
 - [Harassment and discrimination policy law in ca.doc](#)
 - [Hourly Scale.doc](#)
 - [Hourly vs. salary.docx](#)
 - [Leaves of Absence.doc](#)
 - [Levelsofemployment.docx](#)
 - [Morals policy.docx](#)

- [Sample Morality Clause from Brotherhood Mutual](#)
- [sickleavefrontload-3-16.doc](#)
- [sickleavepolicyaccrual-2-16.doc](#)
- [Staff Handbook 2016.pdf](#)
- [Violence 2-16.doc](#)
- [Workers comp.doc](#)
- Interview Questions
 - [11 Exit Interview Questions You Should Always Ask.doc](#)
 - [APPLICATION EVALUATION FORM- asst teacher.docx](#)
 - [Behavioral Interview Guide for Administrator.doc](#)
 - [BUSINESS MANAGER INTERVIEW QUESTIONS.docx](#)
 - [InterviewSample.doc](#)
 - [PS Director candidate Phone Interview with Grid.doc](#)
 - [PSW Behavioral Interviewing Guide.doc](#)
 - [QUESTIONS FOR BUSINESS MANAGER Interviews.docx](#)
 - [Teacher Interview Questions.doc](#)
- Job Descriptions
 - Church Administrator
 - [Accountant.docx](#)
 - [Business Administrator.docx](#)
 - [Business Administrator\(2\).docx](#)
 - [Director of Outreach & Member Engagement.docx](#)
 - School Administrator
 - [Coordinator of Child Care.docx](#)
 - [Coordinator of Day Care.docx](#)
 - [Preschool Director \(ADA\).docx](#)
 - [Principal \(ADA\).docx](#)
 - Support Staff
 - [Administrative Assistant.docx](#)
 - [Bookkeeper.docx](#)
 - [Church Secretary.docx](#)
 - [Coordinator of Weddings.docx](#)
 - [Facilities Manager.docx](#)
 - [Facilities Manager\(2\).docx](#)
 - [Groundskeeper.docx](#)
 - [Information Technology Technician \(ADA\).docx](#)
 - [Maintenance.docx](#)
 - [Preschool Aid.docx](#)
 - [Receptionist.docx](#)
 - [School Office Assistant \(ADA\).docx](#)
 - Teachers
 - [Day School Teacher \(ADA\).docx](#)
 - [Elementary Teacher \(ADA\).docx](#)
 - [Lead Preschool Teacher.docx](#)
 - [Middle School Teacher \(ADA\).docx](#)

- [Characteristics of Godly Leadership.docx](#)
- [EXCELLENCE AND ACCOUNTABILITY.docx](#)
- Reference Check Questions
 - [Reference Check Sheet.doc](#)
 - [References.docx](#)
- Salary/Compensation
 - [Demographic Salary Calculator](#)
 - [Education and Experience Multiplier Table](#)
- Social Media
 - [Bethany Lutheran Social Media Policy.docx](#)
 - [Sample from Church Executive](#)
 - [Social Media Team Policy.docx](#)
 - [Ultimate List of Social Media Policies for Churches from Pastors.com](#)
- Sunday School
 - [Disciplinary Procedures.docx](#)
 - [Nursery Volunteer Handbook.pdf](#)
 - [Sample Sunday School Handbook 9-2014-1.pub](#)
 - [Sunday School Safety and Security Process.doc](#)
- Youth Ministry
 - [PARTICIPANT REGISTRATION FORM & MEDICAL RELEASE \(Youth & Adult\).docx](#)
 - [Youth Board Chairperson.docx](#)
 - [Youth Consent and Liability.doc](#)