

Charleston Atlantic Presbytery Guidelines for Severance for Installed Pastors

The terms of call in any pastoral relationship are between the pastor and the congregation with the concurrence of the presbytery. *Book of Order*, sec. G-2.08. Charleston Atlantic Presbytery has delegated the authority to approve and dissolve pastoral relationships to the Commission on Ministry. Manual of Administrative Operations, sec. M-11.0101.h. In accordance with the provisions of sections G-2.0804, G- 2.0903, G-2.0904 and G-3.0303.c of the Book of Order, G-3.0303.c, the Commission on Ministry has adopted these guidelines for assisting congregations and ministers in determining when the dissolution of an installed pastoral relationship may include some form of severance payments from the congregation to the departing pastor.

The Commission on Ministry recognizes that the reasons which might lead to the dissolution of a pastoral relationship and the sizes and financial situations of our congregations are so varied, that a “one size fits all” policy is not feasible. Rather than attempting to establish mandatory standards, the Commission has chosen to adopt these guidelines.

1. Eligibility of Severance Benefits. If a pastoral relationship is dissolved under the following circumstances, the congregations should consider severance benefits identified in Paragraph 4.

a. Negotiated Dissolution. The pastor and the session on behalf of the congregation may request that the Commission on Ministry assist in negotiating an agreed upon dissolution of the pastoral relationship under the following circumstances:

i. The congregation can no longer financially support the pastoral position or the church is closing.

ii. Conflict and disagreement between the pastor and the congregation or session make it prudent for the pastoral relationship to be dissolved.

iii.. Other situations bring the viability of the pastoral relationship into question.

b. Medical Disability or Incapacitation. If a pastor becomes mentally or physically impaired to the point that he/she can no longer perform the essential functions of the position, the pastoral relationship may need to be dissolved. Under these circumstances, the pastor, session and Commission on Ministry should coordinate with the Board of Pensions to ensure compliance with applicable criteria for benefits provided by the Board of Pensions.

2. Exclusion from Benefits. If a pastoral relationship is dissolved under the following circumstances, the pastor would not normally be eligible for severance benefits identified in Paragraph 4. Notwithstanding the terms of this paragraph, a congregation may elect to provide severance benefits if it is deemed appropriate.

a. Resignation. The pastor resigns to accept another pastoral position or other form of employment or elects to resign for personal reasons.

b. Retirement. The pastor chooses to retire (G-2.0503).

c. Disciplinary Action. The pastor renounces the jurisdiction of the PCUSA (G-2.0509), or censure by the Permanent Judicial Commission precludes the pastor from performing ministerial functions. (D- 9.0105, D-9.0106).

3. Items for Consideration. When COM is assisting a pastor and congregation to work through a dissolution of a pastoral relationship, COM will consider and present to both parties at least the following matters:

a. Recognition that in most circumstances leading to the deterioration of a pastoral relationship, both sides bear some responsibility.

b. The process for a minister of Word and Sacrament seeking a new call routinely takes a minimum of nine months.

c. Financial circumstances of many congregations are such that they would have difficulty paying a departed pastor while still paying for ongoing ministerial services.

d. Consideration should be paid to the length of service the pastor has provided.

e. A reasonable severance package must balance each of these factors.

4. Severance Benefits. COM should assist the pastor and the congregation in reaching a specific agreement on the following issues:

a. Severance Period. The minimum period of entitlement to severance benefits must be established. It may reflect a ratio of months of severance based on years of service.

b. Severance Pay. Severance Pay should be defined. It may include as effective salary (salary, housing and SECA offset) and reimbursable expenses incurred but not paid during the pastoral relationship.

c. Reimbursable Expenses. The departing pastor should only be eligible for payment of reimbursable expenses incurred before the effective date of dissolution of the pastoral relationship.

d. Payment Terms. All severance benefits should be paid in accordance with the standard payroll practices of the congregation and should be paid in equal installments spread over the severance period.

5. Severance Agreement. COM should ensure that the parties agree to the terms in a written document. To facilitate the execution of the agreement, the parties should normally follow the following process:

a. Negotiation. Negotiation of terms of severance should be handled on behalf of the congregation by the session or an administrative commission appointed by presbytery, but the terms of severance shall not be binding until approved by the congregation. The session may delegate the negotiation to a committee elected by the session. The negotiation should be done in consultation with the pastor and the Commission on Ministry.

b. Written Agreement. When the pastor, session and Commission on Ministry have agreed in principle to the terms of severance payments, the agreement should be set forth in writing which should include the date of dissolution of the pastoral relationship, the length of the severance period, the amount of severance pay, payment terms, and any other negotiated terms. The parties should sign this preliminary agreement which should be presented to the congregation for approval. The agreement shall not be binding unless and until the congregation approves it.

c. Approval by the Congregation. The session shall call a congregational meeting and include in the notice the terms of the negotiated proposed severance agreement.

i. The departing pastor and the Commission on Ministry shall arrange for someone other than the departing pastor to moderate the congregational meeting.

ii. The terms of the severance agreement shall be presented to the congregation for discussion.

iii. The terms of the agreement shall not be subject to amendment or re-negotiation during the congregational meeting.

iv. The vote shall be by written ballot and counted by persons appointed by the moderator with observers from the Commission on Ministry.

v. A simple majority is necessary to approve the severance agreement.

vi. If approved by the congregation, the clerk of session and the moderator shall attest to the action of the congregation and the agreement shall become effective. The departing pastor, the session and the Commission on Ministry shall retain a copy.

These guidelines were adopted by the Commission on Ministry for Charleston Atlantic Presbytery at its regular meeting on May 7, 2024.