

CHARLESTON ATLANTIC PRESBYTERY GUIDANCE AND POLICY REGARDING PARENTAL LEAVE

The purpose of this document is to provide guidance for councils seeking to provide fair parental leave for their employees* and to establish a Parental Leave Policy for employees of Charleston Atlantic Presbytery.

Most churches and presbyteries do not have the number of employees required to be bound by the federal Family Medical Leave Act. South Carolina, however, does require all employers to provide some maternity leave. As the Church, we should seek to provide adequate, even generous, leave for our employees for the birth, adoption, or guardianship of a child so that the employees can return to the work of the Church with appreciation for the time off, having had sufficient bonding time with their newest family member as well as the required time of healing after a birth. Employing organizations of the Church have the responsibility to “pay [our staff] fairly and to provide for their welfare as they work among us; to stand by them in trouble and share their joy” (W-4.0404i(5)(c)).

At baptism, “a congregation as a whole, on behalf of the universal Church, [acknowledges that it] is responsible for nurturing baptized persons in the Christian life” (W-3.0403). This responsibility begins with adequately nurturing parents of the one being baptized. Each Session also bears the responsibility of employing and overseeing the administrative staff of the congregation (G-3.0201c.). Recognizing that individual churches within the presbytery face significantly different financial challenges and recognizing the need to support the families who serve our churches, Charleston Atlantic Presbytery provides the following guidance to its constituent Sessions. Attached to this Policy is a template which Sessions can use to adopt a policy similar to that adopted by CAP.

Charleston Atlantic Presbytery Parental Leave Policy Guidance

1. Each Session should establish a parental leave policy with the objective of supporting its staff members while recognizing its fiscal responsibility of proper personnel management.
2. Each Session should establish its policy before being faced with a request from an employee seeking parental leave.
3. Pastor Nominating Committees and COM should consider addressing parental leave policies in the terms of call for ordained staff.
4. The policy should provide, at a bare minimum, at least six weeks of protected leave to comply with South Carolina law. The COM strongly recommends churches provide at least eight weeks of paid leave and encourages churches to provide up to twelve weeks of paid leave.
5. Parental leave should be available to any eligible employee for the following absences:
 - a. An employee’s medical conditions related to pregnancy and/or childbirth;
 - b. An employee’s need to provide assistance to a spouse when the spouse’s medical conditions related to pregnancy or childbirth require assistance;

- c. The birth or adoption of a child. Churches are encouraged to provide sufficient leave for the needs of foster care placements on a case-by-case basis.
6. Sessions should decide the criteria for becoming an “eligible employee.” Options range from eligibility from date of hire, whether full or part time, to requiring a minimum period of employment before eligibility.
7. Sessions should provide parental leave to an eligible employee regardless of gender, recognizing that the birth or addition of a child affects an entire family.
8. Sessions should consider funding as much of the leave as possible to ease the financial burden on the employee’s family and to afford the family an opportunity to bond emotionally as well as to recover physically.
9. Sessions should decide whether to require employees who earn paid time off, paid vacation, and/or paid sick leave to use paid leave during the parental leave period. There are valid arguments for and against requiring the partial or total depletion of an employee’s paid leave during parental leave periods.
10. Sessions should specify how much parental leave will be provided to employees when both mother and father are employed by the same church. Under federal law, an eligible couple would be allowed twelve weeks of leave to be split between them at their discretion. Options run from that, through affording both parents the full amount of leave.
11. Sessions should ensure employees are aware of any potential temporary disability benefits available to them under the Board of Pensions or any other employer provided health insurance plan.
12. Sessions should ensure that the policy is adopted by the Session and promulgated to all employees.
13. Churches may apply for a Charleston Atlantic Presbytery grant for up to \$2000 to assist with the costs of covering duties of an employee taking parental leave.

Charleston Atlantic Presbytery Parental Leave Policy for CAP Staff approved by Shepherding Team for approval by Presbytery at December 14, 2021 Presbytery Meeting:

1. Full-time and part-time employees are entitled to twelve workweeks of parental leave at full pay for an employee’s or the spouse of an employee’s medical conditions related to pregnancy and/or childbirth, and for the birth, adoption, or permanent guardianship of a child.
2. A 30-day written notice should be given to the General Presbyter/Pastor to Pastors in writing for approval by the Shepherding Team.
3. The leave must be taken directly preceding or within six months of the birth, adoption, or placement of a child.

4. If both parents are employed by the Presbytery, they jointly shall be eligible for a total of eighteen weeks of annual Parental Leave to be split between them at the discretion of the employees, but neither parent shall be entitled to take more than twelve weeks.
5. Requests for foster care placements or any other additional time of parental leave due to extenuating circumstances should be made to the Shepherding Team Personnel Subcommittee for review and approval. Such requests will be treated on a case-by-case basis.

*G-3.0106 “Councils higher than the session may provide examples of policies and procedures that may be gathered into advisory handbooks. These examples illumine practices required by the Constitution but left to councils for specific implementation.”