

1. **Title:** Workplace Expectations (Code of Conduct)
2. **Purpose:** This policy states FPCC requirements regarding workplace expectations and behavior that may or may not be further developed in other policies in Section 7 of the MOO. The purpose of the policies in this OPS is to help employees know what is expected of them and to encourage a productive, harmonious and safe workplace in the service of our Lord. This policy is not intended to cover all potential expectations and behavior that may be required in the workplace, but it is intended to discuss major ones with which the employee should be familiar.

3. Policy:

3.1 Equal Opportunity and Commitment to Diversity. See OPS 07.19 (Diversity, Nondiscrimination and Equal Employment Opportunity) for details about the church's commitments to diversity and nondiscrimination, as well as its prohibition on discriminatory conduct by anyone in its workplace or at its events.

3.2 Sexual and Other Forms of Harassment. See OPS 07.18 for details on FPCC's policy prohibiting sexual and other forms of harassment by anyone in the workplace or at a church-sponsored event, including procedures for reporting and resolving such issues. OPS 07.18 also includes the church's policy regarding no retaliation against employees for complaining about harassment or for cooperating in an investigation of a harassment complaint.

3.3 Conflicts of Interest. FPCC expects employees to conduct themselves and church business in a manner that reflects the highest standards of spiritual and ethical conduct, and in accordance with applicable federal, state, and local laws and regulations. This includes the requirement that employees avoid real and potential conflicts of interests.

3.3.1 Exactly what constitutes a conflict of interest or an unethical practice is a spiritual, moral and a legal question. FPCC recognizes and respects the individual's right to engage in activities outside of church which are private in nature and do not in any way conflict with or reflect poorly on the church.

3.3.2 Employees must avoid any relationship or activity that might impair, or even appear to impair, the ability to make objective and fair decisions when performing work for the church. At times, an employee may be faced with situations where the actions taken on behalf of FPCC may conflict with his/her personal or family interests. Employees owe a duty to FPCC to advance its legitimate religious and church interests, so they must never use FPCC property or information for personal gain.

3.3.3 It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises where there is a potential conflict of interest or a question about a potential conflict, the employee should discuss this with the Head of Staff or the Chairperson of the Administration Committee for advice and guidance on how to proceed. If an employee has a concern that a conflict of interest may exist, either in his/her own situation or that of others, (s)he must seek review from the Head of Staff or the Administration Committee.

- FPCC recognizes that a member of its congregation may also be part of a business that provides commercial services to the church, which could be perceived as a conflict of interest. In such cases, the Administration Committee will review such contracts and relationships to ensure that there is not a conflict and that appropriate competitive bids have been obtained. The same process would apply if an FPCC employee is also involved in a commercial business that provides services to the church.
- Other than installed Teaching Elders, there is no policy that prohibits a church member from also being an employee of the church or vice versa.

3.3.4 The list below suggests some of the types of activity that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

- Hiring or supervising family members or closely related persons without making this fact known to the Head of Staff.
- Owning or having a substantial interest in a FPCC supplier or contractor without making this fact known to the Head of Staff or the Administration Committee.
- Having a personal interest, financial interest or potential gain in any FPCC transaction without engaging in the process described in 3.3.3 above.
- Placing church business with a firm owned or controlled by a FPCC employee or his or her family without making this fact known to the Head of Staff, the Administration Committee, or the Session.
- Accepting gifts or courtesies that would create an impression that offering gifts or courtesies is the way to obtain FPCC contractual or other business relationships.
- Engaging in practices or procedures that violate copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of church operations or business.

3.4 Confidential Information. The protection of confidential church information is vital to the interests and religious nature of FPCC. Confidential information includes all information about the church and its people disclosed to or known by the employee, because of his/her employment with the church, that is not generally known to people outside FPCC.

3.4.1 An employee who improperly uses or discloses confidential information will be subject to disciplinary action up to and including termination of employment, even if he or she does not actually benefit from the disclosed information.

3.4.2 All inquiries from the media must be referred to the Senior Pastor/ Head of Staff, the Chairperson of the Administration Committee, or the Clerk of the Session.

3.4.3 This provision is not intended to, and should not be interpreted to, prohibit employees from discussing wages and other terms and conditions of employment if they so choose.

3.5 Attendance, Absences and Tardiness. See also OPS 07.08 Time Off and Leaves of Absences.

3.5.1 Regular attendance is an essential function of every position at FPCC. Employees are expected to come to work on time every day, unless illness or other emergencies make this impossible, or the absence has been approved in advance by the supervisor. Regular, timely attendance will be an important component in evaluating employee performance and contributions.

3.5.2 An employee who is unable to report for work on time, or if (s)he will be absent for an entire day, because of illness or for any other reason must report his/her circumstances by telephone to the Church Office as early as possible, speaking to the Church Administrator or, in his or her absence, the Senior Pastor or another management employee. Voice mail and e-mail messages or leaving a message with a co-worker are not acceptable except in emergency circumstances.

- If the absence continues, the employee is expected to call in daily, unless the employee is hospitalized or has presented a physician's statement giving an expected return-to-work date.

3.5.3 While minor tardiness may occur occasionally, employees with a pattern of tardiness will be counseled and, if necessary, disciplined up to and including termination of employment.

3.5.4 Failure to call in to report an absence could result in termination of employment. If an employee fails to report to work or call in to inform the Church Administrator or management of the absence for 3 consecutive days or more, the employee will be considered to have voluntarily resigned employment unless it can be shown that extenuating circumstances existed that prevented the employee or his/her representative from calling the church within that time.

3.5.5 If an employee wishes to be absent from the work schedule for non-illness reasons (such as for vacation or study leave), (s)he must obtain the supervisor's approval for the absence. Unless such absence is an emergency (such as bereavement), the supervisor's approval should be requested reasonably in advance so that appropriate work coverage arrangements can be made. Requests for non-emergency absences may or may not be approved as requested, at the discretion of the Head of Staff in context of needed staffing levels. If a requested vacation schedule is not approved, an alternative timeframe will be worked out between the parties if the employee is eligible for the absence requested. (See also OPS 07.08, Time Off & Leaves of Absences.)

3.6 Workplace Violence. FPCC is committed to providing a safe, violence-free workplace for its employees and other persons on its premises or at church-sponsored functions.

3.6.1 Due to this commitment, the church strongly discourages employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at church-sponsored functions.

3.6.2 All FPCC employees bear the responsibility of keeping the work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform the Head of Staff, the Church Administrator, another member of management, or a member of the Administration Committee. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline because of reporting a threat in good faith under this policy.

3.6.3 Any individual engaging in violence against the church, its employees, anyone on its premises, or its property will be stopped immediately if feasible and turned over to law enforcement. All acts will be investigated, and the appropriate action will be taken.

3.6.4 Any employee violating this policy is subject to discipline up to and including dismissal for the first offense.

3.6.5 The church reserves the right to inspect all belongings of employees or others on its premises as permitted by law, including briefcases, purses and handbags, gym bags, and personal vehicles on church property if there is reasonable suspicion that the person is unlawfully carrying a weapon or device that may be used in a way that violates this policy.

3.7 Alcohol and Drug Use in the Workplace

3.7.1 The use, possession, manufacture, dispensing, or distribution of alcoholic beverages and illegal drugs (including legal drugs used unlawfully) is prohibited at all church work locations, at church events, and in all programs sponsored by FPCC. All employees and applicants for employment may be subject to criminal background checks and tests for the use of alcohol and illegal substances as permitted by applicable law.

- As used in labor law, “drug test” refers to a test required by an employer to determine if an employee is under the influence of alcohol or illegal narcotics while on the job. The employer usually requires the employee to provide a urine sample for conducting the test by a qualified person or laboratory. The employer receives a report on what drugs were found in the urine. Some prospective employees also may be required to undergo a drug test.ⁱ

3.7.2 Employees who work or report for work while impaired by alcoholic beverages or drugs used illegally, or who otherwise violate FPCC policy regarding such substances, may be subject to immediate termination.

- *Impaired* means under the influence of alcohol or other substance such that the employee’s motor senses (sight, hearing, balance, reaction, or reflex) or judgment either are, or may reasonably be presumed to be, affected.

3.7.3 FPCC recognizes alcohol and drug abuse and addiction as problems requiring medical treatment, and strives to be supportive of employees seeking to recover from addiction. The church will encourage affected individuals to seek help voluntarily, but employees must also

understand that addiction is neither an excuse nor a defense for workplace misconduct or for failure to perform in the job.

3.8 Work Dress and Attire. Employees are expected to use basic good sense in their work attire. FPCC provides a casual yet professional work environment for its employees. Even though the dress code for most day-to-day situations is casual, employees are expected to dress in a manner consistent with the religious nature of our organization, good hygiene, safety, and good taste. Highly revealing clothing is unprofessional and may conflict with the church's religious principles. Likewise, it is expected for health and safety reasons that individuals wear appropriate clothing or personal protective equipment for the job that (s)he is doing. If an attire issue or concern arises, the supervisor should consult with the Head of Staff.

3.9 Social Media. FPCC understands that social media can be a rewarding way to share one's life and opinions with other people. Use of social media also presents risks and carries responsibilities, however. The church's policies for appropriate use of social media as it relates to FPCC apply to:

- its use at work,
- on FPCC computers and equipment,
- and online communications about FPCC at any time.

3.9.1 Social media includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether associated or affiliated with FPCC, as well as any other form of electronic communication.

3.9.2 The employee is solely responsible for what (s)he posts online. Before creating online content, employees should keep in mind that any conduct that adversely affects job performance, the performance of fellow employees or otherwise adversely affects members, volunteers, suppliers, and other people who work on behalf of FPCC, or that adversely affects FPCC's religious concerns, may result in disciplinary action up to and including termination.

3.9.3 OPS 07.18 (Sexual and Other Forms of Harassment) applies to social media postings. Inappropriate postings that include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject the violator to disciplinary action up to and including termination.

3.9.4 Employees are expected to be fair and courteous to fellow employees, volunteers, customers, members, suppliers or other people who work on behalf of FPCC. Employees are encouraged to remember that they are more likely to resolve work-related complaints by speaking directly with their supervisor, another member of management or church leadership, co-workers as provided for by law, or by utilizing OPS 07.20 (Informal/Formal Complaint Procedures) than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, (s)he is expected to avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, or that disparage people in a way that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment based on race, sex, disability, religion or any other status protected by law or FPCC policy.

3.9.5 Employees must ensure their postings are honest and accurate. If a mistake is made, employees are expected to correct it quickly. Employees are prohibited from posting any information or rumors that they know are false about the church or its members or other organizations the church supports as part of its religious ministry.

3.9.6 Employees must not post private or confidential FPCC information. Employees must not post internal reports, policies, procedures or other internal church-related communications that are confidential.

3.9.7 An employee must not create a link from his/her blog, website or another social networking site to an FPCC website without identifying himself/herself as an FPCC employee. Employees must not use FPCC email addresses to register themselves on social networks, blogs or other online tools utilized for personal use.

3.9.8 Employees are expected to express only their personal opinions and to not represent themselves as spokespersons for FPCC. If FPCC is a subject of the content being created, the employee is expected to be clear and open about the fact that (s)he is an FPCC employee and that his/her views do not represent those of FPCC, fellow employees, members, volunteers, suppliers or people working on behalf of FPCC. If an employee publishes a blog or post online related to the work (s)he does or subjects associated with FPCC, it must be clear that (s)he is not speaking on behalf of the church. (It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of FPCC.")

3.9.9 Using social media at work. Employees are expected to refrain from using social media while on work time, unless it is work-related.

3.9.10 FPCC prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

3.9.11 Media contacts. Employees should not speak to the media on FPCC's behalf without contacting the Senior Pastor. All media inquiries should be directed to the Senior Pastor or his/her designate.

3.10 Workplace Safety. Protecting the safety of our employees, volunteers, members and visitors is one of the most important aspects of running our church operations. All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management or the Administration Committee when any health or safety issues are present. All employees are encouraged to partner with church leadership to ensure maximum safety for all. In the event of an emergency, notify the appropriate emergency personnel by dialing 911 to activate emergency services. See OPS 07.06 Workplace Safety and Security for more details, including FPCC policy prohibiting use of digital devices while driving for the church, whether in a church vehicle or a personal vehicle. OPS 07.06 also discusses the church's responsibilities and commitments to employees regarding workplace safety.

3.11 Dating in the workplace and consensual sexual relationships among co-workers. Although it does not wish to be involved in the private, personal lives of its employees and their outside-of-work relationships, FPCC strongly discourages dating or sexual relationships between a supervisory employee and his or her staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may create the perception by others that there is favoritism or bias in decisions affecting the employee. Moreover, given the uneven balance of power within such relationships, "consent" by the staff member is suspect and may be viewed by others or later by the staff member as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment in the service of our Lord.

3.11.1 If any FPCC employee enters a consensual relationship that is romantic or sexual in nature with a member of his or her staff (an employee who reports directly or indirectly to him or her), or if one of the

parties is in a supervisory capacity in the same area in which the other party works, the parties must notify the Head of Staff or the Chairperson of the Administration Committee. Because of potential legal issues regarding *quid pro quo* ("this for that") sexual harassment, FPCC has made this reporting mandatory. This requirement does not apply to employees who do not work in the same area or to parties who do not supervise or otherwise manage responsibilities of the other.

3.11.2 Once the relationship is made known to the Head of Staff or the Administration Committee, FPCC will review the situation considering all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine the appropriate course of action. If there is such a relationship, both parties need to be aware that one or both may be moved to a different area if that is possible, or other actions up to and including employment termination of one or both parties may need to be taken.

3.12 Job Performance. Communication between employees and their supervisors is very important. Discussions regarding job performance and contributions are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed or if they have job performance concerns. See OPS 07.12 Performance (Contribution) Review and Planning as well as OPS 07.13 (Performance Concerns, Coaching and Corrective Action) for further information.

3.13 Outside Employment. Employees are permitted to work a second job if it does not interfere with their job performance with FPCC. Employees with a second job are expected to work their assigned FPCC schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, or refusal to work overtime or different hours as needed by FPCC.

3.14 Solicitation. Employees should be able to work in an environment that is free from unnecessary annoyances and interference with their work.

3.14.1 To protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on "working time." Employees are also prohibited from distributing written materials, handbills, or any other type of literature on working time and, at any time, in "working areas," which include but are not limited to all office areas.

- “Working time” is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after his or her shift.
- “Working areas” do *not* include break rooms, parking lots, or common areas shared by employees during nonworking time.

3.14.2 Nonemployees may not trespass or solicit or distribute materials anywhere on church property at any time.

3.15 Computers, Internet, Email, and Other Resources. FPCC provides a variety of communication tools and resources to employees for use in running day-to-day church activities. Whether it is the telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, or any other FPCC-provided technology, use should be reserved for church-related matters unless otherwise authorized by the Head of Staff. All communication using these tools should be handled in a professional and respectful manner, refraining from using e-mail in a manner that violates any of FPCC’s guidelines/policies.

3.15.1 Employees should not have any expectation of privacy in their use of FPCC computer, phone, or other communication tools provided by the church. All communications made using church-provided equipment or services, including email and Internet activity, are subject to inspection by the church without prior notice to ensure compliance with its policies. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on FPCC’s systems.

3.15.2 E-mails that are not job-related have the potential to drain, rather than enhance, productivity and system performance. Information transmitted through e-mail is not completely secure, and information transmitted and received could damage the reputation of FPCC. The church encourages employees to use this tool only to communicate with other employees, suppliers, members or potential members, and ministry partners regarding church operations or activities. Internal and external e-mails are considered church records and may be subject to discovery in legal situations.

3.15.4 The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means. Delete any e-mail messages that are received from unknown senders and advertisers prior to opening them and avoid clicking on links from unknown sources.

3.15.5 Employees may not turn off antivirus protection software without specific authorization for a specified purpose and duration or make unauthorized changes to system configurations installed on church computers or other equipment. Violations of this policy may result in immediate termination.

3.15.6 Office telephones are for business purposes. While the church recognizes that some personal calls are necessary, these should be kept brief and to a minimum. Unauthorized use of the church's cell phones or long-distance account is prohibited. Abuse of these privileges is subject to corrective action up to and including termination.

3.16 Bulletin Boards. Required governmental postings are posted on bulletin boards located in the Church Office or PDS Office. These boards may also contain general church announcements. Bulletin boards may not be used by employees to post unauthorized documents, personal documents or non-church related solicitations.

4. Definitions: For the purposes of this OPS, definitions are included in the body of the policy.

5. References:

- Personnel Policies for the General Assembly Council and Guidelines for Governing Bodies and Other General Assembly Entities, available from Human Resources Department, General Assembly Council, Presbyterian Church (USA), 100 Witherspoon Street, Louisville, KY 40202-1396
- Social media policy suggestions from <https://www.shrm.org/ResourcesAndTools/tools-and-samples/policies/Pages/socialmediapolicy.aspx>
- SHRM July, 2016 sample employee handbook suggestions. Retrieved from <https://www.shrm.org/ResourcesAndTools/tools-and-samples/Pages/employee-handbooks.aspx>.

6. Applicability:

This OPS applies to all personnel at FPCC except Presbyterian Day School employees because PDS has its own personnel policies. However, PDS is required to comply with all applicable laws and may not implement a policy that clearly conflicts with the purpose and intent of the policies in this OPS. It is the intent of these policies to conform, where necessary, to the requirements of applicable laws and regulation. If any part of these policies conflict with applicable law, that law shall prevail to that part.

7. Procedures:

7.1 Any concern regarding these policies should be brought to the attention of the Head of Staff or the Administration Committee for resolution. If an employee has a complaint that (s)he wishes to raise formally, the procedures of OPS 07.20, Informal & Formal Complaint Process, should be followed.

7.2 The Administration Committee Chairman in consultation with the Senior Pastor and Church Administrator shall ensure compliance with the policy.

7.3 The Administration Committee Chairman shall coordinate and discuss matters regarding these policies as required with the Senior Pastor, other Church staff, and the Session.

7.4 The Administration Committee Chairman shall review this OPS at least triennially in consultation with the Senior Pastor and recommend to the Committee and the Session any needed revisions.

8. Review Schedule:

The review date for determining if a revision is necessary is the triennium of the effective date unless for any reason a change is required sooner.

9. Approval:

Session approved this OPS on the above effective date.

ⁱ USLEGAL website