

Leave of Absence Policy for the Presbytery of the Highlands of New Jersey

Introduction

The *Book of Order* states in - G-2.0501-2.0509- that a pastor has membership in their presbytery by action of the presbytery itself, which alone can establish, change or dissolve pastoral relationships. In the performance of their ministry, a Minister of Word and Sacrament or Commissioned Ruling Elder is accountable to their presbytery.

A presbytery's duty to see to the health and welfare of its pastors and congregations (G-3.0303) includes the responsibility to consider establishing policies and procedures both effective and sensitive to the needs of the parties involved. These difficulties might be about leader burnout, unaddressed conflicts, factions, loss of health, mental health issues, competing visions, differing expectations, anger management challenges, violations of the presbytery's *Policy on Ethical Standards of Behavior for Teaching Elders and Commissioned Ruling Elders*, or any number of other things that, although they are entirely unrelated to sexual abuse, can generate significant turmoil and relational difficulties sufficient to warrant Committee on Ministry engagement.

The *Book of Order* also relates in - G-3.0301c- that a presbytery is responsible for nurturing the covenant community of disciples of Christ. In exercising this responsibility, a presbytery is empowered to ordain, receive, dismiss, install, remove and discipline its members who are pastors. It also is empowered to promote the peace and harmony of congregations and to inquire into the sources of congregational discord.

Sometimes, as the Committee on Ministry seeks to address such turmoil, it realizes that if the church's pastor could step out of their responsibilities for a time—if the pastor could have a *Leave of Absence*—it would be immediately helpful. A period of a *Leave* may provide a pastor, a session, a congregation and a presbytery time, space and opportunity for listening and learning, prayer and discernment, for planning and practice of new ways of behavior by those involved— presbyteries, pastors, congregations, ruling elders—so that difficulties can be resolved.

Among the presbytery's responsibilities lodged within its Committee on Ministry is that of "facilitating relations between the presbytery and its congregations, ministers of Word and Sacrament, ruling elders commissioned to pastoral service... and settling difficulties on behalf of the presbytery where possible and expedient" (G-3.0307). In certain circumstances, when the difficulties that have arisen warrant it – in order to promote the welfare of a congregation, or its pastor, or of both parties – providing a way for a pastor to have, for a time, distance from their congregation and relief from all pastoral leadership responsibilities may create the very opportunity the Committee on Ministry needs to engage effectively in a restorative process and ministry.

The *Book of Order*, in the section titled Church Discipline, specifically gives councils the authority of oversight of its members (D-7.-0301). The Presbytery exercises this authority through an Investigative Committee and its Permanent Judicial Commission

which will have the authority to place pastors on *Administrative Leave* for situations when allegations of sexual abuse have been communicated to their Stated Clerk (**D-7.0902**). [Note: The term "Administrative Leave" may only be used accordance with "Church Discipline" in the Book of Order of the PCUSA, the Presbytery's Sexual Misconduct Policy and the laws of the State of New Jersey.]

This being so, the Presbytery of the Highlands of NJ establishes the following Policy on placing a Pastor on a *Leave of Absence* to make it possible for its Committee on Ministry to use this tool to relieve pastors, when it's warranted and appropriate, for defined periods of time from their responsibilities to and involvement with their congregations. This policy applies to all installed and temporary pastoral positions that take place within the bounds of this Presbytery.

Committee on Ministry Responsibilities

A recommendation to relieve a pastor, from their pastoral responsibilities and involvements, for a defined period of time, may be made by the Presbytery's Committee on Ministry to pastor and session.

The Committee on Ministry will, to the best of its ability, follow the following process and procedure:

- The recommendation should be grounded in a conviction that the welfare of the congregation, the pastor, or both warrants and calls for such a step.
- There should be compelling evidence of the need for the Committee on Ministry to act in order to prevent or mitigate harm to the pastor, the church, or the presbytery, and to provide time and space for the Committee on Ministry, on behalf of the presbytery, to aid in settling difficulties. The evidence might include expressions of concern by the pastor, by colleagues in ministry, by members of the congregation or community; letters or calls of complaint, with allegations clearly articulated; and direct observation of relational conflict by the Session or the Committee on Ministry.
- Two members of the Committee on Ministry and the Presbytery leader will consult with the pastor and the church session about the potential use of this process.
- The Committee on Ministry will vote to recommend whether to relieve a pastor from their responsibilities for a time. The recommendation shall include the initial period of Leave, which may be up to 90 days. The recommendation shall also include the terms and expectations of the leave which may include any or all of the following: no contact with church/session members, no pastoral responsibilities, medical concerns addressed, application for short term disability if applicable, supervision, coaching, and other items as determined by the COM.
- The Committee on Ministry recommendation will include in the expectations for the *Leave of Absence* any methodology to be employed for assessment, counseling, and discernment purposes including mental health inventories or financial audits.

Commented [JR1]: This cannot be a linear process but one that works at many levels at the same time. The intention of what I wrote reflects the nature of the multiple tasks that need to happen quickly and simultaneously

- The Session shall meet and review the recommendation whether or not to vote to concur. This must be a 2/3 vote of the Session.
- The Committee on Ministry will appoint and brief/train a COM Care Team of three to five members, ordinarily, current members or former members of Committee on Ministry to work with the church's session/ leadership and pastor[s]. The COM Care Team will be introduced to the pastor and session as soon as possible.
- The Committee on Ministry shall appoint a temporary Moderator for the Session.
- THE COM shall appoint, in consultation with the pastor, an advocate for the purpose of acting as an advocate and companion to the pastor on Leave. A covenant agreement including expectations will be developed by the COM, advocate and pastor.
- As appropriate, the Committee on Ministry will inform the Presbytery of the actions it has taken. The language used will be sensitive to both the need for confidentiality, particularly for a personal health crisis, as well as the need for transparency.
- The COM reserves the right, if necessary, to disrupt and/or end the process as it relates to D-7.01 "Disciplinary Process" and/or form an Administrative Commission to address other issues where the COM needs to take immediate action.

COM Care Team Responsibilities

The COM Care Team shall be responsible for:

- Meeting with the church's session and pastor to discuss the purpose of the *Leave* and provisions for managing it and the congregation's ministry.
- Assisting the Session in communicating with the congregation regarding the necessity for *Leave*.
- Establishing and documenting :
 - the terms for the pastor's compensation during the pastor's *Leave*. A congregation will be expected to honor the terms of compensation it has agreed upon for its pastor. Any change to the terms of call, in particular any change in compensation, must be approved by the congregation, pastor and Committee on Ministry.
 - the pastor's relationship and communication with the Session and other church staff members.
 - the pastor's relationship and communication with the Congregation.
 - the length of time the pastor is on *Leave*.
- Working with the session to provide preaching, pastoral care and administrative support.
- Assisting the session in listening and learning through prayer and discernment, planning and practicing new ways of behavior by those involved so that difficulties might be resolved.
 - Determining, with the approval of the COM, if extensions to the initial leave period are warranted. If an extension is needed, work with the church leadership to determine the appropriate way and process to provide for the pastor's compensation and the congregation's welfare.
- The COM Care Team will be in contact with the Committee on Ministry's Team on Sexual Misconduct Prevention if there is a possible violation to

Commented [JR2]: We need to expand on this. The process should not be seen as a substitute for the BOO responsibilities but instead an explanation on how the COM will carry out the BOO responsibilities. If things are not going well then the COM needs to be able to disrupt or stop the process and determine a new direction

Commented [JR3]: The expectations of the pastor's leave and compensation have to be determined before the establishment of the COM Care team. Should be included section under COM responsibilities.

the Presbytery's Sexual Misconduct Prevention Policy which is related to the *Leave of Absence* of the pastor.

Church/Session Responsibilities

The sessions responsibility includes the following:

- Continue compensation for the pastor in accordance with the approved Terms of Call through the initial period of the *Leave of Absence*.
- Be in relationship with the COM Care Team to work with them concerning appropriate people to provide pastoral services and to consider carefully its directives and behavioral expectations for the Session and the congregation.
- Have no contact with the pastor except as the terms of the *Leave* specifically permits.

Pastor's Responsibilities

When the Session acts to relieve the pastor[s] of their responsibilities and the Committee on Ministry appoints a Care Team to work with the congregation and its leaders, the pastor will be expected to:

- Be in relationship with the COM Care Team and comply with the terms of the *Leave*.
- Remain out of all church facilities and off of the church's properties, except for the manse, if applicable.
- Refuse to initiate or have contact, including through social media, with any member of the church or its staff, except for a person designated specifically by the COM Care Team to deliver communications.
- Decline to conduct corporate worship or to engage in any form of pastoral activity (exceptions for extraordinary cases may be arranged in consultation with the COM Care Team).
- Not attend or participate in any meetings or activities of the church.
- Be in relationship with the COM assigned advocate for support of their needs.
- Apply for and follow through with the BOP short term disability if applicable.

Any party's (pastor, session, and/or congregation) violation of the terms of the *Leave* or the behavioral expectations agreed upon, may result in a review by COM with recommendations for possible further action."

Endnotes

1. All references to pastoral leader in this policy should be understood to include Ministers of Word and Sacrament and/or Commissioned Ruling Elders whether installed or in a temporary pastoral relationship.
2. *Leave of Absence* in response to allegations of sexual misconduct shall be called an Administrative Leave and shall be administered in accordance with the Rules of Discipline in the Book of Order and the Presbytery's Sexual Ethics Prevention Policy.

3. This policy is not intended as a disciplinary policy and is not a substitute for disciplinary actions as prescribed by the Book of Order under the Rules of Discipline.
4. The Committee on Ministry Leadership Team for *Leaves of Absence* shall be composed of the COM co-moderators, the COM Care Team members and the Presbytery Leader, Ex Officio.
5. Medical Leave is a different form of leave. (*See the Family and Medical Leave Policy of the Presbytery*).