

SECTION 13

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CONSTITUTION

of

Mount Calvary Lutheran Church
3930 Rahn Road
Eagan, Dakota County, Minnesota 55122

In the name of the Father, and of the son, and of the Holy Spirit. Amen.

PREAMBLE

We, the members of Mount Calvary Lutheran Church, 3930 Rahn Road, Eagan, Dakota County, Minnesota, sensible of our spiritual needs, and mindful of our Christian duties, in Jesus name, and with the hope of His blessing, adopt the following constitution:

CONSTITUTION

Article 1 – Name and Incorporation

1. The name and title of this congregation shall be:

Mount Calvary Lutheran Church
3930 Rahn Road
Eagan, Dakota County, Minnesota 55122

2. This congregation shall be incorporated in its own name, as a corporation not for profit, under the laws of the State of Minnesota.

Article 2 – Confession of Faith

This congregation accepts all the canonical books of the Old and New Testaments as a whole and in all their parts as the divinely inspired revealed word of God and submits to this as the only infallible authority in all matters of faith and life.

As brief and true statements of the doctrines of the word of God, the congregation accepts and confesses the following Symbols, subscription to which shall be required of all its members: (1) the ancient ecumenical Creeds: the Apostolic, the Nicene, and the Athanasian; (2) the Unaltered Augsburg Confession and Luther's Small Catechism.

As further elaboration of and in accord with these Lutheran Symbols, the congregation also receives the other documents in the Book of Concord of 1580: the Apology, Luther's Large Catechism, and Smalcald Articles, and the Formula of Concord; and recognizes them as normative for its theology.

Article 3 – Purpose

The purpose of this congregation shall be to glorify God and to work toward the extension of His kingdom among people for their salvation by promoting and disseminating the Christian religion as expressed in the doctrine and practice of the Evangelical Lutheran Church in America.

Article 4 – Synodical Connection

1. For the better attainment of its purpose, the congregation shall be a member of the Evangelical Lutheran Church in America or its successors, and shall be on the roster of the St. Paul Area Synod or its successor.
2. The congregation claims for itself all the rights and privileges and accepts all the duties and obligations connected with such membership.
3. The congregation covenants to support with prayer, personal service, and offerings the common work of the Church.
4. Severance of membership in the Evangelical Lutheran Church in America or its successor shall require a two-thirds majority ballot vote of all voting members present and voting at a legally called and conducted meeting. Such a decision shall not be effective until at least ninety days after the synod bishop has been notified and until the initial action has been ratified by a two-thirds majority ballot vote at a subsequent legally called and conducted meeting.

Article 5 - Powers of the Congregation

1. All power in the congregation has its source in the Word of God, which is the norm for its faith and life. All individuals and groups within the congregation shall submit to the authority of the Word; and the life and activity of the congregation and its organizations shall conform to it.
2. The powers of the congregation shall be those necessary to fulfill its purposes, as set forth in this constitution.
3. The powers of the congregation shall be vested in the congregational meetings, called and conducted in such manner as is provided in Article 12 of this constitution, and, to the extent conveyed by this constitution or as assigned from time to time by the congregational meetings, in the committees elected by the congregation. These will be considered legally called meetings.
4. In the fulfillment of its purpose, the congregation is empowered to:
 - (a) acquire real and personal property by gift, devise, bequest, purchase, or other lawful means;
 - (b) hold title to and use its property for any and all activities consistent with its purpose;

- (c) sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - (d) enter into contract;
 - (e) sue and be sued;
 - (f) elect officers and committees for the exercise of their powers and authority and require them to conduct their affairs in accordance with this constitution and its bylaws, and the resolutions of the congregation.
5. Real property shall not be purchased, disposed of, newly leased, or encumbered in any manner except by resolution adopted by not less than a two-thirds majority ballot vote of the members present and voting at a legally called meeting of the congregation.
6. Should the congregation cease to do business and be dissolved, all property and funds remaining after the payment of the debts of the congregation shall be distributed to the Evangelical Lutheran Church in America (or its successor) or a corporation, trust, foundation, or other organization organized and existing for religious and/or charitable purposes which would then qualify under the provisions of section 501(c)(3) of the Internal Revenue Code, as now enacted or as may hereafter be amended.
7. All schools, societies, and other organizations within the church must be organized with the consent of the congregation.

Article 6 - Membership

1. Members of the congregation shall be those who are designated as such at the time that this constitution is adopted, and those who are admitted thereafter; and who maintain their membership in accordance with the provisions of this constitution and its bylaws. There shall be no membership restrictions with respect to race, color, national origin, or sex.
2. Members shall be classified as (a) baptized; (b) confirmed; (c) associate; (d) voting.
- (a) Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by proper transfer from other Lutheran congregations or by affirmation of faith.
 - (b) Confirmed members are baptized persons who have affirmed their Baptismal Covenant in this congregation, those who have been received by adult baptism, or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - (c) Associate members are persons holding membership in other congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They are granted all the privileges and duties of membership except voting rights and eligibility for elected or appointed offices of the congregation.

- (d) Voting members shall be those confirmed members in good standing, as provided in the bylaws.
3. It shall be the privilege and duty of members of the congregation to:
- (a) make diligent use of the Means of Grace, both Word and Sacraments;
 - (b) live a Christian life in accordance with the Word of God and the Lutheran Doctrine.
 - (c) support according to their means the work of the congregation and of the Evangelical Lutheran Church in America or its successor.

Article 7 - Discipline

- 1. A member who advocates doctrines which are contrary to Holy Scripture and the Confessions of the Church, or who is guilty of conduct that is grossly unbecoming a member of the Body of Christ, shall be subject to discipline.
- 2. Discipline shall be administered by the council in behalf of the congregation. The member shall have the right of appeal to the congregation.
- 3. Discipline in the congregation shall be exercised in accordance with Matthew 18.

Article 8 - The Church Council

The Church Council shall:

- 1. Be elected by the congregation from within its membership. The Pastor(s) will serve as advisory member(s).
- 2. Only have such authority as may be delegated to it by the congregation and exercise such authority in accordance with the constitution, bylaws and resolutions of the congregation.
- 3. Have general overview of the life and work of the congregation and assist Pastor(s), committees, and task forces to plan and coordinate the spiritual and administrative tasks of the church.
- 4. Act upon disciplinary matters as may be referred to if and in accordance with the provisions of this constitution and its bylaws.
- 5. Determine rosters of the baptized, the confirmed, and the voting members of the congregation.
- 6. Comprise the legal board of the congregation. The president shall serve as president to the congregation and of the Minnesota corporation. No contract shall be made binding the congregation or corporation without the signatures of council members as specified in the bylaws after approval of the majority of council.

7. Manage the financial affairs of the congregation and constitute the Board of Directors of the Minnesota corporation.
8. Make appointments as necessary to facilitate the operation of the Church. This includes committees, church controller, and salaried staff positions included in approved budgets, excluding Pastors.
9. Approve appointments to fill vacant terms until the next regular congregational election.
10. A majority of the members of the council shall constitute a quorum at its meetings.
11. A member of the council who is absent from two consecutive regular meetings shall be consulted by the president of the congregation; if a member is absent from three consecutive regular meetings without valid excuse, the council may declare the board office vacant.

Article 9 - Education

1. As Christians we recognize it is our duty to teach our children in the nurture and admonition of the Lord and carefully and conscientiously instruct them in our holy Christian faith.
2. In order that the children may be adequately taught in our holy Christian faith, thorough instruction to prepare them for their affirmation of Baptism shall be given by the Pastor(s) and congregation with all diligence and faithfulness.

Article 10 - The Pastor

1. Authority to call a Pastor shall rest in the congregation. At a meeting properly called for the purpose, the congregation may, by a two-thirds (2/3) majority of the votes cast, delegate to a call committee, appointed by the council and composed of nine (9) members of the congregation, the power of interviewing and recommending a Pastor for call. A two-thirds (2/3) majority of the votes cast is required for calling a pastor at a congregational meeting. Before a call is issued, the call committee shall seek the advice and help of the synod Bishop.
2. The Pastor(s) of this congregation must preach and teach solely Lutheran doctrine, which is in full accord with the Word of God, the confession of faith of the Lutheran Church, and the principles set forth in this constitution.
3. The Pastor(s)) shall lead a Christian life and possess the qualifications required by St. Paul in I Timothy 3:2-7; Titus 1:7-9.
4. Only a member of the Clergy Roster of the Evangelical Lutheran Church in America in good standing or one who is recommend for call by the church council of the Evangelical Lutheran Church in America may be called as a Pastor of the congregation.

Article 11 - Conflicting Loyalties

1. This congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and which thus teach salvation by works.
2. Ceremonies of secret lodges or other such organizations shall not be permitted in the church or on the church premises of this congregation nor shall the congregation's Pastor(s) take part in any such ceremonies wherever they are conducted.

Article 12 - Meetings of the Congregation

1. The power and authority of the congregation shall be exercised through the congregational meetings, which shall be called and conducted in conformity with civil laws and the provisions of the constitution and bylaws of the congregation. These will be considered legally called meetings.
2. The semi-annual meetings of the congregation shall be held at separate times designated by the council. Notice of the meetings shall be given as provided in the bylaws.
3. A quorum for any meeting of the congregation shall be 50 voting members.
4. A special meeting of the congregation may be called by action of the congregation, by petition of at least 10 of the voting members, or by any one of the following: The council, president of the congregation, or the Pastor. The president of the council shall call a special meeting upon the request of the synod bishop.

Notice of all special meetings shall be posted and mailed to all members no later than two weeks prior to the date of the meeting. The notice shall state the time, place, and purpose of the meeting. It shall be signed by the person or persons who have called the meeting as authorized by this paragraph. The notice of all special meetings shall be read at all public services of the congregation held during the two weeks preceding the date of the meeting.

5. The Pastor(s) shall be notified of the time and place at which a special meeting of the congregation is to be held.
6. Only the business for which a special meeting has been called shall be transacted at the meeting.
7. A meeting of the congregation may by majority vote recess to reconvene at a specified time and place.

Article 13 - Bylaws

1. The congregation shall adopt such bylaws as may be necessary. No bylaw may conflict with this constitution.
2. Bylaws may be adopted or amended at any legally called and conducted meeting of the

congregation by a two-thirds majority vote of those present and voting.

3. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Article 14 - Amendments

1. The doctrinal basis and the confessional subscription contained in Article 2, and this paragraph of Article 14 shall be unalterable; and no amendment to this constitution shall conflict therewith.
2. A proposed amendment to this constitution shall be:
 - (a) announced at a public service of the congregation and mailed to the voting members, not less than thirty days before the legally called meetings at which it is to be considered;
 - (b) approved at the legally called meeting following its announcement, by a majority vote of those present and voting;
 - (c) ratified without change at the next legally called meeting, not less than 30 days after the first meeting, by a two-thirds vote of those present and voting.
3. If a proposed amendment fails of adoption, it may be amended by majority vote of those present and voting; and adopted without change by a two-thirds majority of those present and voting at the next legally called meeting, not less than thirty days after the first meeting.
4. Any amendments to the constitution shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Saint Paul Area Synod.

BYLAWS

of

Mount Calvary Lutheran Church
3930 Rahn Road
Eagan, Dakota County, Minnesota 55122

Section 1 - The Pastoral Call

1. **Letter of Call.** When the congregation has voted to call a pastor, it shall issue a Letter of Call to the pastor elect, in a form approved by the Evangelical Lutheran Church in America. It shall be signed by the members of the council and shall be attested by the signature of the Bishop. Calls to additional pastoral positions shall be issued in consultation with the present Pastor(s) and in accordance with the provisions of this paragraph.
2. **Status.** The Pastor(s) as spiritual leader(s) of the congregation, shall act as advisory member(s) of the council. The Pastor(s) shall serve in an advisory capacity to all committees and organizations of the congregation.
3. **Duration of Call.** The call for Pastor(s) shall normally be for an indefinite time.
4. **Pastor's Receipt of Call.** If a call to another ministry is being considered, the Pastor shall consult the council or the congregation before reaching a decision. The Pastor shall announce a decision as quickly as possible, normally within three weeks; the Pastor shall notify the Bishop. When a call has been accepted, the Pastor's ministry in this congregation shall be terminated as soon as feasible, normally within a month.
5. **Request for Resignation.** If the congregation deems a change of pastorate advisable, the matter shall first be discussed with the Pastor at a meeting of the council. If this fails to result in a peaceful adjustment of the difficulties to the satisfaction of the Pastor and the congregation, they shall consult with the proper synod official, who shall advise them of the recommended procedure.
6. **Responsibility.** The Pastor(s) are called to develop and provide leadership to the congregation. They are responsible for assuring that the Gospel of Christ is central in each area of church life, and that the congregation is moving forward in its witness. The Pastor(s) shall be responsible for giving direction to staff personnel. The Pastor(s) are responsible to the congregation.

Section 2 – Membership

1. **Baptized Members:**
 - (a) A child, shall upon receiving Baptism, become a baptized member of the congregation, unless for good reason the child is to be a baptized member of

another congregation, in which case membership shall be transferred to that congregation.

- (b) A child baptized in another congregation shall be received as a baptized member in the congregation when a transfer has been received. When a baptized child is an orphan or a ward, the child may be received as a baptized member even if a transfer is not available.
- (c) An unbaptized adult who has received instruction and has given evidence of an adequate understanding and acceptance of the teachings of the word of God as confessed by the Lutheran Church, shall upon confession of faith and Baptism, become a baptized member of the congregation.
- (d) When one or both parents of baptized children are received into the membership of the congregation, such children should be received as baptized members with the consent of the member parent or parents.
- (e) When the parents of a baptized child are not members of the Lutheran Church but desire to have their child put within the pastoral care of this congregation, the child may be received as a baptized member.

2. **Confirmed Members:**

- (a) A baptized member of the congregation shall become a confirmed member through the rite of affirmation of baptism; except that an adult who has become a baptized member in accordance with the provisions of Section 2, 1c of this part of the bylaws shall be considered a confirmed member without participation in the rite of affirmation of baptism.
- (b) A baptized adult, not previously a confirmed member of a Lutheran congregation, shall become a confirmed member of this congregation after receiving instruction, giving evidence of adequate understanding of the teaching of the Word of God as confessed by the Lutheran Church, and publicly affirmed their faith.
- (c) An applicant for membership who presents evidence of affirmation of baptism in a Lutheran congregation but does not have a letter of transfer shall be admitted to confirmed membership upon council approval and affirmation of faith before the congregation.

3. **Voting Members:**

- (a) The council shall determine the roster of voting members of the congregation in accordance with the provisions of the constitution and bylaws. The roster of voting members shall be available at all regularly called meetings of the congregation. The term "in good standing" shall be defined to include those who partake of Holy Communion and participate in the life and worship of the congregation.

(b) Those voting members who are under legal voting age according to the State of Minnesota cannot vote on the following items:

- (1) Sale of property
- (2) Mortgages
- (3) Placing the church in debt.

4. **Associate Members:**

- (a) Associate members shall be approved by the church council and received as members. They shall be invited to participate in the privileges of membership and shall be issued offering envelopes.
- (b) Associate members shall not be counted in membership statistics nor be granted voting rights, nor be eligible for elected or appointed offices of the congregation.
- (c) The roster of associate members shall be reviewed annually.

5. **Pastoral Care of Membership:**

- (a) When a member moves from the community, the congregation shall encourage the member to request a transfer to a Lutheran congregation which can serve the member effectively. Should the member fail to request a transfer, a Lutheran congregation in the community of the member's residence should be notified.
- (b) A confirmed member desiring to change membership to another Lutheran congregation shall, upon request, receive a letter of transfer.
- (c) A confirmed member or baptized member of affirmation of baptism age who does not partake of Holy Communion, and does not appear to participate in the life and worship of the congregation should be visited by the Pastor and/or another congregation representative and encouraged by them to active membership. A person who has been inactive for six months and who after having been encouraged by the Pastor and other appropriate persons from the congregation, and does not become active within one year after attaining the status of inactivity shall be dropped from the roll of membership and be duly notified in writing of this result of his negligence. This person shall be retained on a responsibility list as one who is in special need of the congregation's prayer and concern.
- (d) A child, neither of whose parents or guardians is a member of the congregation, who fails to participate in the life and worship of the congregation should be visited by a Pastor and/or another congregation representative and encouraged by them to participate.

Section 3 - Semi-Annual Meetings of the Congregation

1. Announcement of the time and place of the semi-annual meetings shall be made at two public services immediately preceding the meeting, said services to be at least a week apart; and in such publications as the congregation or the Pastor may periodically issue, or by written notice to the voting members mailed not less than ten days in advance of the meeting.

2. The current roster of voting members shall be available at each meeting of the congregation.
3. The annual meeting shall include reports from all the organizations of the congregation except finance. Such reports, including a financial statement, shall be submitted in writing to the church office and made available to the congregation at least one week prior to the meeting. General business and nomination and election of officers for the church council and all committees shall be conducted at the annual meeting.
4. The financial meeting shall include a report from the finance organization and an annual financial statement. Such reports shall be submitted in writing to the church office and made available to the congregation at least one week prior to the meeting. In addition to budget issues, general business can be conducted at the financial meeting.
5. Unless otherwise ordered, parliamentary procedures shall be in accordance with *Robert's Rules of Order*.

Section 4 - Nominations and Election of Officers

1. The nominating action group shall consist of at least five (5) members made up of the vice president and the remaining members appointed by the Church Council from the voting membership. The church staff will serve in an advisory capacity. Members of other committees will be able to serve on this action group and may be appointed each year. The structure and responsibilities of this action group shall be in accord with its Approved Functions List.
2. The nominating action group shall nominate voting members for the following positions:
 - (a) President, Vice President, Secretary, Treasurer, and at-large council members.
 - (b) Members of each administrative and ministry committee.
 - (c) The order of preference for nomination to President shall be the Vice President, current council member, past council member, voting member of the congregation.
3. The nominating action group shall select a minimum, of one candidate for each vacancy at least one month in advance of the meeting when elections are held. Additional nominations may be made from the floor with consent of the nominee.
4. Elected members of the council and committees shall be publicly installed by a Pastor as soon after election as feasible and assume their responsibilities at such time as designated by the congregation. These members shall acquaint themselves with their respective duties as outlined in Section 5 of the Bylaws and, more specifically, in their Approved Functions List.
5. Except as provided below, interim vacancies on the council and committees shall be filled as follows:

The nominating action group shall recommend persons to fill vacancies covering the rest of the term. The council shall make the final decision on these recommendations.

Exceptions:

If a vacancy occurs in the office of vice president, a replacement appointee shall serve until the next congregational election and shall stand for election as vice president or president, if that office is vacant. An appointed vice president cannot become president without being elected, however, if the office of president is vacated in between congregational elections, the appointed vice president shall fulfill the duties and responsibilities of the office of president until the next congregational election, at which time the vice president has the option to stand for election to the office of president for a full term.

If a vacancy occurs in both offices at the same time, the appointees shall stand for election at the next congregational election when they shall be eligible to be elected for a full term.

6. A majority of the votes cast shall be required for election of a candidate to office. If reballoting is necessary, the individual with the least number of votes will be dropped from the ballot.
7. Tellers shall be appointed by the chairperson of the nominating action group to assist in the election and to tabulate the votes cast.
8. The term of office of the president shall be two years with the option to stand for election one additional year. The term of office of the vice president shall be two years with the option to stand for election as president, vice president or other council position for another two years.
9. The council may consist of as many members as are needed to facilitate the work of the church. This number will be determined by the congregation upon the recommendation of the council. Council members shall each have two-year terms of office. Terms shall be scheduled so approximately one half of the council members are elected each year. Council members may stand for re-election to one successive two-year term and/or may stand for election to the presidency. The maximum number of years on the council shall be four (4) consecutive years with the exception of being elected to the office of president, after serving four (4) consecutive years on the council, in which case the maximum shall be six (6) consecutive years on the council.
10. Each committee shall consist of at least four (4) members or as many additional members as necessary to function adequately. Any increase in committee members shall be appointed by the council and shall stand for election at the next congregational election. Each committee member shall serve a term of two years with positions scheduled so approximately one half of the committee members are elected each year. A committee member may be re-elected. A committee member of one committee shall not be a member of another committee. Only voting members of the congregation shall be eligible for membership on the committees.
11. An Approved Functions List shall be maintained by the council and committees describing their specific functions.

Section 5 - Duties of Officers and Committees

1. **General:**

- (a) The officials of this congregation shall be Christian examples to the other members of the congregation by regularly participating in divine service, by sharing and doing God's Word, and by frequently partaking of the Lord's Supper.

2. **Duties of Church Officers:**

- (a) The president shall preside over meetings of the council and the congregation. The president has the privilege of serving as advisory member on all the various committees.
- (b) The vice president shall preside at the meetings of the council and the congregation in the absence of the president. He or she is a member of the nominating action group.
- (c) The treasurer shall be a voting member of the council and shall have the responsibility for the management of funds, development and implementation of proper financial procedures, preparation of the congregational budget and maintaining a purchasing system.
- (d) The secretary shall be a voting member of the council and shall be responsible for the minutes of all council and congregational meetings.

3. **Duties of Church Committees:**

The following list of duties describes briefly the purpose of each committee, specific duties are to be outlined in an "Approved Functions List" for each committee. These committees shall have the authority to appoint task forces as necessary to enhance the life and work of the church.

- (a) **Education** committee is responsible for the total education program of the congregation. This includes, but is not limited to, Sunday School, Vacation Bible School, Affirmation of Baptism Instruction, and Adult Education. The committee should strive to develop an effective teaching ministry which includes the training of teachers and leaders and provides opportunity for study by every member of the congregation.
- (b) **Finance** committee is responsible for, but not limited to, the management of funds, development and implementation of proper financial procedures, preparation of the congregational budget, review of congregational insurance needs and make recommendations to the council.
- (c) **Global/Social Ministry** committee is responsible for, but not limited to, the study and reflection on the difficulties in our community and the world of a political, social, and economic nature and to assist the congregation in study, reflection and action on these issues. This committee shall also be responsible for assisting the congregation in the proclamation of the Gospel throughout the world by word and deed.

- (d) **Mount Calvary Family Resource Center** committee is responsible for, but not limited to, overseeing all activities at the Mount Calvary Family Resource Center which has a mission “To create a sanctuary for the community while providing families with stepping stones for the future.” The committee will be responsible for long range planning and prioritization providing guidance and recommendation to the Food Shelf Director and volunteer staff and the Next Steps group. The Next Steps group will be responsible for defining and implementing the tactical plans needed to fulfill the vision and strategy that is defined by the committee and approved by council.
- (e) **Mutual Ministry** committee is responsible for, but not limited to, listening to the concerns of all staff members and sharing with them concerns of members of the congregation.
- (f) **Nominating Action Group** - (See section 4 of Bylaws)
- (g) **Outreach** committee is responsible for, but not limited to, conducting orientation programs for new members, calling prospective members, maintaining and publishing the Church Pictorial Directory, overseeing the stewardship fund drive, and generally developing a spirit of belonging in the membership through working with the Ministry Coordinator enabling more members of the congregation to effectively serve as volunteers.
- (h) **Property** committee is responsible for, but not limited to, keeping all church properties in a good state of repair and cleanliness and to provide general oversight of the custodial activities.
- (i) **Shared Ministry** committee is merged into Outreach.
- (j) **Stewardship** committee is merged into Shared Ministry.
- (k) **Trust Fund** committee is responsible for, but not limited to, accepting and administering gifts and contributions designated for the trust fund, acting as custodian of the trust fund, and providing information and educational opportunities which promote sound financial planning.
- (l) **Worship and Music** committee is responsible for matters relating to the worship life of the congregation and its music ministry. It is responsible for, but not limited to, developing and encouraging choir work, special musical talent and good congregation participation in worship and music.
- (m) **Youth and Family Ministry** committee is responsible for, but not limited to, encouraging and promoting Christian education and fellowship among the youth of the congregation. This committee shall provide direction for the youth director when such a staff position exists.

4. **Other Responsibilities of the Church Council:**

The church council shall:

- (a) Meet at least once each month. The president, a Pastor, or three members of the council may also call a special meeting of the council.
- (b) Take official action on recommendations made to it by various committees and auxiliaries of the congregation and is charged with the duty of directing and managing the affairs of the congregation, provided that it shall, in any event, abide by the directives of the congregation and its constitution.
- (c) Authorize the hiring of all paid staff, with the exception of the Pastor(s), and make final determination of all salary and personnel policies.
- (d) Review and modify the annual budget before it is presented to the congregation at the financial meeting.
- (e) Operate as far as possible within the limits of the approved total budget of the congregation. Expenditure(s) for any year, in excess of 5% above the total voted budget, must be approved by the congregation
- (f) Not buy, sell, lease or mortgage any of the congregation property without consent of the congregation.
- (g) Establish and maintain guidelines for the use of church property for all boards to follow and review special requests for approval.
- (h) Exercise jurisdiction over all auxiliary organizations of the congregation.
- (i) Follow and exercise control of items outlined in the constitution.
- (j) Appoint delegates and their alternates to synod and conference assemblies.
- (k) No contract shall be made binding the congregation or corporation without the signatures of the president or vice president and one other council member.
- (l) Approve renewal of leases of congregational property.
- (m) Monitor progress of stated goals and the formulation of new goals.
- (n) Review Mount Calvary's present building facilities and the projection of future needs of the congregation.
- (o) Function as the personnel committee by assessing and forecasting salaried personnel needs of the congregation, evaluate responsibilities, salaries and benefits and performance reviews.
- (p) Liaison to the administrative and ministry committees.

5. **Duties of Auxiliary Relationships:**

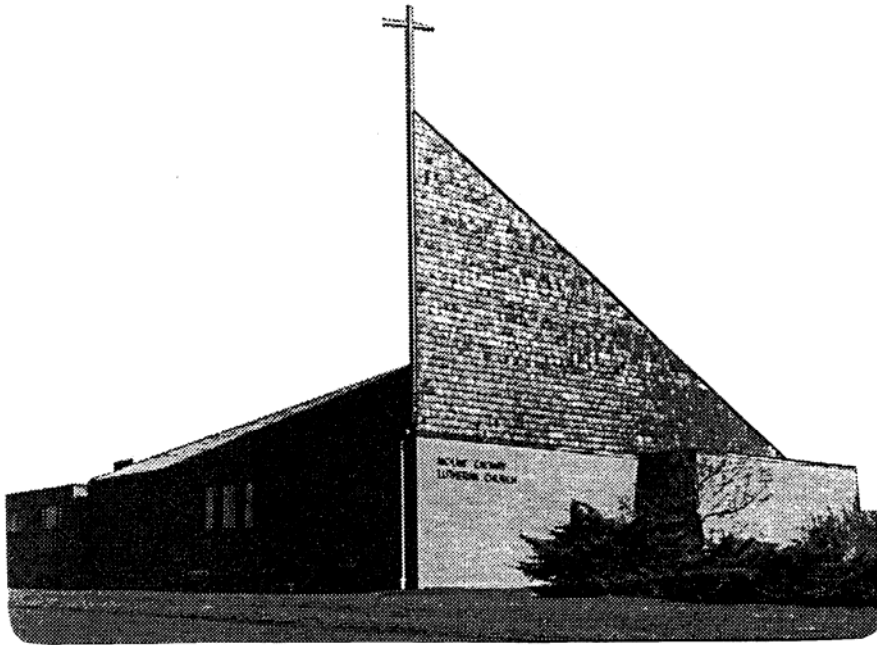
(a) MCLCW (Mount Calvary Lutheran Church Women)

- The organizational structure of the MCLCW shall be defined within its own governing rules.
- The funds of the MCLCW shall not be a part of the congregation's general budget nor shall the council play a deciding role in the disbursement of such funds. Projects funded by the MCLCW that affect church property shall require council approval.

Section 6 – Communion Participation

1. This congregation invites all of its members who have been prepared to receive the sacrament to participate regularly in Holy Communion.
2. Participation in Holy Communion shall be open to members of other congregations who are aware of the Lutheran and scriptural teaching in regard to this sacrament. Registration forms or announcements shall make prospective participants aware of Lutheran teachings and practice.
3. Faith in Jesus Christ as Lord and Savior, sincere repentance, and joyful thanksgiving are expected of participants. The belief of this congregation is that participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given with the bread and wine, instituted by Christ himself for us to eat and drink." (Luther's Small Catechism)
4. Record of participation in Holy Communion shall be maintained.

EMPLOYEE HANDBOOK



MOUNT CALVARY LUTHERAN CHURCH

**3930 Rahn Road
Eagan, Minnesota 55122
651-454-2344**

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INTRODUCTORY STATEMENT

Welcome to the staff of Mount Calvary Lutheran Church (the Church) – *“We are a Christian community of believers who gather together to worship God and serve others.”*

We aspire to achieve within the family of our staff a true sense of Christian community. Our occupation at various aspects of our common tasks calls for a sense of partnership, which can be enriched and enhanced, as our fellowship, one with another, becomes more meaningful and genuine.

We believe that these policies approved by the Church Council, who acts as the Personnel Committee, will enable us to deal fairly with all employees and will prevent preferential treatment or discrimination. To the extent that they accomplish this, they will have served in building openness, confidence, and trust between the Church, as employer, and the persons who serve in its employ.

Questions regarding the interpretation of specific policy statements or their application in a specific instance should be directed to the Church Council President.

This document is available for distribution to inform all staff members of personnel policies. Each new employee shall receive a copy at the time of employment. Copies are available from the Church Council President or Church Administrator.

Again, WELCOME! We look forward to getting to know you better as we work together for the glory of God through the ministry at Mount Calvary Lutheran Church.

Church Council
Mount Calvary Lutheran Church

1. GENERAL

1.1 Authority

Adoption of these personnel policies is by the action of the Mount Calvary Church Council (“Personnel Committee”) under the general authority granted in the Constitution and Bylaws of the Church. As is stated in the Constitution, the Church Council serves as the Personnel Committee.

1.2 These policies do not create, imply or express promise of continued employment of any employee of Mount Calvary Lutheran Church (“Church”). These policies are applicable to all employees of Mount Calvary Lutheran Church unless otherwise covered by a separate employment agreement.

1.3 Personnel Director

The Church Administrator will serve as the Personnel Director of the Church, and will report to the Personnel Committee.

2. EMPLOYEE CLASSIFICATIONS

2.1 FULL-TIME

2.1.1 Class A

All ordained pastoral employees who are engaged and salaried by the Church on a regular, full-time basis whose work requires no less than 40 hours per week.

2.1.2 Class B

All non-ordained employees with an Associates in Ministry (AIM) degree who are engaged and salaried by the Church on a regular, full-time basis whose work requires no less than 40 hours per week.

2.1.3 Class C

All non-ordained employees who serve as program and/or administrative staff and who are engaged and salaried by the Church on a regular, full-time basis whose work requires no less than 40 hours per week

2.2 PART-TIME

2.2.1 Class D

All ordained pastoral employees who are engaged and salaried by the Church on a part-time basis, but with regular days or hours in which they are committed to employment on a regular basis.

2.2.2 Class E

All non-ordained employees with an Associates in Ministry (AIM) degree who are engaged and salaried by the Church on less than a full-time basis, but with regular days or hours in which they are committed to employment on a regular basis.

2.2.3 Class F

All non-ordained employees who are engaged and salaried by the Church on less than a full-time basis, but with regular days or hours in which they are committed to employment on a regular basis. Examples of Class F employees are, but not limited to, the Administrator and Education Coordinator

2.2.4 Class G

All employees of Mount Calvary who are salaried by the Church on a temporary, casual, or “on-call” basis. Examples of Class G employees are, but not limited to, the office assistants.

2.2.5 Class H

All “non-called” ordained pastoral employees who are engaged and salaried by the Church on less than a full-time basis, but with regular days or hours in which they are committed to employment on a regular basis.

2.3 CONTRACT STAFF

2.3.1 Class I

All employees whose employment, responsibilities, workload, benefits, salaries, etc. are specified by contract. Examples of Contract staff are, but not limited to, choir director, organist and other music staff, cook, nursery attendants and building supervisor.

3. COMPUTATION OF SERVICE TIME

3.1 General

In computation of service time, time absent from work for sick leave, vacation, education leave, and leave of absence 30 days or less shall be included.

3.2 Computation

In determining service time, e.g. eligibility for vacation or leave with pay, computation shall be made on the basis of the beginning date of full-time and part-time employment with the Church. (Employee Classes A, B, C, D, E, F and H only.)

3.3 Reinstatement

When a former employee is reinstated to a position within one year of separation, providing that separation was not Termination for Unsatisfactory Performance (Section 10.2.2.2) or Discharge for Cause (Section 10.2.2.3) reinstatement shall be with full credit for service time from previous period of employment less the time absent. Reinstatement of prior year's service after one year of separation shall be at the discretion of the Personnel Committee.

4. RECRUITMENT AND EMPLOYMENT

4.1 Non-Discrimination in Employment

It is the continuing policy of the Church to afford equal employment opportunity to qualified individuals regardless of their race, color, national origin, age, sex, and marital status, status with regard to public assistance and disability to conform to applicable laws and regulations.

4.2 Application Form

An employment application form shall be prepared and distributed by the Personnel Director for use by all interviewing applicants for employment by Mount Calvary. A resume presented by the applicant may be used in lieu of the employment application.

4.3 Personnel Records

The Senior Pastor and Church Council President shall maintain a confidential personnel file on all employees of the Church and shall make available for review these documents upon request by the employee and/or Personnel Committee.

4.4 Call of Employment Procedures

4.4.1 Class A and D Employees – Ordained Pastors

The Pastors shall be called according to the Constitution and Bylaws of Mount Calvary Lutheran Church with a “Letter of Call” of the Evangelical Lutheran Church in America (“ELCA”). This will be done only after being recommended by the Call Committee and Church Council, and approved by the congregation.

4.4.2 Class B and E Employees – Associates in Ministry Personnel

Employees in this class shall be called by Mount Calvary Lutheran Church and issued a “Letter of Call” of the Evangelical Lutheran Church in America (“ELCA”). This will be done only after being recommended by the Personnel Committee, and approved by the congregation.

4.4.3 Class C, F and H Employees – Full or Part Time Program/Admin. Staff

Employees in this class shall be employed by the Church and hired by the Personnel Committee, subject to availability of budgeted funds, following consultation with the supervisor of the prospective employee, or the existence of an employment agreement.

4.4.4 Class G and I Employees – Temporary and Contract Staff

Employees in this class shall be employed by the Church and hired by the Personnel Committee, subject to availability of budgeted funds, following consultation with the supervisor of the prospective employee.

5. COMPENSATION

5.1 Salary Plan and Job Description

The Church may use the Compensation Guidelines of the Saint Paul Area Synod of the ELCA, survey information and performance evaluations in determining remuneration for its employees. It is the responsibility of the Personnel Committee to establish classifications and job descriptions for employment positions and to approve the salary plan for each position.

5.2 Salary Compensation Review

The compensation of all employees shall be reviewed annually by the Personnel Committee to coincide with the Church’s fiscal year of January 1 through December 31. Such review shall have the objective of determining the effectiveness of the employees in their positions and the amount of individual

increase, which may appropriately be granted or recommended. The Personnel Committee is readily available to any employee who wants to discuss his/her compensation, after consultation with employee's supervisor.

5.3 Overtime

5.3.1 Eligibility

Overtime, when authorized by the supervisor or Personnel Director, shall be paid to all employees in Class C, E, and F, except in those instances in which the employee is specifically exempt under the Federal Wage & Hour Act. Overtime shall not be paid to employees in Class D, G, H or I.

5.3.2 Compensatory Time

Employees in Class C, E, F and H who work more hours in any period than their employment agreement states are encouraged to take comp time in lieu of overtime pay to be used within three months from the time earned. These employees must provide proper documentation to the Personnel Director who shall maintain a compensatory time log reflecting comp time earned and comp time used.

5.3.3 Rate

Employees eligible for overtime pay will be paid at the rate of one and one-half times their regular hourly rate for the time worked in excess of 40 hours in any work week.

5.4 Time Cards

5.4.1 A time card is only required when employees in Class A, B, C and D were absent (illness, vacation, continuing education, or when taking accumulated compensatory time, etc.) during a particular pay period.

5.4.2 Employees in Class E, F, G and H are required to complete a time card for every hour they work.

5.4.3 Employees are responsible for submitting their own time cards to the controller, who will maintain those records.

5.5 Pay Periods

5.5.1 All employees in Class A through H shall be paid bi-monthly on the 15th and last day of each month. Employees in Class I shall be paid as specified in their contracts. If a normal payday occurs on a weekend or holiday, salary checks shall be issued on the last preceding weekday.

5.5.2 Compensation upon Death of an Employee

In the event of death of any employee, salary shall be paid to the surviving spouse or dependents through the day on which death occurred, plus any accrued vacation time. Where no spouse or dependents survive, payment shall be made to the beneficiary specified in the ELCA Pension Plan or to the Estate.

5.5.3 Housing Allowance for Pastors

The Church will annually designate a reasonable amount of the compensation of its pastors as a housing allowance. This amount, agreed upon by the pastors and the Personnel Committee, shall be entered into the official minutes of the council each January. This amount shall include housing, furnishings and utilities. This section applies to members of the ordained clergy of the ELCA in conformity with 26 USC Section 107, Internal Revenue Code.

6. PERFORMANCE

6.1 Performance Evaluations

The Personnel Committee shall evaluate each employee's performance at least yearly. A written evaluation will be reviewed with, and signed by, each employee and placed in the employee's personnel file. The Personnel Committee is readily available to any employee who wants to discuss his/her performance and development, after consultation with employee's supervisor.

6.2 Mutual Ministry Committee

The employees in all Classes are invited to call upon the Mutual Ministry Committee to discuss any employment or performance concerns.

7. WORKING HOURS AND HOLIDAYS

7.1. Normal Hours

All Class A, B, C, D, E, F and H employees shall organize their time schedules within the limits of effective performance of their duties subject to the approval of their supervisor.

The weekly days off for Class A, B, C, D, E, F and H employees shall be selected in consultation and with the approval of the Senior Pastor.

Normal office hours for office personnel are between the hours of 8:30 a.m. to 4:30 p.m. Monday through Friday.

The work schedule for other employees shall be as required by the position description, or as scheduled by the employee's supervisor.

7.2 Attendance Reports

The Personnel Director shall periodically provide attendance records for all employees.

7.3 Holidays

The following days shall be observed as holidays:

- New Year's Day
- Dr. Martin Luther King, JR's Birthday
- President's Day
- Easter Monday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- Day after Christmas Day

7.3.1 The above holidays shall be considered a day for which full pay is earned for all Class A, B, and C employees (unless otherwise stated in a separate employment agreement)

7.3.2 Class D, E, F and H employees shall be paid for the holidays on a pro rata basis relative to their employment agreement. (Example: An employee who was hired for, and has worked an average of 20 hours per week will be paid for 4 hours for each holiday.)

7.3.3 Part-time employees working less than 20 hours per week are not eligible for paid holidays.

7.3.4 Class G and I employees are not eligible for paid holidays.

7.4 Holidays Falling on Saturday or Sunday

When any holiday listed in Section 7.3 above falls on Saturday, it will be observed on the preceding day. If the holiday falls on Sunday, it will be observed on the following day.

7.5 Working on an Approved Holiday

7.5.1 When it is necessary to work on an approved holiday, equal time shall be taken as soon as possible. Time off must be approved in advance by their supervisor.

7.5.2 If it is not possible to take compensatory time, upon approval of the Personnel Committee, 1-1/2 times the regular hourly wage may be paid for those hours worked for Class C, E, F and H employees.

7.6 Holidays Falling on a Regular Day Off

If a holiday falls on any eligible employee's regular day off, it may be observed at another time (as soon as possible) with the approval of their supervisor.

8. EMPLOYEE BENEFITS

8.1 Resettlement Expenses

Mount Calvary Lutheran Church will assist all Class A employees in their initial move.

8.1.1 Moving Expenses – New Hire Only

The Church shall pay actual moving expenses for a new Class A employee when such employee is requested to change the place of his/her residence upon being employed. This is subject to negotiation in advance between the Personnel Committee and/or the Call Committee.

The Class A employee shall also be reimbursed for the expense of a round-trip for himself/herself and one member of his/her immediate family for the purpose of finding a place of residence. The Church Council shall set the monetary limit.

8.2 Worker's Compensation

The Church provides, without cost to the employee, Worker's Compensation insurance coverage for all employees at no less than the minimum limit required by the State of Minnesota. Any injury should be reported within 24 hours of occurrence to the Personnel Director. See file in the office labeled "Worker's Compensation" for further details

8.3 Social Security

Ordained clergy who have not signed a waiver of rights are considered self-employed by the Government and must submit their own payments at the self-

employed rate each quarter. Social Security is withheld for non-ordained personnel.

8.4 Unemployment Compensation Insurance

The Church is not covered by unemployment compensation insurance. Therefore, persons whose employment terminates, voluntarily or involuntarily, and are not immediately re-employed are not eligible to collect unemployment insurance benefits.

8.5 Pension Plan and Disability Insurance

8.5.1 The Church participates in the ELCA Pension Plan and Disability Insurance Policy and the full contribution will be paid by the Church for all Class A and D clergy who work 20 or more hours per week.

8.5.2 Employees in Class B, C, E, and F who work 20 or more hours per week shall be enrolled in the ELCA Pension Plan and Disability Insurance Policy for Lay Workers with the Church paying 100% of plan.

8.5.3 Salary in Lieu of Pension or Retirement Benefits

No payment shall be made to any employee in lieu of Pension or Retirement Benefits to which the employee is entitled under Section 8.5.

8.6 Medical and Dental Insurance

8.6.1 The Church will pay full contribution for Class A and D clergy who work 20 or more hours per week plus contributions for spouse and dependents.

8.6.2 The Church will pay full contribution for Class B employees who work more than 20 hours per week plus contributions for one dependent.

8.6.3 Employees in Class C, E, and F who work 20 or more hours per week may elect medical and dental insurance, where premiums are deducted from the employee's paycheck on a pre-tax basis.

8.6.4 Medical Coverage During Unpaid Leave

For Class A employees, the Church shall continue to pay the employer contribution during any sabbatical leave.

For all other employees or during any other leave without pay, coverage may continue with the full cost payable by the employee. (See Section 9.12.)

8.6.5 Salary in Lieu of Medical and Dental Benefits

No payment shall be made to any employee in lieu of Medical and Dental Benefits to which the employee is entitled under Section 8.6.

9. TIME OFF FROM WORK (LEAVE)

9.1 Vacation Leave and Eligibility

Annual vacations provide an opportunity for rest and recreation. They play an important part in maintaining one's health and efficiency. Employees of the Church shall be granted vacation annually, computed in the following manner, unless otherwise stated in a separate employment agreement: No employee shall be eligible to take vacation leave during the first 90 calendar days of employment.

Years' Service is defined as years employed by Mount Calvary.

9.1.1 Class A and B Employees (Work Week = 5 days)

1 to 7 Years' Service – Twenty (20) working days per anniversary year, accruing from the date of employment at the rate of 1.7 working days per month. This includes four Sundays which are considered working days.

8+ Years' Service – Twenty-five (25) working days per anniversary year, accruing from the eighth anniversary date of employment at the rate of 2.1 working days per month. This includes five Sundays which are considered working days.

9.1.2 Class D Employees (If, for example, Work Week = 3 days)

1 to 7 Years' Service – Twelve (12) working days per anniversary year, accruing from the date of employment at the rate of one working day per month.

8+ Years' Service – Fifteen (15) working days per anniversary year, accruing from the eighth anniversary date of employment at the rate of 1.25 working days per month.

9.1.3 Class C Employees (Work Week = 5 days, 8 hours per day)

1 to 5 Years' Service – Ten (10) working days per anniversary year, accruing at the rate of .83 working days per month.

6 to 12 Years' Service – Fifteen (15) working days per anniversary year, accruing from the sixth anniversary date of employment at the rate of 1.25 working days per month.

13+ Years' Service – Twenty (20) working days per anniversary year, accruing from the thirteenth anniversary date of employment at the rate of 1.66 working days per month.

9.1.4 Class E, F and H Employees, who work 20 or more hours per week

Paid vacations will be prorated on the average number of hours worked each calendar year, and applied to the same vacation schedule (Section 9.1.3) as Class C employees. (For example: If a Class E or F employee works an average of 30 hours per week in the previous calendar year, they will earn $\frac{3}{4}$ of the vacation hours that a full-time employee earns according to the schedule in Section 9.1.3. For those employees who have not worked a full year, the vacation hours will accrue based on their regular workweek.)

9.1.5 Class G and I Employees

These employees shall not be eligible for vacation or leave time unless specified in their employment agreement.

9.1.6 Holidays Falling Within Vacation Leaves

Vacation time, as outlined in Section 9.1, shall be construed to exclude holidays as authorized in Section 7.3. Should a vacation period be approved and a holiday falls within that vacation period, the holiday shall be counted as a holiday.

9.1.7 Scheduling of Vacation Leave

Vacations shall be scheduled by the Personnel Director and/Senior Pastor. Every effort shall be made to grant the employee vacation leave at the time of their first request. However, work requirements will be taken into consideration as well as the vacation leave requests of other employees.

9.2 Use of Vacation Leave

Vacation shall not accumulate for more than one week of the accrued annual allowance; i.e., no more than one week may be carried into the next anniversary year.

9.2.1 Prepaid Salary for Vacation Period

Salary may be paid at the beginning of the vacation period if a regular payday falls during a vacation period and if a request is submitted at least two weeks prior to vacation.

9.2.2 Pay in Lieu of Vacation

The church shall not make payments of additional salary to an employee in lieu of unused vacation, except upon termination.

At the time of separation, an employee shall be entitled to salary in lieu of vacation leave which he/she has accumulated.

9.3 Sick Leave

9.3.1 For Class A, B, and C employees, sick time with full pay shall be granted, accruing at the rate of one half (.5) working day per month, from the date of employment, to the maximum specified in Section 9.3.3.

9.3.2 Employees in Class D, E, F, G, H and I shall not be entitled to sick leave with pay unless specified in their employment agreement.

9.3.3 Accumulation of Unused Sick Leave

Unused sick leave shall be cumulative to the following maximums:

Class A, B, and C Employees: To a maximum of sixty (60) days, or the maximum waiting period as specified in the current ELCA Disability Benefits Plan, whichever is greater.

9.3.4 Advance Use of Sick Leave

Sick days may be used in advance of accrual up to the maximum that will be allowed by the Church's fiscal year end. If all eligible sick leave was used in advance, wages will not be paid for any lost time taken above the maximum allowed for that fiscal year.

9.3.5 Use of Sick Leave

The Personnel Director shall have the right to require medical evidence of disability during the sick leave. In accordance with Minnesota law, sick days may be used for an employee's illness, or to care for their own sick child.

9.3.6 Sick Leave at Time of Termination

At the time of employment termination, an employee shall have no claim to pay in lieu of unused sick leave.

9.4. Disability Leave

9.4.1. Class A employees will receive full pay by the Church to fulfill the 60 days waiting period as specified in the ELCA Disability Benefits Plan.

9.4.2 All other eligible employees shall first use their current and accrued sick leave, and current and accrued vacation. The balance of the waiting period as specified in the current ELCA Disability Benefits Plan, shall be paid by the Church.

9.4.3 Disability/Pension premiums shall be paid by the Church for the first sixty (60) days for all eligible employees.

9.4.4 Reinstatement after a Leave

Although Mount Calvary Lutheran Church is not able to guarantee reinstatement in all cases, employees on medical leave who return to work immediately following the end of an approved leave with a physician's written release verifying that they are able to safely perform their duties will normally be returned to their former job classification if an opening exists. If there is no such opening, they will be considered for a comparable position if one is available.

9.5 Parenting Leave

Six weeks of paid parenting leave is available to new mothers and fathers in Class A, B, C, D, E, F and H following the birth or adoption of a child provided they have been employed by the Church one year and work 20 or more hours per week. The six weeks shall be taken consecutively. Employees who wish to use this benefit are expected to provide their supervisor with as much advance notice as possible. Parenting leave shall be granted at the time requested by the employee, unless the supervisor determines that rescheduling is necessary to meet the work requirements of the employee.

9.6 Sabbatical Leave

Class A and B employees may, with the approval of the Church Council, take from six weeks to three months sabbatical leave, with full pay for study purposes every six years of continuous employment at Mount Calvary Lutheran Church.

Full pay includes wages and full contributions for medical, dental, and disability insurance, and pension. No vacation or sick leave shall accrue during a sabbatical leave.

Class A and B employees shall agree to remain in the service of the Church for at least 12 months following such leave, or shall repay the Church the funds granted for such leave.

The Continuing Education Allowance (Section 9.12.1) shall be waived by the employee during the year the sabbatical was granted.

9.7 Jury Duty

Should a Class A, B, C, D, E, F and H employee be called for jury duty, time off with pay will be granted for work days during which such employee continues on jury duty. The employee will receive his/her normal pay during jury duty. Any remuneration received by the employee from the courts need not be reimbursed to Mount Calvary Lutheran Church from the employee.

9.8 School Conferences for Children

In accordance with Minnesota law, unpaid time off, up to a maximum of 16 hours annually, is available to all employees for attending school conferences and classroom activities for the children of employees, when these activities cannot be scheduled during non-working hours. These leaves must be scheduled with and approved by the Senior Pastor and/or Personnel Director.

9.9 Military Duty Leave

The Church recognizes duty requirements of members of the United States Armed Forces and will comply with laws regarding military participation. An employee who is a member of the National Guard or other reserve units will be allowed unpaid time off to fulfill their obligations.

9.10 Funeral Leave

For employees in Class A, B, C, D, E, F and H, time off from work, with pay, on the occasion of the death and funeral of a family member, shall be granted as follows:

At the time of death of an employee's immediate family (parents, mother-in-law, father-in-law, spouse, children, stepchildren, their spouse, and siblings) up to five (5) days will be granted.

At the time of death of an employee's relative (grandparents, aunts, uncles, nieces, nephews), up to three (3) days will be granted.

At the time of death of any other relative of the employee, one (1) day will be granted. At the time of death of a non-relative where the employee is serving as a pallbearer, one (1) day will be granted.

NOTE: For employees in Class E, F and H, funeral leave pay will be based on their average workday (as calculated for vacations and holidays).

9.11 Leaves of Absence

An employee may be granted an unpaid leave of absence from his/her job for a justifiable reason at the discretion of the Church Council. A request for leave must be in writing, detailing the justification. A leave of absence normally shall not be granted for a period longer than 30 calendar days. An employee on unpaid leave of absence at the time of a holiday shall not receive pay for the holiday.

9.12 Continuing Education

In view of the continuing, rapid changes in both church and society, Mount Calvary Lutheran Church recognizes the need for persons in leadership positions to further their knowledge, increase their competence, and sharpen their professional skills in their field. Mount Calvary Lutheran Church encourages participation in seminars, short courses, workshops and other educational opportunities in fields directly related to the employee's primary responsibilities.

9.12.1 Employees in Class A, B, C, D, E, and F are entitled to continuing education as is stated in their employment agreement, and with funds provided for in the fiscal year budget of the Church.

9.12.2 Continuing education funds may accumulate up to, but not to exceed, two consecutive year's benefits.

9.12.3 Any additional continuing education requested by a Class A, B or D employee shall be made in writing to the Personnel Committee for a decision.

9.12.4 Upon termination, there will be no pay for unused continuing education funds.

9.12.5 Use of Continuing Education Funds

The fiscally budgeted funds for education may be used to cover the cost of outside educational opportunities.

9.12.6 Continuing Education Procedures

Requests for funds shall be submitted to the Personnel Committee for approval on the "Continuing Education Request Form". The employee shall complete the form, stating the objectives and other details of the specific education opportunity. If approved, the Committee shall submit the Form to the church controller for timely payment.

A written summary shall be submitted to the Personnel Director within two weeks following the education leave event, and submitted to the Church Council at their next scheduled meeting.

10. SEPARATION AND RETIREMENT

Employment at Mount Calvary Lutheran Church is an Employment At Will relationship, where both the employee and the Church have the right to terminate the employment relationship at any time, with or without cause or advance notice.

10.1 Voluntary Termination

10.1.1 Class A and D employees

Employees in Class A and D are expected to give 30 days written notice of resignation to Mount Calvary Lutheran Church through the Church Council President and to the Saint Paul Area Synod Office of the ELCA. See Mount Calvary Lutheran Church's Bylaws Section 1.4.

10.1.2 Class B, C, E, F, H and I employees

Employees in Class B, C, E, F, H and I shall be requested to give up to 30 days (but not less than two weeks) written notice of resignation to the Personnel Committee through the Senior Pastor.

At the discretion of Mount Calvary Lutheran Church, an employee may be asked to leave before the expiration of the written notice. In this event, an employee will be paid as if they had worked during the entire notice period, and the effective date of termination will be the last paid day.

10.2 Involuntary Termination

Involuntary termination is termination of employment at the will of Mount Calvary Lutheran Church. The Church retains the right to discharge any employee at any time, with or without cause. However, unless an employee is dismissed for "cause," they will be entitled to receive two weeks notice in advance of termination.

"Cause" means any act such as a breach of professional ethics, dishonesty, willful negligence, sexual harassment or other grossly unacceptable behavior which Mount Calvary Lutheran Church, in its sole discretion, deems harmful to its mission.

10.2.1 Class A, B, D and E employees

Involuntary termination for employees in Class A, B, D and E shall be in accordance with the Constitution and Bylaws of the Saint Paul Area Synod of the ELCA and will include consultation with the Bishop of the Saint Paul Area Synod. See also Mount Calvary Lutheran Church Bylaws Section 1.5.

10.2.2 Class C, F, G, H and I employees

10.2.2.1 Termination without Prejudice

Mount Calvary Lutheran Church may terminate employment by giving the employee advance notice of one week per year of service to 30 days maximum should a change in program or other justifiable reason make such termination necessary or desirable.

10.2.2.2 Termination for Unsatisfactory Performance

The service of an employee may be terminated if the employee's performance is unsatisfactory and a reasonable effort has been made to help the employee improve his/her performance. Two weeks advance notice of such termination shall be given.

10.2.2.3 Discharge for Cause

In addition to poor work performance that has been fully documented, examples of discharge for cause include, but are not limited to: insubordination, fighting, violating a law, theft, and sexual harassment in the work place. Discharge for cause can occur at any time and shall be effective as of the time notice is given. No payment shall be made except for earned salary for the time employed since the last pay period, and unused, accrued vacation. No separation pay shall be paid.

11. EXIT INTERVIEWS

An exit interview will be scheduled within two weeks of employment separation between the exiting employee and one or more of the following: Senior Pastor, Personnel Director, Church Council President, or a member of the Personnel Committee.

12. USE OF ALCOHOL, DRUGS, AND CONTROLLED SUBSTANCES

12.1 The use, sale, transfer, possession, or being “under the influence” of alcohol, drugs, or controlled substances when on duty, on church property, or in church vehicles is prohibited. In addition, off duty conduct, which may adversely affect the reputation or interests of the church is prohibited. “Under the influence” for the purpose of this policy, is defined as being unable to perform work in a safe or productive manner, and/or being in a physical or mental condition which creates a risk to the safety and well being of the affected employee, other co-workers, the public, or church property.

12.2 Violation of this policy may result in disciplinary action, up to and including possible termination.

13. SEXUAL HARASSMENT AND SEXUAL ASSAULT

It is the policy of Mount Calvary Lutheran Church to maintain an environment free of sexual harassment and sexual assault by educating all employees and members of the church community about what constitutes such conduct and by establishing procedures for addressing allegations of such conduct.

The Church prohibits and will not tolerate sexual harassment or sexual assault on any church-owned property, or in connection with any church-sanctioned event.

In addition to this Handbook, employees will be given a complete copy of this Policy, along with Appendix A – Report of Offensive Behavior.

14. POLICY FOR SERVICE WORKERS WITH MINORS OR VULNERABLE ADULTS

Any person who is employed by, volunteers with, or seeks to be employed by the Church, and who has, may have or seeks to have access to a child under the age of 18 to whom the Church provides care, treatment, education, training, instruction or recreation shall adhere to the procedures outlined in this Policy will be subject to a background check. The Personnel Director shall give the entire Policy to persons affected by this Policy, with Appendix A and B, at which time they meet the above criteria. The Personnel Director shall be responsible to administer and maintain the procedures outlined by this Policy.

15. CRIMINAL BACKGROUND CHECKS

Criminal background checks will be done on all employees.

16. GUNS

Guns are not allowed in Mount Calvary's facility. Signs are posted at the entrance doors to the facility notifying everyone that enters of our policy. A pastor should be contacted immediately if an individual has carried a gun into the facility.

**EMPLOYEE HANDBOOK
ACKNOWLEDGEMENT**

By signing below I acknowledge that I have read and understood the policies outlined in this employee handbook. I understand that the handbook is intended only as a general reference, and not as a full statement of procedure or a legal contract of Mount Calvary Lutheran Church.

I agree to keep this book in my possession during my employment and to update it whenever materials are provided by the Church Council.

**Mount Calvary Lutheran Church
3930 Rahn Road
Eagan, Minnesota 55122**

Employee Signature: _____

Date: _____

Please return this form with the other papers in your new employee packet.

MCLCW CONSTITUTION

ARTICLE I NAME

The name of the auxiliary shall be Mount Calvary Lutheran Church Women.

ARTICLE II PURPOSE

Section 1 - Mission Statement

Created in the image of God,
Called to discipleship in Jesus Christ, and
Empowered by the Holy Spirit
We commit ourselves to
Grow in faith
Affirm our gifts,
Support one another in our callings,
Engage in ministry and action, and
Promote healing and wholeness in the church, the society and the world.

Section 2 - Commitment

As a member of the South Cluster of the St. Paul Area Synodical Women's Organization of the Evangelical Lutheran Church in America, it shall be the purpose of this auxiliary to KNOW and to DO the will of our Lord Jesus Christ by:

1. Inspiring in the member a deeper consecration to our Savior,
2. Developing stewardship of time, talent and treasures,
3. Disseminating knowledge of the program of the Church of Jesus Christ and particularly of the Evangelical Lutheran Church in America, and
4. Spreading the gospel of Jesus Christ throughout the world.

ARTICLE III MEMBERSHIP

Section 1 - The membership of the Mount Calvary Lutheran Church Women shall consist of the confirmed women of the congregation.

Section 2 - Such others as indicate an interest in the program and purpose of the auxiliary may be members but may not hold office.

MCLCW Constitution continued**ARTICLE IV
CIRCLES**

The auxiliary shall be divided into circles in order to attain wider participation, greater efficiency, and closer cooperation. They shall be formed in a fair and practical manner. The number of circles shall depend upon the size and the existing needs of the membership.

**ARTICLE V
OFFICERS AND BOARD**

Section 1 - The offices of this auxiliary shall be President, Vice President, Secretary, Treasurer, Mission Growth Chairwoman (Secretary of Education), Mission Action Chairwoman (Secretary of Stewardship) and Mission Community Chairwoman. These offices may be shared according to the needs of this auxiliary and they serve on the Board.

Section 2 - Each circle shall have a Chairwoman, Mission Growth Chairwoman (Secretary of Education), Mission Action Chairwoman (Secretary of Stewardship), and Mission Community Chairwoman, and other officers according to need in order that the total program of the women of the Evangelical Lutheran Church be promoted in each circle. The Circle Chairwoman serves on the Board.

**ARTICLE VI
AMENDMENTS**

This constitution may be amended at any general meeting by a two-thirds vote of the members present and voting, provided the proposed amendment has been presented at a previous meeting.

MCLCW BYLAWS

ARTICLE I DUTIES OF OFFICERS AND BOARDS

Section 1 - Duties of Officers

1. The President shall preside at all general meetings and at the Board meetings. She shall be a member ex-officio of all committees except the nominating committee, and shall perform the duties usually pertaining to her office.
2. The Vice President shall perform the duties usually pertaining to that office.
3. The Secretary shall record and keep the minutes of all meetings and shall perform such other duties as the Board may require.
4. The Treasurer shall receive, record and compile the income and expenditures of the auxiliary, shall pay all authorized bills, and shall give periodic reports as required by the executive board. The treasurers books shall be audited yearly.
5. The Mission Growth Chairwoman shall direct the program of education in accordance with the educational program of the women of the Evangelical Lutheran Church in America with the assistance of the Mission Growth Chairwoman from each circle.
6. The Mission Action Chairwoman shall direct the program of stewardship in accordance with the stewardship program of the women of the Evangelical Lutheran Church in America with the assistance of the Mission Action Chairwoman from each circle.
7. Mission Community Chairwoman.

Section 2 - Duties of the Board

1. The Board shall be empowered to transact the necessary business between meetings of this auxiliary, and shall be responsible for the implementation of programs and policies.
2. The Board shall appoint group coordinators according to the needs of the auxiliary.
3. The Board shall meet regularly to supervise the planning and the work of the auxiliary.

MCLCW Bylaws continued

**ARTICLE II
ELECTIONS**

Section 1 - Nominating Committee

There shall be a nominating committee which shall make nominations for the officers who constitute the Board.

Section 2 - Annual Election

There shall be an annual election at the general meeting in September in which members of the executive board shall be elected and begin their term of office on February 1.

1. The term of office shall be two years and be so arranged that one half of the officers are elected each year - unless circumstances deem otherwise.
2. No officer shall be re-elected to the same office consecutively unless circumstances deem otherwise.
3. The person elected to the office of vice president shall serve the two years as follows:
 - a. The first year as Vice President
 - b. The second year as President

Section 3 - Vacated Offices

When an office is vacated before the term is expired, the general board shall appoint a replacement to serve the remainder of the term.

Section 4 - Circle Officers

Circles shall elect their own chairwoman and officers in October.

**SECTION III
MEETINGS**

Section 1 - General Meetings

There shall be at least two general meetings during the year; one in September and another in February. Other meetings and events shall be determined by the Board.

MCLCW Bylaws continued**SECTION IV
FUNDS****Section 1 - Special Funds**

Special funds such as thank offerings shall be channeled through the women of the Evangelical Lutheran Church in America and shall be allocated as designated.

Section 2 - Auxiliary and Circle Funds

The funds of the auxiliary, including the funds of each circle shall be processed through the treasurer of the auxiliary. Each circle shall retain half of its offerings for its own expenditures.

Section 3 - Disbursement of Funds

The disbursement amount of expenditures will be left to the discretion of the Board.

**ARTICLE V
AMENDMENTS**

Section 1 - The bylaws may be amended at any general meeting by a two-thirds vote of the members present and voting, provided the proposed amendment has been read at a previous meeting and is in accordance with the constitution and bylaws of the women of the Evangelical Lutheran Church in America.

Section 2 - Robert's Rules of Order shall govern all cases not provided for in the constitution and bylaws.