



**Diocese of Toronto**  
Anglican Church of Canada

**Parish  
Human Resources  
Manual  
2019**

# PARISH HUMAN RESOURCES MANUAL

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# PARISH HUMAN RESOURCES MANUAL

It is essential that the church be a place where the dignity and worth of each individual is affirmed and where the theological concepts of accountability, redemption, justice, compassion and the good stewardship of resources are lived out.

This means that:

- people are valued because they are children of God,
- ministry, both ordained and lay, is a privilege and ministers are accountable,
- expectations are clear and boundaries are honoured,
- all statutes and legislation are complied with,
- the balance between pastoral concern for an employee/minister and the good stewardship of resources is constantly monitored.

## INTRODUCTION

### **Churchwardens and the Incumbent**

While the two Churchwardens and the Incumbent are the trustees of the parish and act jointly in many human resources matters, specific human resources responsibilities are assigned to each role. Nevertheless, the Churchwardens and Incumbent must always act in consultation with each other.

- Clergy are appointees of the Diocese under the direct supervision of the Area Bishop.
- The supervision of assisting clergy is normally delegated by the Area Bishop to the Incumbent.
- The Churchwardens participate by making a recommendation to the Area Bishop for the appointment of the cleric and ensure there is adequate funding and housing.
- The Churchwardens, in consultation with the Incumbent, have hiring and firing authority of lay employees in the parish.
- The Incumbent is responsible for day-to-day supervision of lay employees. In particular circumstances, the Incumbent may delegate these supervision responsibilities to the Churchwardens.

## SECTION A

### **Clergy Human Resources Policies and Practices**

#### REMUNERATION ADMINISTRATION OF CLERGY

It is the responsibility of the Area Bishop to oversee clergy remuneration to ensure compliance with Diocesan policy and Diocesan minimum stipend levels. It is the responsibility of the parish, through the Churchwardens, to ensure adequate funding and to negotiate specific remuneration at or above the Diocesan minimum.

#### ***Clergy Remuneration Package***

The clergy remuneration package consists of:

- a stipend,
- either living accommodation or a reasonable housing allowance,
- reasonable costs for fuel, telephone and public utilities (taxable benefits),
- the benefits plan, including group insurance, dental and vision care, and extended health care,
- the Diocesan pregnancy and parental leave, and post-retirement benefits funds,
- post-retirement benefits

- short-term disability benefits
- the national continuing education, pension, and long-term disability plans,
- statutory benefits such as Canada Pension Plan and Employment Insurance.
- vacation – one month, plus a 1-week winter break per year
- Professional Development Leave – 2 weeks per year (one weekend)
- eligibility for sabbatical and education leaves after 6 years of continuous full-time service in the Diocese.

The Diocesan central payroll administers the Remuneration Package and bills the parish for the following:

- stipend,
- housing,
- utilities,
- pregnancy and parental leave fund,
- post-retirement benefits fund,
- short-term disability fund,
- continuing education fund,
- the employer's share of
  - pension,
  - long-term disability
  - group insurance,
  - dental and vision care, extended health care premium,
  - Canada Pension and Employment Insurance premium.

Travel and work-related expenses are reimbursed directly by the parish. Apart from annual step increases and/or cost of living increases, adjustments to the clergy remuneration package will only be made in the Diocesan Centralized Payroll when there is written documentation from the Area Bishop at the time of an appointment, or both Churchwardens thereafter.

### ***Who determines clergy remuneration?***

When a cleric is appointed, the Area Bishop, in consultation with the Churchwardens, determines the remuneration package including travel reimbursement. From then on, the Churchwardens should meet annually with the parish clergy to determine changes to their levels of remuneration.

### ***Stipend Levels***

Diocesan Council sets the minimum stipend scale for parish clergy based on years of service since ordination and normally adjusts it annually for the approved cost of living adjustment (inflation). The Director of Human Resources sends each parish an annual remuneration memo detailing stipend, housing and benefit adjustments.

### ***Determining the Remuneration Levels***

The annual remuneration meeting can be awkward for both the Incumbent and the Churchwardens. Here are a few suggestions that may help.

#### **STEP 1 - Adjust by Cost of Living**

- If the cleric is paid according to the minimum stipend scale, the stipend is automatically adjusted through the Diocesan Centralized Payroll.
- If the cleric is paid more than the minimum scale, adjust the present stipend level by the approved cost of living figure (Diocesan Council sets this figure annually based on the Consumer Price Index for the year ending at August).
- Notify centralized payroll of all changes to clergy remuneration.

A cost of living adjustment (COLA) is not considered a merit increase. It ensures that stipends keep pace with inflation. A cost of living adjustment is used to offset a change in the purchasing power of income. Cost of living adjustments modify future benefits, on an annual basis, to keep pace with inflation. These adjustments are linked to changes as measured by an index of movements in prices by the Consumer Price Index (CPI). As just and fair employers, the parish should apply the cost of living adjustment to lay staff compensation levels.

### **STEP 2 - Review the Housing Arrangement**

Review the present housing arrangement. If the cleric is in a rectory, assess and plan for any repairs. Since the rectory is considered part of the remuneration package for clergy, it is important that it be well maintained.

If the cleric is receiving a housing allowance, check its adequacy by asking a local realtor to give you a fair rental value for a rectory-like accommodation within your parish boundaries. Remember, it should include fuel, telephone and utilities.

Clergy Index A (Clergy Housing – Policy Statement on page 20) outlines the policies related to rectories and housing allowances. Review these policies to ensure that this aspect of the cleric's remuneration remains equitable.

### **STEP 3 - Other Factors to Consider**

Do not assume that the stipend is the total remuneration package. Make sure you take into consideration the housing, utilities and benefits.

In the secular setting compensation is designed to attract, reward, motivate and retain employees. Clergy remuneration, however, originated as a 'living', designed to free the cleric from worldly concerns. Today in the church we find these two principles intertwined.

As the Churchwardens and the cleric discuss clergy remuneration, the following questions should be considered:

- What is the standard of living at the present remuneration level?
- What not-for-profit compensation level suitably reflects the skills, talents and responsibilities needed for ministry?
- Everyone needs to know they are appreciated and valued for what they contribute; does the present remuneration level communicate this?

**Warning:** Clergy effectiveness is often very difficult to assess since ministry is often confidential and is conducted in a one-on-one setting. Also, the outward manifestations of effective ministry are difficult to measure. For example, a decrease in church attendance may reflect demographic shifts and have nothing to do with the ministry abilities of the cleric. Ordained ministry should never be considered in isolation from parish ministry. The clergy cannot accomplish what the parish is not willing to support. Keep these factors in mind and do not rely solely on intuitive feelings and subjective hearsay.

### ***Diocesan Centralized Payroll***

All clergy, including Honorary Assistants are appointed by the Bishop. Stipendiary clergy, including Incumbents, Associate Priests, Assistant Curates and Priests-in-Charge are paid through the Diocesan Centralized Payroll. The parish is billed for the full cost of their cleric's remuneration package.

Appointments of retired clergy, appointments that are less than ½ time and less than 12 months, and any appointment remunerated by units will be paid directly by the parish. If an honorarium is given to Honorary Assistants, it is done so directly by the parish. The parish is responsible for ensuring that statutory deductions are made.

## ***Additional Employment***

Priests in full-time ministry in the Diocese, who wish to hold an extra remunerative position, must secure permission of and report this position to the Area Bishop. This applies to clergy leading tours; unless such tours are undertaken during the cleric's annual holiday, but if not, the Area Bishop's permission must be obtained.

## ***Travel Expenses***

The cost of operating a car is subject to fluctuations in operating costs, primarily fuel. The Diocese regularly reviews the travel reimbursement rate for diocesan volunteers and staff by considering the policies of other dioceses, comparable not-for-profit organizations, and the Canada Revenue Agency guidelines.

It is the responsibility of the Churchwardens and clergy to set an appropriate travel reimbursement rate for ministry-related travel for parish travel. Parish circumstances differ significantly throughout the Diocese, whether it is rural, multi-point or urban. These circumstances can mean a difference in reimbursement amounts. The rate should never be lower than the rate set by the Diocesan Council which is currently 52 cents per kilometer for the first 5,000 km and 46 cents per km thereafter (as of 2012).

Travel between home and church is not eligible for reimbursement. A log must be kept for all church related travel and include addresses at the beginning and end of the trip, the total kilometers, and the reason for travel. Expense claim forms must include the same information or have attached a photocopy of the relevant pages of the travel log. Expense claims should be submitted at the end of the month in which they were incurred, or in accordance with established parish policy.

There are tax implications if the reimbursement rate exceeds what is deemed reasonable by the Canada Revenue Agency. If the amount exceeds that rate, the allowance will be deemed a taxable benefit. The following information from the Canadian Council of Christian Charities provides guidance on what is reasonable:

The CRA introduced an administrative policy in the late 1980's for reimbursements paid to employees for the use of their personal automobiles. CRA prescribes the following rates as reasonable for 2017:

- 54 cents per km for the first 5,000 kms a year.
- 48 cents per km for any excess.

If a higher travel allowance is paid, the amount must be included in one's report of taxable income. In turn the individual may then be able to claim automobile expenses by filing Form T2200, which may be obtained from the Diocesan payroll office. (Call 416-363-6021/long-distance, 1-800-668-8932, ext. 239.)

## ***Benefits Package***

Clergy with stipendiary appointments and their family members participate in a mandatory benefit plan. Some benefits may include compulsory employee participation and employee contributions at levels determined by the Diocese. The Diocese regularly reviews the Benefit Plan, as well as its insurance carriers, and accordingly, reserves the right to both amend the Benefit Plan and change its carriers, where appropriate, without further notice to the plan members.

## ***General Synod Pension Plan***

Clergy with stipendiary appointments are enrolled in the General Synod Pension Plan of the Anglican Church of Canada. This is a multi-employer defined benefit plan and is in addition to the Canada Pension Plan. In the Diocese of Toronto contributions are based on 150% of stipend. For more information regarding the pension plan contact the Pension Office at 416-960-2484.

### ***Short-Term Disability Plan***

Short-term disability benefits are available for clergy who participate in the Diocesan Pension and Benefits and who also qualify for the long-term disability plan of the Anglican Church of Canada. During a short-term disability leave, the parish will provide financial support to the cleric for up to 119 days. The cleric's stipend, benefits and housing arrangements continue unchanged during sick leave and short-term disability (119 days)

During this time, the parish may make application for reimbursement for supply clergy costs (excluding travel) from the Short-Term Disability Leave Fund. The reimbursement forms will be included in the application for Short-Term Disability benefits sent to the cleric, or can be obtained by contacting the Human Resources department. Reimbursement will not be made until the short-term disability has been approved. (See Short-Term Disability Benefit for Parishes on page 12 for more information).

### ***Long-Term Disability Plan***

Clergy with stipendiary appointments are also enrolled in the national long-term disability plan of the Anglican Church of Canada. In the Anglican Diocese of Toronto contributions are based on 150% of stipend.

### ***Pregnancy and Parental Leave Fund***

The Pregnancy and Parental Leave policy provides for a top-up benefit to 100% of salary for a maximum of 27 weeks. Parishes contribute to this fund at a rate of 0.3% of stipend. For the full policy and eligibility requirements please see page 12.

### ***Post-Retirement Benefits Fund***

As part of a plan to ensure future viability of post-retirement benefits, Diocesan Council has approved the creation of a segregated fund – money to be set aside to pay the Diocesan portion of the total premium cost in the future. Parishes contribute a premium of 3.75% of stipend as a payroll tax to this fund.

### ***Clergy/Employee Assistance Program (EAP)***

The Diocese of Toronto subscribes to an Employee Assistance Plan that provides free, absolutely confidential, short-term counselling, advisory and information services to the clergy and their eligible family members (e.g., spouse and dependent children under 18 or still attending school). Cost of providing the service is paid by the Diocese.

Your use of the service is not reported to anyone, including the Bishops and Churchwardens, without your informed, voluntary and written consent.

The plan provides confidential professional assistance for:

- stress management, depression, bereavement
- career and work-related issues
- crisis counselling, trauma/critical incident
- financial concerns
- retirement
- alcohol/drug addictions (including smoking)
- fitness and nutrition
- marital and family relationships, family matters
- childcare issues and parenting, expectant and new parents
- school age decisions, youthline
- homecare challenges, eldercare issues
- other concerns

24-hour telephone access: Toll Free number: 1-800-387-4765, TDD (for hearing impaired): 1-877-338-0275



## VACATION

### ***Annual Vacation - Maximum: 1 month***

- a) The parish must grant the clergy one month paid vacation annually and will cover the expenses for supply clergy or lay readers.
- b) The annual vacation entitlement is based on the number of months employed from July 1st of the previous year to June 30th of the current year. Requests for vacation must be given 4 weeks in advance.
- c) c) Vacations must be taken annually. It is generally understood that vacation should be taken during the summer months. Vacation time cannot be accumulated from year to year. Clergy ordained and beginning their first appointment with the Diocese of Toronto between January 1st and March 31st will receive two (2) weeks' vacation in the first year; those ordained and appointed between April 1st and June 30th will receive one (1) week vacation in that first year; clergy ordained and appointed after July 1st will receive no vacation entitlement during the calendar year in which they commenced their first appointment with the Diocese.
- d) Prior to the conclusion of a cleric's appointment, it is the responsibility of the Churchwardens to ensure that all accrued and unused vacation is taken. If vacation is not taken, additional costs to the parish may result.

### ***Winter Break – Maximum: 1 week***

The intent is to provide time off for parish clergy who, due to the number of services and demands at Christmas and Easter, are unable to take time off during the holidays. To obtain the maximum time off, the individual must have been appointed during both the Christmas and Easter periods. Winter breaks shall be scheduled in consultation with the Churchwardens but shall not be taken during Holy Week.

## REMUNERATION FOR SUNDAY SUPPLY AND OTHER PART-TIME CLERGY

To ensure equitable remuneration of part-time clergy, the Diocese has devised a system of units of work. A 'Unit' is a morning, an afternoon or an evening. The rate is adjusted annually by the same cost-of-living percentage as the clergy minimum stipend scale. Reasonable reimbursement of travel expenses should be provided if the appointment includes travelling and visiting. Travel does not include commuting between church and home. Travel expenses will be reimbursed in accordance with current Diocesan policy.

The **Annual Clergy Remuneration Information Memo** contains information regarding minimum stipends, unit rates, benefits, deductions, travel rates, and statistical comparisons. This document is available to the Churchwardens, Treasurers, and clergy every November and is found on the Diocesan web site ([www.toronto.anglican.ca/churchwarden-resources/clergy-remuneration](http://www.toronto.anglican.ca/churchwarden-resources/clergy-remuneration)).

### ***Sunday Supply***

If the services for the day require a sermon, a unit is required for preparation plus a unit for delivery. If a second sermon with a different set of lections is required, or the time required is significantly more than three hours, an additional unit must be paid.

*Examples:*

- Service(s) with no sermon \* 1 unit
- Service(s) with the same sermon 2 units
- More than one service with different sermons 3 units

\* An early morning said Eucharist alone does not normally qualify for 1 full unit.

### ***Honorary Assistants***

Honorary Assistants are appointed by the Area Bishop on the recommendation of the Incumbent. Their duties may include assisting at services, pastoral visiting and leading study groups. Allow preparation time for the sermon or the study group as well as for other 'hidden' work.

Prior to the appointment of an Honorary Assistant there should be agreement on the number of units to be worked. It should be understood that an annual evaluation of the ministry will take place prior to the annual vestry meeting and that the contract may then be renewed or not. If the parish is providing an honorarium to the Honorary Assistant, statutory government deductions may be required.

### ***Interim Priest-in-Charge***

The duties of an Interim Priest will be determined at the time of appointment and may range from one Sunday Service up to full-time. If the appointment is for a set number of units, please note that the reimbursement at the unit rate has been calculated to compensate for the fact that benefits are not paid. If more time is required, the Area Bishop will negotiate reimbursement, apportioned to the time that is being worked. Statutory government deductions may be required.

### ***Lay Readers and Theological Students***

If a Lay Reader or Theological Student is providing Sunday supply coverage for a priest-in-charge or incumbent, they are to be paid at the current clerical unit rate.

### **CLERGY MOVES**

It is the responsibility of the parish to pay for a move within the Diocese and make the necessary moving arrangements for the newly appointed priest. The Diocese will reimburse the parish for up to \$1,500 of the moving costs. The individual who is moving, and the Churchwardens of the parish to which he or she is moving, should negotiate a general agreement about the moving costs. This policy also applies to curates entering a first appointment. Clergy leaving on retirement are entitled to \$1,500 reimbursement from the Diocese.

Moving costs from outside the Diocese are to be negotiated by the cleric, the Area Bishop and the Churchwardens.

### **RETURN OF FORMER INCUMBENTS**

Before a new Incumbent takes up their position, the former priest may return for weddings, funerals etc., if requested and with the concurrence of the Priest-in-Charge and /or Area Bishop. Once the Incumbent starts, former clergy may be invited back only by the Incumbent. The Incumbent, by their induction vows, has the responsibility and the right to be in charge over all the church's ministrations within the parish. It is inappropriate for parishioners to request the ministry of a former Incumbent in place of the present one. As your appointment comes to an end, please read "[Leaving your Current Appointment](#)" on the Diocesan website, which includes best practices and information during the transition period.

## Clergy Leaves of Absence

The following guidelines may be used in the interpretation and application of Canon 10, Section 12.

It is the policy of the Diocese of Toronto to permit clergy to take a leave of absence from their area of responsibility, provided suitable alternative arrangements can be made to continue the activities of the parish. No leave of absence shall be granted for longer than two (2) years duration except for those elected to provincial or federal governments. Leave of absence may be renewed by the Bishop upon receipt of a letter of application.

### ELIGIBILITY

Clergy are eligible after completion of one year of full-time service in the Diocese except as otherwise required by law or specified under the specific type of leave.

### APPROVAL

- Parish clergy requests for leave of absence require concurrence of the Churchwardens and approval of their Area Bishop.
- Diocesan Centre clergy require the approval of the Bishop of the Diocese.

Requests will be granted provided that:

- a) Absence of the individual during the period in question will not be of significant detriment to the efficient operation of the parish or Diocesan service.
- b) The reason for the leave of absence is warranted.

### REQUEST PROCESS

This process is to facilitate good communication and provide the best support possible when requesting leaves of absence. A request for absence is made by the cleric within the time frame specified under each type of leave and will specify the amount of time being requested.

A status of request is confirmed to the cleric within 2 business days by the Bishop. If the absence request is denied, reasons must be clearly stated in writing, and the Bishop must speak with the cleric directly.

### EFFECT OF ABSENCE ON:

#### ***Remuneration***

As a general rule, a leave of absence shall be without remuneration, housing or travel allowance, except as provided for under the specific type of leave of absence. Full or partial stipend, housing and/or travel allowance may be granted after consultation with the Area Bishop. As a general, rule payments of grants or allowances will be the responsibility of the salary paying source.

#### ***General Synod Pension Plan***

The individual remains a member of the General Synod Pension Plan during the period of leave of absence subject to the following provisions:

- a) If the individual received remuneration during a leave of absence, the relative contributions of the individual and the parish shall continue to be made during the period of absence and such an individual shall be and remain entitled to all benefits provided under the plan.
- b) If an individual does not receive pay during a leave of absence, contributions shall cease for the period of such leave of absence unless otherwise arranged between the Diocesan Director of Finance and the

individual. If contributions are discontinued during such leave of absence, the period thereof shall be excluded in determining the relative benefits conferred by this plan. Upon returning to work, the contributions of the individual and of the parish shall be resumed.

### ***Medical and Insurance Plans***

Arrangements to continue these plans must be made prior to commencement of leave of absence.

### ***Vacation***

Leave of absence in no way affects an individual's vacation entitlement.

### **RETURN**

Individuals must return to their appointment on the day scheduled – failure to do so may lead to corrective action, up to and including termination of appointment. Individuals returning from pregnancy or parental leave must provide one month's notice before the end of the leave.

Every effort will be made to arrange for an individual granted leave of absence to return to a position comparable to the position held prior to taking the leave. If medical information indicates the individual is fit to work on a part-time basis for rehabilitation purposes the individual will be entitled, on a temporary basis, to a combination of part-time and Disability remuneration to a maximum of 100% of the pre-disability gross remuneration as per the rules governing the Long-Term Disability Plan.

**Replacement:** The Bishop may fill, on a temporary basis, a position vacated by an individual on leave.

### **REASONS FOR GRANTING**

The following reasons are considered to warrant leave of absence.

- Illness (includes sick leave, short and long-term disability)
- Compassionate Leave
- Pregnancy and Parental Leave
- Professional Development Leave
- Sabbatical Leave
- Jury Duty/ Court Witness
- Extended Vacation
- Participation in Political Process
- Other

### ***Illness Leave***

The Diocesan Sick Leave Policy for clergy ensures financial support when they are unable to perform their responsibilities as a result of injury or illness. The Area Bishop may arrange for a temporary appointment to the parish and will consider appropriate action to assist clerics, such as appointing Assistant Curates, Assistant Priests and/or Vocational Deacons. Clergy should inform their Churchwardens if they require sick leave. Absences of 5 consecutive days may require a doctor's certificate. Please see the Diocese of Toronto Sick Benefits Policy (Clergy Index B on page 23) for the full details about these types of leaves. Individuals of more than three months are eligible for the benefits below.

### **Short-Term Disability**

The Area Bishop must be informed immediately if the illness of a cleric is expected to result in absence from duties for a week or more. The parish will provide support for up to 119 days, in consultation with the Area Bishop, following appropriate medical documentation. The cleric's stipend, benefits and housing

arrangements continue unchanged during sick leave and short-term disability (119 days). Short-term disability forms will be completed after 5 consecutive days of illness/disability.

### **Short-Term Disability Benefit for Parishes**

There is a fund to provide a benefit to parishes that have a cleric on a short-term disability leave. Under the fund, each parish will make a payroll contribution of \$6 per month for every cleric who participates in the Diocesan pension and benefits plans. The fund provides the parish with a benefit to assist with supply clergy costs during the short-term disability leave by reimbursing the parish for the incurred costs to a maximum amount of \$580 per week.

### **Long-Term Disability**

Benefits cover absences of over 119 days, again with appropriate medical documentation, and are provided through the Long-Term Disability plan administered by the National Pension Office (Phone 416-960-2484). Long Term Disability forms from the General Synod Pension Plan will be completed no later than 6 weeks before eligibility for LTD is to commence.

### **Absenteeism**

Should the frequency, regularity or length of absence suggest misuse of this policy, the Area Bishop will implement performance management procedures immediately. The Diocese cares about individuals who are ill or injured, but abuse of the sick leave policy will not be tolerated. Doctor's certificates may be requested at any time.

## ***Compassionate Leave***

A compassionate leave with or without full remuneration may be granted for compassionate reasons, including personal emergencies and bereavement. Remuneration will not normally continue during compassionate leave, but is at the discretion of the Area Bishop. The Area Bishop may request evidence that is reasonable in the circumstances to support the leave. Individuals must inform the Area Bishop of the reason for and the length of the leave being requested as soon as possible. The Area Bishop will document the leave and place it in the individual's file.

## ***Diocesan Pregnancy and Parental Leave Policy***

### **Glossary of Terms for the purposes of this policy**

<b>Insurable Earnings:</b>	The income amount which is insured through the Employment Insurance program. In 2018 this is a maximum of \$51,700 per year.
<b>Salary:</b>	An employee's income as reported on their annual T4 slip. For clergy, this includes both the stipend and housing amount.
<b>Housing Amount:</b>	A portion of clergy remuneration provided in either the form of a cash housing allowance, or a parish-provided house (rectory). To calculate the cash value of the rectory, the fair rental value provided by the parish is used.
<b>Pregnancy Leave:</b>	The first leave period (17 weeks) accessible only to a parent who is pregnant and gives birth.
<b>Parental Leave:</b>	The second leave period (35 weeks) for those who become new parents through birth or adoption.
<b>Employee:</b>	An employee or office holder (clergy) whose remuneration is administered through the centralized payroll of the Incorporated Synod of the Diocese of Toronto.
<b>Supervisor:</b>	The position which provides oversight and ensures accountability. For clergy, the Area Bishop is the supervisor. For Diocesan Centre staff, the Executive Director and the Directors are the supervisors for the purposes of this policy.
<b>Service</b>	Qualifying service in the Anglican Diocese of Toronto for:

Diocesan Staff is 12 full months of employment with the Incorporated Synod of the Diocese of Toronto.

Clergy is 12 full months' consecutive service in the previous 24 months in the Anglican Church, or a Church in Communion.

### **Length of Leaves**

Employees must have been employed for at least 13 weeks to qualify for a pregnancy and/or parental leave.

**Pregnancy leave:** In compliance with the Ontario Employment Standards Act, pregnant employees are entitled to an unpaid pregnancy leave for an absence of 17 weeks. The pregnancy leave may commence 17 weeks before the expected due date at the earliest, and the day after delivery at the latest. A shorter leave of absence may be requested, but requires a medical certificate.

**Parental leave:** Employees are entitled to unpaid parental leave of 35 weeks following the birth or adoption of a child. In the case of a birth, the parental leave must immediately follow the pregnancy leave.

### **Diocesan Supplementary Benefits:**

The Diocese of Toronto provides a supplementary benefit plan in addition to the E.I. benefits that you can receive. This benefit is only available to those who qualify for and are in receipt of the E.I. Pregnancy and Parental Benefits. These Supplementary Benefits are as follows:

- 100% of salary during the 1-week E.I. waiting period (during which no E.I. benefits are paid to either parent);
- a top-up to 100% of salary during the 16-week period that E.I. Pregnancy Benefits are paid;
- a top-up to 100% of salary during the first 10-week period that E.I. Parental Benefits are paid;
- the employer's share of the pension and benefits costs during the leave.

The maximum of 27 weeks of supplementary benefits can be received by one parent or split between the two, if both parents are eligible.

### **Diocesan Application Process:**

Employees that meet the qualifications for an unpaid leave, will be granted a leave for a maximum of 52 weeks in accordance with the Employment Standards Act. To qualify for Diocesan Supplementary Benefits the employee must be a current diocesan employee, have at least one year's service, and be eligible for E.I. benefits. Employees are expected to give at least 12 weeks written notice to their supervisor indicating the commencement and ending dates of the leave period to ensure appropriate coverage during their absence.

For pregnancy leave, a medical certificate in either of the following forms must be obtained:

- a letter from the doctor giving the expected date of birth;
- a copy of the completed medical certificate from the EI "Claim Kit" (obtainable from the local Service Canada Office)

The Employee Assistance Program (offered through Morneau Shepell 1-800-387-4765) offers a package of forms and information for employees taking a pregnancy or parental leave. The Diocese of Toronto recommends that all employees taking this leave contact the EAP and request this package.

### **Employment Insurance Benefits:**

Employment Insurance Pregnancy/Parental Benefits (of 55% of insurable earnings after 1 week) are available, if premiums have been paid for at least 600 hours in the 52 weeks before the week leave commences. Parental Benefits can be collected by natural and adoptive parents caring for a newborn or adopted child.

Apply to the local Service Canada Office. Applications can be made as early as 28 days before the start of the leave, and for pregnancy leave as late as the week of the actual or estimated birth. Late applications will result in a loss of benefits.

### Application of Policy

The supplementary benefits will be paid through a central payroll tax administered at the Diocese of Toronto. The payroll tax paid by the salary source is determined at 0.3% of salary. The salary amount used for clergy will be 1.5 times stipend, to include the housing portion of salary.

**Pension and Benefits:** Subject to the terms and conditions of the applicable plan policies, Pension, Long Term Disability, Extended Health Care, Dental, Vision Care, Group Insurance, and Continuing Education contributions will continue during the leave. The employee can choose one of three options before the leave commences: A) continue pension contributions at pre-leave salary amount for the entire period of leave, B) continue pension contributions only on the supplementary benefits salary for the entire period of leave, or C) make no pension contributions during the leave. Prepayment of the employee portion of the premiums by post-dated cheque will be organized prior to the commencement of the leave.

**Housing:** The calculation of benefits is based on the employee's salary (stipend and housing). During the portion of the leave eligible for the Diocesan Supplementary Benefit there is no effect on the cleric's housing portion of their salary.

If the parish provides a rectory, the parish will receive the fair-rental value of that rectory during the Supplementary Benefit period. During the portion of the leave where the employee only receives E.I. benefits and lives in a rectory, the E.I. benefits may be reduced by the full weekly value of the rectory. This is because the rectory is a portion of the employee's salary and insurable earnings. Therefore, depending on the cleric's salary level, it is possible that these employees may not receive further E.I. benefits. Before the Pregnancy/Parental Leave commences, it is the employee's responsibility to be in contact with both Service Canada and the Diocesan Centralized Payroll office to determine the amount of eligible benefits from each source, each week.

**Vacation:** All accrued, unused vacation must be taken prior to the start of the leave.

**Synod Status:** Employees on a Pregnancy/Parental leave will be considered "On Leave"; however, they will maintain their normal Synod voting status and privileges.

### Return to Work:

The employee is expected to return to work following the leave. If the employee does not wish to return to the appointment, they must give a minimum of one month's written notice before the end of the leave. An employee not wishing to return to the previous appointment will be deemed to have resigned.

### What can I expect to be paid?

Normally, diocesan salary is calculated monthly (12 pay cycles), however during this type of leave it will be calculated weekly (52 pay cycles) and issued monthly.

### **Example 1: Cash Housing Allowance**

By way of example, if you are taking a full pregnancy and parental leave with a total salary is \$60,000 (stipend of \$40,000 and a cash housing of \$20,000) the following is how the weekly payments would be determined without mandatory deductions. This is a salary of \$1,153.85 per week.

	<b>Source of Funding</b>	<b>Employee Receives</b>
<b>Week 1</b>	Diocesan Fund	\$1,153.85
<b>Weeks 2-17</b>	Diocesan Fund	\$616.85
	Employment Insurance	\$537.00
<b>Weeks 18-27</b>	Diocesan Fund	\$616.85
	Employment Insurance	\$537.00
<b>Weeks 28-51</b>	Employment Insurance	\$537.00

### Example 2: Living in a Rectory

By way of example, if you are taking a full pregnancy and parental leave with a total salary is \$60,000 (stipend of \$40,000 and a fair rental value of \$20,000) the following is how the weekly payments would be determined without mandatory deductions. This is \$1,153.85 per week (\$769.23 stipend, and \$384.62 housing).

	Source of Funding	Employee Receives	Parish Receives
<b>Weeks 1-2</b>	Diocesan Fund	\$769.23	\$384.62
<b>Weeks 3-17</b>	Diocesan Fund	\$232.23	\$384.62
	Employment Insurance	\$537.00	
<b>Weeks 18-27</b>	Diocesan Fund	\$232.23	\$384.62
	Employment Insurance	\$537.00	
<b>Weeks 28-52</b>	Employment Insurance	\$152.38 (reduced by housing value)	

### Example 3: Cash Housing Allowance – Parental Leave Only

By way of example, if you are only taking a parental leave with a total salary is \$60,000 (stipend of \$40,000 and a cash housing of \$20,000) the following is how the weekly payments would be determined without mandatory deductions. This is a salary of \$1,153.85 per week.

	Source of Funding	Employee Receives
<b>Week 1</b>	Diocesan Fund	\$1,153.85
<b>Weeks 2-10</b>	Diocesan Fund	\$616.85
	Employment Insurance	\$537.00
<b>Weeks 11-35</b>	Employment Insurance	\$537.00
<b>Week 36</b>	<b>None</b>	<b>Nil</b>

## *Professional Development*

Through the action of Synod, the Diocese of Toronto has established a process to assist the clerical and lay members of the plan to develop their professional skills. This assistance is in the form of financial grants and leaves of absence.

Clergy are entitled to two weeks (one weekend) paid leave of absence annually to enable them to undertake professional development. Such leaves of absence are in addition to the annual vacation. Normally, the Momentum program constitutes this study leave for the first two years after ordination.

Key to a vibrant Anglican organization is the ability to effectively equip ordained and lay leaders to meet the demands for ministry in ways that effectively respond to the rapid changes taking place in society and the world and their impact on ministry. Our goal as a Diocese is to create a culture in which professional lay and ordained leaders together build a commitment to lifelong learning and renewal in ministry.

There are two accounts to draw from:

#### **1. The National Individual Account**

The National Individual Account is administered through the Pension Office, who can be contacted for more information about the plan or details on an account.

- a) Each account holder in the plan has a personal account to which the parish or salary paying source contributes \$450 annually.



- b) Each participant in the Continuing Education Plan may accumulate funds in their individual account to a maximum amount (set by the Plan). Funds not used after this amount has been reached are directed to the general assistance account.
- c) Participants in the plan may use money from their individual accounts for a wide variety of programs, courses, events, retreats, degrees, career assessment, conferences, conventions, tapes, software, books, magazine subscriptions, and resources that will contribute to their effectiveness in ministry.
- d) Reimbursements for eligible expenses will be 75% of the cost incurred.
- e) When participants cease to be on the Diocesan centralized payroll, the participant's account will be frozen for a period of two years. If the participant returns to active ministry (paid through Diocesan centralized payroll) within two years their account will be reinstated at the level it was when the individual ceased participation. If the individual resumes participation more than two years after the account was frozen, a new account will be established.
- f) Participants who retire are not eligible to make claims under the Plan, unless they continue to be paid through Diocesan centralized payroll.

## 2. The Diocesan General Assistance Account.

The General Assistance Account is administered through the Professional Development Grant Committee, who can be contacted through the Diocesan Human Resources office.

- a) Additional funds are available in limited amounts to supplement individual accounts, or to enable participants to take programs that could not be funded by individual accounts. Such assistance is awarded by the Professional Development Grant Committee.
- b) Application forms are available from the Human Resources Coordinator and must be submitted for review on or before March 15, June 15, October 15, and December 15.
- c) Funds are payable in Canadian dollars only and will be payable only to the member; they will not be forwarded to a third party.

## *Sabbatical Leave*

The term "sabbatical" can be a word that evokes various interpretations. For some it is associated with the academic word, while for others, it simply means time off. It may or may not involve hard work and productivity.

The Diocese of Toronto recognizes two broad classifications of sabbatical leave. The first, referred to as "**Educational Leave of Absence**" is primarily concerned with a period of time (usually one year) focusing on a major study or educational component. The second category is referred to as "**Sabbath Leave**" and is primarily concerned with a shorter period of time (usually three months) focusing on the rest and refreshment of the individual.

### *Educational Leave of Absence*

The understanding of this is a period of time where the individual may be enrolled as a full-time student at an accredited university or college, in order to complete previous studies or undertake new learning. During this period, the individual must resign from their position and go "on leave". Upon completion of the educational leave of absence, an accounting of the leave's content and new learning will be expected.

The concept of educational leave of absence has its roots in scripture. Study time was exercised by the teachers of the Law and our Lord was found to be in the temple listening to the teachers. Because study was an integral part of the ministry of the disciples, periods of extended study time may be necessary in a vocation that seeks to continue the teaching ministry of Christ and the disciples.

There are 4 types of educational leave.

#### 1. **Post-Secondary/Undergraduate Courses**

Leave of absence, up to two (2) school years may be granted to an individual for the purpose of returning to university to continue their education. Leave may be once renewed for a period not exceeding a further two (2) years. Variations in the above policy may be considered to meet semester requirements, the total leave of absence time not to exceed four (4) school years.

## **2. Graduate Courses**

Leave of absence may be granted to an individual to complete a graduate degree.

- a) Each request will be considered on its individual merits.
- b) The leave of absence may not exceed two (2) years.

## **3. Short Courses**

Individuals may apply for leave of absence to take courses either of their own choosing or upon the request of the Diocese.

## **4. Subsidies for Courses**

Where subsidies are available, payment is based on consideration of the following factors:

- Courses taken at the direction of the Diocese - up to 100%
- Courses requested by clergy and clearly related to their work - up to 75%
- Other courses - up to 50%

Successful completion of the course, or full attendance, is applicable.

## **Sabbath Leave**

The understanding of this time is a combination of rest, travel and study. The time away from the usual work surroundings and routine can be used in a variety of ways to meet individual needs and as such the Sabbath leave allows for a fair degree of flexibility. Sabbath Leave is a parish (salary paying source) paid leave that is granted with the Churchwardens and Area Bishop's approval.

The concept of Sabbath leave also has its roots in scripture. Sabbath time and Sabbath day are about periods of rest, refreshment and renewal. Because the Sabbath was an integral part of the process of creation, not an afterthought, periods of Sabbath time, which vary in length, are necessary in a vocation that seeks to continue the creating work of God.

## **Procedure for Sabbatical Leave**

### **1. Eligibility and Granting**

- a) All clergy on the Bishop's List who have been in a full-time Diocesan appointment for six continuous years may, in consultation with their Area Bishop and Churchwardens, be considered for either type of sabbatical leave.
- b) As a general rule, not more than two Sabbath leaves from each Episcopal Area shall be granted at the same time.

### **2. Duration**

- a) The educational leave of absence is usually granted for a period of six to twelve months.
- b) The Sabbath leave is usually granted for a period of three months.
- c) Professional development time cannot be added to the duration of either leave.
- d) Annual holiday time may be added to the duration of the leave, if the leave is taken during the summer period.

### **3. Funding**

Partial financial assistance for the educational component of all leaves may be available from the Continuing Educational Plan of the National Church. Applications for grants from the General Assistance Fund are available from the Diocese. Parishes may wish to make a financial contribution to the leave.

#### 4. Return

- a) For educational leave of absence, every effort will be made to arrange, in consultation with the Area Bishop, for the individual granted leave to return to an appropriate position.
- b) Upon return from educational leave of absence, the individual reports to the Area Bishop who granted the leave.
- c) For Sabbath leave, it is expected the individual granted leave will return to their same position and remain in this position for a period of not less than one year.

#### 5. Application

- a) Written application to the Area Bishop about a proposed educational leave of absence/Sabbath leave must be made at least six months prior to the leave taking place.
- b) The letter of application to the Area Bishop will include a supporting letter from the Churchwardens of the applicant's parish (or equivalent group if the applicant is not in a parish); for Sabbath leaves, the letter from the Churchwardens should provide details concerning the parish's ministry coverage and financial arrangements agreed to for the duration of the leave.
- c) The letter of application will outline the sabbatical program proposed. This outline will include the following:
  - full description of the proposed leave including places of study and intended courses,
  - personal goals for taking the leave,
  - procedures for supervision and reporting of the progress of the leave,
  - if there is to be an evaluation of the work, how such will be accomplished,
  - the relationship of this program to future ministry in the church.
- d) The Area Bishop may appoint a consultant to assist the applicant and the salary paying source in the planning and successful implementation of the sabbatical leave.
- e) The arrangements for supply to replace the applicant during the leave shall be made according to the mutual consent of the applicant, salary paying source and the Area Bishop.

#### 6. Salary and Benefits

##### ***a) Educational Leave of Absence***

- i) As a general rule, the leave will be without stipend, travel allowance, housing or housing allowance.
- ii) During the leave, pension and long-term disability contributions may continue, as will the extended health care, dental care, vision care, and group insurance. The cleric's contributory portion of the premiums will be deducted before the leave commences.

##### ***b) Sabbath Leave***

- i) The parish or the employer of a non-parochial cleric will continue to pay full stipend, including all benefits (extended health care, dental plan, vision care, group insurance, and pension contributions) except travel allowance.
- ii) The salary paying source is encouraged to establish a fund to meet the cost of clergy replacement during the period of Sabbath leave.
- iii) The salary paying source will pay replacement clergy and/or lay readers according to the Diocesan guidelines in effect at the time of the Sabbath leave.

### ***Jury Duty/Court Witness***

The Diocese recognizes that jury duty is a responsibility of citizenship and hopes that clergy called will respond willingly. Arrange for time off with your Area Bishop as soon as you become aware of the circumstances and give them a copy of the notification form. Normal remuneration will be paid in your

absence, subject to adjustment for fees received for duty lasting longer than 1 week. This does not apply if the cleric is a plaintiff or defendant in a court action.

### ***Extended Vacation***

Additional unpaid time off (leave of absence) may be granted after all normal vacation entitlement has been used.

### ***Participation in Political Office***

See "Clergy Active in Politics" policy in the Liturgical Standards and Resources Manual ([www.toronto.anglican.ca/liturgical-standards-and-resources](http://www.toronto.anglican.ca/liturgical-standards-and-resources)).

### ***Other***

Other reasons for a leave of absence may also be considered at the discretion of the Area Bishop. However, these leaves will be without remuneration unless stated otherwise on pages 10-19.

# Clergy Index - A

## INDEX: A Clergy Housing - Policy Statement

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### Background

In the secular setting, remuneration arrangements are designed to attract, reward, motivate and retain employees. They positively affirm job requirements such as accountability, competence, and expertise.

Clergy remuneration originated as a 'living', designed to free the cleric from worldly concerns. It affirmed the vocational nature of the office, the expectation that the cleric is always 'on the job'. It reflected the historical tradition within the church wherein the institution took on the responsibility for providing for a priest's worldly needs, such as they were recognized by the church.

In today's Anglican Church, the two concepts of remuneration are simultaneously at play. Clergy remuneration is often compared to salaries for those in other professions carrying out similar work with similar educational and professional training. Clergy remuneration is also considered in the context of what it means for a particular cleric (and family) to live and work in a particular parish setting.

The "housing" component is an important component of clergy remuneration. It was originally provided through the parish rectory, thus allowing the cleric to move from place to place without having to care about acquiring and disposing of, their own house, or without having to find a place to rent suitably close to the church itself. This is not an insignificant matter.

From the congregation's perspective, the rectory provided a more or less predictable component of the remuneration package and gave the congregation the peace of mind that the cleric would live close at hand for pastoral care and for engaging the local community.

Against that historical backdrop, the world has changed. Home ownership in Canada has increased significantly over the last 40 years and home equity is often a key component of a person's financial plan and retirement savings. Also, the percentage of couples and families with two income earners has grown over the same time period. More and more, the cleric's family and spouse have decided views on their home situation that do not include living in a rectory.

### Clergy Remuneration Policy – Housing Component

- (i) Incumbents. The Diocese of Toronto's clergy remuneration policy requires the parish to provide a rectory in respect of the housing component of the cleric's remuneration where the cleric is holding the office of Incumbent. The rectory so provided must conform to the standards set by the Diocese as described below (see Rectory Policy); and the Churchwardens are charged with the responsibility of ensuring that the rectory property is well-maintained at all times. In addition, the Churchwardens shall provide for payment of the utilities and local telephone service in the annual budget of the vestry.

Notwithstanding the requirement for the parish to provide a rectory, the Diocese of Toronto recognizes the Incumbent's option to decide whether they choose to live in a rectory or not. In those situations where the cleric does not choose to occupy a rectory, this will be discussed and agreed upon to the mutual satisfaction of the cleric and the Churchwardens in consultation with the Area Bishop prior to the appointment of the cleric to the parish. If the cleric is living in a rectory and, during the term of their appointment, wants to move out of the rectory, preferring instead to receive a housing allowance, this change must be discussed and agreed upon to the mutual satisfaction of the cleric and Churchwardens in consultation with the Area Bishop. In these situations, the parish will provide the cleric with a housing allowance which meets the standards set by the Diocese, as described below (see Housing Allowance Policy).

- (ii) Other clerical appointments. The Diocese of Toronto's clergy remuneration policy does not require a clergy house to be provided for parish clergy other than the Incumbent. For other clergy appointed to parish ministry, the parish is obligated to provide the cleric with a housing allowance which meets the standards set by the Diocese, as described below (see Housing Allowance Policy). Should the parish have one or more clergy houses, in addition to the rectory, then the cleric has the right to choose to live in the clergy house or not. As in the case of an Incumbent, this decision should be discussed and agreed upon to the mutual satisfaction of the cleric and Churchwardens, either prior to the appointment or, at a later date, should the cleric wish to change the housing arrangement.

### **Rectory Policy**

1. The rectory may be on the church site or not. The rectory should preferably be situated within five kilometres of the parish boundaries. The specific location of the rectory shall be determined by the Vestry, subject to the approval of the Area Bishop. Purchase of a rectory requires approval by Vestry and the Diocesan Council in accordance with Canon 6.
2. The expectations against which a rectory shall be compared in order to determine compliance with this policy are the following:
  - a. the rectory shall preferably be a fully detached, single dwelling home;
  - b. it will have a minimum of three bedrooms, all of which are above grade;
  - c. there must be space for a study/office area;
  - d. if the primary parish office space is located in the rectory, suitable office space must be available separate from the living space, and shall be accessible for all people;
  - e. there shall be at least one full (four-piece) bathroom, as well as a second bathroom on the main floor;
  - f. the rectory is to be equipped with air conditioning, standard appliances (refrigerator, stove, dishwasher, microwave, washing machine, dryer) and window coverings.
3. Electrical, plumbing, heating and fire protection systems shall conform to current municipal standards, and the Ontario Building Code; and shall be upgraded to conform to building code changes as they occur from time to time.
4. The parish shall establish and contribute annually to a Rectory Fund by annual provision in the parish budget. The Rectory Fund shall be used to fund major capital repairs and upgrade to the Rectory.
5. As with all parish property, the Churchwardens are responsible for keeping the rectory in good condition. This means that they are responsible in consultation with the cleric for arranging work and overseeing any repairs to the rectory. Repairs necessitating a building permit require Diocesan Council approval. All repairs shall be carried out by licensed and/or qualified individuals. (See Canon 6, Section 7) The cleric will not make any major modifications or repairs without the prior approval of the Churchwardens. In the case of an emergency the cleric may take whatever preliminary steps are necessary. Churchwardens are to ensure that regular inspections are done at least every year. (See Canon 6 'Acquisition, Disposition and/or Alteration of Real Property and Related Rights and Lands', Section 7: and Canon 15 'Churchwardens', Section 4, Item 11). Rectories must be professionally inspected by a licensed home inspector every five (5) years.

### **Housing Allowance Policy**

The monthly housing allowance paid to the cleric of a parish shall be an amount which affords the cleric the rental of a home which meets the standards of accommodation set out in the Rectory Policy. In addition, the parish shall reimburse the cleric for cost of utilities and local telephone connection.

In some situations, the cleric may prefer to live in a community outside the parish boundaries. This is a matter which requires the agreement of the Churchwardens and the approval of the Area Bishop. In these situations, the amount of the housing allowance shall be the lesser of the housing allowance calculated in the preceding paragraph, and the amount required to afford the rental in the community in which the cleric lives.

#### **Methods and Procedures:**

- To determine the appropriate housing allowance, a survey of the rental market place shall be carried out annually to determine the appropriate range of values. Care shall be taken to ensure that those properties surveyed are in appropriate condition and available for long-term occupancy. At least three properties shall be used in the survey, ideally more than three.
- To avoid volatility in survey results, the survey shall be done on an annual basis and a mathematical smoothing method (e.g. three-year simple averaging, three-year weighted averaging) shall be used to adjust for short term market fluctuations. Where the parish is renting out the rectory, that rental amount is an appropriate market comparator, but shall not be used as the only comparator.
- Depending upon the community, it may be appropriate to use town-homes or semi-detached homes as comparators in determining the housing allowance for clergy other than Incumbents.
- The results of the survey shall be shared with the cleric once the survey is complete.
- To provide for stability and to allow both the cleric and the parish some ability to plan on more than an annual basis, the housing allowance shall be fixed for a minimum of a two-year term (or for such longer duration as the cleric and the Churchwardens mutually agree).
- Rentals may be available on a “plus utilities” or an “including utilities” basis. It is important to use an appropriate comparator. The housing allowance is to cover the cost of utilities and local telephone service.

#### **Canada Revenue Agency Reporting - Fair Rental Value and Utilities**

- The Churchwardens (or if so delegated, the Parish Treasurer) shall provide to the Treasurer & Director of Finance of the Diocese, by January 31 of every year, the fair rental value for clergy housing, and the total cost of utilities of the previous year. The fair rental value shall be reviewed annually by the Churchwardens and formally evaluated by an independent assessor every five years.
- The Churchwardens (or if so delegated, the Parish Treasurer) shall provide to the Treasurer & Director of Finance of the Diocese, by January 31 of every year, the total cost of utilities of the previous year paid to or on behalf of clerics who receive a housing allowance.

#### **Benefits implications**

- The housing component of clergy remuneration is excluded from the calculation of benefits. Neither the fair value rental of the rectory, nor the amount of the housing allowance, will affect the calculation of benefits costs or the payment of benefits to clergy.
- Pensionable earnings, under the General Synod Pension Plan, and insurable earnings, under the Long-Term Disability Plan, are defined as 150% of stipend.

Please also refer to Guidelines on the Sale of Rectories and Use of Funds Therefrom. This is listed on the website under Policies and Guidelines as “Rectories – Sale and Use of Funds Therefrom (Guidelines)”.

## **INDEX: B The Diocese of Toronto Sick Benefits Policy**

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The Diocese of Toronto provides financial support to clergy who hold an appointment and employees who work for the Diocese when they are unable to perform their responsibilities as a result of injury or illness.

The Diocese directly provides compensation to clergy and employees absent from work for sick days and up to 119 days through the Diocesan Short-Term Disability policy. Short-Term and Long-Term Disability are for prolonged absence due to injury or illness. Long-Term Disability Benefits cover absences of over 119 days and are provided through the Long-Term Disability plan administered by the National Pension Office.

Should frequency or patterns of regularity suggest misuse of the policy, the Area Bishop/Executive Director will implement performance management procedures immediately. While the Diocese cares deeply about those who are ill or injured, abuse of the sick leave policy will not be tolerated. The Diocese reserves the right to request a certificate from a registered medical practitioner for an absence of more than 5 days.

Where the policy refers to the Area Bishop/Executive Director, the Area Bishop has direct responsibility for the clergy of the Diocese and the Executive Director has direct responsibility for the synod office employees for the Diocese. The Area Bishops/Executive Director reserve the right to delegate any of the responsibilities listed in the policy when it is appropriate to another competent individual. In most cases the Area Bishops will designate to an Archdeacon and the Executive Director will delegate to the appropriate supervisor. If this is not possible for any reason another suitable individual will be delegated.

### ***SICK DAYS:***

1. Sick days are for minor illnesses or injuries requiring a few days off.
2. Employees must notify their Executive Director at or before their regular start time if they require a sick day. Clergy should inform their Churchwardens if they require a sick day.
3. The time required for minor illnesses or injuries is not considered short-term disability.

### ***SHORT TERM: 0-119 DAYS***

1. Short-Term disability is for consecutive absence due to injury or prolonged illness.
2. Clergy and employees must work for the Diocese for three months to be eligible for short-term benefits.
3. The Area Bishop/Executive Director is to be informed immediately if the illness of a cleric/employee is expected to cause absence from work duties for a month or more.
4. The cleric/employee must provide medical information from a registered practitioner to support the need for a short-term disability leave. The Area Bishop/Executive Director may require an independent assessment from an accredited practitioner or assessment/treatment centre.
5. The Area Bishop/Executive Director through consultation and fact finding determines if the emotional, physical, psychological, or behavioural wellbeing of an individual clergy/employee is impeding their ministry. Judging the suitability of the ministry is the decision of the Area Bishop/Executive Director.
6. Additional medical information may be requested to support the continuation of compensation during a sick-leave period.
7. The Diocese will cover the cost of the medical certificate.



8. The Area Bishop/Executive Director may wish to provide the medical practitioner with information outlining the duties and responsibilities of the cleric's/employee's position so that the medical practitioner can make an informed decision about the patient's ability to perform such tasks.
9. Full salary will be paid for qualified sick leave of up to 119 days (17 weeks). The qualified sick leave for a cleric is paid by the parish that they have been working at the time of the leave. For a synod office employee, the cost will be paid by the Diocese.

**Points 10 and 11 are for parish Clergy only:**

10. The cleric will remain in the rectory or continue to receive a housing allowance for the duration of the short-term disability or until cessation of the appointment.
  11. The parish will pay short-term disability benefits (in amount of net stipend). In special circumstances, the parish may request from the Diocese a cost-sharing arrangement for the coverage of stipend, housing and benefits.
12. The Area Bishop/Executive Director should maintain regular contact with a cleric/ employee on disability.
  13. At the end of the sick-leave, the cleric/employee must provide the Area Bishop/Executive Director with a doctor's certificate indicating that he/she is fit to return to work.
  14. If, after the cleric/employee has been on sick leave for 4 weeks, the medical information indicates that the sick-leave may continue beyond 119 days, the cleric/employee will ensure an application is made for Canada Pension and Long-Term Disability benefits from the National Church Plan.
  15. The Area Bishop/Executive Director may arrange for a temporary appointment to the parish and will consider appropriate action regarding assisting ministers such as: assistant curates, assistant priests and vocational deacons. The Executive Director may arrange for a temporary placement while the employee is on sick leave.
  16. Records containing personal medical information are designated as PROTECTED and handled in a confidentiality manner. However, clerics/employees who wish to apply for disability benefits under this policy or the Long-Term Disability Policy of the National Church will be required to provide complete medical information to the appropriate insurers.
  17. If the disability is new, full benefits must be reinstated no later than one month after the employee returns to work. If the disability is a recurrence of an earlier one, full benefits must be reinstated no later than three months after the employee returns to work.
  18. The status of a cleric on short-term disability is On Leave.

***Short Term Disability Treatment Plan:***

1. A treatment plan must be developed for each case. The treatment plan must be time-limited, goal-oriented, and be geared towards developing and increasing patient autonomy, and eventual termination of the medical/therapeutic relationship.
2. The treatment plan will be developed by an accredited medical practitioner or therapist mutually agreed to by the Area Bishop/Executive Director and clergy/employee.

3. The Area Bishop/Executive Director will have the right to inquire with the clergy/employee and with the therapist about how the therapy is proceeding. The content of the sessions is not expected to be revealed unless the clergy/employee so chooses to offer information.
4. Clergy/employees are expected to inquire about the fee for services and be knowledgeable of the insurance coverage provided by the Diocese or employment plan. Insurance information can be attained through the benefit provider. Arrangements for payment of fees are to be discussed with the Area Bishop/Executive Director. The reimbursement of costs to implement the treatment plan will be judged on a case by case basis. The Diocese may provide funding for the cost of services.
5. When the Area Bishop/Executive Director requires that a cleric/employee have a psychological or psychiatric evaluation. The Area Bishop/Executive Director will participate in the consultation and evaluation process along with the therapist and the cleric/employee.
6. Evaluation of ongoing medical attention or therapy by the Area Bishop/Executive Director will occur on a regular basis.

### ***Rehabilitation***

If, during an extended period of sick leave, medical information indicates that the cleric or employee is medically fit to work on a part-time basis for rehabilitation purposes, they will be entitled to receive a combination of part-time and sick-leave salary to a maximum of 100% of the pre-disability net salary.

### ***Reasonable Accommodation***

Under the terms of the Human Rights Code of Ontario, the Diocese of Toronto has a responsibility to reasonably accommodate a cleric/employee when an illness becomes a disability, provided the provision of accommodation does not cause undue hardship. In assessing undue hardship, the Ontario Human Rights Tribunal considers the cost of accommodation, outside sources of available funding and safety requirements. (*Human Rights Code of Ontario, Section 2 (1), 17(1,2)*). Please refer to Sections 3, 4 and 5 of the Long-Term Disability Plan for more details.

### ***Other Support***

The Diocese provides the counseling services of an Employment Assistance Program and will offer pastoral and spiritual support, if requested. At the discretion of the Area Bishop/Executive Director, a compassionate grant may be offered.

## ***LONG-TERM DISABILITY - 120 DAYS OR MORE***

Long-Term Disability begins once a cleric/employee is unable to perform the material and substantial duties of their appointment and have been off work due to this disability for 119 days. The Long-Term Disability (LTD) Plan is administered by the Director of Pensions at the National Office.

### ***1. Benefit Schedule***

1. 60% of Salary reduced by C.P.P./Q.P.P., Disability and Workers Compensation benefits. The Benefit will also be reduced by 60% of the value of housing if the cleric remains in the rectory or 60% of a housing allowance provided by the employer within the period of disability. LTD benefits are taxable.
2. Disability income from other sources shall incur a further reduction if the total disability income exceeds 85% of the pre-disability net salary.
3. Annual cost-of-living adjustment: lesser of C.P.I. (Consumer Price Index) or 3%.
4. The LTD benefit is payable for a maximum of 24 months based on the cleric's/employee's total inability to perform the material and substantial duties of their appointment.

5. Payment of the LTD benefit beyond the 24-month period is based on the cleric's/employee's inability to perform duties of any gainful employment for which they are reasonably suited by education, training or experience.
6. Records containing personal medical information are designated as PROTECTED and handled in a confidentiality manner. However, clerics/employees who apply for disability benefits under this policy or the Long-Term Disability Policy of the National Church will be required to provide complete medical information to the appropriate insurers.
7. A full description of the plan is available from the Director of Pensions.

## ***2. Diocesan Contact During Illness***

1. After an application for LTD has been submitted, contact with the medical officials is made by the Director of Pensions and not by the Area Bishop/Executive Director.
2. The Director of Pension's staff shall keep the Area Bishop/Executive Director informed of the progress of the cleric or employee on the plan so that he/she can make appropriate decisions regarding work replacement, accommodation and reinstatement.
3. The Area Bishop/Executive Director shall maintain contact with the cleric/employee so that pastoral care and support is offered where appropriate. The Area Bishop/Executive Director may participate in consultation sessions as necessary for the treatment and recovery of the clergy/employee.

## ***3. Rehabilitation***

1. Under the terms of the LTD Plan, if medical information indicates that it is possible for a cleric/employee to enter a rehabilitation program, a combination of Salary and LTD benefits will be paid. However, the combined income shall not exceed 100% of the net pre-disability salary.
2. Consideration for rehabilitation may be initiated either by the cleric/employee or the Director of Pensions.
  - (a) If the cleric/employee advises that they wish to return to work on a part-time basis for rehabilitation purposes, the Area Bishop/Executive Director will immediately inform the Director of Pensions.
  - (b) If the medical information which is submitted in support of the continuing disability indicates that the cleric/employee is a suitable candidate for rehabilitation, the director of pensions will advise the Area Bishop/Executive Director.
3. A rehabilitation consultant will consult with the registered medical practitioner and Area Bishop/Executive Director to determine the hours of work, whether the cleric/employee is capable of performing the duties of the position or if the position is to be modified before the cleric/employee is permitted to return to work.
4. If it is determined after the rehabilitation program has commenced that the cleric/employee is unable to continue with the program, full LTD benefits will be restored, if applicable.

## ***4. Clergy Replacement and Return to Full-time Work***

1. The Area Bishop is responsible for ensuring the continuity of the work of the Diocese while at the same time respecting the well-being of the disabled cleric/employee.
2. Before returning to work, a cleric who has been on leave of absence and in receipt of long-term disability benefits must first provide the Diocesan Director of Human Resources with written

clearance from the Pension Office based on a satisfactory certificate from a medical practitioner confirming that the cleric is medically fit to return to perform the essential duties of their office.

3. Subject to paragraph 4(2), the cleric will return to the office they held immediately prior to the disability leave unless during the period of the leave, they have resigned, or the appointment has been terminated pursuant to either Canon 10 or 22.
4. If the clerical appointment has been terminated during the period of the leave in accordance with Canon 10, they shall be provided with reasonable notice of termination or pay in lieu of notice in accordance with Canon 10.
5. Should the cleric be unable to perform the duties and responsibilities of the office to which they were appointed immediately prior to the beginning of the disability leave, the Diocese will provide "reasonable accommodation," provided the accommodation does not cause undue hardship to the parish or Diocese. If it is not possible to provide "reasonable accommodation", then the Bishop will consider whether the appointment ought to be terminated in accordance with Canon 10.

#### ***5. Lay Employee Replacement and Return to Full-time Work***

##### **PROCEDURE:**

1. The Executive Director is responsible for ensuring the continuity of the work of the Diocese while at the same time respecting the well-being of the disabled cleric/employee.
2. Before returning to work, an employee who has been on leave of absence and in receipt of long-term disability benefits must first provide the Diocesan Director of Human Resources with written clearance from the Pension Office based on a satisfactory certificate from a medical practitioner confirming that the employee is medically fit to return to perform the essential duties of their position.
3. If the employee is able to return to work in the same capacity either during or at the end of the 24-month period, the employee may be reinstated to their position if it is still available unless they have resigned from the position.
4. Should the employee be unable to perform the duties and responsibilities of their position, the Diocese is committed to providing reasonable accommodation in accordance with the Ontario *Human Rights Code*.
5. If the position held by the employee prior to the disability has been eliminated or is no longer available, the Diocese will determine whether a comparable position is available. In this context, a comparable position is one that the employee is capable of performing by reason of education, training and experience, and is similar in value and status. The Diocese will advise the employee, in writing, of the position being offered. Refusal by the employee to accept a comparable position without a valid reason shall be considered a resignation of employment.

If there is no comparable position available, severance arrangements will be offered to the employee in accordance with terms of their employment agreement.

## ***LIFE-THREATENING OR CONTAGIOUS DISEASE (AIDS, HIV, HEPATITIS)***

The Diocese of Toronto recognizes the worth of every individual who has life-threatening diseases, whether communicable or not, and strives to ensure lay employees and clergy serving a Diocesan appointment are treated with dignity and respect.

### ***1. Discrimination and Harassment***

The Diocese of Toronto will ensure that no cleric/employee is subjected to discrimination or unfair or improper treatment, in any area of employment or ministry, on the grounds of HIV seropositivity or having AIDS, Hepatitis or other life-threatening or communicable diseases.

### ***2. Benefits***

Work-related benefits such as medical and disability entitlements and return-to-work privileges continue to be provided in accordance with existing sick benefit policies.

### ***3. Mutual Responsibility for Accommodation***

As is the case with other health conditions, reasonable employment accommodation is made for clerics/employees, provided the accommodation does not cause undue hardship. A cleric/employee who has a communicable or life-threatening disease is expected to take all appropriate steps to prevent transmission of the disease or the posing of a safety hazard to themselves or others.

### ***4. Disclosure***

The Area Bishop/Executive Director must know that a disability exists; the limitations imposed by a medical condition; the projected duration of the absence; the degree of communicability; what, if any, action the employer should take to facilitate a return to work and any precautions the Diocese needs to be aware of. At no time is it necessary for the cleric/employee to disclose the specific nature or name of the illness.

### ***5. Confidentiality***

The cleric/employee may share confidential information regarding their illness with the Area Bishop/Executive Director, with the assurance that the information will be held in the strictest of confidence. Information can only be shared with the cleric's/employee's written consent. The Area Bishop has the right to share the information with the College if they believe the information will significantly affect the life and ministry of the Diocese.

### ***6. Education***

The Diocese of Toronto will continue to enhance cleric, employee and parishioner awareness by providing information regarding AIDS, HIV and disease prevention. The Coordinator of Chaplaincy will help provide educational resources and give guidance to the Diocese for this issue.

## **SECTION B**

### **Lay Employee's Human Resources Policies and Practices**

#### **CHURCHWARDENS AND INCUMBENT RESPONSIBILITIES**

According to Canon (15), the Churchwardens are empowered, after consultation with the Incumbent, to ensure the parish has adequate and appropriate lay staffing. They are the hiring and firing authority of the parish and, when hiring, must ensure there is a job description, a fair and open hiring process and a suitable workspace. Nevertheless, all matters having to do with the management of the affairs of the parish should be under the joint management and control of the Incumbent and Churchwardens acting together. To do otherwise would be imprudent and potentially damaging to the life of the parish.

The need for parish staff for Christian education, counselling, youth minister, and liturgical functioning should be discussed with the Area Bishop before the hiring process is initiated.

Once lay staff has been hired, it is the Incumbent's role to supervise and oversee them on a day-to-day basis (Canon 9). As the supervisor, the Incumbent gives direction, provides feedback, ensures duties are accomplished, mediates conflict, and manages performance.

#### **STATUTORY OBLIGATIONS**

Parishes, regardless of their size, must be responsible employers and ensure they comply with all relevant legislation such as the Ontario Employment Standard's Act, the Human Rights Code, the Occupational Health and Safety Act, Accessibility for Ontarians with Disabilities Act (AODA), Workplace Safety Insurance Act and the Income Tax Act. This applies to all individuals that the parish pays including clerical appointments and honorariums.

#### **EMPLOYEE OR CONTRACT WORKER?**

Employees earn employment income, work as an integral part of the organization, and take ongoing direction from a supervisor. Churchwardens must ensure all workers designated as employees are placed on the church payroll and all appropriate statutory deductions are made. An employee who has a fixed-term contract (i.e. one year in length) is considered an employee and should not be confused with an Independent Contractor as outlined below.

Independent Contract Workers provide a service, submit an invoice for the service they provide, have the ability to subcontract, have multiple clients, own their own tools or equipment and assume the risk of financial profit or loss. Independent contractors must assure the Churchwardens that they have a HST number, and adequate insurance coverage.

Be careful not to confuse the two or the church may be subject to fines, penalties or other statutory obligations. For example, in usual circumstances, a parish secretary is an employee, a furnace repairperson is a contractor, janitorial services may be either depending on the work arrangement.

The onus is on the parish to ensure it has conducted its due diligence in making the determination between employee and an independent contractor and be able to prove it.

#### **EMPLOYMENT CONTRACT AND JOB DESCRIPTIONS**

Every work arrangement should be in writing. The onus is on the employer to state expectations clearly. Employment Agreements should include a list of duties and responsibilities, a list of work conditions and a termination clause. See the Diocesan web site ([www.toronto.anglican.ca/human-resources-for-parishes](http://www.toronto.anglican.ca/human-resources-for-parishes)) for sample parish staff employment agreements and job descriptions.

## HIRING

The most effective hiring begins with a thorough job description. The job ad, the resume screening, the interview questions and selection decision should all be based on this job description. It is recommended that the parish use an open selection process for it offers a wide selection of applicants. During the interviews, use the same questions and strive to create a similar atmosphere for each applicant so all compete equally.

### *Hiring a Parishioner*

There are obvious advantages to hiring parishioners – they know about the congregation and understand the functions of the church. On the other hand, the priest must function as both supervisor and pastoral caregiver. To safeguard the interests of the parish as well as the individual, and with an eye to the Human Rights Code, strive to choose the most qualified and gifted person for the position. Should that person be a parishioner, then speak quite openly and frankly about how that person's relationship with the clergy and church will change.

### *Staff Employed to Function in a Parish*

The need for a parish staff person in the following areas should be discussed with the **Area Bishop** before the hiring process begins:

- Christian Education
- Counselling
- Liturgical functioning
- Youth, Children, or Family ministry

An offer of employment should be prepared which must include salary, benefits, terms and length of contract, the evaluation process, the lines of accountability, and a termination clause. Care should be taken to ensure that all professional parish staff have adequate liability insurance coverage. If the position will be filled by an ordained person, there are additional requirements for licensing by the Bishops. **The Area Bishop must be consulted prior to any offer being made to a cleric and normally this offer is done through an appointment letter by the Area Bishop.**

## CONFLICT OF INTEREST

It is usually inappropriate to have an employee serve on the advisory board, as a supervisor or as an officer of the parish. This would constitute a conflict of interest in that the employee would serve in a dual role and may not be able to make decisions which have the church's best interests in mind. It is also inappropriate for an employee to supervise a family member.

The Churchwarden cannot be the spouse of the Incumbent or any assistant, associate or honorary Cleric of the parish or the spouse of any lay employee of the church, the other Churchwarden, any Deputy Churchwarden, Treasurer, Envelope Secretary, or any member of the Board of Trustees of the Cemetery. (Canon 15, Section 1). Likewise, it would be inappropriate for an employee of the parish to serve as a Churchwarden.

## COMPENSATION

Not-for-profit organizations tend to pay a little less than commercial organizations. Nevertheless, the church must always act equitably and justly. Therefore, do a market survey and ensure the parish is paying its staff adequately. As just and fair employers, the Churchwardens should apply the annual cost of living adjustment to lay staff compensation levels, otherwise they do not keep pace with inflation.

## PENSION AND BENEFITS

It is strongly recommended that all eligible parish lay employees be enrolled in the Lay Retirement Plan of the Anglican Church of Canada. The Lay Retirement Pension Plan is a money-purchased plan requiring a deduction of 5% of gross salary from both the employee and employer. The National Church also offers a benefits plan for lay employees working at least 20 hours a week. The cost of the benefits plan is shared equally between employee and employer. For more information about the pension and benefits plan of the National Church please contact the Pension Office, 625 Church St., Suite 401, Toronto, M4Y 2G1 Tel. 416-960-2484.

## PERFORMANCE EVALUATION

The evaluation of parish employees' performance is the responsibility of the Incumbent. The Churchwardens may wish to participate in this process if appropriate. The principles of a good performance evaluation meeting are that:

- 1) There are no surprises; previous difficulties are reviewed because they should have been resolved when they occur,
- 2) Goals are reviewed and new goals set,
- 3) Feedback is clear, specific and non-judgmental.

For further information please refer to the [Incumbent and Parish Staff](#) document provided by the Human Resources Office. See Lay Employee Index A (page 36) for sample Performance Evaluation Forms.

## DISABILITY AND SICK LEAVE

Unless the parish has its own sick leave policy, it is under no statutory obligation to pay an employee who is on sick leave. In these cases, employees who are ill must apply for Employment Insurance. If the parish continues paying an employee while they are ill, it must consistently do so for all other employees. Make sure a doctor's certificate is filled out before the parish grants the leave and again when the employee is ready to return to work. Only hire temporary replacement staff while the employee is on sick leave since the Human Rights Code assures them of their job upon recovery. Consult with the Diocesan Director of Human Resources or someone with similar expertise in your parish if you have questions.

## RESIGNATIONS OF EMPLOYEES

From time to time work arrangements come to an end. It is a general practice that an employee gives an employer two weeks' written notice that they intend on leaving the job. Once the parish accepts the resignation, this acceptance needs to be put in writing and includes the last day of work and last day of pay. These dates can differ if there is any accrued and unused vacation.

## DISMISSAL OF EMPLOYEES

When an employee's performance is unsatisfactory, the Incumbent and Churchwardens must do all they can to ensure that there is a fair process of performance management before dismissal is considered. A badly managed employee dismissal can severely harm the life of the parish. Please consult with someone with human resources expertise, or an employment lawyer before you proceed with an employee dismissal.

Through Ecclesiastical Insurance, all parishes have access to LegalConnex, which is free, unlimited access to legal information and is a benefit of the parish insurance plan. LegalConnex can be reached at 1-866-263-0256, and they will require your parish's insurance policy number.



## RECORDS MANAGEMENT

The Churchwardens must ensure that adequate records and files are kept within the parish.

A file for each employee should be kept in a locked file cabinet. This file should include, but not be limited to:

- the employee's resume
- employment contract
- job description
- salary and benefit information
- *Responsible Ministry: Screening in Faith* documentation
- performance evaluation documentation
- continuing education material
- performance management documentation
- sick leave and leave of absence memos
- resignation or termination documentation.

Access to personnel files should be restricted to the Incumbent, Churchwardens and the employee (optional). The parish should develop a policy to determine if the files are open to the employee and the retention duration of performance-related material. If employees are allowed access to their files, they must view them under supervision. Nothing is to be removed from the file unless in accordance with the parish retention policy.

The Churchwardens must ensure a file is established to retain all Acknowledgement Forms for the Diocesan Sexual Misconduct Policy signed by volunteers and employees.

It is the practice of the College of Bishops to shred unsigned letters. Other letters are shared with the cleric at the Bishop's discretion. If a letter is sent to the Bishop marked confidential, the Bishop will acknowledge the letter and request permission to share it with the cleric. If permission is not granted, there will be no further action taken. If a letter alleges misconduct the situation will be investigated according to Diocesan policy.

For more information see the Records Management and Retention section of the [Parish Leaders' Manual](#).

## WORKPLACE SAFETY INSURANCE BOARD

WSIB is a government agency that provides pay continuance for employees that are injured in the workplace. Certain types of employment automatically require coverage while others do not. In the church's case coverage is not automatic and therefore each individual parish must make the decision to participate.

The advantages of a parish belonging to this plan are significant. Since most parishes do not provide short-term disability coverage, employees have assurance that they will continue to be paid while recovering from a WSIB approved workplace injury. Equally important, a parish is immune from an employee lawsuit related to a workplace accident from which the employee is being compensated through the WSIB.

Applying for coverage is simple. Please contact WSIB by phone (416) 344-1000, Toll free: 1-800-387-0750, TTY: 1-800-387-0050, by visiting their web site [www.wsib.ca/en](http://www.wsib.ca/en), or by writing to them at 200 Front Street West, Toronto, Ontario M5V 3J1. You can join the plan now or at the beginning of the calendar year. The cost to participate in the plan varies based on the type of work and is set at the beginning of each year.

## **HEALTH AND SAFETY**

The Anglican Diocese of Toronto is concerned about the health and safety of everyone who works or comes in contact with the Diocese or its parishes or other ministries.

Although much of the Church's ministry is accomplished through the efforts of dedicated volunteers, each parish and ministry facility is also a workplace for workers. It is the responsibility of the parish clergy and staff to identify and solve workplace health and safety problems. The Occupational Health & Safety Act (OHSA) must, by law, be posted in your workplace. Parishes must comply with the Workplace Safety Insurance Act (WSIB), Workplace Hazardous Material Information Systems (WHMIS) and other relevant health and safety legislation. If the parish has more than twenty (20) employees, it is required to establish a health and safety committee, hold regular meetings, record minutes and certify membership.

The Churchwardens and Incumbent must take every reasonable precaution to protect the employees' health and safety. The employees have a duty to report workplace hazards. Supervisors must be competent and held accountable for the health and safety of the workers under their supervision. Under the Occupational Health & Safety Act, a competent supervisor must be familiar with the Act and health and safety procedures.

If there is an accident, it is the responsibility of the Incumbent and Churchwardens to:

- Provide First Aid immediately whenever there is an injury and arrange for transportation to get medical care.
- Record all First Aid treatment and keep it on file. If the employee is covered by WSIB, complete Form 7 and ask the employee to sign it or complete Form 6. Send the [Form](#) in within three days (the form can be found on the WSIB website [www.wsib.on.ca](http://www.wsib.on.ca)).
- If the injury is critical, send in a report to the Ministry of Labour (1-877-202-0008) within 48 hours and inform your Area Bishop (see Lay Employee Index B on page 42 for a sample form). A critical injury is a serious injury that places life in jeopardy, produces unconsciousness, serious loss of blood, fracture of a leg or arm, amputation of a leg or arm, hand or foot, burns to most of the body or loss of sight in one or both eyes.
- Pay full wages and benefits for the day of which the injury occurred.
- Cooperate to have the employee return to work easily and safely.

In 2010, the Occupational Health and Safety Act was amended to include requirements for Workplace Violence and Harassment policies. It is the Churchwarden's responsibility to ensure that the parish is in full compliance with all legislation including this Act. For information and templates about Workplace Violence and Harassment please see the Diocesan web site ([www.toronto.anglican.ca/parish-administration/workplace-violence-and-harassment/](http://www.toronto.anglican.ca/parish-administration/workplace-violence-and-harassment/)).

For more information, obtain a copy of the Occupational Health and Safety Act from the Ministry of Labour. Training and certification is offered through the Workplace Safety and Prevention Services 1-877-494-WSPS (9777), [www.healthandsafetyontario.ca](http://www.healthandsafetyontario.ca). For more Parish Health & Safety resources please see the Parish Health & Safety Kit on the Diocesan web site ([www.toronto.anglican.ca/health-safety/](http://www.toronto.anglican.ca/health-safety/)).

## **REPORTING ABUSE OF CHILDREN TO A CHILDREN'S AID SOCIETY**

Under the Child Welfare Act of Ontario, every person who has information with respect to the abandonment, desertion or need for protection of a child or the infliction of abuse upon a child must forthwith report such information to the appropriate Children's Aid Society.

Clergy should be advised that, apart from the question of whether they are bound to answer questions in court, there is a positive obligation in the Act which cannot be ignored. Child Welfare Act is as follows:

### **1) Reporting abuse of child**

Every person who has information of the abandonment, desertion or need for protection of a child or the infliction of abuse upon a child shall forthwith report the information to a society.

### **2) Duty of Professional to report**

Notwithstanding the provisions of any other Act, every person who has reasonable grounds to suspect in the course of the person's professional or official duties that a child has suffered or is suffering from abuse that may have been caused or permitted by a person who has or has had charge of the child shall forthwith report the suspected abuse to a society.

### **3) Privilege abolished**

This section applies notwithstanding that the information reported is confidential or privileged and no action for making the report shall be instituted against any person who reports the information to a society in accordance with subsection (1) or (2) unless the giving of the information is done maliciously or without reasonable grounds to suspect that the information is true.

### **4) Solicitor and Client privilege**

Nothing in this section shall abrogate any privilege that may exist between a solicitor and the solicitor's client.

This Section was considered when a doctor was charged with failure to report suspected child abuse. In acquitting the doctor on the particular facts, the court asked whether there had been reasonable grounds to suspect abuse, and whether, under the circumstances, it was reasonable to refrain from reporting it. It must be pointed out that while the decision is helpful in understanding the statutory duty, it may not be the final answer to the question.

**It is suggested that members of the clergy, whether acting in the capacity of pastor or under the seal of the confessional, clearly inform any person who might be discussing this type of matter of the duty upon the clergy under the Child Welfare Act.**

## LEGISLATIVE CHANGES

From time to time, the Government of Ontario and/or the Government of Canada may make legislative changes that affect your employees. It is the responsibility of the Churchwardens to ensure that the parish is up-to-date with any legislative requirements. The Diocese will strive to send out information about changes in legislation as it becomes available. Many employment law firms also have regular newsletters that include changes in legislation that you can receive by email for free and your parish should consider subscribing to this type of services. Examples of recent changes include:

- Workplace Violence and Harassment Policies (under the Ontario Health & Safety Act)
- Accessibility for Ontarians with Disabilities Act

## **Diocesan Policies** (approved by Diocesan Council)

### SEXUAL MISCONDUCT POLICY

It is the obligation of the Churchwardens and the Incumbent to ensure that their congregations are free from sexual misconduct (Section 1.4, 3). It is the responsibility of the Churchwardens and Incumbent to ensure the parish has implemented, and is maintaining, an effective screening policy. Volunteers must receive training at the beginning of their ministry assignment regarding the Diocesan policy and sign a policy acknowledgement form.

There is a Parish Training Kit available from the Diocesan web site (<https://www.toronto.anglican.ca//sexual-misconduct-policy-training/parish-workshop-kit>), and a training video called “Learn To Spot it, Learn to Stop it” available for purchase on DVD from [Augsburg Fortress](#) (1-800-265-6397). The new training case studies can be found on the Diocesan YouTube channel ([www.youtube.com/user/tordio135](http://www.youtube.com/user/tordio135)). For a full copy of the Diocesan Sexual Misconduct Policy and the Training Kit see the Diocesan web site ([www.toronto.anglican.ca/sexual-misconduct-policy](http://www.toronto.anglican.ca/sexual-misconduct-policy)).

Under the Child Welfare Act of Ontario, every person who has information with respect to the abandonment, desertion or need for protection of a child, or the infliction of abuse upon a child, must report this information to the appropriate Children’s Aid Society and inform the Diocesan Canon Pastor, The Rev. Canon John Anderson, 416-807-2494. Churchwardens must ensure this obligation is understood and complied with.

### RESPONSIBLE MINISTRY: SCREENING IN FAITH

The *Responsible Ministry: Screening in Faith* policy establishes minimum standards for the screening of staff and volunteers. Any parish or organization may develop more comprehensive policies of its own to reflect its own circumstances provided such policies at least meet the minimum standard of protection for children and vulnerable adults, and physical, spiritual and financial responsibilities contained in the policy. Screening standards must be consistently applied to all appropriate ministries.

All Churchwardens and Incumbents are required to sign the Screening section of the annual returns, verifying that their congregation has met the following compliance indicators:

- All ministry activities of congregation are listed and assessed for risk.
- All individuals in medium and high-risk positions have attended Sexual Misconduct Policy training at the beginning of their ministry and every three years thereafter.
- All individuals in a high-risk position have completed a Police Record Check using the Diocesan approved process at the beginning of their ministry and every three years thereafter.
- That the congregation, to the best of your knowledge, is fully compliant with the standards and procedures of the Responsible Ministry: Screening in Faith policy.

All police record checks must be obtained through the approved background checking service, and the Diocese does not accept police checks obtained through the local police departments. The form and instructions, including costs, are available on the Diocesan website.

For a full copy of the *Responsible Ministry: Screening in Faith* policy and all related forms, see the Diocesan website ([www.toronto.anglican.ca/screening/forms-and-resources](http://www.toronto.anglican.ca/screening/forms-and-resources)). This policy complements and strengthens the commitment of the Diocese of Toronto to “strive to ensure that ... [our] places of work ... and [our] congregations are free from sexual exploitation, harassment and assault.” (Section 4.1, *Sexual Misconduct Policy*, Anglican Diocese of Toronto)

# Lay Employee Index

## Index: A Annual Performance Evaluation Forms

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### ANNUAL PERFORMANCE EVALUATION – PROCEDURES

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#### What is an Annual Performance Evaluation?

The purpose of this evaluation is to give employees accurate, formal feedback about the effectiveness of their ministry/ work. The objective is to assist personal and professional growth.

Performance evaluation of an employee is much more than an annual exercise. Supervisors should meet frequently with their employees over the year to provide feedback, instruction and evaluation. Therefore, annual evaluations should never contain “surprises.”

#### Benefits of an Annual Performance Evaluation

1. Review and reach agreement on the employee’s performance and effectiveness during the past 12 months, in the light of their goals established a year earlier.
2. Reach agreement on their goals for the coming year, based on the strategic objectives and goals of the organization, parish or department.
3. Determine the employee’s immediate and longer-term training and development needs.
4. Provide the employee an opportunity to address concerns.
5. Provide the employee an opportunity to discuss the organization, parish or department’s plans.

#### Use these forms which are attached:

- Evaluation Guidelines
- Employee & Supervisor Comments
- Assessor’s Comments

#### Prepare for the Annual Performance Evaluation Meeting

1. Review the employee’s key goals for the past year, and the job description.
2. Meet with the employee and agree on 3 to 5 people to also evaluate the employee (other staff, committee or board members, wardens, etc.).
3. Send each assessor a copy of the **Evaluation Guidelines** and **Assessor’s Comments**.
4. Complete **Employee & Supervisor Comments**. Make brief additional notes on another page on performance achievements during the last year.
5. Set a time in about 2 weeks for the Meeting.
6. Collect and review the **Assessor’s Comments**.

#### Conduct the Annual Performance Evaluation Meeting

**NOTE:** Together, you and the employee will complete another copy of Employee & Supervisor Comments.

1. Begin with the employee’s self-assessment of the last year including:
  - Achievements
  - Relationships with others – staff, parishioners, Committees, outsiders, etc.
  - Support for various officers, Board members, Committees, etc. (review the appraiser’s comments)
  - Understanding of the strategic objectives of the organization/department/ parish
  - Performance “above and beyond.”

2. Offer your comments. Reflect on what was said by the employee. Do they have a good perspective of the performance issues?
3. Review the achievements of last year's goals.
4. Obtain the employee's input about the organization/ department/ parish's plans.
5. Agree on the employee's key goals for the coming year.
6. Agree on training and development needs, as appropriate.
7. Agree on follow-up issues, e.g. revising position description if appropriate, researching and implementing training or development plans, dealing with any concerns of the staff member, etc.
8. Employee and supervisor sign the Employee & Supervisor Comments.
9. Place a copy of the Employee & Supervisor Comments in the employee's personnel file.

## ANNUAL PERFORMANCE EVALUATION – POINTERS

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The objective of the performance evaluation is to assist personal and professional growth. As an assessor, your comments should be objective and constructive. Therefore, please keep in mind that:

- You must only comment on that which you have observed or directly experienced.
- For the health and wellbeing of the employee, their family and the parish/ organization, be realistic about what could and should be accomplished.
- Treat the employee as an individual. Do not compare them to the previous employee, or any other employee.
- An evaluation should assess performance, ability and competence only. Personal, unsubstantiated and unsupported feelings ought not to enter this process.

## COMMON ERRORS

<b>Stereotyping</b>	Attempting to rate an individual positively or negatively based on physical and personal characteristics unrelated to the person's performance.
<b>Halo and Horn Effect</b>	Resist the tendency to rate the individual as good or bad based on one trait or comment. Remember that people are complicated, never wholly good or bad.
<b>Central Tendency</b>	Occurs when assessors do not want to be negative or positive but instead tend to rate all people in the middle. The error in this bias is that it can result in inaccurate assessments.
<b>Excessive Strictness or Leniency</b>	Tendency of some assessors to rate either leniently or strictly. It is best to have clear expectations, which are then realistically evaluated.
<b>Projection</b>	Transferring one's own feelings of awkwardness or contentment on the person being assessed.
<b>Comparison Error</b>	Rating based on how they compare with others rather than on their own merits. A very effective person may rate less only because he/she is being compared to an outstanding person.
<b>Logical Error</b>	Assessors judge one trait assuming that it is related to another. For example, someone with quick reactions may be judged as highly intelligent although speed of reaction is not an accurate gauge of intelligence.

PERFORMANCE EVALUATION FORM

**PART 1 EMPLOYEE AND SUPERVISOR'S COMMENTS**

*NOTE: Both the Employee and Supervisor complete this prior to the meeting.*

Employee's Name \_\_\_\_\_ Length of Time in Position \_\_\_\_\_  
Position Title \_\_\_\_\_ Date of Last Review \_\_\_\_\_  
Department \_\_\_\_\_

**1. Employee's Goals for the Past Year**

List the goals that were set last year and describe how they were to be achieved.

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**2. Employee's Performance Achievements in the Past Year**

a) To what degree were these key goals met?

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b) What were the performance highlights in fulfilling the goals? What was accomplished "above and beyond"?

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c) What stood in the way of the key goals being fully achieved?

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**3. Review of the Job Description/ Competencies**

a) Where does the employee show competency?

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b) Where is the employee challenged to perform better?

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c) How does the job description need to be modified?

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**4. Employee's Comments** *ONLY the Employee answers this.*

Do you have any suggestions which will help the department/ organization/ parish operate more effectively?

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**5. Employee's Goals for the Coming Year**

After considering last year's goals and overall performance, list 3 to 5 key goals for this year that will assist in the implementation of the department/ organization's business plan.

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**6. Employee's Training and Development**

In what areas will training and development be required?

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PERFORMANCE EVALUATION FORM

**PART 2 ASSESSOR'S COMMENTS**

**This form is to be completed by individuals (selected by the employee and supervisor) with whom the employee has worked during the past year.**

**Supervisors:** please fill out Question 1 below and attach the employee's job description and assessor's pointers before you send out this form.

Job review questionnaire for \_\_\_\_\_

Name of Appraiser: \_\_\_\_\_ Position \_\_\_\_\_

- Please share my comments with the employee.
- Please do not share my comments with the employee and treat my comments as confidential information.

**1. Employee's Goals for the Past Year**

Please consider these goals in light of the other questions.

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**2. In what ways have you worked with the employee?**

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**3. How has the employee's ministry/ work supported your work?**

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**4. How has the employee's ministry/ work supported the ministry/ work of the department/ parish?**

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5. How has the employee's ministry/ work supported the overall organization/ church structure?

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6. Where is the employee challenged to perform better?

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7. What is your overall impression of the employee's ministry/ work?

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8. In what areas do you believe that training and development is required?

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*Please make any additional comments on the reverse.*

Kindly return your comments to us on or before: \_\_\_\_\_

INDEX: B Critical Injury Report Form

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**PARISH NAME**

ADDRESS CITY ONTARIO POSTAL CODE

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Date

Ontario Ministry of Labour  
Division Name  
Industrial Health and Safety Branch

Facsimile  
Fax Number

Attention: Director

Re. Report of Injury per Section 52 of the Occupational Health and Safety Act

Dear Sir/Madam:

I am writing to advise you of an injury, which was sustained by a worker on Date. This report is provided per Section 52 of the *Occupational Health and Safety Act*. As a consequence of the accident described below, the worker, Name of Employee of Parish Name, suffered a Injury.

Name of Employee is employed by Parish Name on a Full or Part-time basis to perform Type of Work at the Church premises, Address. The accident occurred Location of Incident.

At approximately Time on Date, Name of Employee Description of How the Incident Occurred. We treated the injury Method of Treatment. Examination by Doctor's Name (tel. \_\_\_-\_\_\_) conducted Date revealed that Name of Employee has suffered a Diagnosis. He/ She has been advised by Doctor's Name to Recommendation.

Name of Employee reported the accident immediately to Name of Staff Member and Actions Taken by the Parish to Obtain the Details of the Accident.

Description of Object(S) that were Involved in the Incident i.e. What Condition were they in, Where are they Located, What Conditions Precipitated the Incident.

Actions Taken to Prevent Further Incidents and/ or Findings of Investigation into the Incident.

We trust that this information meets your requirements. For further information, please contact Cleric's Name at Phone Number.

Yours truly,

Warden's Name  
People's/ Rector's Warden

c.c. Injured Worker Cleric Warden