

At its meeting on December 11, 2018, Presbytery's Ministry Work Group proposed the following changes in the "Negotiating a Dissolution Agreement" portion (pages 59-60) of Section 2 D – Policy for Dissolution of Installed Pastoral Relationships, Appendix A in the COM/MWG Manual approved May 14, 2016. The MWG recommends that the Leadership Team (January 24, 2019) and Presbytery (February 9, 2019) approve these changes.

NEGOTIATING A DISSOLUTION AGREEMENT

The involuntary dissolution of a pastoral relationship with a church is often a time of distress for both congregation and pastor. All parties are encouraged to act in a spirit of mutual forbearance, fairness, and forgiveness. A measure of mutual reconciliation is possible even in the midst of dissolution. Feelings often are as important as facts in these matters. Honest statements of feelings and attempts at reconciliation are necessary for the future effectiveness of the pastor and the future health of the congregation. It is the responsibility of the church leadership - presbytery, congregation, and pastor - to create the climate for that to happen, relying on the Spirit of God and example of Christ for wisdom, strength, and guidance.

Recognizing that clergy do not have access to unemployment security payments, a thorough and fair dissolution package is in order following dismissal without prejudice. Dissolution is understood to include payments equal to salary, housing allowance or use of the manse, and continuation of pension/medical/death and disability coverage, deferred income, annuities, and supplemental insurance, if any, for a specified period of time. Presbytery's ~~Committee on Ministry (COM)~~ Ministry Workgroup (MWG) must review and approve all terms of dissolution and recommend them to the Leadership Team.

~~COM MWG~~ is available for consultation and counsel in conflict situations before such differences escalate to a crisis level. Only after all reasonable attempts at resolution have failed should termination negotiations begin. Written notice to begin negotiations will come from the session or the pastor after consultation with the ~~COM MWG~~. In determining the specific terms of the dissolution agreement, consideration must be given as to the reason for separation, the financial situation and overall health of the congregation, and the specific circumstances of the pastor. ~~Salary and benefit continuation may be negotiated, but shall not be less than three (3) months nor ordinarily exceed six (6) months and include the cash equivalent of all unused vacation time. Study leave or sabbatical leave will not be granted as part of a dissolution agreement.~~

Considerations for Pastors and Sessions

Salary and Pension/Medical Provisions: ~~Recognizing that clergy do not have access to unemployment security payments, COM recommends that sessions consider paying full salary, housing, pension/medical/death/disability, medical deductible and SECA payments for between three(3) months minimum and six(6) months maximum beyond the effective date of dissolution, or until the pastor has found full-time or part-time employment, whichever occurs first.~~

Congregations shall consider dissolution terms of one month for every year of the pastor's service which may be capped at twelve (12) months. Congregations shall pay full salary, housing, pension/medical/death/disability, medical deductible and SECA payments for a minimum of three (3) months beyond the effective date of dissolution, or until the pastor has found full-time employment. With part-time employment the dissolution terms shall be pro-rated accordingly. Payments should be made at one of the following rates:

- 1) the rate in effect at the time the pastoral relationship is dissolved;
- 2) rates mutually agreed upon by all parties;
- 3) rates negotiated by the parties as part of the dissolution process.

Should a church default on payments under the Dissolution Agreement, the presbytery will not assume financial liability for the agreement. (*See Appendix A, page 61, "Authority of the Presbytery and Committee on Ministry."*)

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