

# POLICY ON THE COMMISSION ON MINISTRY'S AUTHORITY TO PLACE A PASTOR ON ADMINISTRATIVE LEAVE (November 7, 2024)

## **Preamble**

As the Book of Order makes clear (G-2.0502), a pastor has membership in their presbytery by action of the presbytery itself, which alone can establish, change, or dissolve pastoral relationships. In the performance of their ministry, a pastor is accountable to their presbytery.

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

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

The Book of Order specifically gives presbyteries the authority to place pastors on administrative leave for situations when allegations of sexual abuse have been communicated to their Stated Clerks (D-7.0902). It also provides the presbytery with the ability to establish its own rules for administrative leave or other restrictions on a minister's service by establishing a policy on Administrative Leave not related to sexual abuse (D-70905).

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

Sometimes, as the Commission on Ministry seeks to address such turmoil, it realizes that if the church's pastor could step out of their responsibilities for a time – if the pastor could have a period of administrative leave – it would be immediately helpful. A period of administrative leave can provide a pastor, a session, a congregation and a presbytery time, space and opportunity for listening and learning, prayer and discernment, for

planning and practice of new ways of behavior by those involved – presbyteries, pastors, congregations, ruling elders – so that difficulties can be resolved.

This being so, the Presbytery of Northeast New Jersey establishes the following Policy on Placing a Pastor on Administrative Leave to make it possible for its Commission on Ministry to use this tool to relieve pastors, when it's warranted and appropriate, for defined periods of time from their responsibilities to and involvement with their congregations. This policy applies to all calls and temporary pastoral positions.

### **Administrative Leave Policy**<sup>1, 2, 3</sup>

#### Commission on Ministry Responsibilities

A decision to relieve a pastor, for a defined period of time, from their pastoral responsibilities and involvements, may be made by the Convener Team<sup>4</sup> of the presbytery's Commission on Ministry upon the recommendation of its Convener(s), Organizing Co-leaders, or preferably, all of these persons together. [Note - Administrative Leave in response to accusations of sexual misconduct shall be administered in accordance with the Book of Order and the Presbytery's Sexual Misconduct Policy.]

1. The recommendation must be grounded in a conviction that the welfare of the congregation, the pastor, or both warrants and calls for such a step.
2. There must be compelling evidence of the need for the Commission on Ministry to act in order to prevent or mitigate harm to the pastor, the church, or the presbytery, and to provide time and space for the Commission on Ministry to aid in settling difficulties. The evidence must include direct observation of relational conflict or impairment by Commission on Ministry members and might include expressions of concern by the pastor, by colleagues in ministry, by members of the congregation or community, letters or calls of complaint with allegations clearly articulated.
3. Before the Convener Team votes on a recommendation to relieve a pastor from their responsibilities for a time, two Commission on Ministry representatives must have consulted with the pastor and the church's session about the potential use of this tool.
4. A unanimous consensus of at least a quorum of the Convener Team shall be required for the decision, and a report of any such action by the Convener Team shall be made to the entire Commission on Ministry as soon as possible.
5. The Convener Team shall establish the initial period of leave, which may be up to three months in length.
6. Having made a decision to relieve a pastor temporarily of their pastoral responsibilities and congregational involvement, the Convener Team shall appoint a Reconciliation Team, ordinarily members of COM, to work with the church's leadership/session.
7. COM and the Reconciliation Team should be clear about the expectations for the leave as well as any methodology to be employed for assessment, counseling, and discernment purposes (including mental health inventories).

8. The COM will pay for pulpit supply for the initial period of leave at current rate. The session should consult with the Reconciliation Team concerning appropriate persons to serve as pulpit supply. (See Reconciliation Team Responsibilities pg 4).
9. Once the appointed Reconciliation Team has been briefed about its responsibilities, the Convener of the Commission on Ministry will communicate with the pastor and the church's session, introduce the appointed Reconciliation Team to the session and pastor, and initiate the administrative leave.
10. The Convener of the COM, in consultation with the Reconciliation Team, will appoint a Moderator for the session for the period of administrative leave.
11. The Convener of the Commission on Ministry shall also appoint a pastor, not associated with the COM or Reconciliation Team, to act as an advocate and companion to the pastor on administrative leave, seeing to their spiritual well-being and facilitating conversation with the Reconciliation Team and/or COM as necessary.
12. The Commission on Ministry will inform the Presbytery of the actions it has taken when appropriate. The language used will be sensitive to the need for confidentiality, particularly for a personal health crisis, as well as the need for transparency.
13. Medical leave constitutes a special category of Administrative Leave, in that certain illnesses or injuries may require a more extended absence from the church than would be expected in routine absences due to sickness. Examples might include, but not be limited to, serious injuries, operations or surgery, and certain conditions related to mental health. In some of these situations, the pastor may not be able to fulfill their work duties, but it may not be necessary to enforce rules concerning staying out of church facilities or refusing to have contact with church members, especially if there is no indication of malfeasance or ethical violations or serious conflict in the church.

If Administrative Leave is employed for medical reasons, Session and COM should evaluate the special circumstances. Ordinarily, most of the foregoing expectations and responsibilities will apply, including the care required in determining if Administrative Leave is called for, matters related the length of leave and compensation, and support for both pastor and congregation during the proposed leave. However, the Session and the COM should consider whether some adjustments to expectations regarding interaction between pastor and church are called for. Any variations to the expectations in the policy should be included in the formal agreement. (Consult the Family and Medical Leave Policy of the PNENJ).

### **Reconciliation Team Responsibilities**

The Reconciliation Team shall be responsible for:

1. Meeting with the church's session and pastor to discuss the purpose of the leave and provisions for managing it and the congregation's ministry;

2. Establishing terms for the pastor's compensation and behavior during the time the pastor is on leave (ordinarily, during the initial period of a pastor's leave, a congregation will be expected to honor the terms of compensation it has agreed upon for its pastor). Any change to the terms of call, in particular any change in compensation, must be approved by the congregation and pastor.
3. Working with the session to provide preaching, pastoral care and administrative support. The presbytery will pay for pulpit supply during the first three months.
4. Assisting the session in listening and learning, prayer and discernment, for the planning and practice of new ways of behavior by those involved so that difficulties can be resolved.
5. Determining, with the approval of the COM, if extensions to the initial period are warranted. If it believes they are, it will work with the church's leadership to determine the best and most appropriate way to provide for the pastor's compensation. The overall duration of the pastor's leave will depend on the time required for resolution of the difficulties that led to it. The effort will be carried out with all deliberate speed and with awareness of the financial obligations of the congregation and the Presbytery. Any change to the terms of call, in particular any change in compensation, must be approved by the congregation and pastor.

### **Church/Session Responsibilities**

When the Commission on Ministry acts to relieve a pastor of their responsibilities and appoints a Reconciliation Team to work with the congregation and its leaders, the members of the session and congregation will be expected to:

1. Continue compensation for the pastor in accordance with the approved Terms of Call through the initial period of administrative leave;
2. Cooperate with the Reconciliation Team to work with the Commission on Ministry and comply with its directives and behavioral expectations;
3. Have no contact with the pastor except as the Commission on Ministry's Reconciliation Team specifically permits.

A session's or congregation's violation of the behavioral expectations established by the Commission on Ministry's Reconciliation Team will be reported to the presbytery's Stated Clerk and the Commission on Ministry, and the violation may be considered grounds for the establishment of an Administrative Commission.

### **Pastor's Responsibilities**

When the Commission on Ministry acts to relieve a pastor of their responsibilities and appoints a Reconciliation Team to work with the congregation and its leaders, the pastor will be expected to:

1. Cooperate with the Reconciliation Team and comply with its directives and behavioral expectations;

2. Remain out of all church facilities and off the church's grounds, except for the manse, if applicable;
3. Refrain from initiating or having contact with any member of the church or its staff, except for a person designated specifically by the Commission on Ministry's Reconciliation Team to deliver mail or messages;
4. Abstain from conducting corporate worship or engaging in any form of pastoral activity (exceptions for extraordinary cases that can be arranged with the Chair of the Commission on Ministry, in consultation with the Reconciliation Team);
5. Abstain from attending or participating in any meetings or activities of the church. A pastor's violation of the behavioral expectations established by the Commission on Ministry's Reconciliation Team will be reported to the presbytery's Stated Clerk, and the violation may be considered grounds for initiation of a formal disciplinary process, in accordance with The Rules of Discipline in the Book of Order.

### **Endnotes**

1. All references to "pastor" in this policy should be understood to include Ministers of Word and Sacrament and Commissioned Ruling Elders/Commissioned Pastors.
2. Administrative Leave in response to accusations of sexual misconduct shall be administered in accordance with the Rules of Discipline in the Book of Order and this presbytery's Sexual Misconduct Policy.
3. This policy is not intended as a disciplinary policy and is not a substitute for disciplinary actions as prescribed by the Book of Order.
4. The Commission on Ministry Convener Team is composed of the COM Convener(s), the conveners of the Transitions, Membership, and Administrative Teams the Organizing Co-Leader/Resource Presbyter and the Organizing Co-Leader/Stated Clerk.