

PRESBYTERIAN CHURCH (USA)



SYNOD OF THE TRINITY CODE OF CONDUCT

**The Synod of the Trinity
Presbyterian Church (U.S.A.)**

**Code of Conduct
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INTENT OF CODE OF CONDUCT

The Synod's goal in formulating this Code of Conduct is to be proactive in its effort to prevent abuse and inappropriate behavior from occurring. These requirements are in anticipation that all participants in Synod functions and activities are aware of expectations regarding personal behavior.

All persons, employed staff, elected members of Committees, Coordinating Teams and Commissions, Synod Mission Networks, and other affiliated persons and organizations involved with the Synod are to comply with state and federal laws of and the *Book of Order* of the Presbyterian Church (U.S.A.). Fair treatment of all individuals is required in order to encourage full participation in the work of the Synod.

The Synod's position in regard to violation of this Code of Conduct is Zero Tolerance.

PERSONS COVERED

This Code of Conduct applies to all persons elected as Commissioners and Officers of the Synod, employed staff, members of Committees, Coordinating Teams and Commissions, as well as Synod Mission Networks, and anyone acting on behalf of the Synod. Some customers, organizations, vendors, and others doing business with the Synod of the Trinity will also be covered.

Ministers of Word and Sacrament are ultimately accountable to their Presbytery of membership; Elders and Deacons are accountable to their Sessions; employees and all others who are not covered by the Presbyterian Church (U.S.A.) *Book of Order* disciplinary process are accountable to the Synod Personnel Committee.

DISTRIBUTION AND ACKNOWLEDGMENT

Distribution and confirmation of receipt of the Code of Conduct shall be as described in this document.

- A. All employed staff of the Synod shall receive a copy of the Code of Conduct and shall be required to sign the Acknowledgment and Acceptance Form located at the end of this document.
- B. Synod Commissioners shall receive a copy of the Code of Conduct prior to their first Synod meeting as a Commissioner. The Acknowledgement and Acceptance Form is to be signed and returned to the Synod Stated Clerk before the Commissioner is seated.

- C. When Elders, Ministers or Laypersons are approved to, or elected to, participate on Synod Committees, Coordinating Teams or Commissions, the Synod Stated Clerk, at the time of notification of approval or election, shall include a copy of the Code of Conduct and an Acknowledgement and Acceptance Form and shall advise those who are approved or elected of the requirement that it be signed and returned to the Synod Stated Clerk before the person will be allowed to participate.
- D. When a Synod Mission Network is recognized by Synod Commissioners or is approved for renewal, the Synod Stated Clerk, at the time of notification of recognition or renewal, shall include a copy of the Code of Conduct and an Acknowledgment and Acceptance Form to the primary contact person advising that all Network members should be made aware of the Code of Conduct and expected to adhere to it. The primary contact person shall sign the form and return it to the Synod Stated Clerk on behalf of the Synod Mission Network.
- E. The Stated Clerk shall have authority under this policy to decide which businesses, organizations, vendors, and others doing business with the Synod are to receive a copy of the Code of Conduct and which shall be required to sign an Acceptance and Acknowledge Form. The Clerk will consult with other Synod staff or Officers in reaching this decision.
- F. The Stated Clerk shall provide a current copy of the Code of Conduct to each Presbytery within the Synod, so that the Presbyteries, as they seek nominees to serve as Commissioners or in other Synod positions, are aware of the requirements of the Code of Conduct.
- G. Should the Code of Conduct be amended, redistribution of the amended policy is to be made and Acknowledgement and Acceptance Forms secured.
- H. If an individual is required, but unwilling to sign the required Acknowledgement and Acceptance Form, that individual may not serve on a Committee or Coordinating Team or represent the Synod in any capacity. An employee or elected Synod Officer unwilling to sign may jeopardize his or her employment or status with the Synod.

SEXUAL MISCONDUCT

Sexual misconduct is prohibited by the Synod of the Trinity and will never be condoned nor tolerated.

All persons associated with the Synod should be able to work in an environment that is free from sexual abuse or exploitation.

Sexual misconduct is a misuse of authority and power which breaches Christian ethical principles by misusing a trust relationship to gain advantage over another in an abusive, exploitive, and unjust manner. Even if the employee or participant in an event initiates or invites sexual content in the relationship, it is always the responsibility of the Synod Officer, Commissioner, elected persons serving on Committees, Coordinating Teams or Commissions, Network participants, including any employer, supervisor, teacher, counselor, or advisor to prohibit a sexual relationship.

Sexual misconduct is a violation of the role of pastor, officer, employer, counselor, supervisor, teacher, advisor, or leader of any kind who is called upon to exercise integrity, sensitivity, and caring in a trust relationship and a violation of the covenant to act in the best interests of those whom the Synod is trying to serve.

Sexual misconduct takes advantage of vulnerability of children and persons who are likely to lack the power to protect themselves from such misconduct. It is antithetical to the gospel call to work as God's servants in the struggle to bring wholeness to a broken world. It violates the mandate to protect the vulnerable from harm.

Sexual misconduct includes sexual abuse, sexual harassment, sexual impropriety, sexual malfeasance, adultery and fornication.

- A. Sexual Abuse: Any offense through contact or interaction involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position.
- B. Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct when submission to such conduct is explicitly or implicitly a term or condition of employment or volunteer service; when submission to or rejection of such conduct by an individual is threatened or used as the basis for employment decisions affecting such individual; or when such conduct, when repeated after a request to cease, unreasonably interferes with work performance or service by creating an intimidating, hostile, or offensive environment for employment or for filling out a term of office as a member of a Committee, Coordinating Team, Commission, as a Commissioner or Synod Officer. Sexual harassment may include, but is not limited to explicit sexual propositions; subtle pressure for sexual activity; sexual innuendo; sexually oriented verbal teasing or abuse, sexually oriented jokes, obscene gestures, language, suggestive pictures, or drawings; physical contact, such as patting, pinching, touching or constant brushing against another's body. It does not refer to occasional compliments.

- C. Sexual Impropriety: Inappropriate verbal or physical sexual conduct toward those under one's supervision or for whose spiritual and physical welfare one is responsible by reason of one's position in the Synod. This term includes, but is not limited to, abuse of a position of trust and exploitation or manipulation of persons who are emotionally, psychologically, physically or spiritually vulnerable.
- D. Sexual Malfeasance: The broken trust resulting from genital contact (contact with the breasts, buttocks, or pubic area) within any of the professional relationships described in the Code of Conduct (Synod Officers, employees, Commissioners, members of Committees, Coordinating Teams, or Commissions, Network participants, and others doing business with or on behalf of the Synod of the Trinity).

HARRASSMENT, INTIMIDATION, VERBAL ABUSE

Every person has the right to work in a non-hostile environment free from harassment, physical abuse or neglect or undue emotional distress. Harassment, intimidation, or verbal abuse is not acceptable to the Synod. Persons serving the Synod are expected to be civil in all relationships.

Examples of behaviors that are unacceptable:

Striking another person.

Swearing or using profane language in normal conversation or when directed in a negative manner against another person or group.

Expressing innuendo or gossip about another person.

Unfairly and routinely criticizing the work of another, making undignified remarks to another employee or program participant, or saying things in a group discussion that are humiliating to another.

Exhibiting a superior attitude, making threatening remarks, engaging in blustery behavior in order to intimidate another or make that person feel small.

Making offensive or insulting statements to or about another person.

FIDUCIARY RESPONSIBILITIES AND CONFLICT OF INTEREST

It is the policy of the Synod of the Trinity to maintain high standards of integrity, honesty, and impartiality in its financial relationships. Therefore the Synod will not tolerate any impropriety in the exercise of its direct fiduciary responsibilities nor in its financial relationships with the Presbyteries or their member churches.

Persons involved in the financial decisions and operations of the Synod are subject to the limitations indicated below and are responsible for ensuring that these criteria are enforced. They must promptly report any identified or suspected unrecorded asset or liability, prohibited financial activity, or financial misconduct to the Synod Executive, Synod Treasurer, Chairperson of the Synod Personnel Committee, or Chairperson of the Synod Finance and Budget Committee.

- A. Persons directly involved with Synod finances may not be related to each other either by blood or marriage (for example: Treasurer/Bookkeeper; auditing or accounting firm staff; Finance and Budget Committee members).
- B. The use of the Synod's assets for any unlawful or improper purpose is strictly prohibited.
- C. No undisclosed or unrecorded asset may be established for any purpose.
- D. No false entries may be made in the financial records of the Synod for any reason and no staff member or Officer may engage in any arrangement that results in such prohibited acts.
- E. No payments may be approved or made with the intention that any part will be used for any purpose other than that described in supporting documents.
- F. Transactions involving officials of the Synod must be adequately controlled and disclosed in Synod records.
- G. Financial transactions may occur only in the normal course of business and must be approved by the Synod Commissioners or by others identified in the adopted financial policies of the Synod.
- H. Synod Officers and staff members are prohibited from accepting a gift, honorarium, or payment for providing a service that would normally fall within the duties of his or her Synod position. Synod Officers and staff members may accept a gift, honorarium, or payment for a service provided that would be considered outside the scope of his or her position with the Synod.
- I. The Synod shall not do business with a company with which an Officer, staff member, Commissioner, or member of the Finance and Budget Committee is associated.

Should an elected or appointed Synod participant be called upon to participate in a decision in which the interests of the Synod may conflict with his or her personal interests, he or she shall refrain from participating in the discussion or vote on the decision in order to avoid even the appearance of conflict of interest or special interest. A vote to abstain will be recorded for that person.

Officers and employees should avoid even the appearance of conflict of interest or special interest. If an employee discovers that he or she may be in a position of conflict of interest, he or she should abstain from discussions and report the potential conflict to the Synod Executive, Synod Treasurer, Chairperson of the Synod Personnel Committee, or Chairperson of the Synod Finance and Budget Committee.

ACCUSATION, INVESTIGATION, AND RESPONSE

A. MAKING AN ACCUSATION OR COMPLAINT

Allegations of, or complaints of, any kind of misconduct must be reported to the Synod Executive or the Chairperson of the Personnel Committee. Allegations or complaints may be made verbally or in writing and may come from Synod Officers, Commissioners, Synod employees, members of Committees, Coordinating Team or Commissions, or Networks, as well as from any outside business or organization with which the Synod has a relationship, or from a third party who is witness to an abuse, or is a recipient of information about an impropriety.

B. INVESTIGATION

The complexity of the Synod's many relationships makes it impossible to describe a course of action for each possible situation that might be encountered. Therefore, a great deal of discretion is given to the Officers of the Synod on how to respond to any given complaint or accusation. Good judgment and common sense must be exercised in deciding on the proper steps to be taken.

C. RESPONSE

Following receipt of an allegation of misconduct or complaint about misconduct, the Synod Executive or the Chairperson of the Synod Personnel Committee shall contact the Synod Stated Clerk and together they shall decide how to proceed.

For Synod employees, whether or not they are Elders, Ministers, and Laypersons, and whether or not they are members of the Presbyterian Church (U.S.A.), the Synod Personnel Committee shall be involved in the matter.

The Presbyterian Church (U.S.A.) Rules of Discipline shall be followed as detailed in the *Book of Order*.

For matters involving Presbyterian Elders and Laypersons, the situation shall be turned over to the local Session.

For matters involving Ministers of Word and Sacrament, the situation shall be turned over to the Presbytery of membership.

For persons who are not Presbyterian, a three person Investigative Team shall be appointed by the Synod Executive (or Chairperson of Personnel) and Synod Stated Clerk from among the Elders and Ministers of the Synod, and the situation shall be turned over to that Investigating Team. This Team shall make a report with three months to the Synod Executive, Synod Stated Clerk and/or the Chairperson of Personnel. The report should include what steps need to be taken to remedy the situation.

If a criminal act is the basis of any allegation or complaint, the matter will be immediately turned over to the proper civil authorities.

Confidentiality is important and must be maintained in order to protect all parties involved.

EMPLOYMENT PRACTICES

The Synod shall maintain a confidential personnel file containing documents related to this policy for every employee.

The Synod shall include questions in pre-employment screenings concerning any previous complaints of any kind of misconduct. All applicants shall be informed of any reports of misconduct and given the opportunity to respond and explain. All records shall be maintained by the Synod.

All persons considered for employment at the Synod should pass a Criminal Background Check, a Child Abuse Clearance, and an FBI Clearance. These reports will be done at the expense of the Synod. Reports shall be updated every five years.

Falsification of any information including the record of any previous complaints or allegations of misconduct on the employee's application is grounds for immediate dismissal.

RECORDS RETENTION AND REPORTING

All records relating to this Code of Conduct will be stored in the office of the Synod Stated Clerk and will be made available by the Clerk as needed.

Copies of signed Acknowledgement and Acceptance Forms will be retained for each Synod staff member in his or her individual personnel file for as long as he or she is

employed and for seven additional years after having ended employment with the Synod.

Signed Acknowledgment and Acceptance Forms required of persons participating in the work of the Synod as members of Committees, Coordinating Teams, Commissions, Networks, or other groups, as well as businesses or organizations, are to be stored in a separate file maintained by the Synod Stated Clerk and retained for three years following completion of service or termination of activity with the Synod.

At the first Synod meeting of each year, the Synod Stated Clerk shall call Commissioners attention to the contents of the Code of Conduct and note who has not signed the Acknowledgment and Acceptance Form.

The Synod of the Trinity
Presbyterian Church (U.S.A.)

CODE OF CONDUCT

ACKNOWLEDGEMENT AND ACCEPTANCE

This is to be signed and forwarded to the Synod Stated Clerk:

I hereby acknowledge that I have received a copy of the Code of Conduct of the Synod of the Trinity of the Presbyterian Church (U.S.A.). I have read the Code of Conduct, understand its meaning and agree to conduct myself in accordance with it. I further understand that the Synod of the Trinity has a policy of ZERO TOLERANCE regarding the issues covered in this Code of Conduct.

(Signature)

(Date)

(Print Name)

(Received by an Officer of the Synod)

(Date)