

The materials in this manual are resources for congregations of the LCMS Northern Illinois District in calling a pastor. Save this document to your computer in Microsoft Word or PDF. Print pages as needed or fill out on your computer. For documents to be submitted to the District President's office, please use the address or fax number at the bottom of each page, or email to president@ni.lcms.org. (Updated April 2014)

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Checklist for Congregation's Call Process

Call Process for (fill in pastoral position title and church name): _____

Date: _____

- Notify Circuit Visitor that a vacancy exists.
- Make arrangements and inform Circuit Visitor and District President of plans for covering the vacancy (see "Purchase of Part-Time Pastoral Services" on district website, if needed).
- Arrange for an initial pre-calling meeting with the District President's office.
- Initiate the Congregation and Community Self-Evaluation process from this manual.
- Review your Constitution and Bylaws for applicable procedures to call a pastor.
- Form a Call Committee.
 - Develop a call list with input from congregation.
 - Submit candidate names to District President using Pastor Nomination Form in this manual. Congregations are also required to submit a copy of their current budget and the congregation's Constitution and Bylaws to the District President's office.
 - Conduct interviews and evaluate/prioritize candidates.
- Obtain call documents from Circuit Visitor or obtain access to them online from the president's office.
 - Fill out information sheets to accompany the call document.
 - Prepare letter that will be sent to the pastor-elect along with the call document; describe the congregation, facilities, community, challenges, opportunities, etc.
- Contact Circuit Visitor and District President regarding date for a call meeting.
- Follow your Constitution/Bylaw procedures for announcing meeting to extend a call.
 - For a sample meeting resource, see the "PowerPoint for a Call Meeting" on district's website.
- After extending a call, send copies to the District President of the Supplement to Diploma of Vocation, the information sheets, and all correspondence with the pastor-elect.
- Make arrangements for the pastor-elect and his wife to visit.
- After a call is accepted, contact the District President and the Circuit Visitor to make arrangements for the service of installation.

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Congregation and Community Self-Evaluation

Name of Congregation: _____

Address: _____

City, State, Zip: _____

The attached materials are designed to assist you in:

1. Understanding your congregation's unique call to ministry and how your congregation can reach out into its community. This important first step should be done **BEFORE** the congregation asks for nominations.
2. Helping the Northern Illinois District understand the needs and opportunities of your congregation.
3. Helping the pastor you call evaluate how well his gifts match the congregation's needs and opportunities.

Be realistic and truthful in the answers to these questions so a beneficial match between pastor and congregation can be made.

MISSION

1. What is your congregation's understanding of the mission of the church?
2. What are your congregation's core values? (A principle that guides an organization's internal conduct as well as its relationship with the external world. Core values are usually summarized in the mission statement or in a statement of core values.)
3. What challenges might hinder your congregation from accomplishing its mission?
4. What ministries are your congregation members excited about?
5. What ministries are challenges to your congregation right now?
6. What material and human assets can be used toward realizing your congregation's mission?
7. What are some significant and key events from your congregation's past?

8. What top three things are often suggested as needing to be changed in this church?
 - a.
 - b.
 - c.
9. Do the congregation leaders take action that demonstrates they want the congregation to grow significantly?

Define who the congregation leaders are.

How do you know this?

10. Are the congregation leaders willing to make the difficult decisions required for change and growth?

Define who the congregation leaders are.

What are those difficult decisions that need to be made?

How do you know this?

11. What makes this church unique?

MINISTRY PREFERENCES

Describe your congregational practice and/or preference toward the following:

1. Liturgical materials
 - a. The Lutheran Service Book
 - b. Lutheran Hymnal
 - c. Lutheran Worship
 - d. Lutheran Book of Worship
 - e. Other

2. Pastoral services (weddings, funerals, visitation, etc.) to:
 - a. non-members
 - b. non-Lutherans
 - c. unchurched people
3. Writing of own liturgies or special services
4. Frequency of the Lord's Supper
5. First communion before or after confirmation
6. Communion policy with regard to those who are not members of your congregation
7. Role (place and participation) of lay people within the church
8. Open to service by women (yes/no):

<input type="checkbox"/> Voters	<input type="checkbox"/> President	<input type="checkbox"/> Vice President
<input type="checkbox"/> Board Chair	<input type="checkbox"/> Board Members	<input type="checkbox"/> Communion Assistants
<input type="checkbox"/> Lectors	<input type="checkbox"/> Elders	<input type="checkbox"/> Ushers
<input type="checkbox"/> Bible Study Leader	<input type="checkbox"/> Other (Describe)	

GOVERNANCE

1. Describe your congregation's governance policy (example: voters and boards; church directors; etc.)
2. Have any new leaders been identified, equipped and elected within the past three years? And if so, how are leaders identified and equipped?

LONG RANGE PLAN

1. How did we get here? (What was the discover process that brought you to this point?)
2. Where are we going? (What is the plan your congregation came up with?)

3. How will we get there? (The continuous process of making organizational decisions based on internal and external assessments.) Estep Jr, James (2005-03-01). Management Essentials for Christian Ministries (p. 90).
4. How will you make it work? (Who are the people and tasks needed to execute the decisions and to measure achievement and performance?)

DEMOGRAPHICS

1. The congregation should complete a free community demographic report available courtesy of Lutheran Church Extension Fund. Contact Sue Green at 708-223-3117 or sue.green@ni.lcms.org for access and instructions to generate the demographic report through the demographic vendor, MissionInsite.
2. Provide the following congregation statistics, which should have been reported to The Lutheran Church-Missouri Synod. Statistics can be found at www.lcms.org by clicking on the “Find a Worker” button on the top right corner. Once on your congregation’s home page, click “View Statistics” in the upper right corner. On the next page, click “Download Statistics” to open a report showing the baptized and communicant membership, as well as average attendance for the past 10 years. If your congregation has not filed a recent statistical report, calculate the information from current records.

	Current	5 Years Ago	10 Years Ago
a. Average Attendance			
b. Baptized Membership			
c. Communicant Membership			
d. Sunday School Enrollment			
e. Bible Class Enrollment			
f. Total budget for current expenses			
g. What percentage of the congregation’s offerings are sent for missions beyond the congregation?			

COMMUNITY

1. What do the people in your community need?

How do you know this?

2. Describe the congregation's involvement in human care ministries within the community.
3. Does your congregation reflect the general population of its community?
4. What percentage of your congregation's membership lives within two miles of the church?
5. According to non-church members, what is your church's value to the neighborhood?
6. What percentage of the newly-called pastor's time will be spent in the pastoral care of members? In the pastoral care of non-members?

STAFFING

1. What provision in time and finances do you make for the pastor's continuing education?
2. If your congregation has paid staff in addition to the pastor, do they regularly meet and pray?
3. List all the paid staff; indicate any that are part-time.
4. Does the annual performance review create opportunities for setting ministry goals?
5. Are staff working conditions regularly considered and reviewed? By whom?

SCHOOL

1. What is your business plan for the school?
2. What is your staff to student ratio?

3. What is your current school enrollment? What was it 5 and 10 years ago?
4. List all the paid staff and volunteers.
5. Does the school do performance reviews to create opportunities to provide growth plans for teachers and aids?

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Pastor Nomination Form

To nominate a Pastor for Consideration by [insert church name and location]

for the Office of Pastor within the LCMS Northern Illinois District

Members of the congregation who wish to suggest names of pastors to be considered for the church's Call List are asked to complete this form. When it is completed, please give it to an Elder or the Chairman of the Call Committee. It will be forwarded to the LCMS Northern Illinois District President. Please include your name at the bottom of the form, otherwise we cannot recognize the nomination as valid.

1. Having carefully and prayerfully considered the pastoral needs of our congregation, I wish to nominate the following pastor as a candidate to be considered for a call to our church:

Name: (Please print): _____

Address: _____

(Please check "The Lutheran Annual" or the Church Worker Locator on www.lcms.org for the correct spelling and address of the pastor!)

2. I believe this pastor will be good for our congregation for the following reasons:

3. Please state whether you know him personally, where from, and for how long a time:

4. If you do not know him personally, state the source of your information, or the basis on which you are making your nomination:

Jesus said to His disciples, "The harvest is plentiful, but the laborers are few. Pray therefore the Lord of the harvest to send out laborers into His harvest." (Matthew 9:37-38)

We are praying that God will give our congregation another faithful pastor:

Name of person making nomination (please print): _____

I am a member of _____ congregation
of _____ (city), _____ (state).

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District Salary Guideline

Scriptural Principles

Professional Church Workers are God's gift to the church. They fulfill the office of public ministry as called by God. Pastors, teachers, and others who share in the church's ministry are to "prepare God's people for works of service, so that the body of Christ may be built up... ." (Ephesians 4:11)

Our care for these workers of the Lord should include adequate salary and benefits. Our care for these workers should reflect our high regard for their ministry and service.

"Let spiritual leaders who lead well be considered worthy of double honor, especially if their work is preaching and teaching, because the Scripture says: 'When the ox is treading out the grain, do not muzzle him,' and a worker deserves his pay.'" (1 Timothy 5:17-18)

"In the same way the Lord has commanded that those who preach the Gospel should receive their living from the Gospel." (1 Corinthians 9:14)

"We ask you fellow Christians, to appreciate those who work with you and who lead you in the Lord and who warn you. Love them and think very highly of them on account of the work they are doing. Live in peace with one another." (1 Thessalonians 5:12-13)

District Salary Guideline

The LCMS Northern Illinois District provides a salary guideline to provide congregations with an objective approach to developing a salary plan for professional and lay workers who serve them.

The tables and information provided are only a guide for congregations as they seek to establish equitable pay practices based on prevailing wages paid in churches and in the local community.

An electronic version of the salary grid below (Microsoft Excel file) is available from the Northern Illinois District's Business Office. Please email Dale.Kuhfahl@ni.lcms.org to request it if that would be helpful to you.

Establishing a Base Salary

The methodology suggested in the salary guideline below is to compare salaries to a local community standard. The suggested method is to discover the local public school base salary as the local community standard and then determine the base salary figure for use with this guideline.

Public school salaries are generally based on a 10-month contract. Therefore, it will be important for you to convert your local figure to a full year base salary.

Congregations not currently reaching the public school base are encouraged to begin a salary increase program that strives to reach this goal.

This base salary can be applied to all salaried church workers when placed on the salary grid and adjusted by suggested factors.

Benefits: Retirement and Health

Concordia Plan Services or any health care or retirement coverage should be considered as part of the total compensation package.

Congregations that are members of Concordia Plan Services are responsible for the full cost of the Concordia Retirement Plan and Concordia Disability and Survivor Plan and must pay at least 50% of the cost for the worker coverage in the Concordia Health Plan.

Please consult Concordia Plan Services for the most current information. Detailed information on Concordia Plan Services can be obtained by calling their office in St. Louis at 888-927-7526.

The level of health care coverage (i.e., congregation paying for family health care coverage) may, in some cases, partially offset or compensate for a lower base salary. However, when changing part of a worker's compensation package it is important to keep in mind the entire package and its impact on the worker.

Other Resources

Information on topics listed below can be found in the latest edition of Congregational Manuals produced by the Synod:

- Housing Allowance – see Congregational Treasurer's Manual
- Congregation Owned Housing – see Congregational Treasurer's Manual
- Self-Employment Tax – See Congregational Treasurer's Manual
- Vacation – see Congregational Personnel Manual
- Sick Leave – see Congregational Personnel Manual
- Personal Days – see Congregational Personnel Manual
- Auto/Travel – see Congregational Treasurer's Manual
- Continuing Education – see Congregational Treasurer's Manual

The Congregational Treasurer's Manual and the Congregational Personnel Manual are both available from the NID office on a CD. Please request them from Dale.Kuhfahl@ni.lcms.org.

They also are available to view and save from both the district website (www.ni.lcms.org) and the LCMS website (www.lcms.org).

Using the Salary Guideline:

Please note! This uses a SAMPLE BASE ONLY. You MUST establish your own base salary as described on page 10 in order to use this guideline correctly. Tables follow the grid.

Name _____

Position _____

Church _____

Years of Service _____

Base Salary	EXAMPLE ONLY	\$50,000.00
Factor for Experience (Table 1)		2
Factor for Roster Status (Table 2)		0.1
Factor for Parish Staff (Table 3)		0.15
Administrative Factor (Table 4)		0
Factor for Teachers (Table 5)		0
SUM OF ABOVE FACTORS		2.25
Annual Projected Salary = base salary x factors		\$112,500.00
Factor for Performance Evaluation (Table 6)		0.04
Performance Compensation		\$2,000.00

TABLE 1
Education & Experience Salary Schedule

Years of Experience	Non-Degreed	Associate	Bachelor	Bachelor +15	Master	Master +30 or M.Div.	Doctorate
0	0.80	0.90	1.00	1.10	1.20	1.30	1.40
1	0.81	0.91	1.02	1.12	1.22	1.32	1.42
2	0.82	0.92	1.04	1.13	1.24	1.34	1.44
3	0.83	0.93	1.06	1.15	1.26	1.36	1.46
4	0.84	0.94	1.08	1.16	1.28	1.38	1.48
5	0.85	0.95	1.10	1.18	1.30	1.40	1.50
6	0.86	0.96	1.12	1.19	1.32	1.42	1.52
7	0.87	0.97	1.14	1.21	1.34	1.44	1.54
8	0.88	0.98	1.16	1.22	1.36	1.46	1.56
9	0.89	0.99	1.18	1.24	1.38	1.48	1.58
10	0.90	1.00	1.20	1.25	1.40	1.50	1.60
11		1.01	1.22	1.27	1.42	1.52	1.62
12		1.02	1.24	1.28	1.44	1.54	1.64
13		1.03	1.26	1.30	1.46	1.56	1.66
14		1.04	1.28	1.31	1.48	1.58	1.68
15		1.05	1.30	1.33	1.50	1.60	1.70
16			1.32	1.34	1.52	1.62	1.72
17			1.34	1.36	1.54	1.64	1.74
18			1.36	1.37	1.56	1.66	1.76
19			1.38	1.39	1.58	1.68	1.78
20			1.40	1.40	1.60	1.70	1.80
21				1.41	1.62	1.72	1.82
22				1.42	1.64	1.74	1.84
23				1.43	1.66	1.76	1.86
24				1.44	1.68	1.78	1.88
25				1.45	1.70	1.80	1.90
26					1.72	1.82	1.92
27					1.74	1.84	1.94
28					1.76	1.86	1.96
29					1.78	1.88	1.98
30					1.80	1.90	2.00
31					1.81	1.91	2.01
32					1.82	1.92	2.02
33					1.83	1.93	2.03
34					1.83	1.93	2.03
35					1.84	1.94	2.04
36					1.84	1.94	2.04
37					1.85	1.95	2.05
38					1.85	1.95	2.05
39					1.86	1.96	2.06
40					1.86	1.96	2.06

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TABLE 2

Additional Factor for Being Rostered

Additional Factor for being on the LCMS Roster.

On Roster	0.10
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TABLE 3

Additional Factors for Parish Staff

Column 1 — Pastors, DCEs, and other parish professionals whose duties are affected by the size of the congregation.
 Column 2 — Principals who are affected by the size of the faculty.

Weekly Worship Attendance	Full Time Equivalent Faculty	
0-75	Less than 4	0.03
76-200	5-8	0.06
201-500	9-12	0.09
501-750	13-15	0.12
751-999	16+	0.15
1,000-1,499	N/A	0.20
1,500 +	N/A	0.25

TABLE 4

Administrative Factors

Use the following factors for additional administrative duties.

Senior Pastor	0.20
Dual Parish	0.10
Principal	0.15
Full Time Preschool Director	0.15
DCE	0.10

TABLE 5

Additional Factors for Teachers

For teachers who perform additional administrative/director duties throughout the year.

Director of Music	0.07
Director of Youth	0.07
Director of Athletics	0.05

TABLE 6

Optional Factor for Performance — Use only if you conduct annual performance reviews

To recognize the performance level of individual workers based upon predetermined standards.
 Performance compensation is calculated separately from the annual salary.

Exceeds Expectations	0.04
Occasionally Exceeds Expectations	0.02
Meets Expectations	0.00
* Occasionally Does Not Meet Expectations	-0.02
* Does Not Meet Expectations	-0.04

* = a formal performance improvement process is strongly recommended

Alternative Method for Salary Guideline

This method is **NOT RECOMMENDED** because it does not consider the dramatic differences in housing and cost of living across the Northern Illinois District. If, however, a congregation chooses not to use the recommended method above (see page 11), this alternative is provided.

In 2009, a beginning base salary for a new worker would be:

Ordained Minister	\$48,000
Commissioned Minister (10 month)	\$35,000
Commissioned Minister (12 month)	\$42,000

This Base Amount would be increased annually by the Chicago Metro Consumer Price Index (CPI).

The Base Amount would be increased annually by 2% (0.02) for each additional year of service.

The Base Amount could be reduced by \$6,000 annually if housing is provided for the minister.

Please remember that this will only serve as a guideline for the Congregation and should be adjusted for any other factors as appropriate by the congregation.

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APPENDIX A

Stewardship of the Parsonage

This template for an agreement between a pastor and the congregation over use and upkeep of parsonage property is adapted from one used by the LCMS North Dakota District. It is provided as a suggestion only, and should be adapted for use as appropriate for each congregation that wishes to use it.

Name of congregation/city

Address/city/state/zip of the parsonage

Legal owners of the parsonage

Name of pastor (or other worker) granted use of the parsonage

General description of the parsonage (type of building, detached buildings included, etc.):

The following items will also be provided (check all that apply):

Utilities: Electric Gas Water and Sewage Garbage Pickup
 Telephone land line Internet Service Provider Other:

Appliances: Refrigerator Dishwasher Microwave Other:

Both the congregation and pastor acknowledge and agree to the following:

1. Prior to occupancy, the pastor and family should expect the clean parsonage to have freshly painted walls, all flooring either cleaned or replaced, all repairs already have been completed, windows washed, and appliances cleaned or replaced.
2. It is the responsibility of the congregation, as part of its provision to the pastor, to keep the property (house, garage, yard) in structurally sound and good repair, including prompt needed maintenance and/or replacement of shingles, siding, doors, windows, plumbing and electric as normal aging and wear and tear require. From time-to-time, the congregation will make upgrades to the property, including electrical or plumbing fixtures and counters

and cabinets. The congregation also will arrange for trimming, removal, and replacement of trees and shrubs when necessary.

3. It is the responsibility of the pastor and family, as stewards entrusted with the care of this property, to keep the property and the yard in good upkeep and repair. This includes such matters as routine household cleaning, carpets cleaned, changing of furnace filters, replacement of light bulbs, watering and mowing the lawn, routine weeding, and the like.

4. In the event that there is damage to the property caused by natural elements or by age-related failure, such as storm damage to shingles, peeling paint on siding and trim, water heater failure, furnace or plumbing failures, concrete deterioration in the basement walls or floor, water seepage, broken branches or downed trees, the congregation will assume prompt responsibility for corresponding repairs and costs and ensure that repairs are completed in timely fashion. If the pastor or family notices any damage, they will notify the trustees as soon as possible so that the appropriate repairs can be made.

5. In the event that repairs are needed due to normal wear and tear or aging, the pastor will notify the trustees in writing as soon as possible so that the appropriate action may be taken.

6. In the event that there is damage to the property caused by mistreatment or neglect, such as a broken window, torn screens, soiled carpet, damage to walls or woodwork, or the like, the pastor will assume the responsibility for corresponding repairs and costs and will ensure that repairs are completed in timely fashion.

7. It is recommended that no pets be allowed on the property. If pets are allowed, extra care should be taken to dispose of waste and prevent pet-related odors and damage to property.

8. Two trustees and their spouses, or designated representatives of the congregation, will conduct an annual “walk-through” of the property. This should be pre-arranged and conducted with the pastor and family. The walk-through should involve the following provisions:

a. The pastor may request repairs or upgrades as noted above (see 1,3,4).

b. The trustees or designated representatives will note all items that are the responsibility of the congregation and will identify items that need repair or replacement with the intent that attention will be given in a timely fashion.

c. The trustees or designated representatives will also note all items that are the responsibility of the pastor and will inform him in writing of any items that need appropriate attention. If such items are identified, the trustees or designated representatives and the pastor will agree to a time frame for appropriate action and will arrange for a follow-up visit to review the action taken.

9. At such time as the pastor accepts a call elsewhere, retires, or vacates the property for any other reason, the following provisions apply:

a. The pastor has the responsibility of removing all his furniture, appliances, books and other personal and family possessions, as well as vacuuming carpets, sweeping and/or mopping floors (as needed), cleaning the kitchen and bathroom fixtures (sinks, tub/shower, toilet), and doing any repairs as noted above (see 5).

b. Two trustees and their spouses, or designated representatives of the congregation, along with the pastor will conduct a final “walk-through” of the property. The pastor may make final recommendations regarding needed upkeep, repairs, or upgrades to the property. In the event that the trustees or

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designated representatives identify an item or items needing attention that falls under the pastor's responsibility (see 5 above), they will make arrangements with the pastor to take appropriate action. Should a disagreement arise, all parties agree to contact the circuit visitor for his counsel and action.

10. After the pastor has vacated the property, a committee of men and women will be appointed to walk through the parsonage and property to evaluate and make recommendations for necessary preparation for the next pastor and his family. The congregations should begin promptly with this preparation.

Signature President of Congregation

Date:

Signature Trustee/Properties or Chair of Congregation

Date:

Signature Pastor

Date:

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APPENDIX B

LCMS Employment Resource Manual 2012 – CHAPTER 3

New Hire Process

INTRODUCTION

Finding and retaining capable and skilled workers for the church is extremely important to all areas of service within the congregation or district. Each worker should be selected on the basis of whether they are qualified, honest, skilled and motivated by a desire to serve the church.

Unfortunately, even in the church, we become targets of lawsuits for negligent hiring if a worker commits a wrongful act. Also, discharged employees who feel wronged, sometimes bring lawsuits for wrongful discharge. Thus it is imperative that the employer operates within legal requirements and exercise diligence under guidance of the Holy Spirit in the selection of all workers.

A. SELECTION PROCESS

The selection process should be done in accordance with applicable federal and state employment laws. Staffing should be done with the knowledge that The Lutheran Church—Missouri Synod and its entities are exempt from the provision of the Civil Rights Act of 1964 which prohibits discrimination based upon religion, and therefore the congregation/district retains the right under federal law to show preference in hiring persons who are members in good standing of a congregation of the Synod for all job positions. While most state laws exempt religious corporations from the prohibition on religious discrimination, some states limit the exemption to job positions for which religion is a bona-fide occupational qualification, such as the pastor or a teacher.

B. POSITION DESCRIPTION

It is recommended that written job descriptions be on file for each position filled. These job descriptions should be as detailed and accurate including all essential functions. When developing job descriptions, you should be aware that the Americans with Disabilities Act may be applied to positions based on the job descriptions for the positions.

Prior to proceeding with the selection of staff, a position description should be written and approved. The position description should be used as the basis for establishing the appropriate hiring criteria.

A position description is a useful tool for the congregation/district as well as for the employee. The position description provides the title of the position, to whom the position reports (is accountable), provides a summary of the job duties, and indicates the qualifications necessary for success. A well-defined position can build successful working relationships where the expectations are clearly spelled out for the employee and the performance of the individual can be measured against the position description. Sample position descriptions are included in Chapter 10, Sample Forms.

C. CALLS/APPOINTMENTS

Calling Ministers of Religion

Only Ministers of Religion – Ordained (Pastors) or Commissioned (Teachers, Directors of Christian Education (DCE), Directors of Christian Outreach (DCO), Directors of Parish Music, Deaconesses, Parish Assistants and Certified Lay Ministers) on the roster of Synod are eligible for a call or appointment. These individuals only achieve eligibility for a Call through completion of a prescribed course of study and diploma from a Synod institution or fulfilled requisites of a colloquy program. (See Synod Handbook). This has implication for the employing congregation or eligibility for housing allowance and withholding employee taxes.

The Call Committee elected to represent the congregation requests nominations from congregants and names of qualified candidates from the District President. The District President's office provides Personal Information Forms (PIF) for all candidates. The selection process is prescribed by The Synod Handbook.

The same process is followed for Ministers of Religion – Ordained (Pastors) or Commissioned (Teachers, Directors of Christian Education (DCE), Directors of Christian Outreach (DCO), Directors of Parish Music, Deaconesses, Parish Assistants and Certified Lay Ministers) with information generally provided by congregants and the District President or appropriate District Program Executive.

The decision to Call is only made by the Voters Assembly/Congregational Assembly and is never delegated to a smaller body; however often a Call committee makes recommendations to the Calling body. For information about the Call and its practical application contact your district office.

D. RECRUITMENT

In selection of lay members (non-Ministers of Religion) or ministers as defined by federal law, under federal law churches are held to the same standards as secular employers, with the exception that we may give hiring preference to members of The Lutheran Church—Missouri Synod with respect to any aspect of employment. The employer is urged to use the Model Employment Application Form which states this hiring preference as part of the employee selection process (See Chapter 10, Sample Forms).

In instances where it is necessary to recruit to fill a particular position, caution should be used in advertising for the open position. No reference should be made in reference to the protected categories of Title VII of the Civil Rights Act. It is recommended all job postings summarize the essential functions of the position as well as provide an outline of the required qualifications.

E. APPLICATION

All applicants should complete and sign a detailed application form (please refer to the sample application form in Chapter 10, Sample Forms) prior to the interview. This form will provide the interviewer with information about the applicant's employment history and can also be valuable in providing a wealth of additional information. In addition, the application can provide a commitment by the applicant to live in accordance with the moral standards of The Lutheran Church—Missouri Synod and give the required consent for the employer to conduct the necessary reference and background checks prior to extending a job offer. The Fair Credit Reporting Act requires that specific notice be provided to an applicant for employment before a background check may be conducted on the applicant by a consumer reporting (i.e. credit) agency. The notice must contain certain language, and must be set forth on a separate sheet.

F. INTERVIEWING

The application and personal interview is by far the most used tool in selecting new workers. However, you should be aware there are federal and state laws that limit your conduct during this process unless a religious exemption and/or ministerial exception apply.

- Under the Americans with Disabilities Act (ADA) you may not ask if a person has any disabilities or a disability that would affect job performance. You must make reasonable accommodation to a disabled person in the application interview and testing process. This may mean holding interviews in a wheelchair accessible area or providing written questions to a hearing impaired person.
- You may not ask about prior Worker's Compensation Claims.
- The questions asked on the application or in the interview are presumed to be the basis of the hiring

decision. Therefore, as a general rule, congregations should avoid inquiries that identify the applicant's age, sex, disability or ethnicity. Congregations need to be aware that, in certain situations, these questions may violate federal, state, or local anti-discrimination laws. The best policy is to ask only questions justified by business necessity.

- According to EEOC guidelines, the following are examples of questions you can and cannot ask during an employment interview.

APPROPRIATE QUESTIONS

Can you meet the attendance requirements of this job?

Can you perform this job with or without reasonable accommodation? Do you have the required licenses to perform this job?

ILLEGAL QUESTIONS

Do you need reasonable accommodation to perform this job?

Do you have a disability that would interfere with your ability to perform this job? How many days were you sick last year?

Have you ever filed for workers' compensation?

G. PRE-EMPLOYMENT TESTS

Performance or aptitude tests are designed to identify candidates most likely to succeed with skills required for a particular job. These tests are legal if they do not screen out individuals in protected groups as demonstrated through a legal validation of the instrument, i.e., females, minorities or individuals with a disability, in greater proportion than, for example, white males. Personality tests should not be used for pre-employment screenings. Again, this exempts those positions in the church where LCMS teachings prescribe eligible candidates.

H. MEDICAL EXAMINATIONS

Although few congregations/districts will ask prospective employees to submit to a physical, you should be aware of the limitations on their use. Applicable laws are the ADA and various state laws. These laws may prohibit discrimination on the basis of a disability which may include conditions such as AIDS, cancer, epilepsy, diabetes, sensitivity to tobacco smoke, back injuries, mental illness and alcoholism.

A significant requirement under ADA is that medical examinations only be given after an offer of employment is made.

I. LIABILITY FOR NEGLIGENT HIRING

Lawsuits against employers by third parties (employees, members of the congregation/district or nonmembers) may be filed for negligence in hiring an employee who is dangerous and caused injury to such third party. These suits will allege the congregation/district failed to adequately screen the employee in the hiring process. An equally serious need for background checks involves hiring workers who will be around children assuring there have been no charges of child molestation. Congregations should check state law for requirements that may be applicable to workers who will be around children.

J. REFERENCE AND BACKGROUND CHECKS

Employment references can be difficult to get because most employers follow a standard neutral reference policy. The church, however, has a responsibility to provide sufficient proof that reasonable steps were taken to determine that a person employed is not known to or pose a threat to others. To insure this, references should be

checked after the best candidate is identified but prior to extending an offer of employment. All references should be documented to support the church's defense that precautions were taken in this regard.

Many states have enacted laws that specifically prohibit an employer from obtaining and using credit information except in limited circumstances. State law should be reviewed prior to requesting any background check. The following criteria may serve as a guide in determining the type of background checks to do:

- Reference checks (verification of performance and prior job related information) should be done on all employees. Such reference checks should consist of contacting at least two personal references and at least one prior employer (if applicable).
- Positions that require an individual to operate a vehicle, either owned or leased by the congregation or district should include investigation of the applicant's driving record.
- Positions that require an individual to represent the congregation or district in an activity that calls for access to members' financial information (e.g., fundraisers, treasurers, assistant treasurers, etc.) should include a background check and an investigation of the applicant's credit history.
- Positions that require an individual to represent the congregation/district through visits to members in their homes should include a criminal investigation of the applicant.
- Positions that require regular access to or control of the congregation's/district's assets, such as cash, equipment, and/or investments that exceed \$5,000 should include investigation of the applicant's credit history.

Information obtained from such reference and/or background checks should be maintained strictly confidential as a part of the applicant's personnel file or in a confidential file created to document the filling of the position.

The employer may be liable for the actions of volunteers, therefore; it is recommended background checks are completed on volunteers.

Please refer to the LCMS National Contract Program for discounted providers of background checks and additional information.

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