

R-7 Parental Leave Justice

Resolved, that the Diocese of Virginia requests that vestries ensure paid parental leave for parochial employees, regardless of whether public or private benefits cover some, all, or none of the cost of such paid leave, consistent with the following guidelines:

- A member of the clergy who is giving or has given birth should be granted at least 12 weeks of leave at 100% of their normal pay, consistent with the requirements for benefits to be paid to the parish by the short-term disability policy of the Church Pension Group sponsored by The Episcopal Church.
- All other clergy or lay persons employed by the parish who themselves, or together with their spouse or domestic partner, have welcomed a new minor child into their family by birth, adoption, or foster placement, should be granted at least 8 weeks of leave at 100% of their normal pay, which leave may be taken consecutively or non-consecutively over the 12 months after the child enters the family.
- In addition to the paid leave recommended herein, vestries should approve up to 12 additional weeks of unpaid leave in a twelve-month period, if requested and documented by any parish employee in order to care for a sick or vulnerable family member, including any infant in the first year of their life. Such family leave may be taken consecutively or non-consecutively, and the employee may elect to use any available paid vacation or sick leave during this period.
- “Normal pay” for purposes of this resolution shall be determined as the average compensation paid by the parish to the employee over the six months immediately preceding the beginning of their family leave. If the employee has not yet been employed by the parish for six months prior to beginning their leave, this average shall be determined using zeros for the months or portions of months prior to the employee commencing employment with the parish.
- Non-stipendiary clergy or lay persons serving the church should be entitled to family leave for the same amount of time under the same conditions as lay employees, whether or not they are paid for their service.

Resolved, that the Diocese of Virginia shall ensure paid parental leave for all paid employees of the Diocese, regardless of whether public or private benefits cover some, all, or none of the cost of such paid leave, at least as generous as that which is herein provided for parochial employees.

Resolved, that The Diocese of Virginia Compensation and Benefit Guidelines shall be updated to reflect the minimum family leave standards in this resolution.

Resolved, that the Diocese of Virginia urges state and federal legislators to adopt public policies ensuring paid family and medical leave for all workers, in the interests of justice, peace and dignity for every human being, and in contribution to the common good of our communities.

Submitted by H.L. Vogl, JD, CFP®, lay delegate, St. David's, Ashburn, on behalf of herself and The Rev. Jo Belser, The Very Rev. Fran Gardner-Smith, The Rev. Shirley Smith Graham, Judy Hall, lay delegate, Good Shepherd, Bluemont, The Rev. Laura Minnich Lockey, The Rev. Dr. Sarah Kye Price, The Rev. Kimberly Reinholz, and The Rev. Anne Turner

Background:

The Diocese of Virginia has several times in recent years introduced resolutions intended to expand its paid parental leave policies, particularly to include adoptive parents and partners of birth parents, since short-term disability insurance policies only provide benefits for medical occurrences. While there has been broad consensus around the justice of this goal, it has been challenging to coordinate a new parental leave policy with the requirements of the Church Pension Group's disability policy, which provides parishes across the country with 70% reimbursement for the cost of continuing 100% pay for 12 weeks for clergy giving birth, but does not provide any coverage for lay employees or clergy who adopt, foster, or assist their spouse or domestic partner after the birth of a child. Moreover, state and/or federal programs providing for paid leave for a broader category of employees appear to potentially be on the horizon, making it harder for parishes to make financial commitments to benefits that may or may not become redundant with public benefits in the near future.

The purpose of this resolution is to provide paid parental leave benefits to clergy and lay employees in the Diocese of Virginia today, while supporting and accounting for the possibility of public funding for some or all of these benefits in the future. Parish vestries are asked to “ensure” full pay for at least 12 weeks (for clergy giving birth) or 8 weeks (for all other parents), and the funding for such assurance may come from any combination of the Church Pension Fund, public or private benefits, and the parish operating budget. The longer period afforded to clergy giving birth is required to ensure that no one’s existing benefits are diminished; 8 weeks of paid leave is an expansion of benefits for other employees of most parishes or the Diocese. Parishes willing and able to commit to leave parity between their clergy and lay employees are certainly welcome to do so.

The resolution also recommends up to 12 weeks of additional unpaid leave for a broader category of parish and diocesan employees, including new parents who would like to take additional time to bond with their infant in the first year of life. This unpaid leave would also be available for caretaking of other family members, such as an elderly parent or sick spouse. This unpaid leave provision generally follows the parameters of the Family and Medical Leave Act (FMLA), even though FMLA technically does not apply to any organization with fewer than 50 employees.

“Regular pay” is defined as average compensation paid by the parish to the employee over the six months immediately before the leave begins. Many policies require twelve months of employment before paid leave is available, but this puts parents who become pregnant shortly before or after a parish transfer or starting a new job in a terrible bind. By averaging six months of pay (including zeroes for months or portions of months before the employee was employed by the parish), draconian all-or-nothing benefit cut-offs are avoided. At the same time, the benefit calculation will discourage transfers shortly before birth or adoption, which would leave the parish with little time to get acquainted with their new clergy or lay employee before they take extended leave. Non-stipendiary clergy and lay persons would be entitled to the same amount of time off as paid employees, though their regular pay rate may be zero.

The Diocese of Virginia requests that all parishes adopt these minimum paid and unpaid family leave policies, but in recognition of the unique needs and resources

of each parish, does not mandate them. The Diocese itself would lead by example and make a firm commitment to its own employees to provide these benefits. In addition, the Diocese reiterates its belief that public policies should be legislated and established to ensure that *all* workers have access to paid parental leave.