

Guidelines for Negotiated Resignations in Northwest Washington Synod

Approved by the Synod Council 14 July 2012

Introduction: The ELCA has placed a high value upon educated and trained leaders for its mission in the world. To serve in public ministry in this church requires extensive education for pastors, associates in ministry, deaconesses and diaconal ministers. In addition, the church acknowledges the call of God as the source for the vocations of its leaders and confirms that call by installing pastors, associates in ministry, deaconesses and diaconal ministers (rostered leaders) into covenantal relationships with congregations.

In this relationship, the rostered leader is sustained by means of monetary compensation, housing or equivalent housing allowance, medical coverage, retirement contributions, professional expense reimbursement, and in some cases, other benefits and allowances provided by the congregation.

At the same time, because of sin, our age old rebellion, our human relationships become overcast for a variety of reasons and even well intended covenants fail to accomplish the mission for which they were established. The guidelines set herein recognize our sinful nature and our imperfections and attempt to provide objective assistance in determining what is fair and compassionate in the breaking of a covenantal relationship between a rostered leader and a congregation.

Under normal circumstances a rostered leader who serves a congregation under regular call will serve that congregation until the leader dies or resigns according to the provisions of the Northwest Washington Synod Constitution (S 14.13, S14.31). These sections of the constitution and other documents of the ELCA also provide clear guidelines for removal of a pastor or lay rostered leader under extraordinary circumstances.

Since the Constitutional process for removal of a rostered leader can be an extremely time and energy consuming process and can cause considerable distress for the leader and within the congregation, there are some situations when an informal process for negotiating a resignation of a leader may better serve both the leader and the congregation. Recognizing that such situations may occur within congregations of this synod, the following protocol may serve as a guideline where such negotiated resignation is deemed appropriate.

1. Any problems or perceived problems concerning the appropriateness or effectiveness of the rostered leader serving the congregation always should be addressed first within the Mutual Ministry Committee, the Executive Committee of the Congregation's Council, or within whatever group is designated to provide staff support. The same approach should be followed in the event that a congregation is not providing or is perceived to be not providing agreed support for a rostered leader. Should that prove unsuccessful, the congregation council should endeavor to find a way to resolve the problems or perceived problems.

2. The elected congregational leadership, usually the president of the congregation, shall consult with the bishop or the bishop's designee, to determine possible strategies for resolution which may include the use of outside consultants, additional training in skills or management, or conflict mediation.
3. Should the rostered leader and the elected leadership of the congregation find themselves unable to resolve their differences, even through suggested strategies, the elected congregational leadership must take an official action to express their lack of confidence in the rostered leader's leadership and must determine their willingness to pursue the constitutional provision for the removal of a rostered leader whom they determine to be unable to fulfill the ministry given the local climate (S 14.13d, S 14.31c). This action must contain specific examples of the rostered leader's inability to perform adequately. Further it must document events that the elected leadership and the rostered leaders have taken to bring them to this point.
4. If the bishop of this synod determines there is no possibility of resolving this situation short of following the constitutional provisions for the removal of a rostered leader, the option of a negotiated resignation may be recommended. The bishop, or the bishop's designee, will first consult with the rostered leader and his/her spouse if the leader is married, to establish the circumstances under which the leader would be willing to step down voluntarily. On the basis of this consultation the bishop will make recommendations to the congregational leadership who will draft a Memorandum of Understanding that spells out the conditions and considerations of a voluntary resignation by the leader.
5. The Memorandum of Understanding will be shared with the rostered leader who will then meet with the executive committee together with the bishop, or the bishop's designee, to negotiate any differences in expectations or considerations. The draft of the Memorandum of Understanding must be shared with the rostered leader prior to meeting with the executive committee so the leader may consult and pray with his/her spouse, mentors, and/or advisors. This agreement shall not be drafted without participation of the bishop or the bishop's designee.
6. The negotiated Memorandum of Understanding shall address the following issues:
 - a. Transitional support for the leader will include the leader's present salary and benefits for an agreed upon length of time. However allowances for continuing education, mileage, etc. will not continue beyond the date of resignation. It is helpful in negotiating transitional support to focus not on an evaluation of service rendered, but rather on the needs of the persons involved and the congregation's ability to provide transitional compensation recognizing that neither the leader's need nor the congregation's resources shall be the primary or sole criterion for negotiations.

- b. Given that a rostered leader’s age and years of service in the current call partially determine need during the transition, the following table may be helpful, though it may not include all contingencies of the given situation.

Age↓ Years of service→	1-5 years	6-15 years	15+
60+	8 weeks	16 weeks	20 weeks
50 – 59	5 weeks	10 weeks	15 weeks
20 – 49	2 weeks	5 weeks	10 weeks

- c. Additional assistance may be provided for emotional support of the rostered leader and the leader’s family, such as extended use of the parsonage, and other issues of concern to the leader or the congregation.
- d. An agreement shall be sustained that neither party will make public comments beyond the official communications on this resignation decision;
- e. The written resignation of the rostered leader will be presented to the congregational council and the bishop within forty-eight hours after both the council and the leader have signed all the provisions of the Memorandum of Understanding.
7. The leader resigning will end the term of service within 14 days of the date of the resignation. A public opportunity to express appreciation to the leader and his/her family will be provided by the congregation’s elected leadership.
8. In the event that this protocol is used to bring about a negotiated resignation, the financial support that the congregation provides to the rostered leader shall be considered “transitional support” and not “severance.” Therefore, the “lump sum” concept associated with severance packages, shall not apply. Should the rostered leader receive a new call or new employment at anytime during the period of transitional support, the congregation’s responsibility will be adjusted to reflect the income the leader receives from the new call or employment.