

Policy on Dissolution of a Pastoral Call Presbytery of Milwaukee

Unless otherwise stated in this policy, “Presbytery” means the Commission on Transitional Ministries (CTM), which has been given responsibility for the actions described herein.

Reasons for Dissolution of a Pastoral Call

There are five primary reasons that a pastoral call with a congregation may be dissolved:

- Resignation due to New Call/Life Change/Renunciation of Jurisdiction
- Lack of Compatibility
- Retirement, Incapacity, or Death of a Pastor
- Reduction in Force or Dissolution of a Congregation
- Misconduct (as defined by the Constitution of the Presbyterian Church (USA))

Cessation of pastoral duties with the congregation begins on the effective date of dissolution. If there are circumstances making it appropriate for duties to cease before the dissolution, the parties shall determine whether the pastor should be placed on administrative leave (paid or unpaid), subject to final approval by the Presbytery. The dissolution of the pastoral call may be initiated by the pastor, the session, or the Presbytery; but pastoral relationships may be dissolved only by the Presbytery. The party seeking dissolution should plan that a minimum of 30 days is needed to dissolve a call and should provide affected parties as much notice as possible.

The Process for Dissolution of a Pastoral Call

(Based on the Book of Order and Presbytery of Milwaukee Stated Clerk’s Advisory Opinion on the Role of the Presbytery in the Dissolution of Pastoral Relationships, dated July 23, 2020 (Advisory Opinion))

Pastor, Co-Pastor or Associate Pastor Requests (G-2.0902 and Advisory Opinion)

A pastor seeking dissolution of a pastoral call shall contact the Moderator(s) of the CTM or the Presbytery staff person who supports the CTM and state the reasons for requesting to dissolve the pastoral relationship. The CTM will appoint a liaison to work with the congregation and the pastor through the dissolution process. The liaison will meet with the session and pastor to discuss the dissolution process and, should it be the case, listen to reasons as to why the relationship should not be dissolved. Should the pastor and session, with the concurrence of the CTM, determine that dissolution is the necessary step, the pastor shall send a letter of resignation to the session (for contracted positions) and/or the congregation (for installed positions). At the appropriate time, determined by the reasons for dissolving an *installed* pastoral relationship, the session shall call a congregational meeting (under leadership of a CTM-appointed moderator) to vote upon the request for dissolution. If the congregation does not concur with dissolution of an installed pastor relationship, the CTM shall hear from the congregation, through its elected commissioners, the reasons why the Presbytery should not dissolve the pastoral relationship. If the congregation fails to appear or if its reasons for retaining

the relationship are judged insufficient, the request may be granted and the pastoral relationship dissolved. G-2.0902. CTM as a Commission of the Presbytery of Milwaukee shall take action upon the request and inform the pastor and session of its decision.

For *contracted* positions, the process is similar except that the vote to request the Presbytery to dissolve the call shall be taken by the session, without a congregational vote.

Congregation Requests (G-2.0903 and Advisory Opinion)

If any congregation desires an *installed* pastoral relationship to be dissolved, the Clerk of Session (or approved session representative) shall contact the Moderator(s) of the CTM or the Presbytery staff person who supports the CTM and state the reasons for requesting to dissolve the pastoral relationship. The CTM will appoint a liaison and, as needed a session moderator, to work with the congregation and the pastor through the dissolution process. The session, in concurrence with the CTM and any appointed session moderator, shall send a letter to the congregation stating the reasons for requesting a dissolution of the pastoral call and shall call a congregational meeting to vote upon the request that the Presbytery dissolve the call. A CTM designee shall moderate the congregational meeting. If the pastor does not concur with the request to dissolve the relationship, the Presbytery shall hear from the pastor the reasons why the Presbytery should not dissolve the relationship. If the pastor fails to appear or if the reasons for maintaining the relationship are judged insufficient, the relationship may be dissolved. G-2.0903. CTM as a Commission of the Presbytery of Milwaukee shall take action upon the request and inform the pastor and session of its decision.

For *contracted* positions, the process is similar except that the vote to request the Presbytery to dissolve shall be taken by the session, without a congregational vote.

Presbytery Action (G-2.0904 and Advisory Opinion)

The Presbytery may inquire into reported difficulties in a congregation and may dissolve the pastoral relationship if, after consultation with the pastor, the session, and the congregation, it finds the church's mission under the Word imperatively demands it. If the Presbytery initiates the dissolution, the CTM will appoint a liaison and other support to work with the pastor, session and congregation.

Compensation Policy for Dissolution of a Pastoral Call

Before a pastoral call is dissolved, the pastor and session (or congregation for installed positions) should also agree on the financial terms of the dissolution, including an ending date for salary, any benefits, and paid leave time, in a manner consistent with any contracted terms and the Presbytery's Personnel Policies for Pastors. In addition, the parties should agree on any terms for release of church-owned property to the pastor, disposition of any church-provided housing, and other matters necessary to winding up the parties' relationship. The parties may negotiate terms beyond these requirements, but not less than these.

The terms of dissolution must be approved by vote of the congregation for installed pastor positions or of the session for contracted pastor positions, as well as CTM before the terms of dissolution become effective.

Normally when the dissolution is due to the pastor's (1) resignation due to accepting a new call or other life change, (2) retirement, (3) renunciation of jurisdiction; or (4) death, continuation of compensation and benefits is not expected from the congregation. When dissolution is due to incapacity, the session, CTM, and the pastor should cooperate to provide any short-term or long-term disability benefits that were part of the pastor's contract or terms of call, including benefits offered through the Board of Pensions. In all of these situations, the congregation may choose to offer continuation of compensation and benefits out of affection and respect or the need of the pastor.

When dissolution is due to the congregation's reduction in force or its dissolution, there is no expectation of continuation of compensation if the pastor and the Presbytery have received at least 90 days' notice.

When dissolution is due to incompatibility, continuation of compensation as set forth below is required. "Incompatibility" includes significant differences between a pastor's gifts/ministry and a congregation's sense of needed pastoral gifts, changed or disrupted ministry environment, poor performance, conflict, or any other situation that brings into question the viability of the pastoral relationship. Before dissolution is sought on this ground, the CTM must be consulted by both parties so that options other than dissolution may be assessed. As used below, "full compensation" means the effective salary components set forth in the pastor's terms of call or contract, plus any unused vacation benefits under the contract or terms of call, up to 3 weeks.

1. Transitional, Interim, and Bridge Pastors: Full compensation as agreed upon in the contract shall be provided for 30 days after the effective date of dissolution, or until the expiration of the contract or the pastor begins work in another position, whichever occurs first. One month's compensation shall be added for each additional year of service not to exceed three months.
2. Stated Supply and Commissioned Pastors: In the first year of the pastorate, full compensation as agreed upon in the contract shall be provided for 30 days after the effective date of dissolution, or until the expiration of the contract or the pastor begins work in another position, whichever occurs first. One month's compensation shall be added for each additional year of service not to exceed three months.
3. Designated Pastors: In the first year of the pastorate, full compensation as agreed upon in the terms of call shall be provided for 30 days after the cessation of employment, the pastor begins work in another position, or the end of the designated period, whichever occurs first. One month's compensation shall be added for each additional year of service not to exceed three months.
4. Called and Installed Pastors: Full compensation shall be provided for three months after the cessation of employment or the pastor begins work in another position, whichever occurs first.

Dispute Protocols

In the event that either the congregation or pastor disputes a dissolution (or for contracted relationships, the session and the pastor dispute the contract termination), then the Presbytery's Dissolution of Pastoral Call Mediation and Arbitration Process governs.

These terms shall be applied to all contracts executed after the date this policy was approved by the Presbytery and all terms of call approved or revised after the date this policy was approved by the Presbytery. By agreement, the parties can agree to an earlier application date. The requirements of this policy cease to apply-but may continue to serve as guidelines where appropriate-in situations involving legal and/or ecclesiastical judicial proceedings.