

GS 58 EXTENSION OF TEMPORARY AMENDMENT OF BYLAWS RE: PASTORAL RELATIONS

Origin: General Secretary, General Council

1. What is the issue?

In April, 2020, the Executive of the General Council approved a temporary change in pastoral relations policies to allow the governing bodies of communities of faith to make urgent pastoral relations decisions on behalf of the community of faith within strict parameters and under the oversight of the regional council [copy of motion attached].

This action was necessary because communities of faith were prohibited from gathering in person due to the COVID-19 pandemic and were therefore unable to make pastoral relations decisions that required a community of faith meeting.

Staff report that the amendment has been very useful during this time, facilitating many changes made to pastoral relationships:

- Ministers have moved (terminating existing relationships, moving and starting new relationships);
- Pastoral relationships have been altered (hours changed);
- Ministers have retired;
- Candidates have begun appointments.

In addition, communities of faith have been doing other work with respect to matters like amalgamations, which will then have an effect on pastoral relationships. The amendment has been helpful in facilitating these matters. Staff are not aware of any problems which have been caused by this amendment.

Pension and Benefits reports that they have been advised of only one ministry personnel lay off requesting continuation of benefits. There may be others who will become apparent when they attempt to access benefits. (Sixty-four lay staff members were reported laid off, ten of whom have now been reported as returned to work.)

The temporary change expires on August 31, 2020, unless extended by decision of the Executive or Sub-Executive of the General Council.

Although public health restrictions have now eased to varying degrees across Canada, many communities of faith are not yet gathering in person because of safety concerns. In communities of faith that have resumed worship services with health protocols in place, it may still be too risky for their vulnerable members and adherents to participate in person.

2. Why is this issue important?

Communities of faith need a mechanism to make pastoral relations decisions in the coming months so that they can continue to function effectively.

3. How might the General Council Executive respond to the issue?

The Executive of the General Council has responsibility for dealing with all emergency work of the General Council between meetings of the General Council [D.5.3].

The General Secretary recommends that:

The Executive of the General Council extend the temporary amendments to pastoral relations policies adopted at the meeting of the Sub-Executive held on April 15, 2020 to December 31, 2020, subject to earlier cancellation or further extension by decision of the Executive or Sub-Executive of the General Council.

Motion: Jane McDonald/Mitchell Anderson

2020-04-15-066

The Executive of the General Council approve a temporary amendment to pastoral relations policies in *The Manual* to enable the governing body or equivalent of a community of faith to make urgent decisions on behalf of the community of faith with respect to initiating a call or appointment, revising the terms of a call or appointment, or ending of a call or appointment in circumstances where it is not practicable to follow those policies outlined in *The Manual*, on the following basis (underlined text for emphasis only, in order to note the significant central role of the regional councils):

- i) for the purposes of this motion, “urgent” means a critical situation that cannot be effectively dealt with under any other bylaw or policy of the United Church, as determined to the satisfaction of the regional council;
- ii) the governing body will consult with the community of faith in advance of making a pastoral relations decision to the extent reasonable and practicable in the circumstances to the satisfaction of the regional council;
- iii) when the governing body is making a pastoral relations decision, the ministry personnel will have the same right to notice of the virtual meeting and an opportunity to respond as provided in section I.3.1.6 of *The Manual*; in this instance, section B.5.4.2 shall be interpreted as nine days where it is not practicable to read during public worship on two Sundays;
- iv) when the governing body of a community of faith requests a change of pastoral relations, the regional council will ask the ministry personnel affected if they support the request. If the ministry personnel do not support the request, the requirement that the minister is given 90 days’ notice or salary and benefits in lieu of notice as provided in section I.3.1.6 will continue to apply, save for the following circumstances, where notice may be abridged or waived by the regional council upon recommendation of the governing body of the community of faith:
 - if the change to the terms and conditions of the call or appointment is the temporary layoff of the ministry personnel relating to the COVID-19 pandemic, and the governing body of the community of faith has:
 - a) declared its intention on behalf of the community of faith to recall the affected minister upon cessation of the COVID-19 pandemic; and
 - b) demonstrated to the satisfaction of regional council that it has exhausted all funding sources;
- v) all other requirements for making a pastoral relations decision, including minimum advance notice of the meeting and notice to the regional council, will apply to the extent possible, and with only such modifications as may be necessary in the circumstances as permitted by the regional council;

- vi) the regional council must ensure all of the requirements set out in this motion have been fulfilled to its satisfaction before it makes a decision on any pastoral relations matter;
- vii) except to the extent modified by this motion, the regional council continues to have the same role and decision-making authority on all pastoral relations matters; and
- viii) this change will be in effect until August 31, 2020, subject to earlier cancellation or extension by decision of the Executive or Sub-Executive of the General Council.

Carried