

Q&A Transcript from *How to Read Our Contract*: February 8, 2024

This is a lightly edited transcript of the Q & A from this program. If there is anything in this transcript that is not clear to you, please reach out to Melissa Carvill Ziemer (carvillziemer@uuma.org) or the Office of Church Staff Finances (<https://www.uua.org/offices/staff/mfd/ocsf>) for clarification.

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Recommended Ministerial Agreement for Full Time Lead/Senior/Solo Ministries:

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Resource Posted: Beginning & Mid Ministry Contract/Call Support Request Form

<https://uuma.org/resource/good-offices-beginning-and-mid-ministry-contract-call-support-request-form/>

Question: Please define start-up, What is a start up?

Matthew Johnson: A start up is a session with the congregational life consultant and members and leaders of the congregation to talk history, expectations, roles, and plans. Usually happens in the fall of the first year.

Question: To clarify, does start up happen after a new minister starts or during the search process?

Matthew Johnson: After you start. Once you begin in August, reach out to the congregational life staff to schedule it (with your board).

Question: How often should a contract be revisited, and does that open it up for changes to all of the terms?

Aija Simpson-Newbury: Many of the contracts have a provision saying that compensation will be revisited annually. And changing that will not change the rest of the terms unless you explicitly try to change the rest of the terms. That's one of the things in Section 7. The changing of any part of the contract does not affect the rest of the contract. So how often the rest is revisited is up to you. There are many ministries that don't revisit anything but compensation in the entirety of the ministry, but if you come to a point in your ministry where something isn't working and that's one of the things you're working on with the Congregation Board, that would be a time to change, say, expectations or how, how many Sundays a month you preach. So, yes, it can change, but it doesn't have to change with any specific time frame.

Matthew Johnson: Jan just put a helpful update in the chat about how often the agreement will be reviewed. So apparently the standard agreement does say that the agreement will be reviewed every three years.

She notes that she doesn't know if people actually do it. And I think the fact that I didn't remember that suggests that a lot of people don't actually do it. But wouldn't it be a good thing to do? So it seems as though we are suggesting that we should be reviewing it every three years. But also that the agreement can only be changed by mutual consent between the congregation and the minister.

So the congregation can't change it without you. You can't change it without the congregation.

Question: If becoming eligible for Medicare a few years into the contract - should that be noted how to adjust that in compensation in the contract or as part of renegotiation of compensation annually?

Ruth Van Lillian: In the current template, 3.23 is where you're going to find the contracted language about health insurance. And there has been information added specifically about employees on Medicare because UUA does have a Medicare supplement for those people.

The question perhaps is what happens when you transition from one to the other? Does that affect your contract? Jan Gartner's with us. I would say that the language of the template covers things such that you don't need to renegotiate your contract. You could certainly, if you anticipate that you will be changing after so many years, you might put a sentence in, we will transition appropriately at the correct time or something like that. But unless Jan thinks otherwise, I would think the current language probably covers it.

Jan Gartner: Very briefly. Medicare reimbursement is a way more complex topic than any of us can absorb. And actually Richard's reaching out to someone who knows more than we do, and we've been doing a lot of research. It is very possible that there might be something in the contract that's technically illegal. And there's a place in the contract that covers that. So we can't say much about it at this time.

Melissa Carvill Ziemer: We recommend that questions regarding Medicare be directed to the UUA Office of Church Staff Finances.

Question: Who should I talk to about parsonages?

Melissa Carvill Ziemer: Questions regarding parsonage agreements should be referred to the UUA Office of Church Staff Finances.

Question: I don't know an incredible amount about the contract but I, when I was reading the part where the contract is tethered to the UUMA guidelines, I don't see specific language, whether it's tethered to the the iteration of the guidelines that are there when you sign the contract, or if it's tethered to any updates on the guidelines as well?

Matthew Johnson: I've seen contracts where the congregation actually puts in you know, basically language that indicates going forward as, as the guidelines might change, they would expect you to be a part of the new guidelines.

I'll say as someone who helped write some of those guidelines and correct me if I'm wrong here, but I believe the plain reading of that is that it, as the guidelines change, so not at the moment of hire, but going forward forever and always. And that's actually, so the MFC requires folks to be in fellowship to also adhere to the UUMA Guidelines. And that would also continue forever and always. So those two go together.

Question: I hate to go back to Medicare. I'm going to just, you may not be able to tell me anything, but I can choose not to elect to have the Medicare supplement. I can choose to say, you know, I'm on Medicare, but I want to continue with the UUA's Insurance policy. And that's part of the negotiation. And I think that's true. I just want to be sure that that's true.

Jan Gartner: I know that for congregations with more than 20 employees (and there are rules about how you count your employees), they cannot kick you off your employer's health plan. It's less completely solidly clear to us for small congregations. I think they have the option of making you. I don't want to say that with 100 percent certainty. If this is a concern for you, please contact the Office of Church Staff Finance.

Question: I have a question about a contract section that maybe other members of the team, or even people who have had multiple experiences with contracts might answer. Is anybody aware of any abuse by Boards of the termination sections dismissal without reason under 3.4? The general language about being able to avoid paying any form of severance through a Board determination that the minister has seriously neglected responsibilities. I asked because it's actually a provision I've never had in a contract. But that's very general language and it does seem to me to be an opportunity for a Board that's contentious with a minister to try to dodge severance responsibilities. I have some concerns about some of the other language there, too. But that one in particular is the most general. Anybody have any experience with that?

Aija Simpson-Newbury: I haven't experienced it. And I think I've done, for the last year or two, the majority of negotiated resignations that we've come across. But I don't know if that's an issue that we have encountered. Melissa or Jan, do you have anything to add?

Jan Gartner: I get asked about it sometimes, and I'm really clear that, you know, we have situations where ministers are clearly not doing their jobs. This isn't just picking through and saying, well, they're not doing this thing they're supposed to do. Right? And so we take it very seriously. And we added some language indicating that they have to be consulting with UUA staff. They can't just dismiss a minister under the terms of that clause. So that's the protective piece of that.

Question: I have several questions and maybe they will be brief? Ruth said there's lots of help and support available for negotiation and Compensation Consultants. Where is that support available? Are we able to access a concrete Compensation Consultant as one who's negotiating the contract? Where would we access such support?

Jan Gartner: We ask the Compensation Consultants to direct professionals to us or to the UUMA Good Offices Contract/Call Negotiation Support Team, so that the Compensation consultant doesn't end up in a weird situation of kind of being a middle person between the congregation and that they're there to support the congregation's process. But in doing so, supporting you.

Aija Simpson-Newbury: And we're here to support you. So if you have a specific contract question or need help, then that's this team, the people who are here, and then we have other folks on the team as well. I think one of the things Ruth was saying is that if the congregation you're speaking to has not spoken to a Compensation Consultant, that it is helpful for your process if they talk to the Compensation Consultant.

Melissa Carvill Ziemer: Our Good Offices Contract/Call Negotiation Support Team has had so much business in the last year, which is really wonderful, we've realized that we need to create some things in order to make good referrals to the team members. So we recently created an intake form. (Linked in the chat:

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So if you are negotiating a contract or a letter of agreement at the beginning or middle of a ministry, it won't take you but a few minutes to fill this out, but it will help you compile all the information that our team members need. And then I will find out who's available and match you up with help from Aija.

Question: Early on, it was mentioned that we could see the changes in the contract. I'm looking at one of the proposed contracts right now. And I don't see any changes, which may mean that there aren't any changes. I'm just wondering where do those show up? How do they show up in the contract?

Matthew Johnson: So, It's possible there aren't any. Congregations, church communities, are full of people from our congregations, so their tech skills are going to be kind of what you expect. It's possible they uploaded the template without the changes, right?

So look in paragraph one, did they put the name of the congregation in there? Look in 2.5.1a and b, did they make a choice between those two paragraphs? Because they actually have to choose, right? So if they did those things, then they have made changes. They should include in your Google Drive folder, or whatever they're sharing with their pre-candidates or their folks

who are talking to you for contract ministry, a version that does either track the changes, or where it's highlighted where there are changes, or a separate sheet that lists the changes. If they didn't do that, ask for that. Say, hey, do you have the list of changes that you made because I'm not seeing it here in the drive. Or, do you need to click or do they need to click to "show changes" in the track changes kind of spot? It's possible there's a technical error in them not doing it.

But there are places you can look in the contract to see like, did they actually do this? Because, and like in the retirement plan, they have to put in a number. One place I'm seeing congregations not fill it out is one of the provisions says, you'll be paid this much, and payday is this day, and they're not filling out what the day is. So that indicates they didn't read it real closely, or they missed that part.

So there are places you can look to see, like, did they just upload the template and forget? Or, or did they only fill in the blanks and make no significant changes, in which case that could be good, or it could mean they just didn't even think about it.

Question: That basic contract before the one from which any changes would be made, would I find that linked out of the settlement handbook? Where would we find that sort of original basic contract?

Resource Provided:

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Rev. Melissa Carvill Ziemer: No one expects or wants their ministry to have a conflicted ending, but it is important for ministers to know what to anticipate should a conflicted ending or negotiated resignation unfold. Aija mentioned the Hold Team, also called the Review Team. Here is more information on that UUA Team:

<https://www.uua.org/careers/ministers/support/review-team>