

## The Bylaws Committee's Response to Heather Kimmel's Opinions

The Bylaws Committee believes it is important for our conference bylaws to reflect the longstanding values of our denomination, which emphasize the need for checks and balances within hierarchical power structures. Representative governance, consisting of a diverse constituency of both lay and clergy members, should hold a central position in our decision-making processes. The primary focus of the bylaws committee was to strengthen the existing intent of the bylaws by enhancing the clarity and explicitness of the language used. The committee aimed to reinforce the principles and guidelines outlined in the existing bylaws through a meticulous review and revision process. By making the language more transparent and specific, the committee sought to ensure a better understanding and adherence to the bylaws' intended purpose.

The proposed governance model as proposed has been derived from the incorporation of successful practices observed in other conferences' bylaws. The committee has carefully examined and integrated elements from these existing models to enhance the effectiveness and applicability of the governance framework.

Regarding Heather Kimmel's opinions, she did not explicitly state that any of our proposals violate nonprofit laws. However, the articles she provided were written by someone whose expertise lies in organizations much larger than our own, and they do not align with the covenantal polity of the UCC. Furthermore, it should be noted that the concern raised by Heather Kimmel regarding the CM appealing a termination decision made by the Board was incorporated into the current bylaws some revisions earlier and the committee's proposed revision did not change the intent but improved its understandability. In addition to clarifying that the CM's right to appeal termination is in the current bylaws, it should be noted that the CM is called by the voting members, not hired by the Board.

Regarding ACMs, our inclusion of termination language acknowledges the tension inherent in associate positions in all settings of the UCC. Associates are supervised by the CM, but they are called by the governing body. As authorized ministers in the UCC, they have certain rights and responsibilities that accompany a called position that distinguishes their status from that of hired employee.

While the proposed amendments may appear to add layers of consultation and oversight in the hiring and firing process within the Conference, it is important to consider the potential benefits and reasons behind these changes. The intention behind involving additional stakeholders is not to undermine the authority of the Conference Minister (CM), but rather to ensure transparency, accountability, and fairness in employment decisions. Here are some points to address the concerns raised:

- **Collaboration and Informed Decision-Making:** Involving multiple parties in employment actions can promote a more collaborative and informed decision-making process. Consulting an outside HR professional can provide valuable expertise and insights that

might otherwise be overlooked. This ensures that employment decisions are well-informed and considerate of best practices and legal requirements.

- **Avoiding Triangulation and Gridlock:** While it is true that involving more people may increase the potential for disagreements and gridlock, the intention is to foster healthy dialogue and consensus-building, not create unnecessary bureaucracy. By bringing different perspectives to the table, it is possible to reach well-rounded decisions that consider various viewpoints and minimize potential biases or blind spots.
- **Protecting Employees' Interests:** The involvement of the Personnel Committee provides an avenue for employees to voice their concerns and have their interests represented. This does not mean that every individual complaint will lead to action or undermine the CM's authority, but rather that there is a mechanism in place to address exceptional cases or serious issues that require further attention.
- **Ensuring Accountability and Performance Evaluation:** Conducting quarterly meetings with the CM and the Personnel Committee to discuss employee performance and potential remedial actions can enhance transparency and accountability and provide valuable consultation before concerns reach a crisis point. It allows for ongoing evaluation and support, ensuring that employees are meeting expectations and addressing any performance concerns in a timely manner.
- **Proper Use of Situational Support Consultation:** While the inclusion of Situational Support Consultation may seem out of place in employment matters, it can be beneficial in handling exceptional cases that may require additional guidance or mediation. This process can be utilized to address complex situations where ecclesiastical oversight may be needed to provide clarity and resolution.
- **Balancing Trust and Oversight:** The involvement of the Personnel Committee in employment matters is not necessarily an indication of distrust in leadership. Instead, it demonstrates a commitment to transparency, accountability, and a desire to collaborate on matters that have a significant impact on the Conference and its employees. It is important to strike a balance between trust and oversight to ensure the well-being of the organization and its workforce.

In conclusion, while the proposed amendments may introduce additional stakeholders in the hiring and firing process, they aim to enhance decision-making, transparency, and employee well-being. By fostering collaboration, addressing exceptional cases, and promoting accountability, these changes can contribute to a healthier work environment and more informed employment actions. It is essential to approach these amendments with an open mind and consider the potential long-term benefits they can bring to the Conference.

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