PEOPLE RELATED LEGAL RISKS OVERVIEW

In a recent article by Richard R Hammar from the Enrichment Journal he listed the 10 top legal risks facing church's and church leaders. Interestingly all 10 had to do with people issue related risks.

Negligent Selection of Church Workers	Security Law Violations (Code of Conduct Issue)
Negligent Retention of Church Staff	Employment Law
Negligent Supervision of Church Staff	Undue Influence on a Donor
Counseling (Communication)	Personal Liability of Church Leaders/Supervisors
Child Abuse Reporting	Punitive Damages for Gross Negligence

These risk areas can be an issue for any pastors, any employees and all volunteers associated with a Church. In this section of online helps Transformation Ministries is providing some online samples of tools churches can use to help mitigate legal risks.

The first 5 subsections have to do with selection, retention, supervision, counseling and child abuse. The helps are entitled (1) Application for Employment, (2)Application for Ministry Background Addendum to the employment application for those coming into contact with minors, (3) Guidelines for Providing a Safe Environment and for Preventing Allegations of Child Abuse, (4)Statement of Understanding Regarding Reporting of Child Abuse and (5) Screening of Those Working with Minors. The Church's legal risks hinge on taking the time and doing the investigation to screen potential employees and volunteers regarding their character, integrity, their history of performance and their belief in God, Jesus Christ and the basic instructions and guidance provided by the Bible.

If a church selects the right people, supervision is a reasonable task and legal risks are minimized. If a church selects the wrong people supervision is a nightmare and legal risks can be very high. The remaining segments of this section on people related legal risks section provided for Transformation Ministries churches have to do with the treatment and supervision of the people and volunteers a Church selects. These sections cover key elements of (1) Employment Policy, (2) Protection of Employees and Volunteer to avoid accidents, and (3) performance problems resolution. Also included are two very important segments on setting the stage for effective and productive employees; (1) a job description template that lets the employee/volunteer know what is expected that include the necessity to set up periodic (no longer than annual) measurable goals of expectations, and (2) two versions of a performance evaluation form as a vehicle to provide formal feedback to employees and volunteers.

Finally this segment contains a reference Personnel Manual covering many topics a Church may have to deal with in the training, supervision and care of employees and volunteers. If a Church is searching for a starting place it is recommended that the Church refer to the table of contents in this referenced Eastside Christian Church Personnel Manual to see if there is some material that can be used a spring board for helping a church with its specific need.

Another major subject area related to dealing with employees and volunteers is covered in the next segment of Transformation Ministries online helps for member Churches entitled Code of Conduct.[1]

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[1] *These samples are provided as input to assist you in developing procedures, but are not a substitute for considering the risks at your church and establishing your own policies and procedures to reduce those risks to acceptable levels. Transformation Ministries provides these as a convenience for its churches but directly states to you, the user that Transformation Ministries is not providing these to you as legal advice or even a substitute for legal advice. Use of these samples is at your own risk. Laws change and best practices change, sometimes rapidly. It is your church's responsibility to stay abreast of changes in laws and best practices. It is recommended you always consult with your attorney and/or CPAs part of the process of developing your policies and procedures.*