

Coalition for Realignment Clergy & Lay Employee Care FAQ

Diocese of Pittsburgh

Realignment Questions / Concerns

Check list / Contact Information

Background: This document is prepared to assist parishes and possibly other organizations that may be considering issues related to clergy and lay employee care during and leading up to the realignment vote in the Diocese of Pittsburgh. Since much of the anxiety people feel is related to employment security there are many legal issues addressed here.

1. Legal

- a. Clergy employment: Consider memorializing all agreements in writing.
 - i. Existing home financing through parish– Contact Diocese of Pittsburgh for information.
 - ii. Other loans through parish - Contact Diocese of Pittsburgh for information.
 - iii. Employment contracts with parish - Contact Diocese of Pittsburgh, Attorney Wicks Stephens at Anglican Communion Network or Attorney Nick Storm, Task Force member for information.
- b. Church property and corporate law suits – Contact Attorney Wicks Stephens at Anglican Communion Network for information.
- c. Deposition / Inhibition - Contact Attorney Wicks Stephens at Anglican Communion Network for information.
- d. Volunteer Lay Leadership Stability –
 - i. Directors & Officers Insurance: Contact Marsha Tallent the diocese about getting on the new policy. Also many higher end homeowner plans have clause that covers volunteer positions with nonprofit organizations.
 1. The new diocesan policy is not with Church Insurance of Vermont which will not insure related party claims, e.g. ECUSA/TEC is a related party to the Diocese of Pittsburgh, and Episcopal parishes of the diocese. The diocese has a new policy in place with alternate groups. Make sure your parish contacts Marsha Tallent at the diocesan office to send a cancellation notice to Church insurance of Vermont and gets on the new policy.
 - ii. Personal Liability: Husband and wife should not both serve in positions of fiduciary authority in national church, the diocese and/or a parish at the same time. Speak with your personal attorney.
 1. Pennsylvania law provides protection for joint titled assets such a home or investment account as long as all parties in the jointly titled asset are not liable to the same entity. Ask your personal attorney for advice in this area and about “joint tenants by the entities.”
 - iii. Articles Of Incorporation and By-laws of the Parish: Your parish may or may not be incorporated. If you are incorporated the Articles of Incorporation take

precedence over the by-laws. The Articles of Incorporation always control over the By-laws if there is any conflict.

1. You should verify that a current copy of your Articles of Incorporation and By-Laws on file with the diocese. Call Janet Cummings at the Diocese to verify.
2. Make sure your Articles Of Incorporation are in agreement with your By-laws, and that both express your intent.
3. Consider removing poison pill clauses from the corporation (parish) Articles and/or By-laws which may prevent dissenting persons from serving in leadership or even membership in the parish.
 - a. In some cases “poison pill” clauses are effectively gag orders on civil disobedience that can state those opposing authorities listed elsewhere in the by-laws cannot even be members of the parish (much less hold leadership positions, e.g. vestry).
4. Amendments to Parish By-laws typically must be voted on at annual or special meetings of the parish and must be approved by the Diocesan Standing Committee prior to being filed with the Commonwealth of Pennsylvania Department of State in Harrisburg. Articles of Incorporation amendments may also require a congregational meeting and must also be approved by the standing committee prior to being filed with the Department of State in Harrisburg, PA. Don't wait to look at this issue.

2. Pension

- a. General – for questions regarding vested benefits and options with the Church Pension Fund contact that office directly.
- b. Clergy
 - i. A nationally underwritten plan is available through Anglican Communion Network for clergy not affiliated with TEC. Contact Anglican Communion Network for information.
 - ii. Private 401k / 403b plans and IRA's available through insurance companies, stock brokerage houses and banks. General questions – contact the Rev. Cn. Daryl Fenton at Anglican Communion Network or the Rev. Donald Bushyager, Task Force member.
 - iii. Senior clergy near retirement – contact the Rev. William Ilgenfritz for information.
 - iv. Clergy in first years of employment and not vested or not yet contributing – Contact Attorney Wicks Stephens at Anglican Communion Network for information.
- c. Lay employees
 - i. A nationally underwritten plan is available through Anglican Communion Network for lay employees. Contact Anglican Communion Network for information.
 - ii. Private 401k / 403b plans and IRA's available through insurance companies, stock brokerage houses and banks.

- iii. Existing Church Pension Group Plan: consider immediate vesting for lay employees. This is a one page form and can be handled by facsimile. The form entitled “Defined Contribution Retirement Plan Employer Amended Application Form” is available on the Parish Toolbox website.
 - 1. Immediate vesting of lay employees avoids many issues related to possible realignment.
- 3. Health Care
 - a. Diocesan plan with Highmark will remain in place without change post realignment. Contact Diocese of Pittsburgh for information.
 - b. Anglican Communion Network will offer a nationwide Preferred Provider Network through Aetna for those who desire to participate. Contact Anglican Communion Network for information.
- 4. Other Group Insurance Plans
 - a. An optional stand alone Group Life and Accidental Death Insurance program will be available in the third quarter of 2008 from the Anglican Communion Network, contact their office for information.
 - b. Optional stand alone Group Short Term and Long Term Disability Insurance programs will be available in the third quarter of 2008 from the Anglican Communion Network, contact their office for information.
- 5. Property and Casualty and Liability Insurance
 - a. If you are covered through a local agent notify him/her of the change of affiliation upon realignment. This should have no affect the coverage.
 - b. The Anglican Communion Network national outlet for these types of coverage is Frost Insurance Group and they will assist in any way they can.
- 6. Physical, Emotional and Financial wellbeing
 - a. The Diocesan Crisis Fund is available - Contact Diocese of Pittsburgh for information.
 - b. A network of “Spiritual / Pastoral Councilors” is available - Contact Diocese of Pittsburgh and asks for Bishop Scriven or Cannon Hays for referral.

Contact Information:

Episcopal Diocese of Pittsburgh:
 535 Smithfield Suite 900
 Pittsburgh, PA 15222
 (412) 281-6131
<http://www.pghanglican.org/leadership/whocontact>

Anglican Communion Network
 535 Smithfield Street, Suite 910
 Pittsburgh, PA, 15222-2305
 (412) 325-8900
switchboard@acn-us.org

Church Pension Group (Episcopal Church Pension Plan)
 445 Fifth Avenue
 New York, NY 10016

(800) 223-6602
http://www.cpg.org/contactus/
The Rev. Donald Bushyager
412 562-1618
dbushyager@bbrserviceslp.com
Attorney Nick Storm
(412) 553-2776

Other Resources:

<http://www.parishtoolbox.org/>

<http://re-align.org>