

## **GS 104 EXTENSION OF TEMPORARY AMENDMENT OF BYLAWS RE: PASTORAL RELATIONS; TEMPORARY AMENDMENT RE: CONGREGATIONAL ANNUAL MEETING**

**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, expiring August 31, 2020 (see attached copy of decision). The Executive of the General Council later extended the expiry date to December 31, 2020, and then again to June 30, 2021.

The need for this temporary change in pastoral relations policies continues. Under current public health restrictions across Canada, most communities of faith are not permitted to meet in person.

The current restrictions have also prevented many congregations and pastoral charges from holding an annual meeting as required under The Manual. Some communities of faith have held meetings through teleconferencing or other virtual means but for many others, this is not a realistic option.

The decisions to be made at the annual meeting include approval of an annual budget. This decision could be delegated to the governing body of the congregation or pastoral charge. Other decisions - the election of the governing body and the board of trustees - may not legally be delegated but The Manual already provides a means for filling vacancies in those bodies between congregational meetings.

### **2. Why is this issue important?**

Communities of faith need a mechanism to make urgent pastoral relations in the coming months. They also need to have an annual budget in place for the coming year so that they can continue to function effectively.

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

**The General Secretary recommends that the General Council Executive:**

**(a) further extend the temporary amendments to pastoral relations policies that were originally adopted in April, 2020;**

**(b) temporarily suspend the requirement in section B.5.1 of The Manual for congregations or pastoral charges to hold an annual meeting; and**

**(c) temporarily amend the responsibility of the congregation or pastoral charge to make a decision on their annual draft budget by allowing the governing body of the congregation or pastoral charge to fulfil this responsibility where necessary,**

**with each of the foregoing to be in effect until December 31, 2021, 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:
  - a) 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**