

The Riverside Church Confidentiality and Grievance Policy

Adopted by Church Council, March 13, 2022

THE RIVERSIDE CHURCH CONFIDENTIALITY AND GRIEVANCE POLICY

1. **POLICY.** The Riverside Church (“TRC”) Church Council (the “Church Council”), in keeping with its duties to make decisions concerning the policies, programs and practices of TRC, and guided by the general principles that govern Christian life, the mission of TRC, the spiritual needs and concerns of the congregation, and inspired by Matthew 18, verses 15-17, has adopted this Confidentiality and Grievance Policy (the “Policy”). The Church Council strongly recommends that all current committee, commission, auxiliary and council members and those seeking election or accepting appointment to the same (collectively “Lay Leader(s)”), prior to declaring election candidacy or accepting appointment, sign this Policy acknowledging and agreeing to adhere to the following provisions and understanding that adherence to this Policy is an obligation that continues beyond the Lay Leader’s membership in TRC, as noted in Section 11, below:

a) Lay Leader shall not, except as compelled by law or court order, publicize or otherwise disclose (“Disclose”) to any person or entity, or any judicial body, except subject to a valid subpoena, any TRC documents or confidential information, as defined in Section 2, below, or the subject matter thereof without the express written permission of the Chair of the Church Council (the “Chair”) or the Vice-Chair of the Church Council (the “Vice Chair”) if the Chair is the Lay Leader seeking to Disclose such TRC documents.

b) Lay Leader shall not photograph, scan, copy, memorialize or otherwise reproduce any TRC documents without the express written permission of the Chair or the Vice-Chair if the Chair is the Lay Leader seeking to reproduce such TRC documents.

c) Lay Leader shall not notify, speak or in any way communicate with the press, public or any other media outlet, including social media, (the “Press”) without the express written permission of the Chair or the Vice-Chair if the Chair is the Lay Leader seeking to communicate with the press.

d) Lay Leader shall abide by this Policy for resolving Disputes, as defined in Section 3, below, prior to seeking any other remedy, including initiating legal action, regarding TRC bylaws, policies and procedures, and any decisions of the Senior Minister and staff, TRC congregation, Church Council, and TRC commissions, committees, and auxiliaries.

2. **CONFIDENTIALITY.** Lay Leader understands and agrees that Lay Leader will have access to the confidential information of TRC. For the purposes of this Policy, “confidential information” means all information regarding TRC - including TRC bylaws, policies and procedures, documents, and any decisions of the Senior Minister and staff, TRC congregation, Church Council, and TRC commissions, committees, and auxiliaries - to which the Lay Leader has access. Confidential information also includes information which, by the nature of the circumstances surrounding the disclosure by the Lay Leader, ought in good faith to be treated as confidential. Confidential information includes, and is not limited to, proprietary, restricted, and sensitive information, documents and data concerning TRC, its staff, members, operations, auxiliaries, clergy, and Senior Minister.

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For the purposes of this Policy, confidential information does not include:

- a) Information that is currently in the public domain or that enters the public domain after the signing of this Policy through no act or failure to act of the Lay Leader;
- b) Information the Lay Leader lawfully receives from a third party without restriction on disclosure and without breach of a non-disclosure obligation;
- c) Information the Lay Leader knew prior to receiving any confidential information regarding TRC; or
- d) Information that is publicly disclosed by the proprietary owner of the information.

Lay Leader acknowledges and agrees that all confidential information is and shall remain the sole property of TRC.

Lay Leader acknowledges and agrees that the use or disclosure of confidential information in a manner inconsistent with this Policy is not in the lawful performance of their duties.

Lay Leader acknowledges and agrees that the use or disclosure of confidential information in a manner inconsistent with this Policy will cause TRC irreparable damage, and that TRC shall have the right to equitable and injunctive relief to prevent such unauthorized use or disclosure, and to such damages as are occasioned by such unauthorized use or disclosure.

3. GRIEVANCE COMMITTEE. The Grievance Committee shall be the sole and exclusive body to hear all grievances, disputes, objections, or protests (collectively "Disputes") brought by Lay Leaders arising from TRC policies and procedures, TRC bylaws, TRC programs and any decisions of the Senior Minister and staff, TRC congregation, Church Council, and TRC commissions, committees, and auxiliaries that the TRC congregation cannot resolve at regular meetings in consultation with ministers, staff, deacons, and other officers, acting prayerfully in keeping with Christian principles.

The Grievance Committee shall have the authority to hear both religious society and religious corporation grievances.

- a) Composition – The Grievance Committee shall consist of three (3) individuals: the Chief Operating Officer¹, the Vice Chair of the Church Council and one of the four (4) elected Commission representatives to the Church Council² as selected by those four (4) Commission representatives.

¹ If the position of Chief Operating Officer is vacant, the Director of Finance shall substitute.

² The Commission representative to the Executive Committee shall not be selected nor vote on the selection to the Grievance Committee.

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b) Conflicts of Interest – The Grievance Committee shall avoid both apparent and actual conflicts of interest. If a member of the Grievance Committee may be considered on any standard by a reasonable individual to have a bias for or against any person involved in a Dispute, or their action or inaction is the basis for the grievance, that member of the Grievance Committee shall excuse themselves from the review of that Dispute. If any member of the Grievance Committee excuses themselves from the review of a Dispute, the Chair of the Nominating Committee shall substitute.

c) Authority - The Grievance Committee has the authority to make final decisions on Disputes regarding all matters including, but not limited to:

1) Violations of applicable federal, state, and local laws and regulations, TRC bylaws, policies, and procedures; and violations of this Policy; and

2) The commission of any act or acts which may disparage TRC and/or inure to the detriment of its good name and reputation; and

3) The commission of any act or acts which the Grievance Committee determines to be indecent, heinous, or present a danger to the safety and well-being, physical or mental, of any congregant or individual affiliated with TRC.

The Grievance Committee shall report to the Church Council at its monthly meetings and provide updates regarding the number and general status of all Disputes.

4. DISPUTE REQUIREMENTS. To be eligible for review by the Grievance Committee, a Dispute brought by a Lay Leader must meet the following requirements:

a) Lay Leader must be directly involved in the Dispute.

b) Lay Leader must fully complete the TRC Grievance Form,³ including providing contact information for the Lay Leader and any others named in the Grievance.

c) Lay Leader must describe in detail the grounds for the Dispute and include all information necessary to allow for an informed decision and be accompanied by three (3) copies of all information to be presented to the Grievance Committee along with all supporting documents.

d) Lay Leader shall send the TRC's Grievance Form to the Senior Minister and the Grievance Committee at the addresses listed on the TRC Grievance Form.

5. GRIEVANCE COMMITTEE MEETINGS. The Grievance Committee shall meet within ten (10) business days after receipt of a TRC Grievance Form to review the Dispute and supporting documents. The

³ To be developed.

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Grievance Committee shall conduct Dispute Resolution Meetings (“DRM(s)”) regarding each Dispute as follows:

- a) Notification – The Grievance Committee shall notify Lay Leaders who sign TRC Grievance Forms, those named in the Forms, and other individuals it deems necessary to present information to the Grievance Committee no later than ten (10) business days prior to a scheduled DRM.
- b) Forfeiture - An invited person who fails to appear before the Grievance Committee after having received notice shall forfeit all rights to reschedule the DRM.
- c) Legal Representation – DRMs are not legal proceedings. Individuals may not appear with legal counsel before the Grievance Committee. Attorneys may appear before the Grievance Committee only in an individual capacity to provide information at a DRM.
- d) Right to Question – the Grievance Committee has the sole and absolute right to question individuals providing information at a DRM.
- e) Participation - The Grievance Committee has the sole right to determine who may attend a DRM.

6. GRIEVANCE COMMITTEE DECISIONS. The Grievance Committee shall consider all relevant information and render a decision as follows:

- a) Information - The Grievance Committee has the right to use information from all sources it deems appropriate under the circumstances.
- b) Timeliness – The Grievance Committee shall render a decision within thirty (30) business days of the conclusion of receipt of all relevant information regarding a Dispute.
- c) Voting – Each member of the Grievance Committee shall have one (1) vote. All three (3) members must be present at the DRMs regarding a particular Dispute to render a decision. The vote necessary to uphold or deny a grievance is two (2) votes.
- d) Remedy – If the Grievance Committee suggests a remedy as part of its decision, the Church Council must begin implementation of said remedy within ninety (90) business days of the decision.
- e) Notification – Within two (2) business days of rendering a decision regarding a Dispute, the Grievance Committee shall communicate its decision and provide a basis thereof to the Chair of the Nominating Committee and the Church Council. Within five (5) business days of rendering a decision regarding a Dispute, the Grievance Committee shall communicate its decision to the signatory on the TRC Grievance Form.

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7. **APPEALS.** Decisions of the Grievance Committee shall be appealable only to the Senior Minister unless the grievance entails a decision of the Senior Minister in which circumstance the appeal shall be heard by the Chair of the Nominating Committee. There shall be no appeal from the decision of the Senior Minister or the Chair of the Nominating Committee. Appeals must be made within thirty (30) business days of the decision of the Grievance Committee and the Appeal must be decided within ninety (90) business days of receipt of the appeal.

8. **RECORDS.** The records of the Grievance Committee shall be maintained for eight (8) years.

9. **MUTUAL NON-DISPARAGEMENT.** Lay Leader agrees not to defame, disparage, or demean other Lay Leaders, the TRC, or any TRC member in any manner whatsoever. In any communication regarding this Policy, Lay Leader will limit communications regarding this Policy to a statement that a particular Dispute has been resolved by mutual agreement and that the terms are confidential.

10. **SANCTIONS.** Lay Leaders agree that a failure to abide by the terms of this Policy shall result in the immediate suspension and termination for cause from any elected or appointed position the Lay Leader currently holds, and any participation in Church Council, TRC commissions, committees, and auxiliaries.

11. **SURVIVAL.** Lay Leader agrees that the rights and obligations set forth in paragraphs 1, 2, 9 and 10 shall survive and continue after their term(s) as Lay Leaders.

Signing this Policy indicates your understanding and acceptance of The Riverside Church Confidentiality and Grievance Policy, including your agreement not to seek any other process to remedy a dispute regarding TRC unless and until you have exhausted the procedures herein described.

Very truly yours,

Agreed to by:

By the Riverside Church:

Signature

Signature

Name (printed)

Name (printed)

Title

Title

Date

Date