

CHRISTIAN EMPLOYERS ALLIANCE

THE CHURCH EMPLOYER PROTECTION CHECKLIST

10 questions every church should answer before an employment, benefits, or regulatory issue becomes a crisis.

A STEWARDSHIP TOOL FOR CHURCH LEADERS

A church is a ministry, a community of faith, and an employer. This checklist helps pastors, executive leaders, board members, and administrators identify where their employment practices, benefit plans, and records may need attention.

How to Use This Checklist

- ☐ Invite the person responsible for HR, benefits, finance, and governance to complete it with you.
- ☐ Mark each statement you can verify with a current document—not simply an assumption.
- ☐ Record an owner and deadline for every unanswered item.
- ☐ Ask qualified legal, tax, HR, or benefits professionals to review issues requiring professional advice.

IMPORTANT

This checklist is educational and does not provide legal, tax, benefits, or human-resources advice. It does not create an attorney-client relationship. Laws and plan obligations vary by jurisdiction and circumstances. Consult qualified counsel and professional advisors regarding your church's specific situation.

1

Is your church's religious identity clearly documented?

WHY IT MATTERS A sincerely held religious identity is easier to demonstrate when governing and operational documents tell the same story.

- ☐ Our governing documents contain a current, board-approved Statement of Faith.
- ☐ Employment applications, job descriptions, handbooks, and benefit-plan documents consistently reflect our religious mission.
- ☐ The church has documented how its beliefs guide employment and ministry decisions.

NEXT STEP Identify inconsistencies and place formal review of the Statement of Faith and governing documents on the board calendar.

2

Have you identified which roles are ministerial?

WHY IT MATTERS Job titles alone do not determine whether the ministerial exception applies. Courts examine the role's religious functions, responsibilities, and how the church presents the position.

- ☐ Each ministry-facing role has an accurate written job description.
- ☐ Religious duties—teaching, worship, spiritual formation, pastoral care, or faith leadership—are described specifically.
- ☐ The church has not labeled every employee 'ministerial' without examining actual responsibilities.

NEXT STEP Review roles individually with qualified counsel; update descriptions before a dispute arises, not after.

3

Do your hiring practices protect mission alignment?

WHY IT MATTERS Churches should understand the religious-employer rules that may apply while still using consistent, well-documented hiring practices.

- ☐ Every position has written, job-related qualifications and defined religious expectations where appropriate.
- ☐ Interviewers use consistent questions and document legitimate reasons for decisions.
- ☐ Background checks, reference checks, and authorization forms comply with applicable law.

NEXT STEP Audit one recent hire from application through offer and correct missing or inconsistent documentation.

4

Does your employee handbook reflect both your faith and current law?

WHY IT MATTERS A generic commercial handbook may omit religious identity, contain contradictory policies, or fail to address laws applicable to your church.

- ☐ The handbook connects workplace expectations to the church's mission and beliefs.
- ☐ Policies address equal employment, conduct, accommodations, leave, reporting, discipline, technology, and complaint procedures.
- ☐ Employees acknowledge the current version in writing, and the handbook receives an annual review.

NEXT STEP Schedule an annual legal and HR review; do not copy another organization's handbook without adapting it.

5

Can your team handle accommodation and leave requests consistently?

WHY IT MATTERS Religious accommodation, disability, pregnancy, and protected-leave requests can trigger different duties, documentation rules, and timelines.

- ☐ Managers know where to route requests and avoid promising approval or denial on the spot.
- ☐ The church uses a documented, individualized review process.
- ☐ Medical and other confidential records are stored separately with limited access.

NEXT STEP Give managers a one-page escalation procedure and designate one trained decision owner.

6

Have you reviewed what your health plan actually covers?

WHY IT MATTERS Plan summaries do not always reveal every drug, procedure, network rule, or administrative practice that may conflict with the church's convictions.

- ☐ We know whether the plan is fully insured, self-funded, or level-funded and who controls coverage decisions.
- ☐ We have reviewed the plan document, pharmacy formulary, exclusions, TPA agreement, and stop-loss terms.
- ☐ Faith-based coverage positions are documented and communicated correctly to the insurer or administrator.

NEXT STEP Request the controlling plan documents and complete a coverage review before renewal. Do not rely only on a sales summary.

7

If relying on CEA protections, have you completed the implementation steps?

WHY IT MATTERS CEA's protections apply to qualifying, active members and to the specific federal mandates, agencies, conduct, and circumstances addressed by the applicable court orders and settlement.

- ☐ Our qualifying CEA membership is active and continuous, and required faith commitments are current.
- ☐ We understand the scope and limits of each protection rather than treating it as immunity from every claim.
- ☐ Required CEA template notices have been sent to the appropriate insurer and third-party administrator, with proof retained.

NEXT STEP Use the current member-portal instructions and templates; confirm implementation with the appropriate advisor.

8

Are payroll, worker classification, and records audit-ready?

WHY IT MATTERS DOL and IRS questions can expose wage, overtime, contractor, payroll-tax, and recordkeeping problems unrelated to the church's religious status.

- ☐ Employees and independent contractors are classified based on their actual work and applicable law.
- ☐ Time, pay, exemption, payroll, benefits, and personnel records are complete and retained appropriately.
- ☐ Reception, leadership, finance, and HR know what to do if an investigator arrives or sends a request.

NEXT STEP Conduct a tabletop audit drill and assign one person to coordinate every agency contact.

9

Do you know which state and local rules apply?

WHY IT MATTERS Federal protections do not automatically displace every state or local employment, benefits, leave, privacy, wage, or civil-rights requirement.

- ☐ We track the laws in every state and locality where employees work—including remote employees.
- ☐ Required notices, leave rules, wage practices, and handbook supplements are current.
- ☐ Expansion into a new state triggers a compliance review before the employee begins work.

NEXT STEP Create a work-location roster and assign an annual multi-state compliance review.

10

Does your church have a response team and escalation plan?

WHY IT MATTERS The first hours after a complaint, demand letter, agency contact, data incident, or media inquiry can shape the outcome.

- ☐ Leaders know whom to contact for employment, benefits, insurance, communications, and legal questions.
- ☐ Managers preserve relevant records and do not retaliate, speculate, alter documents, or conduct an improvised investigation.
- ☐ The church has current employment-practices and cyber-insurance information and understands notice requirements.

NEXT STEP Create a one-page response card with names, phone numbers, backups, insurer contacts, and document-preservation steps.

Your 30-Day Protection Plan

Priority action	Owner	Due date	Completed
			☐
			☐
			☐
			☐
			☐

How Ready Is Your Church?

Count one point for each numbered section in which every statement is verified.

0–3

Immediate review

4–7

Important gaps

8–10

Strong foundation

PROTECTION IS MORE THAN PAPERWORK

CEA helps Christian employers understand their rights, prepare their workplaces, implement applicable legal protections, and respond to emerging regulatory threats. Qualifying protection is conditioned on active, continuous membership and the requirements of the applicable court orders and settlement.

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