



# **Guidelines for the Employment of Church Musicians in Presbyterian Churches**

[www.PresbyMusic.org](http://www.PresbyMusic.org)

## **Presbyterian Association of Musicians**

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PAM publishes periodicals and resource lists, sponsors conferences, and provides professional recognition through a certification program recognized by the Presbyterian Church (U.S.A.).

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# THE PAM MISSION STATEMENT

The Presbyterian Association of Musicians (PAM) educates, enriches, and engages its membership in humanity's chief end: to glorify and enjoy God forever.

*(Adopted July 2014)*

## Introduction

God calls musicians, pastors, and congregations to a shared ministry based on mutual caring and respect.

The Guidelines and Code of Ethics of the Presbyterian Association of Musicians (PAM) seek to help establish and develop such a shared ministry through professional employment relationships that nurture trust, fairness, compassion and good stewardship to the end that God is glorified and the mission of the church is enhanced. It is within this context that these Guidelines and Code of Ethics are established.

All individuals are eligible for membership in the Presbyterian Association of Musicians. PAM—its National Office, Executive Board and Chapters—does not discriminate on the basis of race, national origin, age, religious affiliation, gender, marital or familial status, sexual orientation, disability, or medical condition.

PAM relates to the Presbyterian Church (U.S.A.) through the Office of Theology and Worship in the Theology, Formation, and Evangelism division. PAM seeks to be of service to all denominational agencies and governing bodies as they provide for music leadership in the church. It is hoped that

these Employment Guidelines will be helpful to congregational committees as they provide for the ongoing support of musicians who serve the church and as they seek to fill vacancies on their staffs. PAM recognizes that many factors (e.g., size of the congregation, dimensions of the projected music program, training and skill of the musician, etc.) will require adaptation of these guidelines.

## **Recommendations for Churches**

### **It is recommended that churches:**

1. Call as musicians (Minister of Music, Director of Music, Organist, Choir Director or other title) persons of abilities and training adequate for the position, with an understanding of and agreement with the theology and polity of the Presbyterian Church (U.S.A.), with a sensitivity and concern for individuals and the church, and with strength of leadership to carry out the program as the session and pastor may direct.
2. Formally announce a music staff position vacancy before accepting applications for such a position.
3. Pay an annual salary with benefits commensurate with that of other professionals of comparable educational background and experience in the community. The terms of employment should appear in a written contract or employment agreement and be clearly defined. The church musician's salary should reflect the value of musical and leadership skills, training and experience, and length of service.
4. Include for the musician: health insurance, life insurance, and a pension program through or comparable with those offered lay employees by the Board of Pensions of the Presbyterian Church (U.S.A.). In addition, the church should provide parental leave, vacation with full salary for

at least one month per year, moving expenses, and provisions for expense reimbursement. Federal law requires that the church make employer contributions to Social Security and Medicare on the employee's behalf. If the musician is a Teaching Elder in the PC(USA), benefits should be in accordance with such denominational policies as are currently in force.

5. Include for the musician a minimum of one week per year for continuing education with all expenses paid.
6. Place responsibility and accountability on the musician for leadership of musical ensembles, purchase of all necessary music supplies within session approved budgetary guidelines, and engagement of instrumentalists and other musical leaders as appropriate.
7. Provide in the annual budget for musical expenses, including:
  - instrument maintenance
  - section leader/soloist salaries (where appropriate)
  - substitutes for section leader/soloist vacations and illness
  - purchase of music
  - purchase and/or cleaning of vestments
  - musician's substitute for vacation, illness, continuing education
  - expenses of special musical programs, guest artists, and lecturers (if not included in a separate budget)
  - mailing and office expenses (if not included in a separate budget)
  - professional books, recordings, music periodicals (if not included in a separate Continuing Education budget)
  - the musician's membership in professional organizations such as:
    - ◆ *American Choral Directors Association*
    - ◆ *Handbell Musicians of America*

- ◆ *American Guild of Organists*
  - ◆ *Choristers Guild*
  - ◆ *The Hymn Society in the United States and Canada*
  - ◆ *Presbyterian Association of Musicians*
8. Place responsibility and authority on the musician for securing volunteer personnel needed for various duties such as communications, care of vestments, care of music library, and recruitment.
  9. Provide the musician sufficient administrative support, office equipment, and other items needed in the development and maintenance of a music program.
  10. Seek regular communication and collegiality among church staff members. Regular staff conferences, called by the pastor, should promote basic understanding and basic agreement on mutual goals of ministry, duties, programs, and problems. In accordance with the Directory for Worship (W-1.4005b) the pastor and the musical leaders “will confer to ensure that anthems and other musical offerings are appropriate for the particular service. The session should see that these conferences take place appropriately and on a regular basis.” An annual performance review is strongly recommended.
  11. Develop an annual calendar specifying all services for that year, the anticipated musical and choral needs, and, to the extent possible, exact dates and times.
  12. Encourage the musician to teach privately, not only to increase the supply of musicians available in the church, but also as a community service. The teaching of piano, organ, guitar, and voice strengthens a church program. The musician should be permitted to charge a fee for this work. The musician should be permitted to use the church facilities for teaching without incurring a fee.

13. In consultation with staff musicians, establish and publish policies and procedures for weddings and funerals that include minimum fees, where appropriate. These guidelines should be approved by the session and be readily available to all church members and staff.

## **Employment Status**

Questions often arise regarding the hiring of musicians as independent contractors, rather than as employees. According to the IRS, workers are generally considered employees if they:

- Must comply with the employer's instructions about the work.
- Receive training from or at the direction of the employer.
- Provide services that are integrated into the business.
- Provide services that must be rendered personally.
- Are aided by assistants who are hired, supervised, and paid by the employer.
- Have a continuing working relationship with the employer.
- Must follow set hours of work.
- Work full-time for an employer.
- Do their work on the employer's premises.
- Must do their work in a sequence set by the employer.
- Must submit regular reports to the employer.
- Receive payments of regular amounts at set intervals.
- Receive payments for business travel expenses.

- Rely on the employer to furnish tools and materials.
- Lack a major investment in the facilities or equipment used to perform the services.
- Cannot make a profit or suffer a loss from their services.
- Work for one employer at a time.
- Do not offer their services to the general public.
- Can be fired by the employer.
- May quit work at any time without incurring liability.

According to these guidelines, the majority of church and synagogue musicians are employees. As such, federal, state, and local laws regarding the collection and remittance of employee portions, and payment of employer portions of employment taxes apply. Musicians engaged for one-time, occasional, or irregularly scheduled services are normally considered independent contractors.

## **Compensation**

When negotiating hours of service and compensation, consideration must be given to more than the visible hours per week in which the church musician is engaged (e.g., worship services, choir rehearsals). The musician's behind-the-scenes hours engaged in such matters as selecting, purchasing, studying, and practicing music; preparing for rehearsals; reviewing relevant periodicals, books, and new compositions; communications with current and potential music ministry participants; preparing copy for the church bulletins and newsletters; continuing education; and various administrative and clerical tasks must also be considered.

A formula provided by the American Guild of Organists estimates the minimum amount of time required for a musician's work. For an organist or director, multiply the number of "visible" hours by 2.5 - 3. For organist/directors, the visible time should be multiplied by 4 - 4.5. Thus, an organist/director working 4 visible hours per week would actually be investing a minimum of 16-18 hours per week in this position.

When calculating the cost of employing a professional church musician, churches should budget approximately 35% over and above the base salary for benefits, 7.65% for federally mandated taxes paid by the employer, and an appropriate amount for any state-mandated employer-paid taxes. Participation in the Presbyterian Board of Pensions' major medical/pension plan or a comparable program should be offered to all employees. For a more in-depth discussion of benefits, please see the "Guidelines for Session Personnel Committees" ([http://presbysmusic.org/employment\\_Issues.html](http://presbysmusic.org/employment_Issues.html)).

## **Substitute Musicians**

Musicians providing substitute services to congregations should set fees appropriate to the services provided. Negotiations between substitute musicians and churches should be accomplished prior to days and events when services are provided. The current, federally approved business standard mileage rate for reimbursement of business travel should be charged if visits to church for practice, rehearsal, and service exceed 20 miles per round trip.

## **Weddings & Funerals**

Providing musical service for weddings and funerals should merit additional compensation according to church policy and community norms. Musicians and churches should carefully delineate which of these services is/are or

is/are not included as part of the hiring agreement. The time to do this is prior to the beginning of the employment relationship. Compensation guidelines developed by churches should include provisions for compensation when multiple consultations, soloists, attendance at wedding rehearsals, and other services are expected.

Local custom often dictates that funerals are a ministry of the church and its staff to its members and their families at the time of bereavement. With this in mind, it is not uncommon for funerals of church members to be considered a part of the ministry of musicians employed on a full-time basis as a component of their normal responsibilities.

In the event that the full-time musician is requested to play for the funeral of a non-member, or a part-time musician is requested to play for a funeral service, the church—in consultation with the musician and with approval of the session—should develop a fee schedule.

## **Employment Agreements**

We encourage all employment arrangements between churches and church musicians to be delineated in a written contract or letter of agreement. A more detailed job description may also be written and incorporated by reference into the employment contract. While every such agreement will be different and not all of these items will be appropriate in every situation, it is suggested that the following elements be considered and included:

- Date of hire
- Annual salary and schedule of paydays
- Position title
- Position expectations (including regular services, regularly scheduled rehearsals, and regularly scheduled special services and events)

- Benefits (including insurance, pension, and payment of employer portions of federal, state, and local taxes)
- Vacation benefit
- Continuing education benefit
- Leave policies (sick, personal, and family)
- Rates of compensation for weddings, funerals, and other events not covered in the statement of position expectations
- Term of the contract
- Evaluation expectation
- Definition of appropriate termination of employment by either party

# CODE OF ETHICS

## For members of the Presbyterian Association of Musicians:

1. All individuals shall be eligible for membership and participation in the Presbyterian Association of Musicians. The Presbyterian Association of Musicians - its National Office, Executive Board, and Chapters - shall not discriminate on the basis of race, national origin, age, religious affiliation, gender, marital or familial status, sexual orientation, disability, or medical condition. All members of PAM are entitled to enjoy the privileges and are expected to accept the responsibilities of membership. Members shall be considered equally for PAM offices and participation in PAM activities. Members shall abide by the Code of Ethics, the Guidelines for the Employment of Church Musicians in Presbyterian Churches, the Constitution of PAM and the bylaws of their local chapters. Churches posting open positions on PAM's online job listings agree to abide by the non-discrimination standards stated above, and to base employment decisions solely upon professional competence and availability. PAM will consider issues of accessibility when choosing sites for its activities. PAM will endeavor to make printed materials accessible to members with visual disabilities.
2. PAM members shall strive to promote good working relationships within this organization and within their employing institutions. PAM members shall observe both the spirit and the letter of the Code of Ethics in their dealings with PAM, with individual members, with musicians under their supervision, and in their relationships with employing organizations. Members shall address differences of opinion within this organization through appropriate channels,

including its Executive Board. Members shall address differences of opinion with employing institutions (local church) through appropriate channels, including its Personnel Committee, as provided by their individual employment agreements.

3. PAM members shall respect the legal rights of others. PAM members shall respect the property rights of composers, authors, and publishers by being aware of and complying with the copyright laws and attendant procedures regarding performance, reproduction, and performing rights. PAM members shall respect the employment rights of others by being aware of and complying with all laws and procedures pertaining to immigration and work permits.

*For information about membership in the Presbyterian Association of Musicians, visit our website or contact the PAM National Office.*

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PAM offers online job listings to churches with music vacancies. Information about posting a vacancy may be obtained by contacting the PAM National Office or by visiting our website ([www.PresbyMusic.org](http://www.PresbyMusic.org)).

Links to other helpful information about employment in the church are available at [http://presbysmusic.org/employment\\_Issues.html](http://presbysmusic.org/employment_Issues.html).