

**RESPONSE TO
Questions about the Removal of Called Workers
from a Dispute Resolution Panel (2010)**

Question #1:

If a congregation's constitution requires a 2/3 majority vote of its Voters' Assembly in order to extend a call and a 2/3 majority vote of its Voters' Assembly to remove a called worker "for cause," is a 2/3 majority vote of its Voters' Assembly also required in order to abolish the office of a called worker if there is no provision for such action in its constitution?

CTCR Response:

1. The question of required majorities for congregational decisions is not theological, since there is no scriptural guidance in such matters.
2. As a non-theological question, this can only be answered by the congregation, which has scriptural authority to "see that all things are done decently and in order" (1 Corinthians 14:40) in its midst. Please note that this concern is not related to congregational structures or decisions about the level of consensus required for decisions to abolish an office, but that decisions and activities in the church should be made with a desire to be obedient to God's Word.

Question #2:

Is a called teacher position different from a non-called or contract teacher position with respect to how removal is done?

CTCR Response:

Yes. There is a distinct difference between a person who is called to serve as a teacher and one who serves as a teacher pursuant to a contract or "at will." In the further consideration of this issue, the Commission offers some additional insights.

In today's economic climate, increasing numbers of congregations are experiencing difficulty providing support for pastors, teachers, and other church workers. Churches with multiple staff members are often reducing the number of workers, including "at-will," contracted, and called workers. Where congregations have made commitments to workers, by means of contracts or calls, it is important to recognize that they are bound by their word to do everything possible to honor those commitments for the sake of simple honesty (see Proverbs 12:17; James 5:12). Where a congregation has determined that it needs to remove a called or contracted teacher, it may consider the following:

1. The Bible values all gainful employment highly (e.g., Prov 12:14; 16:3; 18:9; Eph 4:28; Col 3:23; 1 Thess 4:10b-12) and holds those in positions of authority over the work of others accountable to the high standards of justice, fairness, and the will of God (see Prov 30:10; Eph 6:5-9, especially v. 9; Col 4:1). Since this is true of all work, it is all the more important in matters of employment within the church.

2. The action to end a worker's employment in any vocation is a serious matter, whether for cause or because a business or other employing entity can no longer afford the services of the worker. In such a case, the unemployed worker is potentially reduced to poverty. If this is true in secular society, it is all the more serious among Christians, particularly in a time of high unemployment.
3. Such facts make the decision by a Christian congregation to remove any worker a matter that demands careful and prayerful deliberation. Moreover, if a worker is removed, a congregation ought to do everything reasonably possible to provide for the short-term well-being of the individual as he or she seeks new employment, (for example, by providing some level of severance pay or by carrying the cost of health insurance for a period of time; see Prov 14:21, 31; 21:13; 29:7).
4. The removal of a called worker from ministry in a congregation, involves additional reasons for proceeding with great care, due deliberation, and Christian compassion. *Therefore, in direct response to the second question, a called teacher position is different from a contracted teacher position with respect to removal from office.*
 - a. In its 2003 document, *Theology and Practice of "the Divine Call"* (online at <http://www.lcms.org/graphics/assets/media/CTCR/divinecall.pdf>), the CTCR states: "The church has traditionally laid down two grounds for deposing pastors and other servants of the Word: persistent teaching of false doctrine, and leading a scandalous and offensive life" (p. 42). The report goes on to say, "A third reason has often been cited within the Lutheran tradition, namely, the inability or refusal to perform the duties of the office" (p. 43). These quotations indicate that the Synod has generally envisioned the removal of a called worker only on the basis of specific faults or failures on the part of the worker, not because a congregation would prefer no longer to have that called worker in their service.
 - b. Such policies are an outgrowth of the high regard for the ministry of the Word in our Synod, recognition of its necessity for the church, and the importance of respect for those who serve either in the pastoral office or auxiliary offices of ministry. The aforementioned report also says,

"As we have already noted, the removal of a man from the office of the public ministry is a very serious matter and should not be carried out capriciously or arbitrarily. It is of utmost importance that the church act corporately—hearers and teachers, laity and clergy together. Thus too, a congregation needs to involve the Circuit Counselor and District President. Working cooperatively, they will follow due process and so seek the best possible result for all parties involved. The congregation should also be prepared to heed the advice of the District President regarding biblical reasons for removing a man, and this in spite of a pastor's popularity in the congregation" (p. 43).

While these comments are directed toward the case of a pastor's removal, they also apply to other called workers, such as teachers.

- c. In “Request for an opinion of the CTCR by the Board of Directors and Praesidium of the Pacific Southwest District” (dated Sept. 21, 1990) the CTCR makes reference to a previous opinion (see 1971 *Convention Workbook*, p. 32) and to its 1973 report *The Ministry in its Relation to the Christian Church* (see p. 12 – online at www.lcms.org?509) and concludes: “A congregation may abolish any called position or ranking that it has established as long as it retains the pastoral office.” In this same opinion the CTCR urges a congregation in this situation to “examine its motives and procedures before Him who searches the heart” and to be “guided by the concern that nothing be done in disobedience to God’s Word” (p. 2).
- d. This opinion recognizes that there are circumstances (such as financial distress) in which a congregation has no recourse but to abolish an office, including that of a called teacher.
- e. Congregational responsibility for a called worker, however, would not immediately end with the decision to abolish an office.
 - i. Since there is no “call” without a position, a called position that is eliminated inevitably involves the termination of a person’s call to that position. In the matter under consideration here, the termination of the call places the teacher into the status of a church worker awaiting a call. Because a call process takes time, it is incumbent upon the congregation to attempt to provide ample time for the call process to be implemented. The teacher and the District president should both be informed as quickly as possible of plans to abolish a position so that the teacher’s name can be circulated to other, calling congregations and for the sake of honest, clear communication grounded in love for one another in the church (Eph 4:15). Such an orderly process prevents much misunderstanding and ill will, as well as enabling the worker to be considered for another call while he or she completes his or her duties in the current call.
 - ii. It should be made clear to the entire congregation and to District officials that, in such a situation of financial duress, the teacher’s call is *not* being terminated for “cause” – i.e., false doctrine, an immoral life, or unwillingness or inability to fulfill the responsibilities of the office. This prevents rumors or false witness against the teacher which might cause other congregations to believe he or she is not a suitable candidate for a call. (See also the CTCR’s 1981 report *The Ministry: Offices, Procedures, and Nomenclature*, pp. 41-42 and its 2003 report *Theology and Practice of “the Divine Call,”* pp. 21-25, 42, also p. 45.)
 - iii. The congregation ought to make every effort to honor the provisions of the current call for pay and benefits while the teacher seeks another call (1 Tim 5:18).

Adopted by the CTCR
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