

Disclosure of Church Staff Salaries

By Randle S. Davis and William F. Maxwell

(This article is intended to be a brief, but informative response to the specific question on the Disclosure of Church Staff Salaries.)

Question: Is it illegal for a church to disclose the specific salaries of staff?

Before addressing the question, one must understand that the question deals with an “employee – employer” relationship. An “employee – employer” relationship involves sensitive and confidential information which should be protected. The employer is the Church. Within the Southern Baptist denomination, the members are the Church and, thereby, the governing body.

With the above in mind, the short answer to the question is “no”. There is no law that prohibits the disclosure of salaries. However, the dissemination of staff salaries should be handled very carefully and based upon church policy that has been approved by the Church and communicated to the staff in advance. Consider the following:

- With respect to Church business, Church members DO have a right to review the books and records of the organization under Tennessee law. This means, that church members may review income and disbursements in the form of summary reports. Church members DO NOT have a right to review specific payments to individuals as they DO NOT have a right to review contribution data from specific individuals.
- Church members DO NOT have the right to review personnel files including specific salary information. This does not make it “illegal” for the Church as employer to share this information with its governing body – the membership. There simply is no “legal” right to view this information.
- Churches can establish guidelines for the dissemination of compensation information provided that all employees are notified in advance of this policy. Any employee who disagrees with this guideline has the option of resigning.
- If a Church implements a policy or guideline for disclosure of salaries, then said Church must instill procedures which limit the dissemination of such information to church members only. Therefore, it would be unwise to distribute such information freely at a business meeting where non-members may be in attendance. One means of accomplishing this is to have a list of salaries available for review by interested church members. It would be wise for the Church to maintain a signature or sign-in sheet for anyone who actually reviews the salary information.
- Information on an employee’s health, disciplinary actions and performance appraisals should not be disseminated or made available to the members. Only leadership and church committees that have been assigned responsibilities in this area should have access to this highly sensitive and confidential information.
- On larger church staffs, lower paid employees (secretaries, janitors, etc.) may have a higher expectation for their salary to remain confidential, even from members of the church, than the more highly compensated ministers.

Churches should develop a clear and concise policy on the dissemination of staff salary information that meets the need of their particular church. It should balance the right of privacy of the individual with the rights and needs of the congregation that provide the funding for those salaries. Larger churches may need to include one process for their ministerial staff and one process for their non-ministerial staff.