

# LABOR RELATIONS IN INSTITUTIONS WITH A CHRISTIAN ETHOS

Summary of the ideas discussed in Intermedia Social Innovation's Cultural Mediation and Social Affairs Project experts meeting (Madrid, March 25-27, 2019).



We aim to gather in this text some of the ideas and lines of argument discussed in an interdisciplinary experts meeting held to reflect on the relationship between the mission statement and labor relations in educational and aid organizations with a Christian identity. We emphasize the role played by those who form part of each organization in laying out and developing the foundational ethos.

This experts meeting was part of the Cultural Mediation and Social Affairs Project put forward by Intermedia Social Innovation, in order to help social and educational institutions inspired by religious values respond positively and responsibly to the demands and opportunities brought about by legal and cultural change.

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We do not cite authors or try to capture all the opinions and academic nuances that came up in the meeting. The papers the experts presented will be published later for anyone interested in this information. To be practical, here we offer only a practical summary of principles and some recommendations, with the primary aim of contributing to the thought process and decision making of managers of educational, social and aid institutions with a Christian identity.

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## 1. The mission statement is first and foremost a live and enlivening reality

Religious-based institutions, and more specifically, those with Christian identities, have a vocation to make a positive impact on people and on their social environment. These are well-defined entities that have existed in one way or another for centuries, and which today are found within the broad spectrum of entities with mission statements: ideological institutions, expressive institutions, or what in some jurisdictions are called tendency organizations (Spain) or Tendenzbetrieb (Germany). As such, they contribute work imbued with a message or a mission that goes beyond mere market concerns. They surpass such concerns by far because they are based on the fundamental freedoms of association, religion, thought, expression, education, etc.

These institutions' mission statements usually attempt to summarize and transmit their founding principles. From this perspective, they should be understood as a vehicle for the ideas and values that facilitate the mission's development, allow workers and managers to respond well and efficiently at any given time, and provide those who recur to the institutions certainty about the values that inspire them. These additions, while legally forming part of the mission statement, can be used differently and with different frequency, and use different modes of communication.

There are a number of valid ways to lay out the mission statement. It seems good practice to write a broad, foundational document at the level of principles, to which "general practices" (of governance, research, specific activities) and associated documents (like the code of ethics) can be added later.



The document or documents that reflect the mission statement therefore serve to declare the institution's intentions. They affirm what it hopes to become. Simultaneously, they serve as a proposition: the institution, today, wants to be like this....The idea is to formalize a living reality from which an institutional culture can be solidified that invites the whole community to transform itself in the service of society.

The mission statement both declares what the institution is and proposes what its life should be. It should therefore go beyond being a merely inspirational document to connect with the day-to-day workings of the institution.

Therefore, the mission statement formulates the foundational principles, proposing them for the present and future. It is a strength that guides and enlivens, not a wall that sets limits. It harmonizes everyone's contributions so that the institutional mission is brought to life collectively. While the values and principles are constant over time, the specific documents that comprise the mission statement, and the language that expresses it, should adapt to the moment at hand.

## 2. The mission statement should incorporate and clarify the integrity of Christian values

The founding mission and values will be motivational to the degree that the institution's documents and practices all clearly put forward this inspirational framework for action.



Therefore, the mission statement's text should present the ideas simply and unequivocally to avoid any possible double meaning or confusion. It should pose characteristics that can be put into practice. That way, everyone who works in the institution - from the most senior manager to the newest recruit - can see the relevance of his or her contribution to the organization as a whole and the realization of its mission.

Additionally, the mission statement should imbue the institution with a character as harmonious as the values that inspire it, and with a social status understood by and relevant to the different environments in which the institution moves.

Different moments in time and cultural contexts and the very nature of the work of institutions with core values are factors that have led sometimes to accentuating some aspects of the values that emanate from the Social Doctrine of the Church, while leaving others in the shadows. This is why more explicit and all-encompassing mission statements are proposed, in order to include all the essential human and social goods that make up the Christian message.

As is to be expected, a hospital will stress patient-care-related aspects, a business school social justice issues, and a middle school the transmission of knowledge and education of the young. Yet, the hospital, the business school, the middle school and other initiatives of different tenors are all social actors that can contribute to infusing their environment with Christian values, in which those that directly define them are framed in a broader axiological context.

Delving deeper into the practical consequences of the evangelical message is becoming more explicit with time, from the cultural realities that institutions face and the evolution of ethical conscience in each era. It is thus important to consider the Catholic Church's reflection on the relevance of values that - while deriving from the dignity of the human person and his inherent good - were not always clearly laid out in many social and educational projects' missions, but are now firmly ingrained in the teachings of the Catholic Church and of other Christian communities. So, the foundational project spelled out in the mission statement - in addition to what Pope Benedict XVI called non-negotiable principles [life, family and marriage, freedom to educate one's children, promotion of subsidiarity and the common good] - should include care for the environment, for equality and for social justice, for the welcome and integration of immigrants, as well as the commitment to fight poverty, exclusion, discrimination, new forms of slavery, and corruption.

It bears thinking about how the mission statement can inspire the organization, reflecting its specific identity and mission and imbuing it with a character integrated in its immediate environment and in the urgent problems faced by the society in which it exists.

The breadth of the ethos and principles does not prevent each institution from accentuating one or more of the particular values that best define its contribution to society. On the contrary, it helps communicate within and outside of the organization those values in their proper and full context. Including this breadth of values in the documents that comprise the mission statement also helps those who are associated with the organization to find commonalities with the institutional mission and to find ways to contribute.

### **3. The mission statement should make possible the incorporation of all the organization's members, inviting them to contribute to the mission.**

It is logical that in an organization there are different levels of adhesion to or identification with the mission and its statement. In the first place, because this identification is not static: people reveal themselves within the institution according to their behavior, such that this identification has its own dynamic that is manifest in each person's actions. People can change. In fact, they evolve. Secondly, because there is a legitimate gradation in the necessity for commitment to or identification with the founding values or mission. This ranges from the basic level that can reasonably be required of everyone as they carry out their duties, to high levels of adhesion to and responsibility for the mission statement, which are appropriate to those who lead the development of the spirit that imbues the institution.

By way of example, a healthcare unit could invite someone to practice medicine while respecting the dignity of the elderly patients and developing palliative care. That person, however, cannot be required to hold a fundamental conviction that human dignity is based on having been created in the image of God, or to talk about God with the patients, simply because he works in an institution with a Christian foundation.

Furthermore, given the universality of Christian values, and the public dimension of professional work, it is possible to invite everyone in the organization – irrespective of their religion or their professional position – to take part in the institution's mission and to contribute to all or some aspects of the institutional project. Everyone in the organization can therefore be asked to commit to respecting the institutional mission statement, to refraining from doing it harm, and even to promoting it with loyalty and diligence within the limits of his or her personal capacities and convictions.

The mission statement is a clear invitation to the organization's entire community to contribute to the institutional mission, irrespective of the degree to which they personally profess the Christian faith.

### **4. The degree to which adherence to the mission statement may be required differs according to the job post.**

If the mission statement purports to give purpose to all the institution's work, it is only logical that it also be reflected in labor relations – broadly understood – from full-time contracts to a visiting professor who gives a few classes a year in one course or a doctor who attends in a clinic a few hours a week. Insofar as the work that the institution's collaborators carry out is compatible with the mission statement, it furthers the identity and embodies the foundational project. On the contrary, a lack of commitment to the mission statement can obfuscate or weaken the mission and organizational culture, and even frustrate it entirely.

The relevance – in legal terms as well – of that identification depends on the particular type of work carried out. Different posts allow for different degrees of identification with the institution's mission and fundamental values. Greater identification is required of those who hold positions with greater impact on the nucleus of the institution's work (for example, management). On the other hand, other positions are, with respect to specific tasks, for the most part neutral regarding the essential content of the founding mission (for example, security guards).



This scale as a necessary element in human resources management helps harmonize the contribution of all the members of an organization with a Christian ethos, by offering broad possibilities for belonging and working within it. At the same time, it helps to systemize and clearly explicate the profiles needed in each case.

La gradación como elemento necesario en la gestión de los recursos humanos posibilita armonizar el aporte de todos los miembros de la organización con identidad cristiana, al ofrecer posibilidades amplias de pertenencia y trabajo en ella. Al mismo tiempo, permite sistematizar y explicitar con claridad los perfiles que se necesitan en cada caso.

Because of this, it is reasonable – and the institution is within its rights – to take care in selecting the people especially called to contribute to developing and invigorating the organization. It should also be kept in mind that many of those who choose the school the university, or the hospital in question do so precisely because of those institutional values, creating a commitment to these people.

## 5. A sufficient presence of people who identify with the institutional values facilitates the mission statement's longevity.

Certain positions are key to carrying out the mission statement. Therefore, people whose personal and professional lives are especially identified with the institutional project and the values underlying it – tendency carriers – should hold these posts. Having enough such people in the institution who share the mission and can disseminate it is important to keeping the mission statement alive. Due to the diversity of circumstances and types of institution, the particular composition necessary to achieve this objective varies with the situation.

In certain environments, it may be more difficult to find candidates who have both the necessary professional qualifications and a commitment to the foundational values. Because of this, human resources departments should put special effort into looking for candidates with ideal professional profiles both within and outside the institution.

Organizations that incentivize selection within their own graduates, volunteers, interns or residents, should take measures to counteract the risk of endogamy that this practice could run.

In any case, the sustainability of the mission and its fundamental values requires any institution to develop a talent-attraction and selection policy that contributes to and guarantees enough growth in terms of tendency carriers within the organization. By the same token, when new positions are created or become vacant, it's only logical to consider the type of profile needed. The entity thereby takes care of the value proposition it has made to its public (students, families, patients, etc), while strengthening its reputation as an organization directly linked to a mission statement.

## 6. The mission statement should be applied consistently in the organization's strategic decisions, including those regarding labor relations.

Consistency in human resource management in an organization can be defined as a whole that produces compatibility between its parts as well as synergy in their relationships. The parts are compatible with one another, generating a congruent whole, each part strengthening the next.

In this respect, consistency is a value that makes the mission statement efficacious and credible. Christian-based organizations have a DNA defined by their principles, foundational values, mission and vision, expanse and history. They are grounded in legal, cultural, social, political and labor environments. Their strategies define the services they provide, to whom they provide it and how they provide it. All of these elements should contribute to consistency, feeding one another compatibly.



Internally, the institution moves those who comprise it with four human resources systems for those who act in tandem with that DNA and that strategy in a particular environment. These systems are: retribution, career paths within the system (how people enter, develop and move on), job design, and communication processes.

An organization that manages consistency in all these components - both internal and external - achieves balance. Some organizations maintain this balance over time. However, the norm is a sort of quasi balance or structural tension. IN fact, once balance is achieved, it is common for one of its parts to suffer some change: a new law, new competition in the same area, new technologies, a social or cultural change, internal growth or change in size, etc. This leads to destabilizing the quasi balance, which in turn leads the managers to seek a new balance, which they manage by modifying systems or strategy.

In this respect, in order to achieve the institutional objectives, the mission statement should be the cohesive factor within the organization, both with respect to its strategic decisions to those that relate to personnel - in the general structure of human resources and in the particular case of individuals.



## 7. The mission statement's legal validity

The mission statement's legal validity is worth looking into, as the document that expresses the foundational aims and values freely given to the institution by its founders.

Although the answer can vary from one jurisdiction to another, generally religious and ideological freedom are recognized by constitutions and international treaties, and cover entities with mission statements, as do the rights of freedom of association, thought, expression, and education, among others. Therefore, the legal validity of the mission statement can be asserted, as can its relevance for settling potential conflicts, including those of labor relations. The specific reach of that protection in case of conflict with the rights of a third party – such as users or more specifically in this case, employees – is another matter.

As is usual in conflicts between parties who invoke different rights, the specific solution depends largely on the individual case. It is therefore impossible to set universally valid rules. Nevertheless, the following criteria are illustrative:

- a.** The document or documents that comprise the mission statement should be clear, and when the case warrants, should specifically mention the institution's Catholic or Christian character. When writing it, it is a good idea to distinguish – also in terms of style – the aspects that can be legally binding from those that are intended as motivational. It is a good idea to spell out precisely what is expected of people related to the institution, and in particular, of its workers.

**b.** In some cases, the mission statement can be directly contained in the institution's statutes. In others, the latter refer to one or more documents derived from them, in which the founding ideas are developed in greater detail than the broad strokes found in the statutes.

**c.** Logically, a Christian-based institution's mission statement should be established by the appropriate authority in accordance with its regulations, avoiding acting *ultra vires*.

**d.** Insofar as the obligation to respect the mission statement goes, there is broad agreement – including in the courts – that those who work for institutions with explicitly expressed and well-known values cannot contravene those values in the workplace. At the same time, it is not necessary to require of all workers an active dissemination of the entity's values. In order to assure knowledge and voluntary acceptance of the obligations associated with the mission statement, it might be a good idea to include a clause in this regard within the work contract.

**e.** Analyzing the significance of acts within the private sphere is more difficult. One's private life is generally considered to fall outside the mission statement's legal reach. Be that as it may, certain actions or attitudes may be relevant, depending on whether they are public, and on their gravity and on the circumstances of the worker and the social context.

**f.** As a general rule, the binding force between the mission statement and those who work in the institution differs according to the job and its responsibilities. The demands are different, and gradually decrease. Some managers and those who have a more specific Christian mission (for example, hospital chaplains) have a firm loyalty to the mission statement. Professors and physicians have general responsibility to it. Administrators with direct contact with students or patients collaborate with it. Last are the most neutral jobs with respect to the intuitional aims.

**g.** The legal relevance of an affront to the mission statement depends on the specific harm to the institution and its mission. This can be determined on three levels: the type of institution (in descending order: religious institution; primary school; secondary school; university; hospital); the person's role there (in descending order: chaplain; manager; professor; secretarial personnel; maintenance staff, etc); and the type of behavior involved (in descending order: public activity in the institution; work or activities with public import beyond the job; or private behavior).

**h.** In summary, the continuity of a contract cannot be conditional upon the comprehensive completion of a Christian-based institution's mission statement – that is to say the fulfillment of all the ethical and doctrinal elements it contains. These statements contain some elements that are essentially part of the bigger picture, rather than operative or enforceable in integrum, here and now. The employment contract demands knowledge of and respect rather than aggression towards the mission statement, as well as its faithful promotion within the possibilities and convictions of the employee. Therefore, some serious attacks on the mission statement can merit severing the employment relationship, as they imply bad faith with respect to the job and frustrate its very purpose.

**i.** In the case of conflict, it is always advisable to study the matter calmly and thoroughly, without haste, and seeking expert legal counsel.

