



Broward
Community
College

Policy Manual

Title: Terminal Leave	Number: 6Hx2-3.16
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GENERAL STATEMENT

When an employee retires, separates due to long term disability or in the event of an employee's death, Broward Community College (the College) will provide terminal leave pay of accrued sick and vacation leave as described below. Regardless of the employee's particular retirement plan, eligibility for terminal leave pay is based on the employee's written statement of retirement and on having met the requirements for retirement under the Florida Retirement System Defined Benefits Plan. These requirements are age 62 with at least 6 years of creditable service or at any age with at least 30 years of creditable service. Terminal leave (accrued sick/vacation) payments of \$2,000 or more must be paid to a 401(a), 403(b) or 457(b) tax-deferred account in accordance with the College's Terminal Leave Plan.

Terminal Pay at Retirement, Permanent Separation Due to Long Term Disability, or Death.

Terminal pay upon the retirement, permanent separation due to Long Term Disability, or death of an employee other than senior administrators in accordance with Florida Statutes may not exceed an amount determined as follows:

1. During the first 3 years of service, 35 percent of the daily rate of pay multiplied by the number of days of accumulated sick leave.
2. During the next 3 years of service, 40 percent of the daily rate of pay multiplied by the number of days of accumulated sick leave.
3. During the next 3 years of service, 45 percent of the daily rate of pay multiplied by the number of days of accumulated sick leave.
4. During the 10th year of service, 50 percent of the daily rate of pay multiplied by the number of days of accumulated sick leave.
5. During the next 20 years of service, 50 percent of the daily rate of pay plus 2.5 percent per year for each year of service beyond 10 years multiplied by the number of days of accumulated sick leave. The total percentage may not exceed 100 percent.
6. Any unused vacation leave shall also be payable upon retirement or death. A maximum of 500 accumulated vacation leave hours will be paid.

If an employee receives terminal pay benefits based on unused sick leave credit, all unused sick

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leave credit shall become invalid; however, if an employee terminates his or her employment without receiving terminal pay benefits and is reemployed, his or her sick leave credit shall be reinstated.

Terminal Pay for Senior Administrators (Provosts, Vice Presidents, President) at Retirement or Death. The method of calculating terminal pay for Senior Administrators is in accordance with Florida Statutes and is as follows:

1. For unused sick leave accumulated before July 1, 2001, terminal pay shall be made pursuant to rules or policies of the Board of Trustees, which were in effect on June 30, 2001.
2. If the employee has an accumulated sick leave balance of 60 days or more on June 30, 2001, sick leave earned after that date may not be accumulated for terminal pay purposes until the accumulated leave balance as of June 30, 2001, is less than 60 days.
3. For unused sick leave accumulated on or after July 1, 2001, terminal payment may not exceed an amount equal to one-fourth of the employee's unused sick leave or 60 days of the employee's pay, whichever amount is less.
4. Any unused vacation leave shall also be payable on retirement or death. A maximum of 500 accumulated vacation leave hours will be paid.

THE POLICY and THE FACULTY AND STAFF

Terminal Pay for DROP Participants. Employees electing to participate in the Florida Retirement System DROP Program (Deferred Retirement Option Program) shall be eligible to receive annual payments of eligible accumulated terminal sick leave in percentages equal to the number of years of DROP participation or may elect to receive a lump sum at the end of the DROP period. For example, if the employee elects to participate for the maximum five-year period, the payment percentage will be 20 percent of his/her eligible accumulated sick leave hours multiplied by his/her current rate of pay. The total payment shall not exceed 100 percent.

At the beginning of an employee's DROP participation, accumulated vacation pay up to 500 hours may be paid. At the end of the DROP period, any accumulated vacation balance not paid in the beginning may be paid as long as the total from both payments does not exceed 500 hours.

Terminal Pay on Termination or Resignation. At termination or resignation, employees may receive pay for up to 500 accumulated vacation hours. No accumulated sick leave shall be paid on termination or resignation. If an employee terminates his/her full-time employment without

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receiving terminal pay benefits, and is re-employed full-time, his/her unused, sick leave credit earned at the College shall be reinstated. For information on sick leave credit transferred from another state agency refer to Policy 6Hx2-3.11, Employee Leave.

The provisions of this policy do not apply to employees otherwise covered by collective bargaining contracts.

IMPLEMENTATION and OVERSIGHT

The Vice President of Human Resources and Equity has responsibility for the implementation and oversight of this policy.

VIOLATION OF POLICY

Policy violations and appeals shall be investigated by the Vice President for Human Resources and Equity and/or his/her designee. Violation of this policy may result in disciplinary action up to and including termination.

DEFINITIONS

Terminal Pay – Accrued sick and/or vacation paid to employee at time of retirement, permanent separation due to long term disability or death.

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