

# Policy Manual



<b>Title:</b> Terminal Pay	<b>Number:</b> 6Hx2-3.16
<b>Legal Authority:</b> Fla. Stat §1012.865	<b>Page:</b> Page 2 of 2

## GENERAL STATEMENT

When an employee retires, resigns or in the event of an employee's death, the Board of Trustees 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 or resignation and on having met the requirements for retirement under the Florida Retirement System Defined Benefits Plan 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.

## THE POLICY and THE FACULTY and STAFF

**Terminal Sick Leave Pay at Retirement, Resignation, or Permanent Separation Due to Long Term Disability or Death** of an employee 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. Between 4 years and 6 years of service, 40 percent of the daily rate of pay multiplied by the number of days of accumulated sick leave.
3. Between 7 years and 10 years of service, 45 percent of the daily rate of pay multiplied by the number of days of accumulated sick leave.
4. Any years of service after the 10th year of service, 50 percent of the daily rate of pay multiplied by the number of days of accumulated sick leave. Any employee who has more than 10 years of service based on the formula prior to June 28, 2016, will be capped at their current percentage based on years of service.

Any such terminal pay at death shall be made to the employee's designated beneficiary or estate.

Terminal pay at retirement or death for employees covered by the Federation of Public Employees (FPE) is addressed in Article 9 of the *Collective Bargaining Agreement between the Board of Trustees of Broward College and the Federation of Public Employees*. Terminal pay at resignation, retirement, or death for Faculty covered by the United Faculty of Florida (UFF) Collective Bargaining Agreement is addressed in Article 6.23 of the *Collective Bargaining Agreement between the Board of Trustees of Broward College and the United Faculty of Florida*.

**Terminal Sick Leave Pay at Retirement or Resignation.** If any employee resigns or retires and receives terminal leave pay benefits based on unused sick leave credit, all unused sick leave credit shall become invalid. If any employee resigns or retires without receiving terminal leave pay benefits and interrupts retirement to return to employment, the employee's sick leave credit shall be reinstated.

Any employee, who retires under the Florida Retirement System, shall be eligible to receive terminal leave pay benefits.

**History:** Revised as Policy 3.25 (Terminal Leave Pay) on June 19, 1984; revised and re-titled on August 23, 1995; revised and re-numbered on May 21, 1997; revised on July 15, 1998; revised on September 26, 2001; revised January 23, 2002, revised on September 25, 2012; revised May 27, 2014; revised June 28, 2016

Approved by the Board of Trustees

Date: | President's Signature

Date:

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**Terminal Sick Leave Pay for Senior Administrators (Campus Presidents, Vice Presidents, President) at Retirement.** The method of calculating terminal pay for Senior Administrators 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 are in effect on June 30, 2001.
2. 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.
3. 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.

**Terminal Sick Leave Pay at Termination from Drop Participation.** Employees electing to participate in the Florida Retirement System DROP Program shall be eligible to receive annual terminal sick leave pay benefits in equal percentages to the number of years of DROP participation or may elect to receive a lump sum at the end of the DROP period. If the employee elects to participate for the maximum five-year period, the payment percentage will be 20 percent of his/her daily rate of pay multiplied by the number of accumulated sick leave hours for each year of participation. The total payment shall not exceed 100 percent.

**Terminal Vacation Pay at Termination from Drop Participation.** 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 Vacation 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. If an employee terminates his/her full-time employment without receiving terminal pay benefits, and is re-employee full-time within the same calendar year, his/her unused, leave credit earned at Broward College shall be reinstated.

**IMPLEMENTATION and OVERSIGHT**

The Executive Director for Human Resources and Equity has responsibility for implementation and oversight of this policy.

**VIOLATION OF POLICY**

Policy violations and appeals shall be investigated by the Executive Director of Human Resources and Equity and/or his/her designee.

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