

## **6Hx19-2.53 Leave Pay Out**

This Board Policy authorizes leave pay out to eligible employees upon separation from Pasco-Hernando State College (PHSC) or upon death.

### **Sick Leave**

Payment of accumulated sick leave will be made to a full-time employee upon separation after the sixth year of service at PHSC.

#### **I. Full-time employees who are not affected under Section II**

Full-time personnel employed at PHSC will be eligible to receive payment for earned accumulated sick leave, including sick leave earned at another Florida State College, the Florida Department of Education, the State University System, a Florida district school board, or a state agency, and transferred into PHSC under FS 1012.865(2)(a). Transferred hours will be considered earned when originally earned; however, they may not be included in the payment calculation until they are recognized by PHSC in accordance with FS 1012.865(2)(a). Payment will be based upon the following amounts:

- a. After completion of six years of full-time college service until the completion of nine years of service, an amount equal to 45 percent of the number of accumulated sick leave days times the employee's current daily salary at the time of separation.
- b. During the 10<sup>th</sup> year of service and thereafter, an amount equal to 50 percent of the number of accumulated sick leave days times the employee's current daily salary at separation.
- c. Payment will be provided for accumulated sick leave to the beneficiary or to the employee's estate in accordance with criteria stated in Section I (a) or (b) if service is terminated by death.

If an employee separates and receives payment for accumulated sick leave as set forth above, all remaining unused sick leave shall become invalid; however, if an employee separates without receiving terminal pay benefits and then returns to employment, the sick leave credit shall be reinstated.

#### **II. Full-time employees other than instructional staff or educational support staff**

Payment for accumulated sick leave for full-time employees who are in positions other than those defined in Section II (a). as educational support positions and instructional staff positions shall not exceed the amount as calculated in II (c), II (d), and II (e).

- a. "Instructional staff" shall be used synonymously with the word "teacher" or "faculty" and includes faculty members, librarians, counselors, and other comparable members engaged in an instructional capacity in the state college and whose salaries are expensed to general ledger (GL) codes 52000-52099.

"Educational support employee" means any person employed by a state college as an educational or administrative paraprofessional; a member of the operations,

maintenance, or comparable department; or a secretary, clerical or comparable level support employee. These employees' salaries are expensed to GL codes 52300-54599.

- b. Individuals will be eligible to accumulate sick leave days until their date of separation. Only sick leave days earned at PHSC and those transferred from any authorized agency (as described in Section I) are eligible to be paid.
- c. Payment for unused sick leave accumulated prior to July 1, 2001, shall be made according to the processes outlined in Section I of this policy.
- d. Payment for unused sick leave accumulated on or after July 1, 2001, shall be determined by multiplying the number of hours (a maximum of 1,920 hours) by 25 percent and then multiplying the resulting product by the final daily rate during the fiscal year in which the employee separates. (This calculation results in the maximum amount of payment for these unused hours, in accordance with law, being limited to 60 days of actual payment.)

If the employee has, for terminal pay purposes, an accumulated sick leave balance of 60 days of pay or more on June 30, 2001, sick leave earned after that date may not be accumulated for terminal pay purposes until the accumulated sick leave balance for terminal pay purposes as of June 30, 2001, is less than 60 days of pay.

Sick leave used in the course of employment at PHSC on or after July 1, 2001, will be charged to accumulated sick leave earned after July 1, 2001. When accumulated sick leave earned after July 1, 2001, has been exhausted, then the sick leave earned prior to July 1, 2001, will be charged for the sick leave used.

### **Vacation (Annual) Leave**

- I. Separation (other than for employees in the Florida Retirement Systems Deferred Retirement Option Plan (DROP))

Terminating employees or staff transferring to non-vacation earning positions (except those terminating during an initial probationary period or any extension thereof), will be paid up to 480 hours of accrued vacation leave with their final paycheck. In case of the death of an employee, such pay shall be paid to the employee's beneficiary, estate, or as provided by law. Hours not paid over the 480-hour allotment will be voided.

- II. Employees who are eligible to enter DROP

PHSC employees who meet the requirements established by the Florida Retirement System (FRS) for entry into DROP, have at least six (6) years of employment at PHSC, and have elected to participate in DROP may choose to receive payment of accumulated vacation leave either at the time the employee enters DROP or at the conclusion of the DROP period. In accordance with FRS policies, any vacation leave payment which the employee elects to receive at the end of the DROP period will not be included in the employee's Average Final Compensation calculation for purposes of determining retirement benefits.

When the annual leave lump sum payment paid to the DROP participant is less than 480

hours (the maximum allowed per Section I), the DROP participant may receive a second lump-sum payment at the end of DROP period not to exceed the difference between the hours initially paid and the maximum 480 hours. The payment of any additional accumulated vacation leave will not impact the DROP participant's FRS benefit calculation. The eligible portion of the terminal payment of vacation leave for DROP participants, as determined by Internal Revenue Service (IRS) rules, will be deposited in the District Board of Trustee approved 401(a) Qualified Retirement Plan in accordance with PHSC's plan document.

PHSC shall not be obligated to continue the employment of a DROP participant for any particular period of time. The DROP participant's continued employment shall be subject to all of the terms and conditions of the participant's employment contract, if any, and the rules and policies of the College.

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Legal Authority:

General Authority: FS: 1001.64; 1001.65; 1012.865

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1012.865; 1001.65(1)(3)(16)(4); 1012.87; 121.091(13)