

**Absences, Leaves and Vacations****TERMINAL PAY – EMPLOYEES OTHER THAN INSTRUCTIONAL OR EDUCATIONAL SUPPORT PERSONNEL**

To encourage and reward personnel who exercise particular care in the maintenance of their personal health and job attendance, the Board will provide terminal pay to employees other than instructional or educational support personnel at resignation, retirement, or to their beneficiaries if services are terminated by death. Any person not in service at the time of retirement shall not receive these benefits. Terminal pay shall not exceed an amount determined as follows:

1. During the first three years of service the daily rate of pay multiplied by 35 percent times the number of days of accumulated sick leave;
2. During the next three years of service the daily rate of pay multiplied by 40 percent times the number of days of accumulated sick leave;
3. During the next three years of service the daily rate of pay multiplied by 45 percent times the number of days of accumulated sick leave;
4. During the next three years of service the daily rate of pay multiplied by 50 percent times the number of days of accumulated sick leave;
5. During and after the 13th year of service the daily rate of pay multiplied by 100% times the number of days of accumulated sick leave with the exception that, employees other than instructional or educational support personnel who became eligible for normal retirement prior to July 1, 2004, will remain frozen at the rate when first eligible for normal retirement.

For employees other than instructional and educational support personnel who reach normal retirement eligibility on or after July 1, 2004, the remaining balance of sick leave accrued as of July 1, 2001 shall be paid at the rate when first eligible for normal retirement; the remaining balance of sick leave accrued between July 1, 2001 and June 30, 2004 shall be paid at the daily rate in effect on June 30, 2004; the remaining balance of sick leave accrued on or after July 1, 2004 shall be paid at the daily rate in effect on the first work day of the fiscal year in which it is accrued.

Provisions for terminal pay at resignation apply only to those sick leave days accrued after July 1, 1982.

Resignation or retirement as referred to herein shall mean termination of employment by action of the employee; such termination excludes resignation

or retirement after a recommendation for dismissal or resignation or retirement after participation in a work stoppage, job action, or strike, in the absence of specific approval by the Board.

Upon retirement, the daily rate shall be computed by dividing the number of "working days" that year into the annual salary. "Normal retirement," as referred to herein, shall mean retirement under any retirement system established by the legislature with full benefits as provided by law. Years of service shall mean creditable years of service under any retirement system of the State of Florida.

In the case of separation due to retirement, payment for terminal pay in excess of \$1,000 will automatically be placed in the Terminal Leave Retirement Program (TLRP), a plan which shelters eligible terminal pay from certain taxation.

Specific Authority: 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.

Law Implemented, Interpreted, or Made Specific: 1012.01; 1012.40; 1012.61(2) F.S.

**History: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

Repromulgated: 12-11-74

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