

SECTION: 6.42

SUBJECT: Terminal Leave

**AUTHORITY: Executive Director; 60L-34, Florida Administrative Code;
Section 110, Florida Statute**

Policy:

Terminal leave is leave used when an employee will not be returning to work at FWC. An employee approved for terminal leave may use any leave type for which the employee is eligible. The policy does not apply to employees leaving the agency due to a work force reduction or for disciplinary reasons. Terminal leave must be used consecutively.

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6.42.1 Definitions

- A.** Terminal Leave - Leave used when an employee will not be returning to work at FWC for any reason other than reasons attributable to discipline or a workforce reduction.
- B.** Leave Types - Any type of leave may be used as terminal leave if the employee is eligible to use such leave in accordance with personnel rule 60L-34 F.A.C., Attendance and Leave. Leave types are annual, sick, sick leave pool, sick leave donation, regular compensatory, special compensatory, special holiday compensatory, FLSA compensatory, disability and administrative leave.

6.42.2 Terminal Leave Approval

Supervisors may approve leave for employees who will not be returning to the agency in accordance with the guidelines outlined in Section 6.42.3 of this policy. Supervisors must take into consideration the impact the requested leave will have on the ability of the work unit to complete critical projects. Sick leave may be used during the terminal leave period if the employee meets the requirements in the personnel rule and IMPP 6.48, Family Medical Leave Act both of which govern use of sick leave. Exceptions to the guidelines for all leave types, except sick leave, may be made on an individual basis as determined appropriate by the Division/Office director. The Assistant Executive Director shall approve exceptions to the policy for division and office directors.

6.42.3 Types and Use of Terminal Leave

- A. Employees who are terminating employment due to their own or an immediate family member's serious illness or injury may be allowed to use sick leave including sick leave pool and donated sick leave, if eligible. Supervisors and employees must comply with IMPP 6.48, Family Medical Leave Act, when using sick leave.
- B. Employees in DROP, or who have notified the agency of their intent to retire without entering DROP, may be allowed to use up to 160 hours of leave between the last day they are physically at work and their retirement/exit from DROP.
- C. Employees transferring to another state agency and whose leave balance will transfer may be allowed to use up to 40 hours of leave provided the employee has provided a two-week notice prior to their termination.
- D. Employees leaving state government may be allowed to use up to 80 hours of leave provided the employee has provided a two-week notice prior to their termination.

History: Est.: 07/7/2004; Rev.: 11/02/2004; 2/12/2008; 9/02/2015

APPROVED:

Jennifer L Fitzwater

Executive Director or Designee

September 2, 2015

Date