



POLICY 3.20

4-C I recommend that the Board adopt the proposed revised Policy 3.20, to be re-titled "Resignation and Termination of Employment."

[Contact: Mark Mitchell, PX 48911; Ernie Camerino, PX 43896.]

Adoption

CONSENT ITEM

- This revision will update the process for resignation or termination, including the requirement to file form PBSB 1176 ("Employee Resignation/Termination") with the principal or department head no later than ten working days prior to the proposed effective date of the resignation.
- Form PBSB 1176 is incorporated by reference (and is attached as an appendix hereto, for convenient reference).
- Subsection (4)(a) (lines 47-58) is being imported, in revised form, from Policy 3.80. The light-grey stricken language in that subsection was in that Policy 3.80, not this Policy 3.20. The subsection concerns terminal retirement benefit for compensation for unused sick leave for employees who resign, terminate, or retire with a minimum of six years of service employment.
- Other new sections govern unused annual leave, and unused sick leave for employees who are not covered by a collective bargaining agreement.
- If the provisions of a collective bargaining agreement conflict with this Policy, the provisions of the collective bargaining agreement will prevail.

POLICY 3.20

RESIGNATION AND TERMINATION OF EMPLOYMENT

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3 1. Resignation.-- During the ~~employment appointment~~ period, if an employee seeks to
4 resign, the an employee shall complete initiate ~~the relevant portions of the~~
5 voluntary resignation/termination form (PBSD 1176) of employment by filing with
6 and submit the form to the principal or department head for signature. A
7 resignation. This form 1176 can be found on the District's website at
8 www.palmbeach.k12.fl.us/Records/FormSearch.asp and is incorporated herein by
9 reference. Each such resignation shall be subject to the approval or disapproval of
10 the Board.
- 11 a. All resignations shall be filed with the principal or department head no later
12 than ten working days prior to the proposed effective date of the resignation.
13 Failure to give the prescribed notice may be cause for disapproval of the
14 resignation. The Superintendent or his or her designee, however, upon good
15 cause shown, may recommend ~~waiver of the prescribed notice~~ not be required
16 based upon the needs of the District.
- 17 b. The effective date of any resignation ~~or termination~~ shall be as follows: either
18 a) the last duty day the employee is physically on duty unless the employee is
19 by necessity required to resign or terminate while on sick leave or authorized
20 extended leave approved by the School Board; or b) the date assigned by
21 Employee Relations if the employee failed to respond to the ten (10) day letter
22 notice to report to work.
- 23 c. Personnel on annual appointment may ~~terminate~~ resign from employment at
24 the end of a contract period by requesting not to be reappointed or by
25 declining reappointment. The option under these circumstances lies with the
26 employee and is without prejudice.
- 27 d. Prior to Board action, to accept the voluntary resignation, the Superintendent
28 shall indicate a recommendation to the Board.

29 Instructional Personnel:

- 30 e. Should ~~an instructional employee personnel,~~ as defined in Fla. Stat. §
31 1012.01(2), terminate employment without the expressed approval of the
32 Board, the employee shall be subject to the disciplinary process of the
33 Educational Practices Commission. In view of the possible consequences, any
34 employee subject to this policy should assure before leaving a position that the
35 Board has accepted or will accept the resignation.

- 36 2. Termination of Interim Employee.-- Employees who are employed on an interim
37 basis may be terminated prior to the close of the interim employment period upon
38 three (3) days written notice prior to the actual date of termination. The principal or
39 department head shall complete the relevant portions of the Employee
40 Resignation/Termination form PBSD 1176, which is referenced above.
- 41 3. Termination of Temporary Employee.-- Temporary employees who have no
42 expectation of continuous employment with the District may be terminated at any
43 time during employment. The principal or department head shall complete the
44 relevant portions of the Employee Resignation/Termination form PBSD 1176,
45 which is referenced above.
- 46 4. Terminal Pay for Unused Sick Leave
- 47 a. Personnel who resign, terminate, or retire with a minimum of six (6) years of
48 service employment, shall receive a terminal retirement benefit for
49 compensation for unused sick leave, Employees under pursuant to Fla. Stat. §
50 1012.61 (2)(a)(4) or § 1012.61(2)(a)(5), who retire and the beneficiary(ies) of
51 personnel Personnel whose employment is terminated by death and the
52 beneficiary(ies) shall receive payment for accrued sick leave pursuant to Fla.
53 Stat. § 1012.61(2)(a)4 or 5. All personnel shall be compensated at the hourly
54 rate in which it is earned, whose employment is terminated by death, shall
55 receive payment for accrued sick leave at their rate, at the time of such
56 retirement or death, multiplied by the maximum applicable percentage
57 allowable under Fla. Stat. § 1012.61(2), or at the maximum amount allowable
58 under § 1012.61(25), as applicable.
- 59 b. Employees not covered by a collective bargaining agreement who retire,
60 resign, or who otherwise terminate employment who have ten or more years of
61 continuous service with the District are required to participate at the time of
62 resignation, regular retirement, entering DROP or terminating from DROP in
63 the 401(a) National Government Retirement Plan. This is a tax savings plan
64 for all employees who are not covered under collective bargaining units.
- 65 i. Sick leave pay will be placed into the Plan to the Plan's maximum IRS
66 limit on the following schedule.
- 67 A. End of fiscal year one – 20%;
- 68 B. End of fiscal year two – 25%;
- 69 C. End of fiscal year three – 33.33%;
- 70 D. End of fiscal year four – 50%;
- 71 E. End of fiscal year five – 100%

72 ii. Should the employee exit DROP early, the balance shall be paid to the
73 Plan's maximum IRS limit. In the case of resignations, at the time of
74 separation, personnel may request to transfer unused sick leave to other
75 FRS agencies provided they are not eligible for the above Plan.

76 5. Unused Annual Leave

77 a. Employees who accrue annual time and who are in DROP not covered by a
78 collective bargaining agreement who have ten (10) or more years of
79 continuous service with the District will have the choice of placing up to a
80 maximum of 480 hours of annual leave into the 401(a) National Government
81 Retirement Plan at the beginning of DROP or at the completion of DROP not
82 to exceed the maximum established by the Florida Statutes.

83 b. Upon employment termination, employees who have accrued annual time and
84 who are not in DROP will be paid out the maximum established by the Florida
85 Statutes as terminal annual leave pay.

86 6. If the provisions of a collective bargaining agreement conflict with this Policy, the
87 provisions of the collective bargaining agreement will prevail.

88 STATUTORY AUTHORITY: Fla. Stat. §§ ~~120.53, 230.22, 231.001~~ 1001.32(2)
89 1001.41(1) & (2); 1001.42(5) & (23); 1001.43(11).

90 LAWS IMPLEMENTED: Fla. Stat. §§ ~~231.36(2), 230.23(5);~~ 1012.22(1) & (2);
91 1012.23(1); 1012.61.

92 HISTORY: New: 11/29/76; Revised: 6/16/82; _____ / _____ /2008

Legal Signoff:

The Legal Department has reviewed proposed Policy 3.20 and finds it legally sufficient for adoption by the Board.

Attorney

Date

