

HORRY-GEORGETOWN TECHNICAL COLLEGE

# PROCEDURE

Number: 3.3.7.1  
Related Policy: 3.3.7  
Title: Break in Service  
Responsibility: Vice President, Human Resources and Employee Relations

Original Approval Date: 10-10-2007  
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Last Revision: 06-09-2017

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President

## DISCLAIMER

**PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY.**

A break in service occurs when an employee occupying a full-time equivalent (FTE) position experiences an interruption of continuous State service.

An employee experiences a break in service when the employee:

- A. Separates from State service and is paid for unused annual leave.

Exception: When an employee moves from a position in which the employee earns both annual and sick leave to a position in which the employee only earns family non-work days or sick leave, all earned sick leave shall be transferred in accordance with the Division of State Human Resources (DSHR) Regulations 19-710.05 A.

When a faculty employee moves from a position in which the employee earns faculty non-work days to a position in which the employee earns both annual and sick leave, a lump sum payment will be made for banked and unused faculty non-work days in accordance with Procedure 8-3-101.1 (Faculty Non-Work Days) but will not constitute a break in service.

- B. Moves from one state agency/college to another and is not employed by the receiving agency within fifteen (15) calendar days following the last day worked or approved day of leave at the transferring agency.

Exception: Under extenuating circumstances, the System Office/College president may approve an extension from fifteen (15) calendar days up to but not in excess of six (6) months for an employee in an FTE position to be employed in another FTE position

within State government without having a break in service. The approval must be made prior to the employee receiving a lump sum payment for unused annual leave and within fifteen (15) days of the last day the employee is in pay status.

C. Remains on leave for a period of more than one (1) calendar year.

Exceptions:

1. The employee is on a military tour of duty with reemployment rights protected under federal or State law.
2. The employee is participating in the Government Employee Interchange Program as provided in DSHR Reg. 19-714.
3. The employee is an academic personnel at an institution of higher learning on approved sabbatical leave without pay for professional development.

D. Separates from State service as a result of a reduction in force and is not recalled to the original position or reinstated with State government within twelve (12) months of the effective date of the separation;

E. Involuntarily separates from State service and the agency/college's decision is upheld by the State Employee Grievance Committee or by the courts; or

F. Moves from an FTE position to a temporary, temporary grant, or time-limited position.

Exception: When an employee in an FTE position moves to a temporary, temporary grant, or time-limited position within fifteen (15) calendar days following the last day worked (or approved day of leave) during the employee's TERI program, he does not experience a break in service.