

POLICY NUMBER:

APM- 1- 86

DATE:

8-29-13

ISSUED BY:

*Johnny Martinez*  
City Manager/Designee

*Daniel Alfonso*  
SIGNATURE

# CITY OF MIAMI



## ADMINISTRATIVE POLICY

### REVISIONS

#### REVISED SECTION

Created  
Revised  
Revised  
Revised

#### DATE OF REVISION

1/29/1986  
3/24/1997  
9/2010  
7/10/2013

**SUBJECT:**

**SEVERANCE POLICY**

**Purpose**

To provide an official policy by which the City of Miami may provide severance pay to unclassified personnel appointed by the City Manager to positions holding executive status in accordance with the City of Miami Ordinance, Section 2-89. This policy is consistent with the ordinance and shall be interpreted accordingly.

Effective this date, this Administrative Policy supersedes all previous directives relating to this subject.

**Definition**

The term "severance pay" means the actual or constructive compensation, including salary, and benefits, for employment services yet to be rendered which is provided to an employee who has recently been or is about to be terminated. The term does not include compensation for earned and accrued annual, sick, compensatory, or administrative leave.

**Policy  
Statement**

The City Manager may, subject to review and approval as to legal sufficiency by the City Attorney, and City Commission approval, grants severance pay to unclassified employees who hold executive status, if the severance pay represents the settlement of an employment dispute. Severance pay shall not be given if:

1. The employee voluntarily resigns;
2. The employee retires; or
3. The employee is terminated for cause.

**Calculation of Pay or Leave** Severance pay authorized under this section may be granted based on the employee's length of service but shall not exceed the following:

<i>Length of Service</i>	<i>Severance</i>
Less than 12 months	None
12 months to 24 months	Up to a maximum of 15 working days' salary
More than 24 months	Up to a maximum of 6 weeks' salary

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**Contingency** Receipt of severance pay is contingent upon the effected employee's execution of an Acknowledgement, Waiver and Release agreement in a form acceptable to the City Attorney.