

**STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION**

**STATEMENT OF POLICY**

**POLICY NUMBER:** 8-3-104

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**POLICY TITLE:** BREAK IN SERVICE

**LEGAL AUTHORITY:** Section 59-53-20 of the 1976 Code of Laws of South Carolina, As Amended; Section 19-719 of the State Human Resources Regulations

**DIVISION OF RESPONSIBILITY:** Human Resource Services

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**DATE APPROVED BY BOARD:** May 23, 2007

**DATE OF LAST REVISION:** July 24, 2012

**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 SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

It is the policy of the State Board for Technical and Comprehensive Education to recognize a break in service<sup>1</sup> when an eligible employee occupying a full-time equivalent (FTE) position interrupts his continuous State service as defined in state law and regulations.

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<sup>1</sup> An interruption of continuous State service. An employee experiences a break in State service when the employee (1) separates from State service and is paid for unused annual leave; (2) moves from one State agency to another and is not employed by the receiving agency within 15 calendar days following the last day worked (or approved day of leave at the transferring agency); (3) remains on leave for a period of more than one calendar year; (4) 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 12 months of the effective date of the separation; (5) involuntarily separates from State service and the agency's decision is upheld by the State Employee Grievance Committee or by the courts; or (6) moves from a full-time equivalent (FTE) position to a temporary, temporary grant, or time-limited position.