Subject:	Staff Employee Separations

530.1 Purpose

To outline Office of the UCAT Commissioner policy with respect to staff employee separations that are non-disciplinary.

530.2 Approval

UCAT Board of Trustees approval: September 30, 2010. Revised: January 12, 2011; June 8, 2016.

530.3 Definitions

3.1 Staff Employment Separations: Staff employment separations occur when an employee is no longer an employee of the Office of the UCAT Commissioner due to resignation, job abandonment, retirement, or an employee's unavailability.

530.4 Resignation

An employee may terminate his or her employment with the Office of the UCAT Commissioner by submitting an oral or written resignation to his or her supervisor.

4.1 An employee in an "exempt" (as defined by the Fair Labor Standards Act) position who resigns his or her position should provide four weeks' advance notice.

4.2 An employee in a "non-exempt" (as defined by the Fair Labor Standards Act) position who resigns his or her position should provide two weeks' advance notice.

530.5 Finalizing or Withdrawing a Resignation

5.1 Supervisors should acknowledge the receipt and acceptance of both oral and written resignations in writing. Written acceptance of a resignation is to be delivered personally to the employee, sent by email, or sent by U.S. mail to his or her last known address. Written acceptance of a resignation is effective upon delivery if delivered personally, upon sending if emailed, or upon mailing if sent by U.S. mail.

5.2 Unless and until the supervisor delivers, sends, or mails written acceptance of a resignation, the employee may withdraw his or her resignation within twenty-four hours (by the same time on the next business day) after he or she has submitted it. Withdrawal of a resignation must be in writing and must be delivered to the supervisor within this twenty-four hour period. Within this twenty-four hour period, no resignation can be withdrawn after the delivery, sending, or mailing of a written acceptance without the approval of the UCAT Commissioner.

530.6 Retirement

Retirement is a form of resignation. An employee may retire when he or she is eligible and applies for receipt of benefit payments or annuities under an applicable benefit program.

530.7 Job Abandonment

An employee who abandons his or her position and his or her employment with the Office of the UCAT Commissioner will be discontinued by failing to come to work for three consecutive scheduled workdays, and failing to follow proper notification procedure.

7.1 On or after the first day missed without notice, the work unit will endeavor to contact the employee to determine why the employee has failed to report to work.

7.2 If an employee returns after one or two days without notice, he or she will be subject to corrective action in accordance with Policy 525.

7.3 If an employee fails to report to work for three consecutive days without notice, he or she may be subject to separation from employment, even if he or she returns to work on the fourth day.

7.4 Separations under this provision of this policy must not occur until the work unit consults with and has the approval of the human resource officer.

7.5 The supervisor shall provide written notice to the employee of the separation. Written notice is to be delivered personally to the employee or mailed to his or her last known address.

530.8 Separation Due to Unavailability

An employee may be separated from employment on the basis of unavailability when the employee is unable to return to his or her position after all approved, earned leave has been exhausted and there is no reasonable alternative available that would allow the employee to return to his or her position and perform the functions of his or her job. Reasonable alternatives may include, but may not be limited to, a reasonable accommodation requested in accordance with the Americans with Disabilities Act.

8.1 Prior to implementing a separation due to unavailability, the work unit shall provide the employee written notice of the following:

8.1.1 The pending separation;

8.1.2 The reason for the action (i.e., the employee is unable to return to work);

8.1.3 The proposed effective date of the separation; and

8.1.4 The opportunity for the employee to propose reasonable alternatives that would allow the employee to return to work. The employee must submit his or her proposed reasonable alternatives in writing within five working days to the supervisor.

8.2 At the conclusion of the five day response period, and after taking into consideration any proposed alternative or other information that the employee may have offered, the supervisor must consult with and obtain the approval of the UCAT Commissioner before separation can occur.

8.3 The supervisor shall provide written notice to the employee of the separation. Written notice is to be either delivered personally to the employee or mailed to his or her last known address.

530.9 Separation Logistics

The supervisor is responsible to ensure that all UCAT property is returned (keys, ID cards, credit cards, equipment, etc.), all debts are resolved, and all computer/data access is discontinued.