

	LOS ANGELES COMMUNITY COLLEGES HUMAN RESOURCES GUIDE	HR P-310
		RESIGNATION
ISSUE DATE: August 9, 2007	SERVICE: <input checked="" type="checkbox"/> ACADEMIC <input checked="" type="checkbox"/> CLASSIFIED <input checked="" type="checkbox"/> UNCLASSIFIED	
REPLACES: <u>Legacy Personnel Guides:</u> B 455 Resignation	CHANGES: New	

I. POLICY

It is the duty of each College and Division to establish internal procedures that ensure resignations are acknowledged and processed within specific timelines and in a manner that facilitates the effective coordination of applicable time reporting, payroll, benefit, and retirement processes.

II. DEFINITIONS

- **Cancellation:** The formal process of obtaining employer approval to rescind a resignation after the normal withdrawal period has elapsed.
- **Resignation:** A voluntary formal statement on the part of an employee that he/she wishes to terminate employment with the District.
- **Resignation Receipt:** The earliest date a resignation can be verified as having been received at any college or District Office.
- **Withdrawal:** The pre-determined period of time whereby an employee may withdraw his/her voluntary resignation without obtaining the employer's approval.

III. REQUIREMENTS

A. **Temporary Employees:** Since temporary assignments have an ending date, temporary employees are automatically separated on their ending date. See HR Guide P-300, Separation for details. In the event a temporary employee desires to end his/her assignment earlier than scheduled, the following guidelines are provided.

1. Temporary Employees, Other than Classroom Adjunct Faculty

Temporary employees submit their resignation orally to their direct supervisor. The supervisor is responsible for ensuring the following actions are implemented within five (5) business days of the employee's termination date.

- a. Ensuring the employee's final time report, and if applicable to the job code, any absence reports, are promptly submitted to the location time reporting office.
- b. Initiating termination of the assignment by entering a separation action into the Personnel Change Request (PCR) system.

2. Temporary Employees, Adjunct Faculty

- a. Adjunct faculty who are simply resigning from their specific assignment as an adjunct faculty member may submit an oral resignation to the immediate supervisor. The supervisor is then responsible for initiating the appropriate separation personnel action.
- b. Adjunct faculty who are retiring from a retirement system whether ending the assignment early or not must complete Resignation Form HR P-310 and follow guidelines presented in Human Resource Guide HR P-370, Retirement.

B. Permanent Employees

1. **Written Resignation:** Written resignations are normally required. Permanent employees submit their resignations on the Academic / Classified Service Resignation form (HR P-310) directly to their immediate supervisor or, when necessary, the next level supervisor.
2. **Oral Resignation:** Oral resignations are not acceptable. An effort to obtain a written resignation should be undertaken as follows:
 - a. Document the effort to obtain a written resignation from the employee by sending the documents enumerated below via U.S. Mail, Certified Receipt and regular first class mail to the employee at his/her last known address. If circumstances warrant, fax or email may be used.
 - 1) Cover letter confirming the employee submitted an oral resignation with an effective date identified and notifying the employee that formal processing of the resignation would start within five (5) business days unless the employees notifies the location personnel office that a misunderstanding has occurred.
 - 2) Academic / Classified Service Resignation form ([HR P-310](#)).
 - 3) Instructions, if applicable, on location check-out procedures and return of college/district property. See HR Guide P-301, Exit Interview and Check-Out, for details.
 - b. If the effort to obtain a written resignation is unsuccessful, the supervisor should contact Employer-Employee Relations for assistance with terminating the assignment.

Effective Date

- a. Although employees may resign at any time, employees are requested to provide departments with an opportunity to locate a replacement by submitting resignations as follows:
 - **Non-Classroom Employees:** Two (2) weeks prior to the effective date indicated on the Resignation form.
 - **Classroom Employees:** Dated, if at all possible, on the last day of the Academic Fall or Spring Term as defined [Appendix M, Calendars, of the AFT Faculty Agreement](#).
 - **Contractual Employees:** Submitted following the time period specified in the contract. For executive employees, this timeline is generally 60 days.

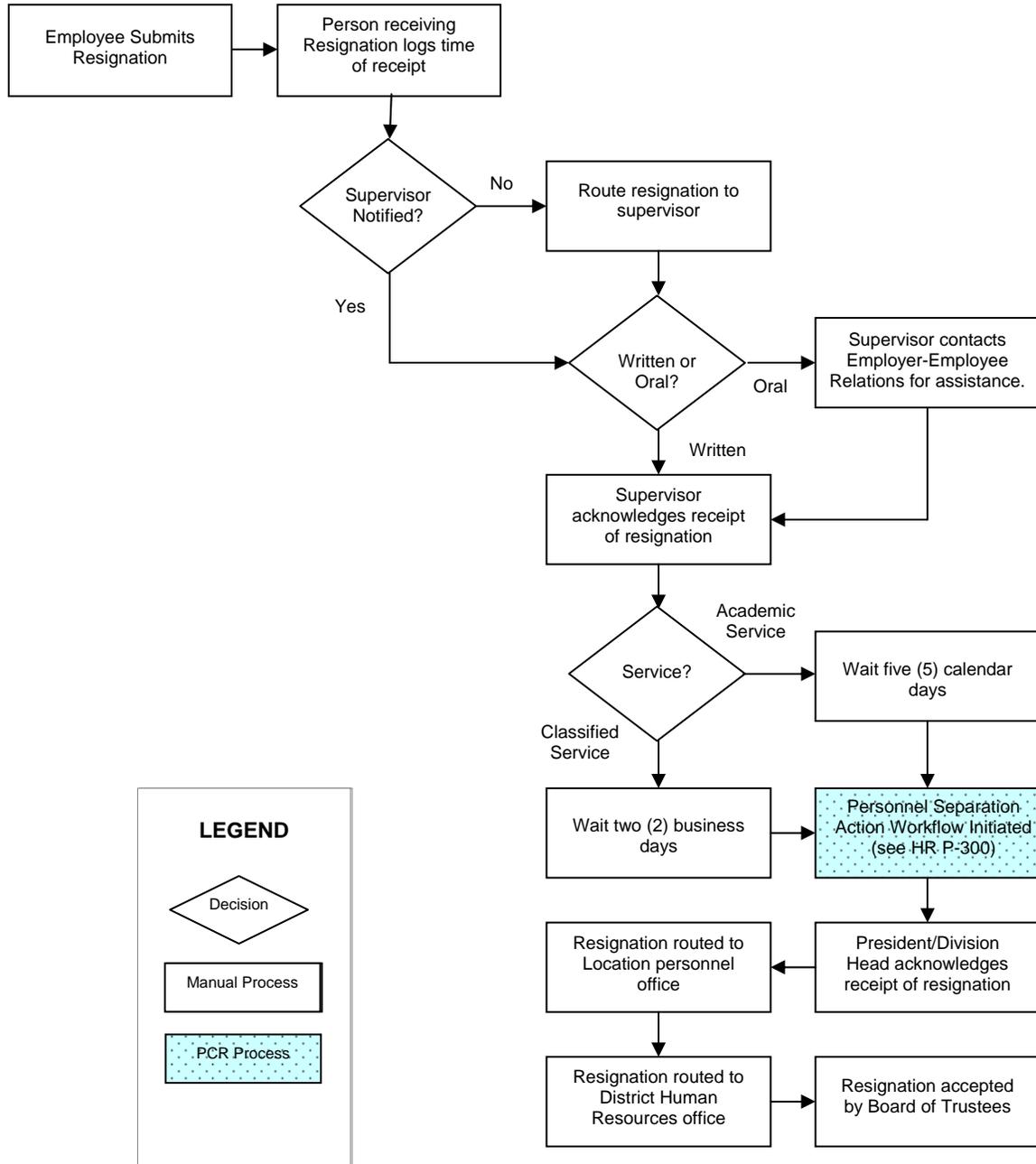
- b. A personnel action processing an employee's resignation should reflect the same date as the effective date indicated by the employee on their District Resignation form, unless the good of the District warrants a different date. Supervisors should, however, contact Employer-Employee Relations, District Office, prior to changing the effective date.

Note: In certain situations, a technical correction of the resignation date will be made at the employee's request in order to coordinate the resignation date with the retirement date. See HR Guide, P-370, Retirement, for details.

3. Resignation Processing

- a. Although employees are to submit resignations directly to their supervisor or next level supervisor, such practice is not always followed. Misdirected resignations are to be redirected to the supervisor.
- b. Colleges and Divisions are to obtain acknowledgement signatures and forward the original copy of all resignations to Human Resources, District Office via the location personnel office within timelines summarized in Figure P-310 Resignation Processing Workflow, below.
- c. As required by statute, the Board of Trustees formally accepts resignations. Accordingly, resignations are timed for processing each month by Human Resources, District Office, for submission to the Board according to the [Board of Trustees Meeting Calendar](#).
- d. Because employees have a designated resignation withdrawal period, personnel actions separating permanent employees should not be entered into the District computer system until the withdrawal period applicable to employee service ends. Once the withdrawal period ends, the personnel action should be entered into the system as soon as possible. See Section 6, Withdrawal of Resignation, below, for details.
- e. If, after the designated withdrawal period described in Table P-310, Withdrawal of Resignation, below, has passed and no office at the college or District Office receives a request to withdraw the resignation, Human Resources, District Office, finalizes processing by:
- 1) Coordinating of processing actions with following departments:
 - Benefits
 - Retirement
 - 2) Submitting the resignation to the Board of Trustees for acceptance as part of Human Resource Division Report (HRD1).

FIGURE P-310 RESIGNATION PROCESSING WORKFLOW



4. **Late Resignation Processing:** Processing a resignation after the effective date creates overpayments for the District, additional costs for the college, and potential loss of benefits for the employee.
 - a. Human Resources, District Office provides locations with regular reports of retroactive separations needing further review.
 - b. Overpayments generated by retroactive resignations will be referred to the Office of General Counsel for disposition.

5. **Withdrawal of Resignation**

- a. **Receipt Date:** For purposes of withdrawing a resignation, receipt is the earliest date of verified receipt by any office, whether college, division, or Human Resources, District Office. To verify receipt, the immediate supervisor, next level supervisor or location personnel office receiving a resignation is to record the date on the resignation when the form was received. Such record may be made by use of a date/time stamp or written signature.
- a. If a request to withdraw a voluntary resignation is received during the withdrawal period shown in Table P-310, Resignation Withdrawal Period, below, the resignation is considered rescinded.

TABLE P-310 RESIGNATION WITHDRAWAL PERIOD FOR PERMANENT EMPLOYEES See Collective Bargaining Agreement for Details.	
SERVICE	WITHDRAWAL PERIOD ¹
Academic, Faculty	Five (5) Calendar Days ¹
Academic, All Other	48 Hours ²
Classified	48 Hours ²
¹ Includes days when classes do not meet.	
² Weekends and holidays, excluded	

- b. A request to withdraw a resignation may be initially submitted orally or in written form but should be sent to the same office or location that received the resignation. In the event a request to withdraw a resignation is received in Human Resources, District Office, the Resignation / Retirement System will notify both the College President/Division Head and location personnel office that a request to withdraw a resignation was received.
- c. In order to avoid misunderstanding of intent, employees submitting an oral request to withdraw a resignation during the withdrawal period designated above should be urged to submit a written request prior to the expiration of the designated withdrawal period.
- d. After the withdrawal period has passed and before acceptance of the resignation by the Board of Trustees, a verbal or written request to withdraw the resignation will be considered if it is in the best interest of the District.
 - 1) Such request must be made in writing to the president and, if made orally, must be followed by a written request within five (5) days.

- 2) The president has discretion to approve or deny the request and should notify Human Resources, District Office and the location personnel office of his/her decision.
 - 3) If no written request is received by the end of the five (5) days, the resignation will be processed to the Board of Trustees.
6. **Change of Date:** If an employee wishes to change the date of his/her resignation after it has been submitted for processing, the timelines and procedures listed in Item 7, Withdrawal of Resignation, apply.
7. **Cancellation of a Resignation**
- a. Resignations which have been approved by the Board of Trustees may be cancelled by the Board before the effective date if approved by the College President or Senior Vice Chancellor.
 - b. **Cancellation Processing:** Locations cannot enter a personnel action to cancel a resignation into the District's computer system. To initiate this process, the College President or Senior Vice Chancellor forwards the authorized request to cancel the resignation to the Senior Associate Vice Chancellor, Human Resources, for processing.
 - c. If the resignation effective date has been approved by the Board of Trustees, the employee can only be returned to service as follows:
 - Academic Service: Selection Process
 - Classified Service: Selection / Reinstatement Process
8. **Resignation Due to Retirement:** Processing a resignation due to retirement involves additional steps. See Human Resource Guide HR P-370, Retirement, for details.
9. **Resignation to Avoid Dismissal**
- a. Any person against whom a dismissal action has been started may submit his/her resignation. If, however, the dismissal has already been ratified by the Board of Trustees, the resignation cannot be processed in time to avoid dismissal.
 - b. When resignations to avoid dismissal are processed prior to submission to the Board of Trustees, only the personnel action is changed. The material collected for the dismissal remains in the employee's employee relation's file.
 - c. Supervisors concerned about an employee's eligibility for rehire should contact Employer-Employee Relations for guidance. See HR Guide P-360, Dismissal, for details.
10. **Resignation Due to Abandonment of Position:** Employees who are absent from work for the allotted time applicable to their employee service or who do not return from an approved leave of absence may be separated from service as allowed under state statute, collective bargaining agreements, and Personnel Commission rules. See HR Guide P-320, Absence Without Leave, for details.
11. **Resignation Due to Death of Employee:** Upon the death of an active employee, the District deems the employee to have resigned from the District. The employee's length and type of service determines survivor eligibility for participation in the District's Master Benefits Agreement. See HR Guide P-311, Death of Employee, for details.

12. **Return to Active Service:** Employees who resign while in good standing in the District may be reinstated or reemployed as allowed under statute, board rules, collective bargaining agreements and Personnel Commission rules. See HR Guide P-120, Rehire and P-121, Rehire Retiree, for details.

13. **Employee Check-Out Procedures:** Locations are encouraged to develop procedures to ensure that District property is returned to the location upon the employee's separation from employment.

14. **Lump Sum Vacation Payments**

- a. The monetary value of any vacation balance available to an employee at the time of separation from service by resignation, dismissal, retirement, layoff, or death is paid as a lump-sum vacation payment.
- b. Location's where the employee was last regularly assigned are responsible for initiating the lump-sum payment process by submitting the request to Payroll Services, District Office.
- c. Upon verifying that all time reports for the employee have been entered into the District's computer system and any overpayments or underpayments are reconciled, Payroll Services, District Office, processes the actual payment.
- d. Employees should contact their Location Time Reporting Office for assistance with this process.

15. **Concurrent / Multiple Assignments**

- a. In order to address health benefit and retirement system reporting requirements, the District's computer system automatically terminates all active assignments an employee may have when separation from a permanent position is processed.
- b. A permanent employee may, however, request to continue some temporary assignments he/she may have by indicating his/her desire to do so in the designated portion of the resignation form. When the resignation form is so marked, the request is handled as follows:
 - 1) **Academic Service, Classroom Adjunct position:** The requested assignment may then be continued upon the request of the appropriate supervisor and confirmed by the location's Personnel Assistant which includes modification of appropriate ESG, Tax Table and Retirement System Codes.
 - 2) **Unclassified Services Assignments:** The hiring location initiates a new personnel action reactivating the assignment.
- c. Continuation of any assignment is not guaranteed but may be made available to the employee subject to the customary constraints: customary constraints, i.e., collective bargaining agreement, seniority rules, Personnel Commission Agreements, budget constraints, etc.
- d. **Classified Service Assignments**
 - 1) When the resignation form indicates the employee wishes to have his/her name transferred from the promotional eligibility list(s) to the corresponding open list, Human

Resources, District Office sends a copy of the resignation form to the Personnel Commission for review and processing.

- 2) Employees desiring temporary work assignments after resignation from the District are to contact the Personnel Commission for instructions.

IV. ADDITIONAL SOURCES

CALIFORNIA EDUCATIONAL CODE

- 87730 Acceptance and Effective Date of Resignations
- 88081 Subjects of Rules
- 88201 Resignations; Effective Date

LACCD BOARD RULES

- Chapter X, Human Resources
 - Article IV Certificated Assignments
 - 10415 Return to Service After Resignation

LACCD HUMAN RESOURCE GUIDE

- HR P-120 Rehire
- HR P-121 Rehire Retiree
- HR P-300 Separation
- HR P-320 Absent Without Leave
- HR P-360 Dismissal
- HR P-370 Retirement
- HR P-311 Death of Employee or Student

PERSONNEL COMMISSION RULES

- 768 Resignation

LACCD COLLECTIVE BARGAINING AGREEMENTS

- AFT Faculty Guild Local 1521: Article 20, Resignation