

**ARTICLE 35
RESIGNATION / JOB ABANDONMENT**

A. RESIGNATION

1. Employees who voluntarily separate from employment with the University, other than retirement, are considered to have resigned their employment with the University.
2. Upon the employee's submission of a written notice of resignation there shall be no withdrawal or rescinding of the resignation except by the written mutual agreement of the University and the employee.
3. In the event an employee provides an oral notice of resignation, s/he may rescind such notice within two (2) scheduled work days following the oral notice. If such oral notice is not rescinded within the two (2) work-day limit, there shall be no withdrawal or rescission of her/his resignation except by the written mutual agreement of the University and the employee.

4. FINAL PAYCHECK

- a. With the exception of retirement, the final paycheck (including earnings to date, overtime, compensatory time and vacation hours) shall be paid to the employee in a timely manner normally within 72 hours and in conformance with appropriate sections of the Labor Code. If the employee gave 72 hours or more notice, the final paycheck will be provided on the last day of work. Retirement compensation shall be provided pursuant to retirement plan regulations.
- b. When an employee does not give seventy-two (72) hours notice of intention to resign, the University shall make the final paycheck available within seventy-two (72) hours. Upon the employee's request, the final paycheck may be mailed to an address designated by the employee. Otherwise, it will be mailed to the employee's last known mailing address on file. If the date of pay falls on a Saturday, Sunday, or weekday holiday, actual payment may be on the next business day. Monday through Friday will be considered business days at all locations including Medical Centers and other 24-hour/7-day operations.

B. JOB ABANDONMENT

Failure to report to work as scheduled for five (5) consecutive work days may be treated by the University as an employee's job abandonment resulting in her/his resignation:

1. In the case of job abandonment, the University shall provide the employee and the Union with written notification of its intent to separate her/him. This notification shall include the reasons for the separation, the employee's right to respond to the University within fourteen (14) calendar days, and a Proof of Service. The notification shall be sent to the employee's last known mailing address.
2. The employee shall have fourteen (14) calendar days from the mailing of such notice to respond to the University prior to her/his separation. The response may, at the option of the employee, be in writing or may be a meeting with a designated University official. The official must have the authority to effectively recommend reinstatement of the employee.
3. Following the employee's timely response, or if no response was provided within fourteen (14) calendar days, the decision of the designated University official is not subject to the grievance and/or arbitration provisions of this Agreement.

- C.** The University shall notify the employee in writing at the employee's last known mailing address of all actions taken under the provisions of this Article.