

City of Mission Viejo Personnel Policy

Subject: ABANDONMENT OF POSITION

Statement of Intent:

To establish procedures for determining when an employee has abandoned his/her position. In accordance with Municipal Code chapter 2.60 "Personnel System", the City Manager delegates the administration of the procedures within this policy to the Human Resources Manager and/or division staff.

Policy:

1. When in the opinion of the department head, it appears that an employee may have abandoned his/her position, the department head shall notify the Human Resources Manager, or a designee. The Human Resources Manager, or a designee, shall notify the employee that the City believes that he/she may have abandoned his/her position and that he/she has ten (10) days from the date of the notice to contact the City regarding his/her intent to return to work.
2. Such Notice of Abandonment of Position shall be in writing and sent by certified mail or personal service, and by regular mail, to the last address listed in the employee's personnel records. The Notice shall include the details of the employee's absence. The Notice shall also indicate that the employee's failure to respond to the Notice within ten (10) days of the date of the Notice will constitute the employee's automatic resignation from City service.
3. An appearance of abandonment of position may include, but is not limited to, situations:
 - a. in which an employee fails to return to his/her employment upon conclusion of any authorized leave of absence,
 - b. in which an employee fails to properly notify his/her immediate supervisor of an absence due to sickness or injury,
 - c. in which an employee fails to appear for work without notification or express agreement between the immediate supervisor and the employee authorizing the use of any leave time set forth under the City's personnel policies, or
 - d. in which an employee fails to keep his/her immediate supervisor informed of the employee's disability status on a daily basis unless otherwise directed by his/her supervisor.
4. An employee's failure to respond to the Notice of Abandonment of Position within ten (10) days of the date of the Notice shall be deemed to be an abandonment of the

employee's position and shall constitute the employee's automatic resignation from the City service.

Administration:

In accordance with City of Mission Viejo Municipal Code chapter 2.60 "Personnel System", this Personnel Policy is deemed not to have a direct financial impact on the City. The City Manager may implement and amend this policy subject to prior City Attorney legal review and approval, and City Council review.

Implemented: September 11, 1989. (Reviewed by City Council – September 11, 1989 – Resolution No. 89-92.)

Amended: November 2, 2009. (Reviewed by City Council – November 2, 2009 – Resolution No. 09-52.)