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SEPARATION FROM SERVICE

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A9.820 PROCEDURES FOR ACCEPTING RESIGNATION OR RETIREMENT

1. Purpose. To provide a uniform method for accepting and processing resignations and retirements for University of Hawai'i employees appointed by the Board of Regents (BOR).

Note: Procedures for addressing separation from service of civil service employees are contained in the Department of Human Resources Development Policy and Procedure 702.003, Separation from Service; and Title 14, Hawai'i Administrative Rules - Department of Human Resources Development, 14 - 14.01 - Resignation.

2. Objective. To provide procedures for accepting and processing resignations and retirements of personnel appointed under the authority of the Board of Regents.
3. Definitions.
  - a. "Appointing authority" for the purpose of this administrative procedure shall mean those individuals, including Vice Presidents, Chancellors, Vice Chancellors, Associate/Assistant Vice Chancellors, Deans and Directors, etc., authorized to approve the hiring and termination of BOR appointees.
  - b. "Resignation" means an action taken by an employee to sever his/her employment relationship with the University. Acceptance of a resignation by an appointing authority does not necessarily imply that the employee resigned in "good standing."
4. Applicability/Responsibility. This procedure applies to BOR employees contemplating resigning or retiring and to the appointing authority.
5. Procedures.
  - a. Resignation.
    - 1) Notice of Resignation.

- a) Notice of resignation for included faculty members shall be in accordance with Article XII - Tenure and Service, I. Notice of Resignation, of the bargaining unit 07 agreement.
  - b) Notice of resignation for all other BOR appointments: Written notice of resignation should be submitted to the respective appointing authority at least fifteen (15) calendar days before the effective date of resignation. Therefore, direct supervisors who receive written notification of resignation will immediately forward the resignation to the appropriate appointing authority.
- 2) Acceptance of Resignation.
- a) Written notice of resignation is accepted by the appointing authority upon submission by the employee.
  - b) If the appointing authority receives verbal notification of resignation from an employee, it is effective immediately. The appointing authority will provide the employee with written confirmation of the verbal resignation as soon as possible. The written confirmation may be sent by email or by U.S. mail to the employee's last known address, or it may be hand-delivered to the employee, in which case it is recommended that the employee acknowledge receipt on the file copy.
  - c) Resignation, whether oral or written, once submitted may only be rescinded with the consent of the appointing authority.
- 3) Resignation Submitted During an Investigation. If an employee resigns while the subject of a pending investigation pertaining to an alleged impropriety on the employee's part, the resignation may not impact the investigation. For example, options that are available for the appointing authority may include, but are not limited to:
- a) Discontinuing the investigation and accepting the

resignation provided that the requirements of the *Notice of Resignation* above have been met; or

- b) Continuing the investigation and accepting the resignation on the condition that it may be changed to a discharge, depending upon the outcome of the investigation.
- 4) Resignation Submitted Following Notice of Discharge. A resignation submitted following a notice of discharge may not impact the investigation. Actions that can be taken by the appointing authority may include, but are not limited to:
- a) Accepting the resignation provided that the effective date is on or before the effective date of the discharge; or
  - b) Rejecting the resignation and effectuating the discharge.
- b. Retirement.
- 1) Notice of Retirement. A courtesy notice of retirement should be submitted to the employer preferably 2-4 weeks prior to the effective date in order to assist the employer in ensuring that operations are efficiently and effectively continued.
  - 2) Filing for Retirement. An employee planning to retire must contact the Employees' Retirement System (ERS) to complete and file the necessary documents for retirement in accordance with ERS policies and procedures.
- c. Return Service Obligations.
- 1) Appointing authorities authorized to accept resignations and retirements are required to confirm that the employee has fulfilled any return service obligations following a sabbatical leave or paid professional improvement leave. Should there be any obligation outstanding, the employee shall be notified in writing of the outstanding obligation and the consequences of resignation or retirement, i.e., repayment of salary received during the sabbatical or

paid professional improvement leave period.

- 2) If the employee with an outstanding obligation decides to resign or retire, the appointing authority shall ensure that collection action is initiated in accordance with §78-12, Hawai'i Revised Statutes, and Administrative Procedure A8.877, Payroll Overpayment.

## 6. References

- a. University of Hawai'i Professional Assembly, Unit 7 Collective Bargaining Agreement, Title XII - Tenure and Service, I. Notice of Resignation.
- b. Title 14 (Department of Human Resources Development), Hawai'i Administrative Rules, 14 - 14.01, Resignation
- c. Board of Regents Policies, Chapter 9, Personnel, Section 9-1d
- d. Executive Policy E9.112, Delegation of Authority for Personnel Actions
- e. Chapter 78, Hawai'i Revised Statutes, Public Service
- f. Administrative Procedure A8.877, Payroll Overpayment