Colorado Department of Human Services
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CHAPTER: VI. OFFICE OF HUMAN RESOURCES, COMPLIANCE, AND REGULATORY AFFAIRS, EMPLOYMENT AFFAIRS DIVISION	
TITLE: RESIGNATION: EMPLOYEE SEPARATION FROM CDHS	
POLICY NUMBER: 2.20 SUPERSEDES: N/A PAGE(S): 2 ATTACHMENTS OR FORMS: COMBINED NOTICE AND ACKNOWLEDGEMENT OF RESIGNATION/ADVISEMENT OF APPEAL RIGHTS	
AUTHORITY: STATUTE, RULE, STANDARD, AND/OR EXECUTIVE ORDER: **CRS 24-50-126(1);** Colorado State Personnel Board Rules and Director's Procedures: 6-13, 7-4 thru 7-6	
DATE EFFECTIVE: OCTOBER 1, 2007 REVISED: N/A NEXT REVIEW: OCTOBER, 2009 APPROVED: NOVEMBER 5, 2007	Karen L. Beye Digitally signed by Karen L. Beye Date: 2007.11.15 15:33:07 -07'00' KAREN L. BEYE, EXECUTIVE DIRECTOR

Background and Purpose

Colorado State Personnel Board Rules and Director's Procedures, Chapter 7 covers separation from state employment; Board Rules 7-4, 7-5, and 7-6 cover employee resignations specifically, and the personnel board has made significant changes, which were effective October 1, 2007. Resigning employees must be formally advised of their right to appeal a perceived ' coerced or forced resignation' to the State Personnel Board. This change was promulgated to assure the employee is resigning voluntarily.

Policy

Employees must provide a notice (written or verbal) of resignation to their appointing authorities no later than ten (10) working days before the effective date, except when resigning in lieu of a disciplinary action. However, per CRS 24-50-126(1) failure to provide a written notice could result in the loss of reinstatement privileges and could be construed as an automatic resignation. Payout of leave may be affected without a timely written notice.

The appointing authority must respond in writing in order to accept and confirm the employee's resignation and to advise the following:

- An employee may withdraw a resignation by the close of two (2) business days, after providing timely notice; the appointing authority must approve a timely withdrawal of resignation. A business day is considered the normal hours of operation for the facility, division, or office. In the event the facility, division, or office operates on a 24-hour basis, the business day ends at midnight.

- Approval of a request to withdraw a resignation after the two (2) business days shall be at the discretion of the appointing authority.

- If an employee believes the resignation was coerced or forced, the employee has ten (10) days from the date of resignation to file an appeal with the Personnel Board (Board Rule 7-4, October 2007).

- A resignation in lieu of a disciplinary action is irrevocable and may not be withdrawn, and the employee waives all rights to filing an appeal with the Personnel Board. (Board Rules 6-13 and 7-4)

An automatic resignation occurs when an employee has been absent without notice or contact with the supervisor and/or appointing authority for five (5) or more consecutive days. The supervisor or appointing authority must exercise reasonable diligence to contact the absent employee before determining that the employee has resigned pursuant to State Personnel Board Rule 7-6. The supervisor or appointing authority shall give the employee notice of the effective date of resignation via certified mail. If any employee is separated by way of an automatic resignation, reinstatement rights are disallowed or forfeited.

Procedure

The Combined Notice and Acknowledgement of Resignation and Advisement of Appeal Rights (Combined Notice of Resignation/Appeal Rights) form shall be completed and signed by the employee and submitted to the appointing authority. If the appointing authority has received a verbal notice or another written notice, the appointing authority will present the Combined Notice of Resignation/Rights form for review and signature by the employee.

Supervisors and/or appointing authorities must conduct a final evaluation when an employee resigns from employment with CDHS and this information must be entered into the PMAP Tracking System.

In compliance with CDHS Policy I-2.4, Separation Notification, appointing authorities are required to inform affected CDHS Offices of employee separation prior to the employee's last day of work; separation due to employee resignation, termination, transfer, retirement, and extended leave of absences from CDHS. The signed original of the Combined Notice of Resignation/Appeal Rights form, the final performance evaluation, the separation notification form (per CDHS Policy I-2.4, Separation Notification) and the personnel action form (HR2) shall be forwarded to the appropriate human resources district (NC, Southern, or Western) for inclusion in the employee's personnel file. The separation notification form shall also be routed as indicated in CDHS Policy I-2.4, Separation Notification.

STATE OF COLORADO

Colorado Department of Human Services
people who help people

Bill Ritter, Jr.
Governor

Karen L. Beye
Executive Director

Combined
Notice and Acknowledgment of Resignation
Advisement of Appeal Rights

I hereby voluntarily resign from my position with the Colorado Department of Human Services. This resignation is effective:

I have been advised and understand my rights and responsibilities as follows:

- A notice (written or verbal) of resignation must be submitted to my supervisor and/or appointing authority no later than ten (10) working days before the effective date and failure to provide a written notice could result in the delay of leave payout and the loss of reinstatement privileges.

- A request to rescind a resignation must be submitted by the close of the two (2) business days, after providing timely notice; and the appointing authority must approve a timely withdrawal of resignation. (A business day is considered the normal hours of operation for the facility, division, or office. In the event the facility, division, or office operates on a 24-hour basis, the business day ends at midnight.)

- Approval of a request to rescind a resignation after the two (2) business days shall be at the discretion of the appointing authority.

- If I believe my resignation was coerced or forced, I understand that I have ten (10) days from the date of resignation to file an appeal with the State Board of Personnel (Board Rule 7-4, October 2007). State Personnel Board, 633 17th Street, Suite 1320, Denver, CO 80202-3604.

- If I am voluntarily resigning in lieu of disciplinary action, I also understand: A resignation in lieu of a disciplinary action is irrevocable and may not be withdrawn; and, I waive all rights to filing an appeal with the State Personnel Board. (Board Rule 6-13 and 7-4).

Is this a voluntary resignation in lieu of disciplinary action? No ☐ **Yes** ☐

_____
Employee Signature and Date:

_____
Appointing Authority Signature and Date:

Appointing Authorities are required to forward the signed Combined Notice and Acknowledgment of Resignation and Advisement of Appeal Rights form to the appropriate HR Office.