POLICY: 6Hx28:3F-05.2

Responsible Executive: Executive Vice President, Administrative Services~~Organizational Development and Human Resources~~

Policy Contacts: Chief Human Resources Officer~~Assistant Vice President, Human Resources~~

Specific Authority: -1001.64, F.S.
Law Implemented: 1001.64, F.S.

Effective Date: ~~06-22-2023~~10-29-2026

Date of Last Policy Review: ~~06-22-2023~~10-29-2026

Abandonment of Position and/or Inability to Return to Work

Policy Statement:

I. All absences from work shall be approved in accordance with policies established by the District Board of Trustees. Any employee who is absent from work, with respect to physical and/or remote presence, without approved leave or without appropriate notification of extenuating circumstances or medical emergency to their supervisor may be subject to disciplinary action up to and including dismissal from employment in accordance with College Policy 6Hx28: 3E-08 Disciplinary Action.

II. Any employee who is absent from work for three (3) or more consecutive scheduled workdays/shifts without approved leave ~~shall~~ may be considered to have abandoned the position and to have resigned from the College, unless the College determines in its sole discretion the existence of extenuating circumstances or medical emergency.

III. The College President or designee may adopt procedures to implement this policy.

Policy History:

Adopted 1-19-83; Amended 11-18-92; Amended 6-26-19; Amended 6-22-23; Amended 10-29-2026; Formerly 6Hx28:07-29

Related Documents/Policies:

College Policy 6Hx28: 3D-02 Leaves of Absence

College Policy 6Hx28: 3E-08 Disciplinary Action

College Policy 6Hx28: 3E-09 Employee Dispute Resolution

College Policy 6Hx28: 3F-01 Employment Transitions, Separations and Exit Process

College Policy 6Hx28: 3F-02 Terminal Pay for Full--Time Employees

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Procedures:

I. An employee who finds it necessary to be absent from work due to an extenuating circumstance or medical emergency shall provide as much notice to the immediate supervisor before the beginning of the day's work on the day of the absence or as soon as possible when the notice cannot be made in advance. This notice may include the employee's ability to provide the supervisor with the anticipated duration of the absence.

II. If an employee is absent from a scheduled workday/shift ~~work for three (3) or more consecutive scheduled workdays/shifts~~ without approved leave or without appropriate notification of extenuating circumstances or medical emergency, the supervisor ~~is encouraged to~~should make a reasonable attempt to contact the absent employee to determine the circumstances of the unauthorized absence via telephone to the contact number(s) that is (are) on file for the employee and/or personal email, if available.

~~II.~~III. If the supervisor is initially unable to successfully contact the employee, and if the employe continues to be absent without approved leave from their next scheduled workday/shift, the supervisor must contact a representative from Organizational Development and Human Resources ("ODHR") at HR4U@valenciacollege.edu or 407-582-4748 (HR4U) as soon as possible for assistance in determining appropriate next steps.

IV. If an employee is absent from work without approved leave for three (3) or more consecutive scheduled workdays/shifts without appropriate notification of extenuating circumstances or medical emergency, and after a reasonable attempt is made by the College to reach the employee and the employee does not contact the College, and/or information is provided to the College that the employee is not returning to work, ~~the employee shall be considered to have resigned from the College~~the College may, in its sole discretion:

A. place the employee on an administrative leave of absence with or without pay, in accordance with College Policy 6Hx28: 3D-02 Leaves of Absence, while reviewing the situation;

B. provide the employee an opportunity to respond and submit documentation regarding extenuating circumstances or inability to return to work (For more information, see Procedures Section V.);

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C. determine that the employee has abandoned their position and has voluntarily resigned from employment (For more information, see Procedures Section IV.); and/or

D. pursue disciplinary action, if appropriate, under College Policy 6Hx28: 3E-08 Disciplinary Action.

V. In circumstances in which the College provides the employee the opportunity to respond and submit documentation regarding potential extenuating circumstances, ~~T~~the supervisor, or designee, in collaboration with ODHR, shall send a formal notification to the employee regarding the employee's potential abandonment of position and presumption of resignation of employment from the College. The employee is then responsible for responding to the notification by the deadline date provided by the College in the formal notification, and submitting acceptable documentation regarding any extenuating circumstances related to the unapproved absences, as may be applicable.

A. If the employee does not respond by the deadline date and/or the reasons for the absence presented are not deemed acceptable in the sole discretion of the College, then the employee may be considered to have resigned from their employment at the College and the employee's resignation from the College would become effective on the first day of the employee's unapproved absence.

B. The final determination of abandonment of position and subsequent resignation will be communicated in writing to the employee. The~~is~~ notification and disposition documents shall be placed in the employee file. See College Policy 6Hx28: 3F-01 Employment Transitions, Separations and Exit Process and College Policy 6Hx28: 3F-02 Terminal Pay for Full-Time Employees for additional information on the separation process.

VI. The College may determine that an employee has abandoned their position and/or is unable to return to work based on the totality of circumstances, including but not limited to information available at the time of the determination by the College. The College is not required to continue attempts to contact the employee when circumstances reasonably support a determination that the employee has ceased communication, does not intend to maintain the employment relationship, and/or is unable or unwilling to return to work. The College may make this determination without additional attempts to contact the employee when the available information reasonably supports the conclusion.

VII. A conclusive finding of abandonment of position and subsequent resignation from employment is not subject to a grievance or appeal as outlined in College Policy 6Hx28: 3E-09 Employee Dispute Resolution.

Procedure History:

Adopted 1-19-83; Amended 11-18-92; Amended 6-26-19; Amended 6-22-23; Amended 10-29-2026; Formerly 6Hx28:07-29

Date of Last Procedure Review: ~~06-22-2023~~10-29-2026

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