

Buffalo & Erie County Public Library
PERSONNEL POLICIES AND PROCEDURES MANUAL

SUBJECT: Resignations

CHAPTER: IV

SECTION: 10

EFFECTIVE DATE: 1/81

REVISION DATE: 7/88, 7/06, Modified for the B&ECPL effective 1/1/15

I. STATEMENT OF POLICY

Rule XIX of the Rules for the Classified Civil Service states:

"Except as otherwise provided herein; every resignation shall be in writing."

II. DEFINITION

A resignation is a formal and voluntary relinquishment by an employee of his/her position.

III. GUIDELINES

A. Date of Resignation

1. If an employee resigns and fails to specify the effective date of the resignation, it will take effect upon the delivery to Human Resources or filing with the Director or Board of the appointing authority.

2. If an employee specifies an effective date in a resignation, the resignation will take effect on such specified date; however, if a resignation is submitted while an employee is on leave of absence without pay, for purposes of determining eligibility for reinstatement, such resignation will be deemed to be effective as of the date such leave commenced.
3. When an employee has been terminated in accordance with Section 71 of the New York State Civil Service Law (termination after a minimum of one year leave for Worker's Compensation), the effective date of termination should be posted as the expiration date of the leave following the one-year leave period. This will allow posting of increments and any other benefits for which the employee was eligible while on compensation leave.

B. Changes to Resignation

A resignation may not be withdrawn, canceled, or amended after it has been delivered to the appointing authority/Human Resources without the written consent of the appointing authority/Director.

C. Disregard of Resignation

When charges of misconduct or incompetency have been or are about to be filed against an employee, the Buffalo & Erie County Public Library may elect to disregard a resignation filed by such employee and to prosecute such charges, and in the event that such employee is found guilty of such charges and dismissed from the B&ECPL, his/her termination will be officially recorded as a dismissal rather than a resignation.

D. Reinstatement

Reinstatement may be permitted following resignation when in accordance with Rule XVII of the Rules for the Classified Civil Service (see also Reinstatement, this Chapter).