

Resignation (vs.) Quitting

Have you ever found yourself in a frame of mind that says “I’ve had enough and I’m going to quit?” We probably all have at one time or another. But, this is a subject that should take careful consideration.

I recently had a classified employee that didn’t take that approach. The member reacted out of anger and on the spur of the moment decided to resign, and subsequently, submitted a letter of resignation. Several days later he received a letter of acceptance from the district, by then the employee had a change of heart. He did not want to resign. But it was too late. Once the letter of resignation is officially accepted it is all over. Acceptance does not have to be in an official session of the Board of Education. Sometimes the Board has given its Administration the power to accept resignations and proceed. This was the case concerning this individual.

The only good part about this situation was that by resigning, instead of quitting, he set himself up for acceptance by the Unemployment Insurance Department (EDD) to be eligible for unemployment benefits.

Sometimes a resignation is the smart decision. When an employee has a work record that warrants termination; it is sometimes in their best interest to “resign in lieu of termination.” By doing so it assures that a termination does not end up in their employment file and future employers only know that the employee resigned. No one wants to have a termination show up in their employment record if they can avoid it. It could influence a future employer’s decision on hiring or not hiring.

In making a resignation agreement, try to get the following terms. The agreement with the district along with any charges will be placed in a separate file and will be sealed. The agreement would be made available only to the employee, CSEA, the district, or by court order or subpoena and the district will not disclose it. Have the agreement state that the district will not contest the employees’ application for unemployment, and state to the EDD that the employee resigned in lieu of termination and will tell future employers only that the employee worked for the district from date to date. It is most beneficial that only the Personnel Director or Director of Human Resources is the one referred to handle inquiries about the employee.

Don’t go it alone. Before you make any decisions about your employment with the district you should involve you local chapter officers and your Labor Relations Representative to help you make the right decision and protect your rights.