

## **Personnel Rule 6.1 – Resignation and Quit**

### **6.1.0 Authority**

SMC 4.04.050 and subsequent revisions thereto, Rule-making authority

SMC 4.16.075 and subsequent revisions thereto, Prohibited conduct after leaving City employment

SMC 4.20.200 and subsequent revisions thereto, Holiday pay—Employee to work day preceding or following

SMC 4.24.030 and subsequent revisions thereto, Change in position or department

SMC 4.26.060 and subsequent revisions thereto, Failure to return to work

SMC 4.34.065 and subsequent revisions thereto, Payment in lieu of use of vacation credit

### **6.1.1 Definitions**

The definitions below shall apply to this subchapter only.

- A. “Matter” shall mean application, submission, request for ruling or other determination, permit, contract, claim, proceeding, case, decision, rulemaking, legislation, or other similar action. Matter includes the preparation, consideration, discussion or enactment of administrative rules or legislation. Matter does not include advice or recommendations regarding broad policies and goals.

### **6.1.2 Application of this Rule**

- A. The provisions of this subchapter shall be applied to employees of the Seattle Municipal Court except where they conflict with any policy promulgated by the Court and/or General Court Rule 29.

### **6.1.3 Quitting or Resigning City Employment**

- A. A quit or resignation shall become effective on the employee's last paid day. An employee is not eligible for pay for any holidays occurring after the last paid day. Employees quitting work or discharged for cause shall not be entitled to pay for holidays following their last day of work.
- B. The appointing authority or designated management representative may, at their discretion, permit an employee to rescind a resignation for a period of 30 calendar days following the employee's last actual work day. An employee must agree to make a lump sum repayment of any vacation cash-out or retirement account withdrawals immediately upon return to active employment status in order to

- rescind a resignation. If the employee's absence is longer than 15 calendar days, it shall be treated as an unpaid leave of absence.
- C. An employee who has provided notice of quit or resignation may request to donate accumulated and unused sick leave hours to an approved eligible employee, but may not donate more hours than the donating employee could use between the date of donation and the donating employee's last actual work day. The donation must not cause the employee's sick leave balance to fall below 240 hours.
  - D. An employee who is rehired within 12 months of a quit or resignation shall have their accumulated and unused sick leave balance restored.
  - E. An employee who resigns or quits rather than return from Family and Medical Leave for any reason other than a continuation of the employee's own serious health condition or other circumstances beyond the employee's control may be required to reimburse the City for health care premiums paid on their behalf while on Family and Medical Leave.
  - F. An employee's accumulated and unused vacation balance shall be cashed out at the employee's rate of pay in effect for the classification or title in effect on the date of separation.

#### **6.1.4 Job Abandonment**

- A. Job abandonment shall be treated as a major disciplinary offense. The appointing authority or a designated management representative shall provide an employee who abandons their job with written notice, via personal delivery or certified mail to the employee's address as shown in personnel records, that they shall be discharged from City employment. The employee shall be given 5 business days to schedule a pre-disciplinary hearing with the appointing authority to provide mitigating information.
- B. Failure by the employee to respond to such notice shall result in discharge effective the employee's last actual work day.
- C. Following a pre-disciplinary hearing, the appointing authority may discharge the employee or take other such action as the appointing authority deems appropriate.

#### **6.1.5 Prohibited Conduct after Leaving City Employment**

- A. It is a violation of the Code of Ethics for an individual who has separated from City employment to disclose or use any confidential information gained by reason of the employee's City work.
- B. It is a violation of the Code of Ethics for a former City employee, for a period of 1 year following separation from City employment, to:
  - 1. Communicate, on behalf of any person on a matter involving the City, with an employee of the agency of the City with which the former employee was previously employed.
  - 2. Participate in a competitive selection process for a City contract in which the former employee assisted the City to define the scope of the project, work to be done, or process to be used.

- C. It is a violation of the Code of Ethics for a former City employee, for a period of 2 years following separation from City employment, to assist any person on a matter in which the employee participated.
- D. The prohibitions of Rule 6.1.5 (B1) and (C) shall not apply to former employees when they act on behalf of another governmental agency, as long as their actions are not adverse to the City's interests.