

ARTICLE 12

RESIGNATIONS

Automatic Resignation

- 12.1 An ELP Instructor who is absent for five (5) consecutive workdays without securing authorized leave from the President or designee shall be considered to have automatically resigned from CSU employment as of the last day worked. All unauthorized absences, whether voluntary or involuntary, shall apply to the five (5) consecutive workday limitation. The five (5) day period referred to above shall commence at the beginning of the first shift of such absence and shall be deemed to have been completed at the end of the ELP Instructor's scheduled work hours on the fifth (5th) consecutive day of unauthorized absence.
- 12.2 The President or designee shall notify the ELP Instructor that the University will be separating him/her by automatic resignation under this Article unless the ELP Instructor requests an administrative review regarding his/her absence within seven (7) work days following such notification. No automatic resignation shall be final until the seven (7) work day period has passed and either a decision is made by the reviewing officer or the ELP Instructor has failed to request a review. Notification shall be in person or by certified mail to the ELP Instructor's last known address, and may additionally be provided by fax, electronic mail or regular mail.
- 12.3 If the ELP Instructor responds to the notification from the President or designee by requesting an administrative review within seven (7) work days of such notification, the ELP Instructor will be provided with the opportunity to respond, either orally or in writing, to a campus reviewing officer designated by the President or designee. Either party may present evidence at any review meeting. The reviewing officer's decision, which shall be rendered within fourteen (14) days of the administrative review, shall state:
- a. whether the ELP Instructor was absent for five (5) consecutive workdays;
 - b. whether the ELP Instructor had proper authorized leave to be absent;
 - c. whether the ELP Instructor has presented a sufficient excuse to warrant continuation of employment, supported by facts which provide justification of the absence or continuation of employment. If an action other than automatic resignation is proposed, it shall be stated along with reasons for its use; and
 - d. whether the ELP Instructor should be separated by automatic resignation.

- 12.4 Any ELP Instructor who is reinstated by the President or designee under this provision shall not be paid salary for the period of unauthorized absence. The ELP Instructor shall adhere to all other reinstatement requirements set forth in writing by the President or designee.

Voluntary Resignation

- 12.5 An ELP Instructor who resigns from his/her position shall be terminated as of the effective date of the resignation.
- 12.6 No later than thirty (30) days after a termination pursuant to Provision 12.5 above, the ELP Instructor or former ELP Instructor may request to rescind his/her resignation. Such requests shall be made in writing to the President or designee. The President or designee shall respond to such requests indicating denial, acceptance, or qualified acceptance within fourteen (14) days.