

Dear HR Knowledge, what is Job Abandonment?

Job abandonment occurs when an employee fails to advise supervisors that he or she has no plan to return to work. If an employee does not show up for a designated shift or fails to come back from a break, is this defined as job abandonment?

There is no legal definition for job abandonment, so the determination of what constitutes abandonment must be clearly defined in a written company policy. For example, if an employee requested time off, and hasn't yet received approval but takes the time off anyway, is that considered job abandonment? It is in your company's best interest to create clear policies regarding absenteeism and proper notification procedures to address these types of situations.

How Does Job Abandonment Fit into Company Policy?

When it comes to job abandonment, having a well-defined absenteeism policy is critical. You should clearly spell out a policy that states the number of days missed before the absence is considered resignation by job abandonment. For example, your company policy can dictate that three shifts missed without contacting the supervisor constitutes job abandonment. Without such a policy, taking action in the event of an uninformed absence can put your company in a difficult position, especially if previous employees were not terminated for the same number of unexcused absences. The degree of inconsistency can be used against your company in a legal process.

Since most cases of job abandonment are considered voluntary resignations, typically, employees are not eligible for unemployment benefits. Having a policy that clearly delineates the company's and the employee's responsibilities is useful if the employee contests your decision.

Even if the employee abandons the job, you must pay them wages earned before the termination. The law regarding when wages must be paid varies by state, but generally, you must provide final pay on or before the next scheduled payday.

Employer Best Practices

Each situation is different, but continued absenteeism can hurt employee morale and the business's bottom line. As an employer, it's usually a good practice, although not a legal requirement, to reach out to the employee who fails to show up for work. In some instances, a simple phone call can pinpoint the root of miscommunication. If that method fails, for purposes of documentation, send a certified letter with return-receipt detailing the terms for abandonment, consistent with company policy. The letter should also indicate that failure to contact your company within a specified number of days with a reasonable explanation, will result in the employee having voluntarily resigned from their position.

A clear and executable policy for absenteeism in the event of job abandonment will establish the appropriate steps to take and set the expectations for all parties involved. It's prudent for you to



document each step of a job abandonment termination. Following a predetermined process will make it easier to act when you suspect job abandonment.

About HR Knowledge

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