



**HRM
1803**

ABANDONMENT OF POSITION

PURPOSE

1. Where an employee is absent from duty without leave for a period of five consecutive working days, a Deputy Head (or their delegate) may declare the employee to have abandoned the position. The position then becomes vacant and the individual ceases to be an employee of the public service.

APPLICATION

2. These guidelines and procedures apply to all employees.

DEFINITIONS

3. **Abandonment of Position** is termination of an individual's employment where the individual has failed to report for duty for a period of more than five (5) working days and is not expected to return to duty.

PROVISIONS

4. An employee who is declared to have abandoned a position is not entitled to severance pay. Since abandonment of position constitutes misconduct for superannuation purposes, any superannuation benefit other than a return of contributions requires approval by the Treasury Board of Canada.
5. When an employee is absent from duty without leave, the supervisor must make every reasonable effort to contact the employee to determine the reason for the absence and to establish the employee's intent with respect to returning to duty.
6. During the five consecutive working days of absence from duty without leave, the Supervisor will make reasonable attempts to contact the employee via phone, text and/or e-mail. The Supervisor will document their attempts at contacting the employee.
7. If the supervisor is successful in contacting the employee, the supervisor specifies to the employee a date for return to duty. Upon return to duty, the employee may be disciplined for the absence. If the employee fails to return to work on the date specified, a request for declaration of abandonment of position is prepared.
8. A request for declaration of abandonment of position is sent to the employee's Deputy Head (or their delegate) by the supervisor. This request must be accompanied by supporting documentation which includes the name of the employee, the position title and number, attendance records showing the period of the employee's absence without leave and a summary of the attempts made to contact the employee.



9. Upon determining that declaration of abandonment of position is appropriate, the Deputy Head forwards the request to the Deputy Minister of Human Resources who advises the employee in writing that they are declared to have abandoned their position. The employee shall be notified in writing via email, text message and/or registered mail. The effective date of the termination is 72 hours from the date of this notification.

A copy of this letter is forwarded to the Director of Employee Relations and the Director of Compensation and Benefits. A copy of the letter is placed on the employee's personnel file. Attachment "A" provides a sample format for the written notice.

AUTHORITIES AND REFERENCES

10. *Public Service Act, s. 20*

CONTACTS

11. For further information or clarification, please contact:

Director Employee Relations Department
of Human Resources Iqaluit, Nunavut
867-975-6211

or

Director Compensation and Benefits Department of Finance
Iqaluit, Nunavut
867-975-6870



ATTACHMENT "A"

ABANDONMENT OF POSITION

PERSONAL & CONFIDENTIAL

Double Registered

Employee Home
Address

Dear (employee):

Abandonment of Position

Your Deputy Head has recommended that you be declared to have abandoned your position of (position title). Despite verbal and written notices, you have failed to report to work.

Section 20 of the *Public Service Act* states that where an employee is absent without leave for more than one week, the employee can be declared to have abandoned his/her position. I have decided to accept the recommendation of your Deputy Head. Therefore, I declare you to have abandoned your position of (position title) and terminate your employment with the Government of Nunavut effective the date of this letter.

Sincerely,

Deputy Minister

cc: Personnel File
Department of Human Resources

Director Compensation and Benefits
Department of Finance

Director Employee Relations
Department of Human Resources

bcc: Supervisor