

<https://www.thebalance.com/what-is-job-abandonment-1918162>

also see <https://www.thebalance.com/how-to-develop-a-policy-1918870>

Job abandonment occurs when an employee fails to show up as expected at work on consecutive days without notifying their supervisor (no call, no show) or requesting the time off.

The number of days the employee misses before the absence is considered a resignation by job abandonment varies by organization but is most frequently three days. (So, if you're an employee reading this, check your organization's policy in your employee handbook—don't make assumptions.)

The employee's failure to show up for work also includes a failure to communicate with his or her manager or supervisor about a reason for missing work. The employee also didn't request time off or to use his or her paid or unpaid leave. The employee just didn't come to work for no known reason.

In organizations, job abandonment occurs for as many reasons as there are people abandoning their job. Several reasons encountered include: the employee was too embarrassed and afraid to quit in person; the employee was offered more hours at his second, better paying job; and the employee was called unexpectedly to a family emergency and a person he counted on failed to call the company—in this case, the employee was reinstated.

So job abandonment is never appropriate, but it occurs for a variety of reasons. These employees were obviously not thinking about the damage they did for their future by failing to properly quit their job.

When an employee fails to show up for work, the first step is for the supervisor or manager to try to reach the employee via phone, smartphone, email, text or by whatever means they are used to communicating with the employee. Sometimes, a rational reason for the absences is obtained. Sometimes an employee just did not understand all of their options.

You also need to offer Family and Medical Leave Act information just in case the problem is an illness. Additionally, HR staff also recommends offering the options of a short-term leave of absence and short-term disability insurance information so that the employee understands all of the options available in case of a medical condition.

#### Employee Handbook

Employers are advised to clearly spell out a policy in their employee handbooks that states the number of days missed before the absence is considered a resignation by job abandonment. Since this is not covered by most state laws, although some practices surrounding the interpretation of job abandonment do exist in different states, the clear policy is in the best interest of employers.

You can avoid legal difficulties later by having, implementing, and enforcing a fair policy that gives reasonable notice to the employee of the impending termination.

You will also want your policy to spell out several scenarios that you would consider job abandonment. For example, you can consider a person on an unpaid or paid leave who fails to return to work for three days following the end date of the leave to have abandoned their job. In a second example, you can consider an employee who has been absent for three days without filing short term disability or FMLA paperwork to have abandoned his or her job.

#### Notifying the Employee

By notice, when an employee fails to show up or notify the manager or supervisor of the reasons

for the absences, you are advised to send the employee a registered letter that requires a signature upon delivery.

The letter needs to state that you will terminate employment five business days following the employee's receipt of the letter if you do not hear from him or her with a reasonable and acceptable explanation for the absences.

But, if the employee won't communicate or respond, as is often the case in job abandonment situations, you need to follow your company policies. Otherwise, you are setting a precedent for cases in the future. Consistently following your published policies is recommended no matter who the employee is and no matter what position they hold.

#### Unemployment Compensation

Employers designate the termination as a voluntary quit to prevent the employee from collecting unemployment compensation.

It is because an employee who voluntarily quits his or her job may only collect unemployment benefits if the quit was due to a good cause, as determined by the unemployment office. Good causes are frequently contested by employers in a voluntary quit and in discharge through job abandonment.

#### Bottom Line for the Employer?

Try to reach the employee to provide options and to discuss what is going on.

Provide all medical paperwork for an FMLA application, short-term disability, and so forth.

Offer a short-term unpaid leave if you wish. Recognize that you are setting a precedent that may affect your ability to deal with job abandonment in the future.

Notify the employee of the actions you will take regarding termination and provide five business days for a response.

Send each of these items through a method that requires a signature on the receiving end, so you are certain that the employee received the letter.

Please care about your employees, but rest assured that an employee who fails to attend work is damaging the ability of other employees to do their jobs. It, in turn, damages your ability to operate your business.

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