

Federal Grain Inspection Service

FGIS Directive 4715.1 9/30/80

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RESIGNATIONS

1 PURPOSE

This Instruction sets forth:

- A Regulations governing resignations.
- B Procedures to be used when resigning.
- C Information to be furnished an employee at the time of resignation.

2 DEFINITION

A resignation is the voluntary expression, either written or oral, of an employee's desire to leave the Federal service except by reitirement, failure to return from leave or furlough, or abandonment of position.

4 FORM OF RESIGNATION

- A Written. An employee who desires to resign or has resigned shall be asked to submit a resignation, in writing, by completing the appropriate items on the back of Form SF-52, Request for Personnel Action. A written resignation shall:
  - 1 State the effective date.
  - 2 Contain a statement of the reasons for submission.
  - 3 Be signed and dated.
- B Oral. When the employee will not submit a written resignation, an oral resignation must be accepted, preferably in the presence of witnesses. The official who receives an oral resignation shall make a record of such fact, and provide the Employment and Classification Branch, AMS or FGIS, Personnel (PE) Division, a copy for filing in the employee's Official Personnel Folder. The information recorded shall include the following:
  - 1 The date of the resignation and the reasons given for submission.
  - 2 The names of any witnesses together with their statements (provided the statements are considered appropriate under the circumstances).

4 REASONS FOR RESIGNATION

Whether a resignation is written or oral, the employee's reason for resigning shall be obtained whenever possible. The reason may be needed to determine the employee's entitlement to

unemployment compensation. If an employee resigns without stating a reason, the procedures set forth below shall be followed:

- A The requesting office shall prepare and submit Form SF-52 in accordance with the procedures in Section 6, below.
- B The Employment and Classification Branch, AMS or FGIS, PE Division, shall process the resignation on Form AD-350-A, Change Action Notice, indicating that the employee has refused or failed to give a reason for resigning.

5 EFFECTIVE DATE OF RESIGNATION

An employers is free to resign at any time and to set an effective date of resignation. The effective date of a resignation will generally be the last date on which the employee is carried on the rolls. When the employee sets an effective date of resignation, the Agency cannot arbitrarily set an earlier or later date and have the action remain voluntary.

6 SUBMISISION OF FORM SF-52 COVERING RESIGNATIONS

Form SF-52 shall be prepared in accordance with AMS/FGIS Instruction 333-1, Requests for Personnel Action - SF-52. The requesting office shall process Form SF-52 as follows:

- A AMS and OT offices shall send Form SF-52, in original and 1 copy, to the Administrative Officer who will forward the original to the Employment and Classification Branch, AMS, PE Division.
- B FGIS Headquarters offices shall send Form SF-52, in original and 1 copy, to the Administrative Staff, FGIS, who will forward the original to the Employment and Classification Branch, FGIS, PE Division.
- C FGIS Regional and Field Offices shall send the original Form SF-52 directly to the Employment and Classification Branch, FGIS, PE Division. Field offices shall send a copy of the Form SF-52 to the Regional Office.

7 CHANGE OR WITHDRAWAL OF RESIGNATION

- A Prior to Effective Date. Prior to the effective date of a resignation the employee may change or withdraw the resignation. A refusal to permit a change or withdrawal must be supported by a valid reason, and explained to the employee.
- B After Effective Date. After the effective date of a resignation the employee may no longer change or withdraw the resignation.

8 INDEBTEDNESS

To ensure timely collection of indebtedness, notify Fiscal Operations and Systems Branch, Financial Management (FM) Division, following the procedures set forth in Section 5 of AMS/FGIS Instruction 442-1, Accountability Clearance of Separating or Reassigned Employees.

9 INFORMATION TO BE FURNISHED EMPLOYEE AT TIME OF RESIGNATION

The immediate supervisor of an employee who is resigning shall advise the employee of the following provisions:

- A Unemployment Compensation. The employee shall

receive a copy of Time and Attendance Report (Form AD-321-3) containing information about unemployment compensation on the reverse side.

- B Annual Leave. For information on entitlement and request for a lump-sum payment for annual leave upon resignation see AMS/FGIS Instruction 305-2, Leave. Form AD-581, Lump Sum Leave or Compensatory Time Payments, must be completed for lump-sum payment. (See AMS/FGIS Instruction 333-2, Lump-Sum Annual Leave or Compensatory Time Payments - Form AD-581.)
- C Recredit of Sick Leave. Any sick leave accrued as of the effective date of an employee's resignation will be recredited if the employee reenters the Government service, in a position subject to the Leave Act of 1951, within three years after the effective date of resignation.
- D Retirement Eligibility and Withdrawal of Deductions.
- 1 An employee with less than five years of civilian service, who does not expect to reenter the Government service at a later date, should apply for a refund of retirement deductions. The amount in the retirement fund will not accrue interest beyond the separation date. The law provides that:
    - a An employee who has less than one year of service will receive a refund (lump-sum payment) consisting of the retirement deductions taken from the employee's pay, without interest.
    - b An employee who has between one and five years of service will receive a refund (lump-sum payment) consisting of the retirement deductions taken from the employee's pay, plus interest computed at the rate of three percent compounded annually, to date of separation.
  - 2 An employee who has completed more than five years of civilian service is entitled to:
    - a A deferred annuity at age 62, provided the employee's retirement deductions are left in the Civil Service Retirement and Disability Fund, or
    - b A lump-sum payment, unless the employee is eligible for an annuity to begin within 31 days.
  - 3 An employee who desires to apply for a refund of retirement deductions shall take the following action:
    - a Prepare Form SF-2802, Application for Refund of Retirement Deductions.
    - b Forward Form SF-2802 to the applicable Division Administrative Officer, AMS, the Administrative Staff, FGIS, or the FGIS Regional Office for submission to the Employee Relations and Services Branch, PE Division if submitted within 30 days of effective date of resignation.
    - c Send Form SF-2802 directly to the Office of Personnel Management if submitted over 30 days after the effective

date of resignation.

- 4 An employee who returns to Government Service after having received a refund of retirement deductions may receive credit for past service in the computation of a retirement annuity if the full amount that was refunded is redeposited in the retirement fund, along with three percent interest, compounded annually (see AMS/FGIS Instruction 345-1, Retirement, for specific redeposit procedures).

E Health Insurance Coverage.

- 1 Health insurance enrollment is terminated at the end of the pay period in which an employee resigns. An employee has 31 days extended coverage after the termination date. During the 31 days extended coverage period, an employee may convert the insurance, without evidence of insurability, to a nongroup contract offered by the carrier of the plan.
- 2 The Employee Relations and Services Branch, PE Division, shall send Form SF-2810, Notice of Change in Health Benefits Enrollment, to each enrolled employee who resigns. This form shall be used when requesting conversion information.

F Life Insurance Coverage.

- 1 Life insurance enrollment terminates on the day of an employee's resignation. The employee continues to have life insurance protection (other than accidental death and dismemberment) for 31 days after resigning. The insurance may be converted, without evidence of insurability, during this 31-day period.
- 2 The Employee Relations and Services Branch, PE Division, shall send Form SF-55, Notice of Conversion Privilege, to all resigning employees who have insurance coverage.
- 3 An employee desiring further information on conversion privileges should request Form SF-56, Agency Certification of Insurance Status, from the Employee Relations and Services Branch, PE Division.

/s/ Irving W. Thomas  
Deputy Administrator, Management