**Letter accepting resignation.**

Please note that Restaurant Association Members are strongly advised to seek further guidance from the helpline team on 0800737 827 from 6 January 2020.

**An employee might resign from their employment for any number of reasons; to move on to other employment opportunities, to go back to school for further education / training, to travel, to raise a family, or even sometimes, because they simply don’t want to work for you anymore.**

When an employee tenders their resignation ensure that you receive this in writing. Once you have received this resignation letter, it is important to acknowledge it in reply by providing the employee with a letter formally accepting their resignation, or where it occurs “in the heat of the moment” please refer below for further guidance.

The style and the tone of a letter accepting a resignation will usually be determined by the circumstances surrounding the resignation. In general, the letter will typically indicate that you regret losing the employee, but you respect, understand, and appreciate the decision they have made to move on. Your letter should inform them that you have received and accepted the letter, and it should clearly state his or her official last day of work with the Company.

Letters of this type may be formal or informal depending on both the circumstances leading up to the resignation and the employer’s personal relationship with the employee.

**A note about unexpected resignations “in the heat of the moment”**

Even the most harmonious workplaces can sometimes experience discord, where an employer may unexpectedly be faced with a heat of the moment resignation that sees the employee storming off, vowing never to return. When an employee resigns or says something that could be interpreted as a resignation in the heat of the moment, we recommend you allow a cooling down period to see whether they may feel differently in a calmer state.

We recommend that in these circumstances, an employer should act with caution. No matter how tempting it may be to accept the resignation on the spot, your good faith obligations require you to be a responsive and communicative employer. It is particularly important to clarify the employee’s position if the “resignation” is accompanied by a comment like “I’ve had enough of this” - which could be a warning sign.

1. Say to the employee that you think the resignation was made in the heat of the moment and you would like to allow at least 24 hours for the employee to cool off before you accept any resignation.
2. Make it clear that you are available to discuss any issues or concerns.
3. After 24 hours, contact the employee and confirm whether they do still want to resign.

This will give the employee time to calm down and reflect and either:

* Withdraw their resignation
* Confirm that they didn’t intend to resign
* Confirm that they did intend to resign.

The employer should also ask the employee to confirm what they want to do in writing so there can be no dispute later.

An employer is not expected to wait for an excessive amount of time to establish whether the resignation is genuine or not - 24-48 hours is a sufficient cooling off period in most

cases. If an employee doesn’t respond within a reasonable amount of time, then it may be reasonable for the employer to act on the basis that they have resigned.

The two letter templates that follow are a starting point to help you:

1. Respond to a standard, uneventful resignation.
2. Give an employee an opportunity to reconsider their decision.

**Letter to employee accepting resignation**

*Please note that the following letter template requires you to the complete details that pertain to your particular situation. In particular some of the text is in [brackets like this]; you will need to complete these fields.*

[Company name] T/A [Trading name]

[Address]

[Date]

[Employee’s full name]

By email: [Employee’s email address]

Dear [Employee Name]

**Response to your resignation**

I received notice of your resignation [**insert method the resignation was received, for example:** in writing / by email / by text message] from you on [insert date]. You have indicated that your final day will be [insert date]. **[Note: as per the RA’s employment agreements, notice of resignation needs to be given in writing].**

It has been a pleasure working with you. On behalf of [insert company name], I wish you the best in your future endeavours.

Please return any company property, including [insert items required to be returned e.g. keys, uniform]. Monies due to you up to your final day of work will be paid into your bank account on [insert date].

You are welcome to contact me if you have any questions.

Yours sincerely

[Name]

[Position]

[Company]

**Letter to employee suggesting a ‘cooling off period’**

*Please note that the following letter template requires you to the complete details that pertain to your particular situation. In particular some of the text is in [brackets like this]; you will need to complete these fields.*

[Company name] T/A [Trading name]

[Address]

[Date]

[Employee’s full name]

By email: [Employee’s email address]

Dear [Employee Name]

**Response to your resignation**

This letter is to acknowledge receipt of your resignation, which I received from you **[insert method that the resignation was received, for example:** in writing/ by email / by text message] on [date]. **[Note: as per the RA’s employment agreements, notice of resignation needs to be given in writing.]**

Your resignation was unexpected, and I would like to clarify your reasons for leaving your employment. You are welcome to contact me if you would like to discuss anything regarding your decision.

**[This is where you need to include more information about the circumstances. For example:** Your resignation was unexpected and I would like to clarify your reasons for leaving your employment, particularly as you and your support person had raised some concerns in our last meeting / we were in the process of addressing performance concerns with you / we were in the process of investigating allegations of serious misconduct that have been made against you. We received notice of your decision before we had an opportunity to meet with you again to address any concerns you might have, and we would like to give you this opportunity. Please contact me to arrange a time for us to meet before the end of [insert time 24 hours from the date of the letter] or please contact me before then so we can discuss this further If we have not heard from you by then, we will assume that you have decided to proceed with your resignation.

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You are welcome to contact me if you would like to discuss this further or if you have any other concerns.

Yours sincerely

[Name]

[Position]

[Company]