

**SAMPLE – Resignation in Lieu of Dismissal**

**[Date]**

**[Name]**

**[Address]**

Via **[Hand Delivery OR Certified Mail No. \_\_\_\_\_]**

Dear **[Mr./Ms. Last Name]**:

The purpose of this letter is to acknowledge receipt and acceptance of your attached written voluntary resignation while in the process of being dismissed for **[misconduct/performance]**. You **[hand-delivered / emailed / mailed]** your voluntary resignation letter to **[name]**, **[title]** at **[time]**. Based upon this letter, your resignation is effective **[date]** at **[time]**.

All property belonging to the State of West Virginia, which you have under your control or in your personal possession, must be returned and delivered to the control of **[name]**, **[title]**, **[immediately or on date of resignation]**. Such property shall include, but not be limited to: keys to any State offices, access cards, and identification cards. You are not to enter the non-public areas of the **[agency/department name]** offices without prior authorization from me or an agent of my office.

In accordance with the *Administrative Rule* of the West Virginia Division of Personnel, W. VA. CODE R. §143-1-1 *et seq.*, **[agency/department name]** will notify the Director of Personnel that you have resigned in lieu of being dismissed. The notice will specify the reasons for the intended dismissal and you will be considered to have not separated in good standing. As such, you are ineligible for reinstatement and may be disqualified from employment in the classified service.

Please contact **[benefits coordinator]** at **[telephone number]** should you have any questions concerning your retirement or insurance benefits.

Sincerely,

**[Appropriate Signature Authority]**

Attachment

c: Agency Personnel File  
West Virginia Division of Personnel

**[OPTIONAL LANGUAGE - *If the employer meets with the employee and hand delivers the letter, the employer may request that the employee verify receipt by signing the following acknowledgment typed at the bottom of the letter.*]**

I have received a copy and am aware of the contents of the foregoing letter

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**[OPTIONAL LANGUAGE - *If mailed via U. S. Postal Service, the following certification may be typed at the bottom of the letter.*]**

The undersigned certifies that the above letter / notification was mailed to **[name]** by first-class and certified mail, return receipt requested, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**[signature]** \_\_\_\_\_

**[typed name and title]**

**[NOTE: Revised 6/2013. Ensure law, rule, and policy language is current.]**