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## Question of the Week

OCTOBER 26, 2022

### QUESTION

I have an employee who hasn't shown up to work the last few shifts and isn't responding to messages. Can we make a policy that employees who quit without notice won't get their final paycheck?

### ANSWER

No, federal law requires you to pay employees for all hours they have worked. While you can and should have a policy defining job abandonment (e.g., if an employee no-shows and no-calls three days in a row, you'll take that as a resignation), you are not allowed to deduct or withhold pay because an employee quits without notice.

Unless job abandonment happens regularly, it's probably not something you need to worry about discouraging. That said, there are some practices that may help encourage employees to give notice:

- Allow employees who give appropriate notice to work through their notice period. Sometimes businesses want to terminate employment immediately when someone gives notice, but this only discourages employees from giving notice at all.
- Remind your staff that if they abandon their job, their coworkers bear a lot of the burden.
- Celebrate "good" departures. When employees resign with appropriate notice, publicly show your appreciation for the great work they did and support for the next step they're taking in their career or lives.

You can learn more about job abandonment, including what to do (and not to do) when it occurs, on the platform.

*This Q&A does not constitute legal advice and does not address state or local law.*