

1 RULE VIII

2 THE PROBATIONARY PERIOD

3 SECTION A. PURPOSE – The probationary period is an integral part of the
4 examination process and shall be utilized for closely observing the employee's work,
5 facilitating effective adjustment of a new employee to the position and, if circumstances
6 warrant, for determining whether a probationary employee's performance meets
7 required work standards.

8 SECTION B. DURATION OF PROBATIONARY PERIOD

- 9 1. Every person appointed or promoted to a permanent position shall serve a
10 probationary period of no less than six months before the appointment shall be
11 considered permanent. For the purposes of this rule the six-month period shall
12 consist of 13 pay periods.
- 13 2. A person appointed or promoted during the first week of a pay period shall receive
14 credit for the entire pay period, however, a person appointed or promoted the
15 second week of a pay period will not receive credit for that period.
- 16 3. Except as provided in subparagraph 5 of Section B. and except as provided in
17 Section E. of this rule, the probationary period shall conclude at the close of
18 business on the employee's last workday of the thirteenth pay period.
- 19 4. A person appointed from a layoff list under a different Appointing Authority may be
20 required by the new Appointing Authority to serve a new probationary period.
- 21 5. The Personnel Director may approve an extension of the probationary period for an
22 additional period up to six months if the Appointing Authority requests such an
23 extension in writing prior to the expiration of the probationary period. In any case,
24 the period of probation is not to exceed one year before appointment or promotion
25 may be made complete.
- 26 6. Service under a temporary, term, or on-call appointment may be counted as part of
27 the probationary period providing at least 40 hours were worked each pay period, in
28 the same job class and in the same department or organizational unit which
29 immediately preceded appointment to the permanent position.

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30 SECTION C. INTERRUPTION OF PROBATIONARY PERIOD

- 31 1. Any interruption of service during the probationary period shall not be counted as a
32 part of the six months total service.
- 33 2. Service prior to the interruption shall be counted toward completion of the
34 probationary period, except that the Appointing Authority may, with approval of the
35 Personnel Director, require the employee to serve a full six-month period upon
36 return to duty.
- 37 3. If an employee is transferred during the probationary period from a position under
38 one Appointing Authority to a position under another Appointing Authority, the
39 employee shall serve a full six-month probationary period under the second
40 Appointing Authority unless the second Appointing Authority requests at the time of
41 the transfer, that the employee be credited with previous service toward completion
42 of the probationary period.

43 SECTION D. DISCHARGE DURING PROBATIONARY PERIOD

- 44 1. During the probationary period, the Appointing Authority may discharge an employee
45 if, in the judgment of the Appointing Authority, the employee has failed to
46 demonstrate the willingness or ability to perform the job duties satisfactorily or the
47 employee's work habits and dependability are such that they do not merit
48 continuance in the merit system.
- 49 2. The Appointing Authority shall notify the Personnel Director and the probationary
50 employee in writing of the reasons for the discharge and the effective date of the
51 action, prior to the expiration date of the probationary period.
- 52 3. The employee has no right of appeal to the Commission from a decision to
53 discharge during the probationary period.

54 SECTION E. COMPLETION OF PROBATIONARY PERIOD

- 55 1. An employee shall acquire permanent status in his or her position automatically
56 upon completion of the probationary period unless the Appointing Authority notifies
57 the Personnel Director in writing prior to the expiration of the probationary period
58 either:
- 59 a. that the services of the employee were unsatisfactory and employment is
60 terminated; or

61 b. an extension of the probationary period is requested and the employee will
62 continue in his or her position if the extension is granted.

63 2. The Appointing Authority shall inform the employee in writing of action taken under
64 SECTION E.1.a. or E.1.b. above.

65 SECTION F. PROMOTION DURING PROBATION – The serving of a probationary
66 period shall not prevent an employee from being promoted. The probationary period for
67 the job class to which the employee is promoted shall begin with the date of promotion
68 to that job class.

69 SECTION G. PROBATIONARY PERIOD ON DEMOTION – An employee shall retain
70 the same status from the higher level position in the lower level job class. A permanent
71 employee shall not be required to begin a new probationary period when demoted either
72 voluntarily or involuntarily to a lower job class. Upon demotion during probation, credit
73 for the length of the probationary period in the higher job class shall count toward
74 completion of the probationary period in the lower job class.

75 SECTION H. PROBATION UPON PROMOTION – An employee with permanent status
76 in one position shall serve a new probationary period upon promotion to another
77 position. If the promoted employee does not successfully complete this probationary
78 period the employee shall be returned to a position in the same job class occupied
79 immediately prior to the promotion. If the promotion involved two separate Appointing
80 Authorities, the receiving Appointing Authority is obligated to return the employee to a
81 position in the job class that the employee occupied immediately prior to the promotion
82 or a position in a comparable job class. In the event that no vacancy exists or is
83 anticipated within 30 calendar days, the employee with the least service in the same or
84 in a comparable job class shall be transferred, demoted or laid off to effect this action.