

Number 5.3 - PROBATIONARY PERIODS

Effective Date: March 1, 1996

Applicable To: All classified employees with the Executive Branch of the State of Vermont.

Issued By: Department of Personnel

Approved By: William H. Sorrell, Secretary of Administration

PURPOSE AND POLICY STATEMENT

It is the purpose of this policy to establish probationary periods for all employees entering the classified service, and for all classified employees who are promoted or reassigned to a higher pay grade.

The probationary period is designed to give the employee time to learn the duties of the position and to give the supervisor time to evaluate the employee's potential and performance. It is a working test period during which an employee is expected to demonstrate his or her capacity for the position by adequate performance of its duties.

Probationary employees may: have their probationary status extended; be disciplined; be laid off; or be dismissed by the State solely at the discretion of management, without regard to the provisions of the current Agreements between the State of Vermont and the Vermont State Employees' Association, Inc. (VSEA), and with no right to the grievance process.

DEFINITIONS

ORIGINAL PROBATIONARY PERIOD - that working test period, normally six months from the effective date of appointment plus any extensions, served by all employees entering the State classified service by any means other than restoration and reemployment, in which the employee is expected to demonstrate satisfactory performance of job duties.

PROMOTIONAL PROBATIONARY PERIOD - that working test period which applies when an employee is promoted to a position assigned to a higher pay grade and in certain upward reallocation situations.

ORIGINAL PROBATION

1. **DURATION:** An original probationary period is normally six (6) months. The date of completion is calculated by adding six (6) months to the date of hire. In no case will a probationary period exceed twelve (12) months. However, the probationary period in some cases may be twelve (12) months as determined by

the Commissioner of Personnel. The probationary period for these employees may not be extended beyond an additional twelve (12) months.

2. **PERFORMANCE EVALUATION:** It is expected that the supervisor will conduct informal performance evaluations with the employee during the course of the probationary period to assess performance and to advise the employee of expectations regarding performance (and employment issues such as attendance, etc.). Significant job deficiencies should be discussed with the employee and documented in the employee's personnel file.
3. **COMPLETION OF PROBATION:** A performance evaluation of at least satisfactory is required for completion of original probation, and appointment to the position. A copy of such notice shall be given to the employee. The State reserves the right to terminate the probationary employee's service on the basis of unsatisfactory performance, or on the basis of other reasons deemed sufficient by the State, at any time during the first six (6) months. The probationary employee shall be notified of such action in writing by the appointing authority. The date of completion of probation will be determined by adding six months to the date of appointment to the position. The employee will satisfactorily complete probation by default if no evaluation is given to the employee prior to the scheduled date of completion.
4. **EXTENSION:** With the consent of the Commissioner of Personnel, an appointing authority may extend the probationary period for a designated individual by a definite period of time (as listed in No. 1 above). The employee must be notified in writing of the reason for and the length of the extension prior to the probation completion date. If advance notice is not given to the employee in writing, the employee will complete probation through administrative default.
5. **LEAVE OF ABSENCE:** If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked. The probationary period will automatically be extended for a period equivalent to the time on leave. The employee should be notified that probation will be extended when the leave is approved. If an employee is on leave for less than a full pay period, or for occasional and sporadic absences, it is up to the discretion of the appointing authority whether or not the probationary period will be extended, and the employee must be so notified.

PROMOTIONAL PROBATION

1. **DURATION:** Employees who are reclassified upward or promoted, shall normally serve a probationary period of six (6) months or twelve (12) months for some specific cases. On recommendation of the appointing authority, and with the consent of the Commissioner of Personnel, the probationary period may be extended for a definite period of time, with written notification to the employee for the reason for the extension and the definite period thereof.
2. **PERFORMANCE EVALUATION:** It is expected that the supervisor will conduct informal performance evaluations with the employee during the course of the probationary period to assess performance and to advise the employee of

expectations regarding performance (and employment issues such as attendance, etc.). Significant job deficiencies should be discussed with the employee and documented in the employee's personnel file.

3. **COMPLETION:** The employee's promotion is conditionally granted and the employee must satisfactorily complete the probationary period to gain status. If the employee is not performing the higher-level duties at a satisfactory level and is not working out, the employee may be placed back into the employee's previously held job. In these cases, the personnel officer must contact the Department of Personnel to determine if the employee's former job is still vacant.