

**Rule VIII: The Probationary Period****RULE VIII****The Probationary Period**

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**Section A. Purpose**

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

**Section B. Duration of probationary period**

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

**Section C. Interruption of probationary period**

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

**Section D. Discharge during probationary period**

- 1 During the probationary period, the Appointing Authority may discharge an employee if, in the judgment of the Appointing Authority, the employee has failed to demonstrate the willingness or

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43 ability to perform the job duties satisfactorily or the employee's work habits and dependability are  
44 such that they do not merit continuance in the merit system.

- 45 2 The Appointing Authority shall notify the Personnel Director and the probationary employee in writing  
46 of the reasons for the discharge and the effective date of the action, prior to the expiration date of the  
47 probationary period.

- 48 3 The employee has no right of appeal to the Commission from a decision to discharge during the  
49 probationary period.

50 Section E. Completion of probationary period

- 51 1 An employee shall acquire permanent status in his or her position automatically upon completion of  
52 the probationary period unless the Appointing Authority notifies the Personnel Director in writing prior  
53 to the expiration of the probationary period either:

54 a that the services of the employee were unsatisfactory and employment is terminated; or

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

- 57 2 The Appointing Authority shall inform the employee in writing of action taken under SECTION E.1.a. or  
58 E.1.b. above.

59 Section F. Promotion during probation

60 The serving of a probationary period shall not prevent an employee from being promoted. The  
61 probationary period for the job class to which the employee is promoted shall begin with the date of  
62 promotion to that job class.

63 Section G. Probationary period on demotion

64 An employee shall retain the same status from the higher level position in the lower level job class. A  
65 permanent employee shall not be required to begin a new probationary period when demoted either  
66 voluntarily or involuntarily to a lower job class. Upon demotion during probation, credit for the length  
67 of the probationary period in the higher job class shall count toward completion of the probationary  
68 period in the lower job class.

69 Section H. Probation upon promotion

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