

DEPARTMENT OF NATURAL RESOURCES

HUMAN RESOURCES POLICY NO.: 28

EFFECTIVE DATE: JUNE 10, 2019

SUBJECT: PROBATIONARY PERIOD

AUTHORIZATION: THOMAS F. HARRIS, SECRETARY

I. POLICY

It is the policy of the Department of Natural Resources (DNR) to comply with Chapter 9 of the State Civil Service (SCS) Rules regarding probationary periods required of applicable employees, the duration of which cannot be less than six (6) nor more than twenty-four (24) months. To ensure thorough utilization of this time, DNR requires a minimum twelve (12) month probationary period, unless approved otherwise by the Secretary.

II. PURPOSE

The purpose of a probationary period is to fully evaluate an employee's skills, behavior, work ethic and performance to ensure his/her suitability for the position occupied. It also affords a new hire a fixed timeframe within which to identify and adjust to workplace requirements and performance standards.

III. APPLICABILITY

A probationary period is applicable to an employee appointed to a permanent, classified position by any of the following means:

- A. Appointment from an open competitive eligible list;
- B. Non-competitive appointment under SCS Rule 23.3 (i.e., eligible for Vocational Rehabilitation services, out-of-state positions, 3.5 GPA candidates); and,
- C. Non-competitive re-employment of an employee who held a permanent position in the past ten (10) years.

Additionally, DNR may require existing, permanent status State employees who compete for a position with DNR to serve a probationary period. When this occurs, the employee shall be required to resign his/her permanent status position prior to accepting the probationary appointment. For recordkeeping purposes, the employee also shall be required to sign the *Probationary Appointment Acknowledgement Form* attached hereto, which will be maintained in his/her official personnel file.

IV. SPECIAL CONSIDERATIONS

- A. An employee who has served DNR for at least 24 months in a job appointment with no break in service may be appointed to the same position or a position in the same job title without serving a probationary period;
- B. Applicants hired from a Department Preferred Re-employment List (DPRL) shall be appointed with permanent status; and,
- C. A probationary employee who is absent from work for military training or military active duty in excess of thirty (30) consecutive calendar days shall be returned to duty in the probationary status at the point he/she reached in the probationary period before leaving. Absences of thirty (30) consecutive calendar days or less shall be counted as part of the probationary period.

V. PROCEDURES

A. Notice of Probationary Period to Applicants

To ensure applicants/employees fully understand whether a probationary period is required, it shall be DNR's procedure to:

- 1. Advertise permanent, classified vacancies to include the following statement, "This position requires the selected applicant to serve a minimum probationary period of twelve (12) months. A current, permanent status State employee may be required to accept a probational appointment in lieu of promotion."
- 2. Identify the Appointment Type as "Probational" on the *Conditional Offer of Employment Form* to be signed by the selected applicant.

B. Consideration for Permanent Status

The procedure relative to consideration for permanent status is as follows:

- 1. Human Resources emails a *Personnel Request Form* to the supervisor of the probationary employee upon conclusion of the minimum twelve (12) month period;
- 2. The supervisor completes the form indicating either:
 - a. The employee has met the required standards of work and is recommended for permanent status; or,
 - b. The employee has not met the required standards of work and it is recommended:
 - i. The probationary period be continued and performance reviewed again by a certain date; or,
 - ii. The employee be separated from probation.
- 3. Upon completion, the supervisor routes the form for approval by the Appointing Authority, Undersecretary and Secretary;
- 4. The supervisor provides the completed/signed *Personnel Request Form* to Human Resources for processing accordingly.

NOTE: In accordance with SCS Rule 9.2, the transition from probationary to permanent status requires an affirmative certification by the Appointing Authority that the employee has met the required standards during the probationary period. Probationary employees who have not met required standards will not be certified and, therefore, must be separated prior to expiration of the twenty-fourth month of the probationary period.

VI. MISCELLANEOUS

- A. A probationary employee who is appointed to another position following certification from an open competitive eligible list is considered a new employee in the new position and shall serve a new probationary period, separate from the probationary period which began prior to the change in position.
- B. A probationary employee who is permanently transferred, reassigned or demoted to another position shall continue the probationary period which began prior to the change in position.

VII. AT-WILL STATUS

Probationary employees do not possess a property right in their positions and serve DNR with the status of at-will employees. For this reason, probationary employees may be separated by the Appointing Authority at any time during the probationary period, with or without legal cause.

VIII. EXCEPTIONS

Only the Secretary has the authority to waive the minimum twelve (12) month probationary period required by this policy, and in no event shall an employee serve a probationary period of less than six (6) months as required by the SCS Rules.

IX. QUESTIONS

Questions regarding this policy should be addressed to Human Resources.



THOMAS F. HARRIS, SECRETARY

6-4-2019

DATE

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INITIAL ISSUE DATE: 07/14

REVISION DATES: 01/15; 06/19

DEPARTMENT OF NATURAL RESOURCES (DNR)

PROBATIONARY APPOINTMENT ACKNOWLEDGMENT

- 1) I, _____, understand that I have accepted the
(Name)
position of _____ with DNR with probationary status.
(Position Title)
- 2) I understand that the minimum probationary period required by DNR is twelve (12) months.
- 3) I understand that I must relinquish permanent status by resigning my current position in the classified service to accept this job offer.
- 4) I understand that, as a probationary employee, I do not possess a property right to the new position accepted.
- 5) I understand that I will serve DNR with at-will status in this new probationary position.
- 6) I understand that I can be terminated with or without legal cause at any time by DNR during the probationary period.

Applicant Signature

Print Name

Date