

## **RULE 7 - PROBATIONARY PERIOD**

### **7.01 DURATION**

The probationary period shall be a minimum of six (6) months; it may be extended by the appointing authority for up to six (6) additional months. The Director, upon written application and justification from an appointing authority, may establish a probationary period of one (1) year for a specific position which may be extended for up to six (6) months.

### **7.02 INITIAL PROBATION**

- A. All individuals, including those who previously served as temporary, unclassified, contract, and/or regular employees, selected for a regular status position through certification from a register, in accordance with these Rules, must serve the established initial probationary period upon his/her most recent hire into a classified position.
- B. If in the judgment of the appointing authority, the employee does not meet the required performance standards, the appointing authority may either extend the probationary period, demote or release the employee. In any case, the employee must be given written notice of the action taken by the appointing authority prior to the expiration of the established probationary period or the employee will be considered to have successfully completed the probationary period.
- C. An employee may be suspended, demoted or released at any time during the probationary period without right of appeal.

### **7.03 PROMOTIONAL PROBATION**

An employee who is promoted shall serve the established probationary period in the new position. If in the judgment of the appointing authority, the employee does not meet the required performance standards, the appointing authority may either extend the probationary period or attempt to place the employee in another position.

- A. If the appointing authority determines that the probationary period is to be extended, the employee must be given written notice of the extension prior to the expiration of the probationary period or the employee will be considered to have successfully completed the probationary period.
- B. If the appointing authority determines that the employee has failed to complete the probationary period, the employee must be reverted to an available position at a lower base pay rate within the department for which the employee qualifies, except that if the employee was promoted from a different department and there is an available vacant position at a lower base pay rate in the former department for which the employee qualifies, the employee may be placed in that position with the concurrence of the former appointing authority.

- C. An employee shall be dismissed only if efforts to find another available position are unsuccessful. The only basis for appeal of such dismissal is that the appointing authority failed to comply with the procedures stated in 7.03 B; an appointing authority's decision that the employee failed to successfully complete promotional probation may not be appealed.
- D. NOTE: An available position is a position that the appointing authority of a department has determined there is a need to fill, is funded, and that the appointing authority has been authorized to fill. No appeal may be based upon an appointing authority's decision not to fill or fund a particular position.