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## PROBATIONARY PERIOD FOR REGULAR CLASSIFIED STAFF EMPLOYEES

## A. Purpose

The purpose of this policy is to provide guidelines regarding the probationary period for regular classified staff employees.

## **B.** Persons Affected

This policy applies to all newly appointed regular classified staff employees.

### C. Policy

The policy of The University of Texas-Pan American is:

All newly appointed regular classified staff employees are required to satisfy a probationary period of six continuous months from the beginning date of appointment. The probationary period is used for observation and evaluation of the newly appointed classified employee's work performance by his or her supervisor and to permit the employee to adjust to the position and working conditions. During the probationary period, the supervisor will carefully evaluate the employee's performance and suitability for continued employment.

- 1. The probationary period is six months in length and is counted in whole calendar months if the employee begins an appointment on the first of the month. If the employee begins on any other day of the month then six months from that date is counted. Any scheduled holidays that occur during the probationary period are considered as part of the probationary period. If an employee is placed on leave without pay during the probationary period, then the probationary period is extended by the same number of days that the employee is on leave.
- 2. The probationary period is applicable to a new hire, employees who transfer to the University from another state agency or state institution of higher education, a re-hired former employee, and an employee who voluntarily transfers or is involuntarily transferred to another University position.
- 3. An employee must satisfactorily complete a probationary period of 6 continuous months with no disciplinary action on file with Human Resources in order to be eligible for a subsequent transfer, promotion, or demotion from the current department except as permitted under *Handbook of Operating Procedures* Section 7.2.4, Subsection C.4-Internal Promotion or Lateral Transfer within an Administrative Unit. This restriction from applying for other positions within the University while satisfying a probationary period of 6 continuous months may be waived at the discretion of the University and



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upon approval of the Assistant Vice President/Director of Human Resources under the following circumstances:

- a. The appointment for which the employee was hired is due to end prior to the completion of the 6 continuous months period; or
- b. The outcome of a department's reorganization and/or job reclassification creates a change in the resulting duties, pay, work schedule, and/or reporting structure.
- 4. Employees returning from military service and employees reinstated as a result of a formal grievance are not required to complete a new probationary period if they previously completed a successful probationary period.
- 5. Police Cadets will be required to complete a six month probationary period immediately following their commission from the Police Academy.
- 6. The University may terminate the employment of any probationary employee without cause provided that the termination does not violate federal or State of Texas law. Prior review and approval from Human Resources is required. Access to <u>Handbook of Operating Procedures Section 7.7.2 Discipline and Dismissal of Classified Staff Employees</u> is not available to probationary employees.

## D. <u>Definitions</u>

- 1. *Administrative Unit Head*. This may be a divisional head, dean/director, or department head as applicable to the probationary employee's supervisor.
- 2. Classified Staff Employees. Staff employees who are appointed to regular staff positions in the classified service under one of the official titles indentified in the Classified Employees Institutional Pay Plan. Classified staff employees may be exempt or nonexempt as defined by the federal Fair Labor Standards Act.
- 3. *Disciplinary Action*. Refers to the conduct or job performance of a classified staff employee that results in a decision to impose a disciplinary penalty of demotion, suspension without pay, or dismissal subject to the *Handbook of Operating Procedures* Section 7.7.2 Discipline and Dismissal of Classified Staff Employees.
- 4. Fair Labor Standards Act (FLSA). The federal law (29 U.S.C. §§ 201-219) that establishes overtime standards for employees.
- 5. Regular staff employees. Non-faculty employees hired for a period of at least 4 ½ months and for at least 50% full time equivalency (FTE) who are benefits-eligible.



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## E. Responsibilities

- 1. The supervisor will conduct a departmental orientation for the new employee. The supervisor is responsible for ensuring that the new employee attends the New Employee Orientation.
- 2. The supervisor will provide the new employee with a clear description of the job to be performed, develop standards for the job, observe work performance, and provide feedback to the employee.
- 3. The supervisor is responsible for completing performance appraisals on employees.
- 4. The supervisor and administrative unit head are responsible for consulting with Human Resources regarding the intended termination of any employee during the probationary period.

#### F. Procedures

#### 1. Orientation

During the departmental orientation, the supervisor will discuss the purpose of the probationary period and advise the employee of the length of the probationary period and when it will end. The supervisor will ensure that the employee attends the New Employee Orientation sponsored by Human Resources as soon as possible after employment begins.

### 2. Expected Performance Standards

The supervisor must observe and evaluate the newly appointed employee's work performance. Throughout this period, the supervisor will provide any assistance considered necessary to improve performance or facilitate adjustment.

#### 3. Leave

- a. Any leave without pay, if approved, taken by an employee during the probationary period will extend the probationary period by an equal amount of time.
- b. A probationary employee accrues vacation leave and sick leave from the date of employment. However, vacation leave may not be used until completion of the probationary period, unless the employee has already met the statutory



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requirement for at least six months continuous state service prior to use of the leave.

# 4. Performance Appraisals

The supervisor of a probationary employee must complete the 90-day and 150-day performance appraisals on employees. See <u>Handbook of Operating Procedures (HOP)</u> 7.7.5, <u>Staff Employees Performance Appraisal Program (SEPAP)</u> for further information.

# 5. Separation/Termination During Probationary Period

If the supervisor determines that a probationary employee is to be terminated during the probationary period, the supervisor and administrative unit head (if different than supervisor) must consult with Human Resources prior to any termination action. Human Resources will review the proposed action with the supervisor and administrative unit head. Any information about the employee's performance should be documented and will become a part of the employee's personnel file.

#### 6. Deadline for Action to Terminate

An employee who will not be retained beyond the probationary period must have termination action initiated and completed prior to the end of the probationary period.

## G. Review

The Divisional Head for this policy is the Vice President for Business Affairs and this policy shall be reviewed every five years or sooner if necessary by the following Stakeholders:

- 1. Assistant Vice President/Director of Human Resources Senior Reviewer
- 2. Staff Senate Chair