

Probationary Periods/Reports

Policy

It is the policy of the DGS to evaluate the work and efficiency of a probationer at sufficiently frequent intervals to keep the employee adequately informed of progress on the job. If the employee is rejected during the probationary period, a final report may be filed for the period not covered by previous reports.

Performance appraisal shall be governed by the following:

- The appraisal of work performance provides recognition for effective performance and identifies aspects of performance that could be improved
- Performance appraisal is a continuing responsibility of all supervisors, and supervisors **shall** discuss performance informally with each employee **as often as necessary** to ensure effective performance throughout the year
- Each supervisor, as designated by DGS, **shall** make an appraisal in writing and **shall** discuss with the employee overall work performance at least once in each twelve calendar months following the end of the employee's probationary period for the purpose of informing the employee of (Individual Development Plan [IDP]):
 - the caliber of the employee's work
 - helping the employee recognize areas where performance could be improved
 - developing with the employee a plan for accomplishing such improvement
- Each employee **shall** be given a copy of the written appraisal covering the employee's own performance and is privileged to discuss it with DGS management before it is filed.

Definition

A **probationary period** is a period of specified time (usually 6 or 12 months) at the beginning of an appointment that is used for a close review of an employee's performance prior to granting the employee permanent status. This is the final step in the selection process.

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Probationary Periods/Reports, Continued

Definition (continued) A **probationary report** (Report of Performance for Probationary Employees - STD 636) helps the supervisor and employee:

- adapt to his/her job and work environment
 - recognize effective performance
 - identify aspects of performance that could be improved
 - be used as a tool for guidance in training
 - grant permanent civil service status
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Requirements An employee must serve a new probationary period under the following circumstances:

- Enters or is promoted in the State civil service by permanent appointment from an employment list
- Reinstates after a permanent separation that resulted in a break in continuity of State service
- By reinstatement or appointment from a reemployment list to a classification with a promotional relationship to the classification of the employee's former position
- Has not attained permanent status when accepting another appointment shall serve the remainder of that probationary period unless required to serve a new probationary period
- Any other type of appointment situation not specifically exempted by statute or SPB rule

Exception:

A new probationary period shall **not** be served when:

- an employee is being appointed from any reemployment list under the DGS
 - reinstating with a right of return
 - without a break in service under DGS and to the same class in which the employee had completed the probationary period
 - demoting (in lieu of layoff)
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Probationary Periods/Reports, Continued

Required work hours

During the prescribed calendar length of the probationary period, the employee is required to work the following hours:

- 840 hours if serving a six-month probationary period
- 1,260 hours if serving a nine-month probationary period
- 1,680 hours if serving a twelve-month probationary period

Probationary periods per tenure

Tenure	Probationary Periods
Permanent	6-, 9-, or 12-month period depending on classification
Part-time	6-, 9-, or 12-month period depending on classification and the required hours
Limited-term (LT)	<ul style="list-style-type: none"> • Serve no probationary period • Time served on LT cannot be used to complete probation
Temporary Authorization Utilization (TAU)	<ul style="list-style-type: none"> • Serve no probationary period • Time served on TAU cannot be used to complete probation
Intermittent	<ul style="list-style-type: none"> • Continues until both the required calendar time and hours have been worked
Limited Examination and Appointment Program (LEAP)	<ul style="list-style-type: none"> • Serve no probationary period • Serve a Job Examination Period (JEP), which is one-third of the probationary period for the actual classification

Probationary Periods/Reports, Continued

Extension of probationary periods

- In the event a probationer has not, during the prescribed calendar length of the probationary period, worked the required number of hours, probation will automatically be extended until the probationer has worked the required number of hours. The State Personnel Board (SPB) and the probationer shall be notified of an extension, in writing.

Restriction

Vacation, sick leave, military leave or other leave of absence, compensating time off, suspension or other separations, including separations subsequently voided or otherwise set aside, shall not be considered working time. **Note:** Over time and other worked time should be included in computation of hours worked.

The following table depicts various "if" "then" scenarios for the extension of probationary periods.

If	Then								
Probationer has had a continuous period of absence of 60 or more working days and upon return from such absence the DGS determines that the remaining portion of the probationary period is insufficient to evaluate that probationer's current performance	<ul style="list-style-type: none"> • The DGS may extend the probationary period with the approval of the SPB Executive Officer • Length of extension shall be determined by the length of the completed portion of the probationary period at the beginning of the probationer's absence as follows: <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">If</th> <th style="text-align: center;">Then</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">If up to one-third of the minimum number of hours required was worked</td> <td style="vertical-align: top;">The remainder of the period plus the extension shall not exceed the minimum number of hours required for the original period</td> </tr> <tr> <td style="vertical-align: top;">If over one-third but not more than two-thirds of the minimum number of hours required was worked</td> <td style="vertical-align: top;">The remainder of the period plus the extension shall not exceed two-thirds of the minimum number of hours required for the original period</td> </tr> <tr> <td style="vertical-align: top;">If over two-thirds of the minimum number of hours required was worked</td> <td style="vertical-align: top;">The remainder of the period plus the extension shall not exceed one-third of the minimum number of hours required for the original period</td> </tr> </tbody> </table>	If	Then	If up to one-third of the minimum number of hours required was worked	The remainder of the period plus the extension shall not exceed the minimum number of hours required for the original period	If over one-third but not more than two-thirds of the minimum number of hours required was worked	The remainder of the period plus the extension shall not exceed two-thirds of the minimum number of hours required for the original period	If over two-thirds of the minimum number of hours required was worked	The remainder of the period plus the extension shall not exceed one-third of the minimum number of hours required for the original period
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Probationer rejected during probationary period	The DGS may extend the probationary period for a maximum of five working days in order to comply with notice requirements in SPB Rule 52.3								

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Probationary Periods/Reports, Continued

Extension of probationary periods
 (continued)

If	Then						
Probationer alleges s/he has disability as defined under GC Section 12926	The probationer and DGS submits a written agreement for approval to SPB, extending the probationer's probationary period within his/her existing classification for up to six months to provide a reasonable accommodation to the employee as follows: <ul style="list-style-type: none"> • Describe the period of extension • Beginning and ending dates • How the extended period will allow the probationer to demonstrate, before the extended period ends, the ability to satisfactorily perform the essential functions of the position with reasonable accommodation <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">If</th> <th style="text-align: center;">Then</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> Probationer's period ends during SPB review </td> <td style="vertical-align: top;"> SPB will automatically extend period until a determination is made </td> </tr> <tr> <td style="vertical-align: top;"> SPB does not approve </td> <td style="vertical-align: top;"> SPB will extend probationer's period by an additional ten working days from the date of service of SPB's determination to allow sufficient time to serve the rejection </td> </tr> </tbody> </table>	If	Then	Probationer's period ends during SPB review	SPB will automatically extend period until a determination is made	SPB does not approve	SPB will extend probationer's period by an additional ten working days from the date of service of SPB's determination to allow sufficient time to serve the rejection
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Reinstatement following rejection on probation

A person who attains permanent status (i.e., completes probation in a certain classification) and is rejected on probation in a subsequent promotional appointment, retains permissive reinstatement eligibility to the classification **from which rejected** as long as the person remains in State service with no break in service. Once the employee leaves State service, s/he is no longer eligible for reinstatement to the higher classification. However, reinstatement eligibility for lower classifications is retained.

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Probationary Periods/Reports, Continued

Roles and responsibilities The table below depicts the roles and responsibilities of the staff impacted by probationary periods and reports.

Role	Responsibility
Attendance Clerk (AC)	<ul style="list-style-type: none"> • Determines probationary due dates using the Notice of Personnel Action (NOPA) and 'alert' generated by ABMS • Tracks hours for permanent intermittent (PI) employees • Notifies supervisor one month prior to due date
Office/Branch (Board/Commission)	<ul style="list-style-type: none"> • Initiates and ensures timely completion of probationary report and performance appraisal • Consults with Classification and Pay (C&P) Analyst or Constructive Intervention Analyst regarding employees with difficulty successfully completing probation or annual performance appraisal
Supervisor	<ul style="list-style-type: none"> • Receives ABMS alert for probationary report and annual performance appraisal • Completes the STD 636 or STD 637 • Meets privately with employee to discuss report • Obtains appropriate signatures • Distributes copies
Classification and Pay (C&P) Analyst	<ul style="list-style-type: none"> • Advises supervisor regarding questions on employees probationary status • Notifies employee and SPB, in writing, of any extension • Notifies Construction Intervention Analyst regarding any performance issues
Construction Intervention Analyst	<ul style="list-style-type: none"> • Works with supervisor to develop rejection during probation due to poor performance appraisal • Notifies C&P Analyst, SPB and employee of rejection during probe • Notifies and coordinates with former employer of rejection

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Probationary Periods/Reports, Continued

Roles and responsibilities (continued)

Role	Responsibility				
Personnel Specialist (PS)	<ul style="list-style-type: none"> • Reviews employment history and Personnel Management Policy and Procedure Manual (PMPPM) to determine need for probationary period • Uses Pay Scales to determine length of probation • Tracks intermittent and part-time employees' hours • Coordinates with AC to notify intermittent and part-time employees that probation continues until both the required calendar time and hours have been worked • Receives completed probationary report or performance appraisal <table border="1" data-bbox="683 915 1435 1136" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th data-bbox="683 915 1024 951">If</th> <th data-bbox="1024 915 1435 951">Then</th> </tr> </thead> <tbody> <tr> <td data-bbox="683 951 1024 1136">Probationary report or performance appraisal received "unacceptable or improvement needed"</td> <td data-bbox="1024 951 1435 1136">Contacts TPES Analyst and provides copy of report</td> </tr> </tbody> </table> <ul style="list-style-type: none"> • Sends probationary report or performance appraisal to Customer Resource Unit for filing 	If	Then	Probationary report or performance appraisal received "unacceptable or improvement needed"	Contacts TPES Analyst and provides copy of report
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Customer Resource Unit (CRU)	<ul style="list-style-type: none"> • Receives probationary report or performance appraisal and files in employees Official Personnel Folder (OPF) 				

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Probationary Periods/Reports, Continued

Resources The following table depicts the various resources available regarding probationary periods and reports.

Resource	Section
Classification and Pay (C&P) Guide	120
Law & Regulation http://leginfo.legislature.ca.gov/faces/codes.xhtml http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=ExpandTree&AP=ID9D8C440D48E11DEBC02831C6D6C108E&ItemKey=ID9D8C440D48E11DEBC02831C6D6C108E&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=WEBL13.04&VR=2.0&SPa=CCR-1000&pb=DA010192&fragment#ID9D8C440D48E11DEBC02831C6D6C108E http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=CollapseTree&AP=I4BDC84C0C1C711DF82C3D10E5CD2C51C&ItemKey=I4BDC84C0C1C711DF82C3D10E5CD2C51C&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=WEBL13.04&VR=2.0&SPa=CCR-1000&pb=DA010192&fragment#I4BDC84C0C1C711DF82C3D10E5CD2C51C	GC 19059, 19170-19180, 19992 DPA Rules 599.795, 599.798 SPB Rules 52.3, 321-327
Memorandum of Understanding (MOU) http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx	Under "Career Development" in most MOUs
Pay Scales http://www.calhr.ca.gov/state-hr-professionals/Pages/pay-scales.aspx	18 or 20
Personnel Management Policy and Procedures Manual (PMPPM)	320, 321, 322
Responsible Control Agency and Program	SPB, DPA
Selection Manual (old)	3600
Other:	
Supervisors Handbook http://www.documents.dgs.ca.gov/ohr/pom/supervisorshandbook.pdf SPB Precedential Decision (Dorri -02-05) http://spb.ca.gov/precedential_decisions/precedential_alpha2.cfm	6

Attachments [Report of Performance for Probationary Employee-STD 636, Individual Development Plan \(performance appraisal\)-STD 637, Probationary Periods Flow Chart](#)