

SUBJECT: PROBATION

I. PURPOSE

The purpose of this human resources procedure is to establish a uniform policy and process governing the treatment of City employees on probationary status in accordance with Human Resources Rule IX Probationary Period.

II. SCOPE

This procedure is applicable to all City departments. Where any section, subsection, sentences, clause or phrase of this procedure is found inconsistent with an approved memorandum of understanding enacted between the City and a recognized employee organization, the current memorandum of understanding shall prevail. Exceptions to this procedure shall only be allowed when approved by the City Administrator.

III. AMENDMENTS

This procedure may be amended by the City Administrator.

IV. PROCEDURES

A. Guidelines

The probationary period is an integral part of the employee selection process and provides the City and the probationer an equal opportunity to observe each other to determine the desirability of a continued working relationship. As part of the selection process, it likewise provides each with an equal opportunity to discontinue that working relationship at any time during the established probationary period.

B. Duration of Probationary Period

Every person appointed or promoted to a position in the competitive service shall serve a probationary period as follows:

1. All employees except for those referenced in Human Resources Rule IV, Section 4 shall serve a six (6) month probationary period.

2. All employees referenced in Human Resources Rule IV, Section 4 shall serve a one (1) year probationary period.

Probationary periods may be extended for a maximum of six (6) months subject to the following:

1. Department Head requests in writing permission to extend probationary period.

2. Requests are sent to the City Administrator and should include the following:

a. Name and classification of employee

- b. Hire date with City and date of appointment in current classification if different.
 - c. Reasons for extended probation.
 - d. What action is planned to correct deficiencies.
 - e. Employee's immediate supervisor.
 - f. Expectation of improved performance.
 - g. Potential liability if employee extended
3. If approved in writing by the City Administrator probation may be extended for up to six months.

C. Transfers During Probationary Period

Transfers of employees during their probationary period shall only be allowed within a department (intra departmental). Transfers between departments during probation shall not be allowed. A transfer during probation does not change an employee's probationary period.

D. Evaluation of Performance During Probationary Period

The work performance of probationary employees should be documented in writing as early as possible in the probationary period for the purpose of informing probationers how well they are performing and to provide them with sufficient time to improve their performance if necessary. A formal written evaluation is required on standard City performance evaluation format at the midpoint of the probation period and not less than two weeks prior to the end of the probationary period.

E. Notice of Dismissal or Demotion During Probationary Period

A final performance evaluation should be submitted to the Human Resources Department not less than two weeks prior to the end of the probationary period. If the department makes the decision to reject the employee from their probationary period, the following requirements should be met:

1. Department managers and supervisors are advised to consult with the Human Resources Department and City Attorney prior to serving the notice of rejection on the probationary employee.
2. The rejection notice must be served before midnight of the last day of the probationary period.
3. A copy of the rejection notice must be sent to the Human Resources Department and the City Administrator.
4. The rejection notice should not contain reasons for the rejection. Unnecessary language in the written notice is to be avoided. See Appendix A for sample "Notice and Order of Rejection".

F. Probationary Period for Promotions

Any employee promoted to a new classification shall serve the probationary period for that classification. During the probationary period, subject to specific rules below, any promoted employee may be demoted to the classification they held immediately prior to their promotion or terminated if, in the opinion of the City, such demotion or termination is in the City's best interests. Promoted employees on probation are subject to the same evaluation as outlined in IV, Section D

above.

Any employee rejected during a promotional probationary period shall be reinstated to a position in the class from which he/she was pro-moted subject to the following:

1. Employee was not discharged from the City service pursuant to City Code, Section 20-9.
2. A vacancy exists in the classification held immediately prior to promotion. If a probationary employee holds an applicable position the rejected promotional candidate can request that position and the probationary employee's name will go back on the appropriate eligibility list.
3. If the City cannot offer a rejected promotional candidate a position in the previously held classification the individual's name will be placed on a re-employment list for future vacancies.

G. Notice of Dismissal or Demotion During Probationary Period

The appointing authority shall report in writing a dismissal or demotion and the reasons for such actions to the Human Resources Officer and to the employee concerned at least fourteen (14) calendar days before the effective date of such dismissal or demotion. At the option of the City, two (2) weeks of pay may be provided to the dismissed employee in lieu of notification.

H. Probationary Period for Demoted Employees

1. Voluntary Demotion:

- a. If the employee to be voluntarily demoted is a non-probationary employee, they shall not have to serve a new probationary period in the classification to which they are being demoted.
- b. Employees on probation will not have the option to request a voluntary demotion with the following exception:

Employees who have been promoted and are serving a promotional probationary period in their new position may request a voluntary demotion.

2. Involuntary/Disciplinary Demotion:

Employees who are involuntarily demoted to a new classification shall be required to serve the standard probationary period for that new classification.

I. Completion of Probation

Employees will be deemed to have successfully completed probation and become a permanent member of the Competitive Service when the following occurs:

1. Appropriate timelines as listed in IV, Section B above have been met.
2. The Department Head submits appropriate documentation to the Human Resources Department indicating that the individual has successfully completed probation and should be afforded permanent status.

V. INTERPRETATION AND IMPLEMENTATION

Any questions relative to the intent or application of this procedure shall be made to the Human Resources Director who is delegated the responsibility for interpreting and implementing this

procedure.

AUTHORIZED:
City Administrator

SAMPLE

ATTACHMENT A

John Doe Date:
123 Main Street
Any town, USA

NOTICE AND ORDER OF REJECTION

Pursuant to the provisions of the City of Lompoc Personnel Ordinance and Rules relating hereto, you are hereby notified that you are rejected as a probationary with the City of Lompoc and your employment (job classification) in that capacity is hereby terminated effective

Date:

By order of the Department of

City of Lompoc

Department Head

I hereby acknowledge receipt of this Notice and Order of Rejection consisting of pages.

Date:
Signature of Employee