



Title: Probationary Period Policy for Operational Employees	
Effective Date: January 9, 2009	Responsible Office: Human Resources
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I. SCOPE

This policy applies to newly-hired salaried operational employees of the College of William and Mary including the Virginia Institute of Marine Science (the "College") as well as certain College operational employees newly promoted to supervisory positions.

II. PURPOSE

The purpose of this policy is to provide guidelines for the introductory period of employment applicable to specified operational employees, which is used to determine if employment will be continued.

III. POLICY STATEMENT

It is the policy of the College to provide an introductory, or probationary, period of employment for individuals who are newly employed into salaried operational positions, including employees transferring from other State institutions or agencies ("agencies"), and for current employees promoted into supervisory operational positions within the College. During the probationary period, employees may be terminated at any time, regardless of performance.

The following probationary periods will apply to covered employees.

- New operational employees will serve a 12-month probationary period, except as provided below.
- New operational employees who have completed a probationary period in another state agency will serve a three-month probationary period.
- Operational employees who are promoted from non-supervisory positions into supervisory positions at the College will serve a 12-month probationary period.
- College employees who are placed into new positions as the result of a reorganization or down-sizing will not be subject to new probationary periods.

Probationary periods may be extended as described Section V of this policy.

IV. SUPERVISORS' RESPONSIBILITIES

Supervisors will provide operational employees in new positions with information about the requirements of the position, the performance levels expected, and evaluations of how well they are meeting expectations.

A. *Orientation*

Supervisors can help the new employee succeed in his or her new position by

- providing a copy of the job description for the position into which the employee has been hired
- discussing with the new employee the goals or objectives for the position and expectations for performance



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- informing the employee of the probationary period and this policy
- describing work hours and other pertinent information about the workplace
- orienting the new employee to the work unit including introducing coworkers, and
- providing appropriate work equipment, tools and supplies.

B. *Performance Planning and Feedback*

1. *Performance Plan*: As soon as possible, but within 30 days of the hire date, a performance plan will be developed jointly by the supervisor and employee.
2. *Performance Feedback*: Supervisors will provide probationary employees with regular feedback, including informal feedback through discussions as well as interim evaluations. All interim evaluations will use the Probationary Progress Review form (PPR) (Attachment A). PPR forms are intended to be shared with the probationary employee and copies forwarded to the Office of Human Resources. Supervisors should contact the Office of Human Resources for assistance in addressing poor performance.

V. PROBATIONARY PERIOD GUIDELINES

A. *Termination During the Probationary Period*

Probationary employees may be terminated at the College's discretion at any time during the probationary period for any legitimate, non-discriminatory reason, without access to the State Grievance Procedure. An interim or formal performance evaluation is not necessary prior to termination, and an employee can be terminated for performance or other reasons at any time, including prior to the end of any scheduled review period. Supervisors must contact the Office of Human Resources for assistance in termination actions. Employees may be allowed to resign during their probationary periods rather than being terminated. Termination or resignation will be documented by letter or memorandum. Copies will be:

- provided to the employee and
- placed in the employee's personnel record.

A probationary employee who claims that termination or other disciplinary action was made in violation of the College's policies on discrimination may contact the College's Equal Employment Office.



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B. 12- Month Probationary Period – Newly-Hired Employees

1. Six-Month Review. When an employee has completed six months of the probationary period, a formal written evaluation will be made using the PPR form. The six-month review will establish whether the employee is progressing satisfactorily. If the employee is not progressing satisfactorily, the six-month PPR form will specify the deficiencies and a development plan, and assign a reevaluation date of at least 30 days but not later than 90 days after the six-month evaluation. Upon reevaluation:
 - a. If the deficiencies are not corrected or the employee's performance is otherwise unsatisfactory, the employee generally will be terminated. The College may instead extend the probationary period as described under F (2), below. The supervisor must contact the Office of Human Resources for assistance with termination or probationary period extension.
 - b. If the deficiencies are corrected and the employee is performing satisfactorily, the reevaluation will document satisfactory performance.
2. End of Probationary Period. The supervisor will meet with the employee and provide a progress review using the PPR form within the last 30 days of the probationary period. If the employee's performance is unsatisfactory, the employee generally will be terminated, or the probationary period may be extended, as described under F (2) below. If the employee's performance is satisfactory, the employee will be deemed to have successfully completed the probationary period.

C. 3-Month Probationary Period - Newly Hired (Non-Probationary) from another State Agency

An employee hired from another state agency where he or she successfully completed a probationary period will be evaluated prior to the completion of three months of employment with the College using the PPR form. The review will establish whether the employee is progressing satisfactorily. If the employee is not progressing satisfactorily, the deficiencies will be identified and the employee will be given a three-month performance improvement plan. The employee will be reevaluated prior to the end of the three-month extension. Upon reevaluation:

1. If the deficiencies are not corrected or the employee's performance is otherwise unsatisfactory, the employee generally will be terminated.
2. If the deficiencies are corrected and the employee is performing satisfactorily, the reevaluation will document satisfactory performance. The employee will be deemed to have successfully completed the probationary period.



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D. 12-Month Probationary Period – Promoted New Supervisory Employees

1. Six-Month Review. During the probationary period, first-time supervisors will be provided training and other support as needed to assist them in succeeding in their new roles. When an employee has completed six months of the probationary period, a formal written evaluation will be made using the PPR form. The six-month PPR will establish whether the new supervisor is progressing satisfactorily. If the employee is not progressing satisfactorily, the six-month PPR form will specify the deficiencies and a development plan, and assign a reevaluation date at least 30 days but not later than 90 days after the six-month evaluation. Upon reevaluation:
 - a. If the deficiencies are not corrected or the employee's performance is otherwise unsatisfactory, the employee generally will be terminated. The College may instead extend the probationary period as described under F (2) below. The supervisor must contact the Office of Human Resources for assistance with termination or probationary period extension.
 - b. If the deficiencies are corrected and the employee is performing satisfactorily, the reevaluation will document satisfactory performance.
2. End of Probationary Period. The supervisor will meet with the employee and provide a progress review within the last 30 days of the probationary period. If the employee's performance is unsatisfactory, the employee may be given a three-month performance improvement plan to provide further opportunity to improve performance. If at the end of the three-month period, the deficiencies are not corrected or the employee's performance is otherwise unsatisfactory, the employee generally will be terminated. If the employee's performance is satisfactory, the employee will be deemed to have successfully completed the probationary period.

E. Successful Completion of the Probationary Period

Employees permitted to work beyond the end of their probationary periods are considered to have successfully completed the probationary period, unless they have been notified otherwise prior to the end of the period. Failure of the supervisor to complete a formal PPR prior to the end of the probationary period has no impact on the employee's successful completion of the probationary period.

F. Extending Probationary Periods

1. Leave. Probationary employees who are absent on any type of leave, with or without pay, for periods in excess of fourteen (14) consecutive calendar days will have their probationary periods extended for the number of days they were absent.
2. Extension to Address Performance Concerns. The College in its discretion may extend an employee's probationary period for up to six additional months (three months, for newly promoted employees, as described in D(2) above, and employees hired from other state agencies, as



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described in C above) for performance reasons. The reasons for the extension will be documented on a Probationary Progress Review form and approved by the reviewer. The form will state the performance deficiencies, the expected level of performance and the period for which the probationary period is extended. The supervisor must consult with the Office of Human Resources prior to extending an employee's probationary period

G. *Changing Positions within the College*

If employee moves to a new position during the last six months of his or her probationary period, that employee's probationary period may remain as the original 12 months or may be extended so the new supervisor has the benefit of the full 12-month probationary period. However, the total time served in a probationary status may not exceed 18 months, except as described under F above.

H. *Benefits during the Probationary Period*

Probationary employees receive the same benefits as other salaried operational employees; however, they do not have access to the State's Grievance Procedure.

VI. AUTHORITY, IMPLEMENTATION AND AMENDMENT

This policy is approved by the President in accordance with the Restructured Higher Education Financial and Administrative Operations Act, Chapter 4.10, Title 23 of the *Code of Virginia* and the Management Agreement effective July 1, 2006.

The Office of Human Resources is responsible for the administration and implementation of this policy. The College reserves the right to revise or eliminate this policy at any time, and shall not be bound by any future change, addition, deletion or amendment in whole or in part of DHRM Policy by any agency of the state unless such change, addition, deletion or amendment is expressly adopted by the College or required by law. The President has delegated to the Vice President for Administration the authority to revise or amend this policy.