

Managing Employees During the Probationary Period

General Overview

What is a probationary period?

- Employees serve a probationary period of 12 months from their effective hire date before attaining career status.
- **Serves as an extension of the selection process!**
- Provides time for new employees to adjust and supervisors additional time to ensure new employees are a good fit for the organization, can satisfactorily meet performance expectations, and perform essential job functions.

Who is required to serve a probationary period?

- All SHRA part-time or full-time employees new to permanent or time-limited employment.
- Former SHRA employees, employees in layoff priority status, or employees transferring from another state agency who have already attained career status **with a break in service greater than 31 days**.
- Employment in a temporary appointment may not be credited toward the probationary period.

Who is not required to serve a probationary period?

- EHRA employees
- Once an employee attains career status, a new probationary period is not required if the employee experiences any of the following changes:
 - promotion
 - transfer
 - demotion
 - reinstatement after leave of absence
 - layoff priority re-employment with less than a 31-day break in service
 - reassignment
 - return of a policy-making/confidential exempt employee to a non-policy-making position
- If any of the above changes occur while an employee is serving a probationary period, the satisfied portion will be credited toward the new assignment. The employee will then be required to complete only the remaining portion of the probationary period.
- Employees transferring from a local government entity subject to the State Human Resources Act who have already attained career status are not required to serve another probationary period, provided there is no break in service greater than 31 days.

What are the performance management requirements?

- Performance Plans are issued within 60 days of the start of employment.
- Probationary Reviews are completed quarterly:
 - July, October, January, April
 - Written comments are required, highlighting where the employee is meeting and/or not meeting expectations.
- Supervisors may conduct additional off-cycle reviews as often as deemed necessary and employees can request off-cycle reviews.
- Employee Competency Assessments (ECA) are completed 90 days after start date.
- If the employee has been employed for at least 6 months, the supervisor must complete an Annual Performance Appraisal in April at the end of the performance cycle (April 1-March 31).

In addition to performance management, what else is the supervisor expected to do during the probationary period?

- The supervisor is expected to provide appropriate progressive coaching/training, with a recommended once a week check-in/meeting with the employee.
- If there are performance issues with the employee, they should be addressed timely, as early as three months in, through the following:
 - A meeting/conversation with the employee with a follow up email to recap the conversation.
 - During a probationary review or other off-cycle reviews.
- Provide clear expectations and confirm employee's understanding.

If performance is not improving, can the supervisor terminate the probationary employee?

- If the supervisor has provided appropriate progressive coaching and the employee's performance/behavior is not improving, the supervisor must place the employee on notice that the deficiencies are detrimental to their continued probationary period.
 - The **Probationary Performance Notice (PPN)** is a written recap of the meeting a supervisor has with the employee identifying the issues, capturing the employee's responses, resetting expectations, and offering a timeline for improvement. The meeting and PPN must communicate that further action may be warranted if performance improvements are not made.
 - The supervisor should consult their HR Officer/Representative and/or their Employee & Management Relations (E&MR) Consultant prior to addressing performance or conduct deficiencies that may be detrimental to the employee's probationary period.
- Probationary employees are not covered by the disciplinary process, so the supervisor determines whether to continue the employee's appointment and may terminate the employee's appointment prior to the end of the employee's probationary period. The employee must receive an approved PPN prior to receiving a written notification of separation.
- E&MR Consultant must be contacted before separating a probationary employee and **must** review the Notice of Separation During Probationary Period letter before it is issued to the employee.

What is the probationary termination process?

- After management has communicated and documented a probationary employee's performance deficiencies through a PPN, and there is no improvement despite the notification, management may consider termination as an option.
- Management should contact HR Officer/Representative to initiate the process and send a draft of the Notice of Separation, copy of PPN, quarterly reviews, annual appraisal and probationary questionnaire for review.
- HR Officer/Representative reviews and may ask questions to gain further clarification of the issues and situation. The HR Officer/Representative will forward documents to E&MR Consultant.
- E&MR Consultant reviews and may ask additional questions. They will give the final approval of the Notice of Separation and to proceed with the termination.
- The supervisor meets with the employee to issue the Notice of Separation.
- The supervisor coordinates with the HR Officer/Representative to ensure the termination action is initiated in Connect Carolina, including the appropriate Help Ticket to disable/expire system access.

Is a probationary termination grievable?

- The [University's SHRA Employee Grievance Policy](#) does not allow probationary employees to grieve termination. However, they may grieve the following issues, including if they believe the termination is associated with any of the following issues:
 - Prohibited discrimination based on a protected status as defined by the Policy;
 - Retaliation resulting from protesting prohibited discrimination as defined by the Policy; or
 - Retaliation resulting from reporting improper government activities ("whistle blower" protection) as defined by the Policy.
- To be eligible for consideration, the employee must submit the "SHRA Grievance Form" (online version OR PDF versions available on the [Employee Grievances page](#) of the HR at UNC website) to the Grievance Coordinator at grievance@unc.edu **within 15 calendar days** of the alleged action they are grieving.

What are probationary employees eligible for upon termination?

- Any applicable payouts of leave and/or other earned time off will be made to the employee.
- For all state employees, there is **no** payout of accrued sick leave, although this leave can be restored if the employee returns to state employment within five (5) years of separation.
- Any debts the employee owes to the University may be deducted from their last paycheck.
- Employees can choose either to retain their contributions to the state retirement system or to withdraw their contributions from the system.
- Employees are **not** eligible for severance pay or priority re-employment consideration.
- A separation during probation does not necessarily keep the employee from receiving unemployment benefits. The state's Division of Employment Security (DES) determines eligibility for unemployment benefits, not the University. However, DES may consider the reason for the separation from employment when determining eligibility.

Helpful Resources

- [Probationary Period & Career Status for SHRA Employees](#)
- [SHRA Performance Appraisals & Management](#)
- [Disciplinary Process \("SHRA Probationary Period"\)](#)

Preferred Management of 12-Month Probationary Period

0-3 Months

- Establish onboarding plan:
 - Identify work location; work hours; call out procedures; request for leave process, etc.
- Provide the employee with the Position Description.
- Identify required training, readings or other platforms providing knowledge-based development for the employee.
- Performance Plan Created within the first 60 days; define Expectations.
- Set up weekly or bi-weekly 1:1 meetings.
- Complete first Quarterly Probationary Review in Carolina Talent.

4-6 Months

- Complete Employee Competency Assessment in Carolina Talent.
- Discuss performance; give feedback during 1:1 meetings.
- Assess any additional resources for the employee's growth.
- Provide Mentoring/Shadowing, if necessary.
- Complete second Quarterly Probationary Review in Carolina Talent.
- If the supervisor sees any performance deficiencies, address the deficiencies immediately with more training, mentoring, etc. Ensure the employee is aware of the deficiencies so that they may work on performance improvements.

7-9 Months

- Employee should be demonstrating an understanding of the job requirements and should be working at the Meeting Expectations level. As the employee works effectively, there is the belief that the employee will successfully complete their probationary period.
- Employee who is still demonstrating performance deficiencies must be given Notice that the deficiencies are detrimental to their continued probationary period.
 - The supervisor must have the appropriate conversation (Notice) with the employee and inform the employee that the continued deficiencies are unacceptable. During this conversation, the supervisor obtains the employee's explanations for the deficiencies and considers their merit.
 - The supervisor recaps the meeting and issues a **Probationary Performance Notice (PPN)** which identifies the issue(s), captures the employee's responses, resets expectations, and offers a timeline for improvement. The meeting and PPN must communicate that further action is impending if performance improvements are not made.
 - The supervisor should consult their HR representative and/or the Employee & Management Relations (E&MR) Consultant prior to addressing performance or conduct deficiencies that may be detrimental to the employee's probationary period.
- Complete third Quarterly Probationary Review. If there are performance deficiencies, the quarterly review must align with the details of the employee's performance. Please be advised, this is not a substitute for a PPN.

- If performance deficiencies continue, this is the optimal time for the supervisor to consider separating the employee during the probationary period.
- If dismissal during the probationary period is the considered option, the supervisor must seek assistance from E&MR prior to proceeding. The E&MR Consultant will review the PPN, quarterly reviews, annual appraisal and provide the appropriate documents if the dismissal action is approved.

10-12 Months

- Employee should be demonstrating an understanding of the job requirements and should be working at the Meeting Expectations level. As the employee works effectively, there is the belief that the employee will successfully complete their probationary period. At the end of the probationary period, the employee becomes a career status SHRA employee.
- Complete fourth Quarterly Probationary Review or Annual Appraisal.
- If performance deficiencies exist, the supervisor must immediately meet with the employee and issue a PPN. This is the **critical last quarter** of the probationary period; dismissals during this quarter should be **minimal** as deficiencies should have been addressed earlier during the probationary period. The supervisor must seek assistance from E&MR prior to proceeding.
- Unacceptable personal conduct must be addressed immediately at any point during the probationary period and may not require a PPN before dismissal during the probationary period is considered. The supervisor must immediately seek assistance from E&MR.