



Approved:

**City of Commerce, California
Human Resources Policy and Procedure Manual**

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SUBJECT: PROBATION AND TRAINING PERIODS

PURPOSE:

To describe the terms and conditions of probation and training periods.

PROBATION PERIOD:

Probation is defined as a period of tentative appointment to a position in the City Civil Service, permanent-full-time position, during which competence and fitness for that position shall be judged from actual performance of the essential functions of the job.

POLICY:

The probationary period shall be considered a part of the selection process, affording the appointing authority an opportunity to evaluate those factors and qualities which may not have been determined by formal testing procedures. Civil Service employees must satisfactorily complete a six (6) month period before they are appointed to their regular positions. Failure to meet the performance standards for a position is not considered discipline.

A Civil Service employee serving a probationary period has no property interest in his or her position and is considered at-will during the probationary period.

1. Probation required - Probationary periods shall be required for all appointments/promotions to regular full-time civil service positions for:
 - a. Initial hire into the City service
 - b. Promotion in which a change and/or increase in duties and responsibilities has occurred as a result of accepting employment in a different classification
 - c. Inter-departmental transfer (except in case of transfer in lieu of layoff, "bumping", or reorganization)
 - d. Rehire, if more than twenty-four (24) months have elapsed since voluntary separation
 - e. Demotion, if related to job performance

2. Probation not required - Probationary periods shall not be required for:
 - a. Appointments of a temporary, emergency or "acting" nature
 - b. Status change in which an employee has no change in duties and responsibilities as a result of moving between full-time and part-time within the same classification and department (ie; bus operators).
 - c. Intra-departmental transfer within the same classification.
 - d. Reinstatement, if no more than twenty-four months have elapsed since voluntary separation
 - e. Reinstatement, if no more than twenty-four months have elapsed since being laid off by the City
 - f. Reclassification of occupied position
 - g. A non-disciplinary demotion carried out by the City
 - h. Interdepartmental transfer in lieu of layoff, "bumping", or reorganization
 - i. Voluntary demotion (non-performance related or in lieu of discipline)

3. Length of Probationary Periods - Probationary periods shall be six months of continuous service.

Upon inter-departmental transfer (except in case of transfer in lieu of layoff, "bumping", or reorganization) from one position to another in the same job classification, the probationary period shall be for 6 months of continuous service for all classifications.

The actual date set for purpose of probation, merit increases, and performance evaluations is adjusted to the beginning of the pay period following the designated period.

4. Extension of Probationary Periods - An employee's initial probation may be extended, at the Department head discretion, if necessary, for a period not to exceed six months. The department head must confer with the Human Resources Department and the City Attorney prior to taking action. If extended, such action must be taken during the initial probationary period.

Any extended period of absence from duty for 20 working days or more for any reason except scheduled vacations, shall automatically cause a probation period to be extended for a period equal to the period of absence.

5. Performance Reviews - Department Heads are required to initiate performance evaluations on all probationary employees. These records may be considered in decisions related to employee's eligibility to continue employment during the probationary period.
6. Status upon Completion of Probation - A regular appointment to a position in the

City service shall be made upon satisfactory completion of the probationary period. It shall be the responsibility of the Department Head to initiate appropriate documents to retain or not to retain a probationary employee. Upon being appointed to regular civil service positions, Civil Service employees have a property interest in their jobs which gives them certain rights as required by law.

7. Separation During Probationary Period - If at any time during the probationary period, including any probationary extension period, the appointing authority determines that the employee does not meet standards for the position, the employee shall be separated from the position without right of hearing or appeal.

Civil Service employees who are discharged from probationary Civil Service positions have the right to return to their former regular Civil service positions or their former part-time non-civil service positions with the City. In order to have this right, the discharged employee must have held a position with the City for which the employee had satisfactorily completed his or her training period or probationary period. In addition, the position must be vacant with no incumbent occupying the position previously held by the employee.

8. Demotion During Probationary Period - With unsatisfactory performance during a promotional, inter-departmental or transfer probationary period, the Department Head shall give consideration (prior to termination) to demotion to a position in the employee's previous class, possible return to previous department if applicable, another available position for which qualified, or, lacking an open position, placement on an appropriate eligible list for future openings. When demoted, the employee shall serve a new probationary period in the new or previously held classification.

TRAINING PERIOD:

Training period is defined as a period of training in a part-time, and full-time non-civil service position in the City during which competence and fitness for that position shall be judged from actual performance of the essential functions of the job.

POLICY:

Part-time and full-time non-civil service employees serve a six (6) month training period. The training period may be extended up to six (6) months at the discretion of the department head. Failure to complete the training period satisfactorily will result in discharge from the training position. The satisfactory completion of this training period does not give these employees a property interest in their jobs. Completion of the training period does not in any way alter the employment status of these employees to be anything other than at-will.

Full-time and part-time non-civil service employees who are discharged from probationary Civil Service positions for failing to meet standards may be allowed to return to their former, non-civil service full-time or part-time positions with the City in accordance with Section 7 above provided said position has not been filled.

PROCEDURE:

Responsibility	Action
Human Resources Department	1. Distributes list of probationary and training employees to departments on

- a monthly basis.
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| Department Head or Supervisor | 2. Completes the Probationary or Training Performance Appraisal (PAF if necessary) and provides feed back to employee related to performance or conduct. |
| Human Resources Department | 3. Receives reviews and files Probationary/Training Performance Appraisal.
4. Consults with City Administrator and as necessary with City Attorney on the application of the policy. |