

Office of Human Resources  
State of Louisiana  
Division of Administration

JOHN BEL EDWARDS  
GOVERNOR



JAY DARDENNE  
COMMISSIONER OF ADMINISTRATION

**DIVISION OF ADMINISTRATION**

**PERSONNEL POLICY NO. 105**

**EFFECTIVE DATE:** September 15, 2017

**SUBJECT:** Probationary Period

**AUTHORIZATION:**   
Barbara Goodson, Appointing Authority

**I. POLICY:**

Civil Service Rule 9.1 establishes a probationary period of not less than six nor more than twenty-four months. The Division of Administration (DOA) customarily utilizes a probationary period of not less than twelve months before an employee becomes eligible for consideration for permanent status. However, a probationary employee's probationary period may extend through the entire twenty-four month period authorized by the Civil Service Rules if the employee's abilities, performance or behavior are in question, or for administrative reasons. Additionally, the appointing authority may grant permanent status to a probationary employee at any point after six months of continuous employment based upon particularized, documented circumstances.

**II. PURPOSE:**

The probationary period is a critical and integral step in the process of selecting the best qualified individuals to serve as members of the DOA team. It is a working-test period during which a new employee's abilities, attitude, work ethic and performance are thoroughly evaluated by supervisory personnel. It also affords a new hire a fixed timeframe within which to identify and adjust to workplace requirements and performance standards. A probationary employee who fails to satisfy expectations shall be separated from employment prior to expiration of the probationary period.

**III. APPLICABILITY:**

The probationary period required by Civil Service is applicable to new employees entering the classified service. Specifically, the Civil Service Rules require that a probationary period be served by new employees following appointments to:

- 1) Permanent positions following certification from an open competitive eligible list;
- 2) Original appointments to permanent positions in non-competitive classes; and
- 3) Non-competitive re-employment based upon prior service.

Additionally, DOA may elect to require its employees and civil servants from other agencies who are selected after competitive process for a position within DOA to serve a probationary period of not less than twelve months. When this occurs, the employee shall be required to resign his permanent status position prior to accepting the probationary appointment with DOA. For recordkeeping purposes, the employee shall be required to sign the Probationary Appointment Acknowledgement form attached hereto which will be maintained in his official personnel file.

**IV. SPECIAL CONSIDERATIONS:**

- 1) An employee who has served DOA for at least 24 months in a job appointment with no break in service may be appointed to the same position or a position in the same job title without serving a probationary period;
- 2) Applicants selected from DOA's preferred reemployment list shall be appointed with permanent status; and
- 3) A probationary employee who is absent from work for military training or military active duty in excess of thirty consecutive calendar days shall be returned to duty in the probationary status at the point he reached in the probationary period before leaving. Absences of thirty consecutive calendar days or less shall be counted as part of the probationary period.

**V. PROCEDURE:**

Vacant positions authorized for filling by probationary appointment only shall be so advertised in clear and precise terms. Doing so is necessary to ensure that an existing employee serving with permanent status fully understands that he may be required to resign his permanent status position in order to accept the probationary appointment.

At the job offer stage, applicants for employment shall be informed of DOA's policy to utilize a probationary period of not less than twelve nor more than twenty-four months.

Applicants also should be informed that consideration for permanent status will occur only upon completion of one year of continuous employment.

Prior to completion of one year of employment, unless administrative considerations require otherwise, Human Resources will provide notice to the supervisor of the probationary employee's eligibility for consideration for permanent status. If, in the judgment of the supervisor, upon thoughtful consideration of all relevant factors, the probationary employee has successfully satisfied all job requirements as well as behavioral and performance standards, the supervisor may recommend the granting of permanent status to the probationary employee. Any such recommendation will be reviewed through the probationary employee's chain of command, with the decision to grant permanent status vesting solely with the appointing authority.

If, in the judgment of the supervisor, upon thoughtful consideration of all relevant factors, the probationary employee's work activities or behavior do not satisfy expectations, his probationary appointment may be terminated by the appointing authority. Alternatively, the probationary employee shall be informed that the probationary period is continuing and eligibility for permanent status will be reconsidered at some point prior to expiration of the twenty-fourth month of employment.

In due course, after affording the probationary employee (who has been permitted to remain employed despite not satisfying expectations during the initial period) sufficient time within which to demonstrate improvement, the supervisor shall again evaluate all relevant factors and recommend the granting of permanent status to the employee or that the probationary period be terminated. This reconsideration must occur prior to expiration of the probationary employee's twenty-fourth month of employment, with the final decision to be made by the appointing authority.

## **VI. MISCELLANEOUS:**

- 1) Probationary employees are ineligible for promotion. A probationary employee who qualifies and is eligible for a position which necessarily would be considered a promotion under the Civil Service Rules must resign his probationary appointment and be rehired in the new position with probationary status, thus requiring that he serve a new probationary period as required by this policy.
- 2) A probationary employee who is permanently transferred, reassigned or demoted to another position at the request or with the approval of the appointing authority shall retain eligibility to attain permanent status in the new position between the twelfth and twenty-fourth month of the probationary period which began prior to the change in position.



- 3) The transition from probationary to permanent status requires an affirmative certification by the appointing authority that the employee has met required standards during the probationary period. Probationary employees who have not met required standards will not be certified and therefore, must be separated prior to expiration of the twenty-fourth month of the probationary period.
- 4) Probationary employees who are evaluated as "Needs Improvement/Unsuccessful" on their official PES evaluation are not eligible for permanent status until evaluated as "Successful" (or equivalent).

**VII. AT-WILL STATUS:**

Probationary employees do not possess a property right in their positions serve DOA with the status of at-will employees. For this reason, probationary employees may be separated by the appointing authority at any time, with or without legal cause.

**VIII. EXCEPTIONS:**

Only the appointing authority has the authority to waive the mandatory twelve month probationary period required by this policy, and under no circumstance shall an employee serve a probationary period of less than six months as required by the Civil Service Rules.

**IX. QUESTIONS:**

Questions regarding this policy should be addressed to the Office of Human Resources.

# DIVISION OF ADMINISTRATION

## PROBATIONARY APPOINTMENT ACKNOWLEDGMENT

It is the policy of the Division of Administration, when a probationary job offer is made to an applicant, to expressly inform the applicant that the job requires a probationary period of not less than twelve nor more than twenty-four months.

It is also the policy of the Division of Administration, when an employee already possessing permanent status within the classified service applies for a probationary job offer, to require the employee to resign his permanent status position prior to accepting the probationary appointment and sign the following Acknowledgement confirming his requirement to serve a new probationary period of not less than twelve nor more than twenty-four months.

Any exception to this policy requires prior, express approval of the appointing authority.

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- 1) I, \_\_\_\_\_, understand that I have accepted the position of  
(Name)  
\_\_\_\_\_ with DOA with probationary status.  
(Position Title)
- 2) I understand that I must relinquish permanent status by resigning my current position in the classified service to accept this job offer.
- 3) I understand that as a probationary employee, I do not possess a property right to the new position accepted.
- 4) I understand that I will serve DOA with at-will status in this new probationary position.
- 5) I understand that I can be terminated with or without legal cause at any time by DOA during the probationary period.

\_\_\_\_\_  
(Applicant Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Date)