DEPARTMENT OF NATURAL RESOURCES

Human Resources Policy No: 28

Effective Date: July 1, 2014

Subject: Probationary Period

Authorization: Stephen Chustz, Secretary

I. POLICY

Civil Service Rule 9.1 establishes a probationary period of not less than six nor more than twenty-four months. The Louisiana Department of Natural Resources (DNR) customarily utilizes a probationary period of not less than twelve months before an employee becomes eligible for consideration for permanent status. However, a supervisor may require that a probationary employee's probationary period 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. Additionally, the appointing authority, with the prior approval of the Secretary, may grant permanent status to a probationary employee after six months 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 DNR 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 DNR of no less than twelve months 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, DNR may require existing DNR employees and civil servants external to the Department who compete for a position with DNR to serve a probationary period of not less than twelve months. When this occurs, the employee shall be required to resign his/her permanent status position prior to accepting the probationary appointment with DNR. For record-keeping purposes, the employee also shall be required to sign the Probationary Appointment Acknowledgement Form attached hereto which will be maintained in his/her official personnel file.

IV. SPECIAL CONSIDERATIONS:

1) An employee who has served DNR 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 DNR's preferred re-employment 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/she 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/she is required to resign his/her permanent status position in order to accept the probationary appointment.

At the job offer stage, applicants for employment shall be informed of DNR'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 expiration of the twelfth month of employment unless, by agreement at the time of hiring, consideration for permanent status is to be afforded after six months of continuous employment.

Prior to expiration of the twelfth month of employment, the Human Resources Division 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 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/her 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 future 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 12-month 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/her probationary appointment and be re-hired in the new position with probationary status, thus requiring that he/she serve a new probationary period of not less than twelve months 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.

VII. AT-WILL STATUS

Probationary employees do not possess a property right in their positions and serve DNR 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, with the approval of the Secretary, has the authority to waive the mandatory twelve month probationary period required by this policy, and in no event shall a probationary 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 Human Resources Director.

Stephen Chustz, Secretary

7/2/14

Date

LOUISIANA DEPARTMENT OF NATURAL RESOURCES

It is the policy of the Louisiana Department of Natural Resources, 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 the policy of the Louisiana Department of Natural Resources, when an employee already possessing permanent status within the classified service applies for a probationary job offer, to require the employee to resign his/her permanent status position prior to accepting the probationary appointment and sign the following Acknowledgment confirming his/her 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.

PROBATIONARY APPOINTMENT ACKNOWLEDGMENT

1) I, _____, understand that I have accepted the
(Name)
position of _____ with DNR with probationary status.
(Position Title)

2) I understand that the probationary period required by DNR is not less than twelve nor more than twenty-four months.

3) I understand that I must relinquish permanent status by resigning my current position in the classified service to accept this job offer.

4) I understand that as a probationary employee, I do not possess a property right to the new position accepted.

5) I understand that I will serve DNR with at-will status in this new probationary position.

6) I understand that I can be terminated with or without legal cause at any time by DNR during the probationary period.

_____
Applicant Signature

_____
Print Name

_____
Date