

Probationary/Trainee/Permanent Appointment and Career Status (For employees hired on or after August 22, 2013)

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Policy

Individuals receiving original appointments to permanent or time-limited positions must serve a probationary or a trainee period. This period is an essential extension of the selection process and provides the time for the new employee to achieve performance at or above the expectations of the job or to be separated if performance does not meet acceptable standards.

Covered Types of Appointments

The following appointments are covered by this policy:

- Probationary
 - Time-limited,
 - Trainee,
 - Pre-vocational
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Length of Probationary Period

The duration of a probationary appointment shall be twenty-four (24) months of either full-time or part-time employment from the initial date of employment. Periods of extended leave of absence with or without pay do not suspend or increase the duration of the probationary period beyond 24 months. Extended leave is defined as leave in excess of one-half the workdays and holidays in the month. The probationary period in

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this policy is not the same as the probationary period prescribed for criminal justice officers.

Responsibility of Supervisor during Probationary Period

The conditions of the probationary appointment shall be clearly conveyed to the applicant prior to appointment. During the probationary period, the supervisor shall work closely with the employee in counseling and assisting the employee to achieve satisfactory performance. The supervisor shall establish a work plan for the new hire employee during the first thirty (30) days of employment. The supervisor shall review the probationary employee's performance quarterly from the initial date of hire in documented performance feedback discussions. At the end of the probationary period when the supervisor, in consultation with other appropriate administrators, determines that the employee's performance indicates capability to perform satisfactorily and merits retention in the position, the employee shall be given a permanent appointment (or time-limited appointment, whichever is applicable) to the class. If instead, the supervisor determines that the employee's performance indicates that the employee is not suited for the position and does not meet acceptable performance standards, or for other causes related to performance of duties or personal conduct detrimental to the agency, the employee shall be separated from that position. The supervisor has the discretion to separate any employee not meeting acceptable performance standards or for other causes related to performance of duties or for personal conduct detrimental to the agency, prior to the completion of the twenty-four (24) month probationary period. In this case, the supervisor should document the justification for the separation based on the previously documented performance discussions. When separation is for unsatisfactory job performance and when management determines that there are justifiable reasons, an employee may be allowed to work a notice of up to 14 calendar days.

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Appointments Providing Probationary Period Credit

Satisfactory service during a probationary, trainee or pre-vocational student appointment may constitute part or all of the probationary period. Employment in an intermittent appointment may not be credited toward the probationary period.

Personnel Changes not subject to a Probationary Period

A probationary period shall not be required when an employee with a permanent or time-limited appointment has any of the following changes:

- Promotion,
 - Transfer,
 - Demotion,
 - Reinstatement after leave of absence, or
 - Return of a policy-making/confidential exempt employee to a non-policy-making position.
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Probationary Period May Be Required

An employee with reduction-in-force priority consideration may be required to serve a new probationary period if the employee returns to work after a thirty-one (31) day break in service. The employee must work another twenty-four (24) month probationary period before career status is attained.

Local Government Transfer Provisions

Employees transferring from a local government entity subject to the State Human Resources Act and who have already attained career status are not required to serve another probationary period. Employees who have a break in service (more than 31 days) between employment with the local government entity subject to the State Human Resources Act and the receiving state agency will be required to work a new probationary period of 24 months before career status is attained.

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Trainee Appointment Provisions

Classifications often require knowledge or skills not available from the labor market or which cannot be learned in a short period. Basic skills and related knowledge are defined and applicants with potential to meet the full job requirements are employed and qualify through structured training over an extended period of time.

To complement this employment and training process, trainee appointments against classified positions and an accelerated salary progression are provided. The duration of the trainee appointment approximates the normal time for training. The salary progression rates are spread over the training period and provide competitive salary rates for trainees and for experienced, qualified employees. The recruitment standards and salary progression together provide a uniform guide for equitable employment and compensation of trainees.

The duration of a trainee appointment is outlined in the Trainee Salary Schedule (Appendix A of the Salary Plan) or in the class specification for the regular classification. When the classification does not list a trainee level, the Office of State Personnel may approve a progression based on training and/or experience needed. The duration of the trainee appointment is established at that time.

Responsibility of Supervisor during Trainee Period

During the trainee period, the supervisor has a responsibility to work in assisting the employee to make satisfactory progress. Progress should be reviewed in discussions between the supervisor and employee at regular intervals. When the employee has fulfilled all the trainee requirements, the appointment shall be made permanent. If instead, the determination is that the employee's performance indicates that the employee is not suited for the position and cannot be expected to meet acceptable standards, it is expected that the employee will be separated.

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Permanent or Time-Limited Appointment

An employee must be given a permanent appointment when (1) the requirements of the probationary period have been satisfied or (2) when the employee with a trainee appointment has satisfactorily completed all training and experience required for elimination of trainee status.

Career State Employee Defined

Career State employee means a State employee or a local government employee who:

- is in a permanent position; and
 - has been continuously employed by the State of North Carolina or a local entity as provided in G.S. 126-5(a)(2) in a position subject to the State Personnel Act for the immediate 24 preceding months.
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Separation or Separation Prior to Achieving Career Status

Prior to achieving career status, an employee may be separated from service for causes relating to performance of duties or for personal conduct detrimental to the agency without right of appeal or hearing.

Except in cases of discrimination, a separation prior to achieving career status is not subject to the right of appeal to the Office of Administrative Hearings.

Once the employee has achieved career status, the regular separation procedures shall apply.

