



DEFINITION: The probationary period is the final and perhaps most critical step in the selection process. It is intended to provide an opportunity to evaluate an employee on the knowledge, skills, and ability (as demonstrated by the employee's conduct and performance) not evaluated by other parts of the selection process. Any permanent or contingent permanent

appointment, including original appointment, promotion, reinstatement, or transfer requires satisfactory completion of a probationary period. Most probationary periods have a minimum and maximum term. Probation continues until satisfactory completion, resignation or termination.

FREQUENTLY ASKED QUESTIONS ON PROBATION

How long is a probationary period?

One year for competitive class employees and six months for non-competitive class employees. However, the probationary period is extended by the number of days the probationer takes off (i.e., sick leave, annual leave, leave without pay, etc.) No probationary period is required or may be imposed if the appointment is temporary or provisional.

Can my probationary period be extended? What are some of the reasons why they would extend probation?

Yes. Time & Leave, Conduct and Job Performance.

If I am not terminated but placed on extended probation, how long do I have to serve?

The agency head may request an extension in writing to the Department of Citywide Administrative Services with the written consent of the probationer and DCAS may authorize the extension for one or more additional periods not exceeding six months. However, the agency head may terminate the employment of the probationer at any time during the additional period or periods.

If I am on probation and I transfer to another agency, can my probation period be extended?

It depends. If the transfer is voluntary, the employee must serve the entire period of probation in the new position. However, if the employee is involuntarily transferred from one agency to another, due to a

transfer in personnel upon a transfer of function, or if the employee transfers voluntarily to avoid layoff resulting from a reduction in force, then the employee shall receive credit for the period of time already served on probation.

How am I affected by layoffs if I am on probation in the title?

Probationary employees are subject to layoffs before employees in the same title with permanent status who have passed their probation.

Can my probation be waived?

Yes. Upon promotion, the agency may waive the requirement of satisfactory completion of the probationary term at any time during such term. Also if a permanent employee has served in a promotional title and a particular job assignment on a provisional basis for a continuous period equal to or greater than the probationary period for that title immediately prior to a permanent promotion to such title, the promotee shall not be required to serve a probationary period upon promotion.

Can I be terminated if I have not been notified that I did not pass my probation?

At the end of the probationary term, the agency head may terminate the employment of any unsatisfactory probationer by notice to such probationer and to the commissioner of citywide administrative services.

What is the minimum amount of time that can be served before my probation can be terminated?

Two months for every appointment to a position in the competitive or labor class. Four months for every promotion to a position in the competitive or labor class. For non-competitive and exempt titles there is no minimum amount of time that needs to be served before you can be terminated.

Am I entitled to receive a copy of my probationary evaluation?

Yes; anytime you are evaluated, you should receive a copy of your evaluation.

If I do not agree with my probationary evaluation, am I required to sign it?

Yes.

If I am on probation and feel that I am being discriminated against, can I file an EEO complaint?

Yes.

If I am terminated, can I be restored to the list?

Yes. You may request the Department of Citywide Administrative Services to restore your name to the eligible list from which appointed if the list is still in existence. Your name may be restored at the discretion of DCAS.

If I resign before completing my probationary period, can I be restored to the list?

Yes; you may request the Department of Citywide Administrative Services to restore your name to the eligible list from which appointed, if the list is still in existence. Your name may be restored at the discretion of DCAS.

After I have completed my probationary period can I be terminated?

Yes, but only as a result of charges through due process.

If I am disqualified while on probation, may I file an appeal and continue employment?

Yes, whenever a probationer has been declared not qualified by the commissioner of citywide administrative services for the position held by the probationer and files an appeal with the commission, upon the written request of the agency head,

the probationer's continued employment may be authorized at the discretion of the commissioner of citywide administrative services pending final decision of such appeal; provided, however, that the period of service between such declaration of disqualification and the disposition of the appeal shall not be counter in determining the completion of such probationary term.