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Approved by: VP - Human Resources	Policy Section: General
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POLICY SUBJECT:

Probationary period

PURPOSE:

The probationary period should be regarded as an extension of the assessment process which led up to the appointment.

BOARD POLICY REFERENCE:

Executive Limitations (EL3) Treatment of Staff

POLICY:

The probationary period is an opportunity to assess the employee's ability to perform the position functions to the standard as well as the employee's personal suitability in the work environment. This assessment must be completed before the probationary period ends. The probationary period also gives the employee time to adjust to new duties in a new environment.

DEFINITIONS:

Probationary period: A probationary period refers to a period, as defined by the collective agreement, following appointment during which the employee's performance and suitability are assessed. At the end of the probationary period, the employee is either appointed to the position or rejected on probation.

Documented performance: In order to support a decision to reject on probation and to demonstrate that an employee has been treated fairly, the information on file should include:

- the manager's expectations of the employee and evidence that the employee was aware of these expectations
- a record of results achieved (and not achieved) during the probationary period
- the manager's efforts to assist the employee
- records of discussions related the employee's performance.

IMPORTANT POINTS TO CONSIDER:

An employee may grieve a decision to extend a probationary period, depending on the specific Collective Agreement.

PROCEDURE:

When is a probationary period required?

A **probationary period** is required in the following situations:

- initial appointment to a position
- promotion
- lateral transfer to a position where the new responsibilities are so significantly different from previous duties that they require different skills and abilities.

A **probationary period** may be waived in the following situation:

- The employee has acted in the position for six months or longer
- An employee is appointed to a position after completing probation as an under fill appointment in that position
- An employee makes a lateral transfer to a position with similar duties and responsibilities
- An employer initiates a transfer or reassignment of an employee from one position to another for any reason

Can a probationary period be extended?

- Yes. The probationary period of a bargaining unit employee may be extended as long as the total length of probation does not exceed the length of time specified in the respective Collective Agreement. The probationary period of an out of scope employee may be extended beyond twelve months in exceptional circumstances. Extensions to the probationary period must be approved by the Senior Leader or designate prior to the completion of the probationary period.

When is an employee informed of the probationary period?

- The employee must be informed in the letter of offer that the probationary period is a condition of employment. The letter of offer must advise the employee of the duration of the probationary period. This applies to lateral transfers as well as promotions and new hires. Managers and Human Resources should be aware that a probationary period cannot be imposed without the employee's consent after the employee has been appointed if this condition is not outlined in the letter of offer.

What are a manager's responsibilities regarding probation?

Managers' responsibilities during the probationary period include:

- informing the new employee, verbally and in writing, of the performance expectations and standards that are being evaluated during the probationary period
- orientating and training new employees to their new duties
- monitoring performance and providing performance feedback and coaching
- informing the employee when the probationary period has ended
- advising the employee as early as possible if an extension to the probationary period is required
- documenting the rationale for any request to extend the probationary period
- notifying the employee, verbally and in writing, of any approved extension to the probationary period
- consulting with Human Resources as early as possible on situations where extending probation or rejecting on probation may be necessary.

What are an employee's responsibilities during probation?

A **probationary employee** has the following responsibilities:

- meeting the performance standards for the position
- meeting the organization's standards for conduct, including attendance standards

- demonstrating suitability for the position and compatibility with peers and clients.

How can a probationary period be extended?

The Senior Leader or designate approves extensions to the probationary period. This approval must be communicated to the employee **before** the date when probationary period ends. The request for an extension includes the following:

- the date of appointment to the position
- the type of appointment (transfer, promotion...)
- reasons for requesting the extension (selection criteria not demonstrated, performance deficiencies, remedial measures taken, limited opportunity to demonstrate suitability due to casual or part-time work)
- the length of extension requested
- the type of employee development efforts planned for the extended probationary period.

When is it appropriate to reject an employee on probation?

Rejecting an employee on probation must be for cause. This standard is lower than the just cause standard for terminating regular employment and can include the following situations:

- the employee is unable to perform the position duties to the standard, even after training, regular performance feedback and opportunities to improve
- the employee proves to be incompatible with the nature of the workplace, with other employees in the workplace or with the organization's standard of conduct
- the employee is rejected for disciplinary reasons. Note: a notice period may not be necessary in this circumstance.

Before rejecting an employee on probation, the manager should examine all possible mitigating factors which contributed to poor performance, particularly factors beyond the employee's control. The manager should document performance and consult Human Resources prior to notifying an employee of rejection on probation.

The probationary employee must be notified of the decision to reject on probation prior to date when the probationary period ends. Because the decision to select the employee was a management decision, a manager has some responsibility to an employee rejected on probation.