

## Handbook of Operating Procedures

### PROBATIONARY PERIOD FOR CLASSIFIED EMPLOYEES

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#### A. Purpose

The probationary period is a part of the overall selection process for classified employees new to employment with The University of Texas Rio Grande Valley (UTRGV). The purpose of the probationary period is to foster a mutual understanding of expectations for the employee and of performance standards for the job.

#### B. Persons Affected

This policy applies to all newly employed regular classified staff employees with UTRGV.

#### C. Definitions

1. Classified Employee - Staff employees who are not appointed as faculty members or as administrative or professional employees.
2. Regular Employee - An employee appointed to work 20 hours or more per week for a period of four and one-half consecutive months or longer.

#### D. Policy

The policy of UT Rio Grande Valley is:

All newly appointed regular classified staff employees are required to satisfy a probationary period of six (6) continuous months from the beginning date of employment. The probationary period is used for observation and evaluation of the newly appointed classified employee's work performance by the employee's supervisor to ensure the probationary employee's performance, ability, willingness, and dependability merit continued employment at UTRGV at the end of the probationary period. During the probationary period, the supervisor will carefully evaluate the employee's performance and suitability for continued employment.

1. The probationary period is six (6) months in length and is counted in whole calendar months if the employee begins an appointment on the first of the month. If the employee begins on any other day of the month then six months from that date is counted. For example, if an employee begins employment on September 15, the probationary period will end on March 15. Any scheduled holidays that occur during the probationary period are considered as part of the probationary period. If an employee is placed on leave without pay during the probationary period, then the probationary period is extended by the same number of days that the employee is on leave.
2. The probationary period is generally applicable to newly appointed classified employees who transfer to UTRGV from another state agency or state institution of higher education, a re-hired former employee, and an employee who voluntarily transfers or is involuntarily

transferred to another UTRGV position, regardless of whether a probationary period was successfully completed at the previous institution or agency. The probationary period, however, will not apply to those employees employed at The University of Texas at Brownsville (UTB), The University of Texas – Pan American (UTPA), or The University of Texas Health Science Center at San Antonio (UTHSCSA) who previously had successfully completed a probationary period at UTB, UTPA, or UTHSCSA and who directly transitioned to UTRGV in the same or substantially similar position to the one held at UTB, UTPA, or UTHSCSA.

3. The probationary period is used for the immediate supervisor's observation of a new employee's work performance and to permit the employee to adjust to the job and work conditions. Throughout the probationary period, the immediate supervisor will provide any assistance considered necessary to improve performance or facilitate adjustment.
4. Employees returning from military service and employees reinstated as a result of a formal grievance are not required to complete a new probationary period if they previously completed a successful probationary period.
5. Upon completion of the probationary period, an employee will have all privileges of a regular classified employee.
6. UTRGV may terminate the employment of any probationary employee for any reason, with or without cause, that does not violate federal or Texas law.

#### **E. Procedures**

##### *1. Orientation.*

The immediate supervisor or designee(s) in the employee's work group will conduct a departmental orientation for the new employee. During the departmental orientation, the immediate supervisor will discuss the purpose of the probationary period and advise the employee of the length of the probationary period and when it will end.

##### *2. Expected Performance Standards.*

The immediate supervisor will provide the new employee with a clear description of the job to be performed, develop standards for the job, observe work performance, and provide feedback to the employee.

##### *3. Performance Appraisals.*

The immediate supervisor should evaluate the work performance of a probationary employee after 90 days and again before the end of the six-month probationary period. Supervisors will conduct the performance appraisal for employees utilizing the performance management tools available from the Office of Human Resources. Information about the employee's performance should be documented and submitted to the Office of Human Resources for inclusion in the employee's personnel file.

4. *Leave.*

- a. Any leave without pay, if approved, taken by an employee during the probationary period will extend the probationary period by an equal amount of time.
- b. A probationary employee accrues vacation leave and sick leave from the date of employment. However, vacation leave may not be used until completion of the probationary period, unless the employee has already met the statutory requirement for at least six months continuous state service prior to use of the leave.

5. *Termination.*

- a. UT Rio Grande Valley may terminate the employment of any probationary employee who fails to maintain satisfactory work performance standards or fails to maintain suitable and acceptable standards of conduct.
- b. Before termination, the immediate supervisor must review the facts of the case with the Office of Human Resources, which will review the proposed action with the immediate supervisor and appropriate Vice President or designee of the department.
- c. An employee terminated during the probationary period does not have access to the discipline and dismissal policies and procedures found at HOP ADM 4-303, *Discipline and Dismissal of Classified Employees*. If the employee believes that the termination was the result of unlawful discrimination or harassment under the laws or constitution of Texas or the United States, the employee may appeal the termination to the Office of Institutional Equity.

6. *Deadline for Action to Terminate.*

If an immediate supervisor determines that a probationary employee will not be retained beyond the probationary period, he or she must have termination action initiated and completed prior to the end of the probationary period.

**F. Relevant Federal and/or State Statute(s), Board of Regents' Rule(s), UTS Policy(ies), and/or Coordinating Board Rule(s)**

The University of Texas System Board of Regents' Rules and Regulations Rule 30501, Employee Evaluations

HOP ADM 4-303, *Discipline and Dismissal of Classified Employees*.

**G. Dates Reviewed or Amended**

July 11, 2022 - Reviewed and amended (non-substantive: updated responsible executive).