

## Managing Employees During the Probationary Period

<p><b>What is a probationary period?</b></p>	<ul style="list-style-type: none"> <li>• Employees serve a probationary period of 12 months from their effective hire date before attaining career status.</li> <li>• <b>Serves as an extension of the selection process!</b></li> <li>• Provides time for new employees to adjust and supervisors additional time to ensure new employees are a good fit for the organization, can satisfactorily meet performance expectations, and perform essential job functions.</li> </ul>
<p><b>Who is required to serve a probationary period?</b></p>	<ul style="list-style-type: none"> <li>• All SHRA part-time or full-time employees new to permanent or time-limited employment</li> <li>• Former SHRA employees, employees in layoff priority status, or employees transferring from another State agency who have already attained career status <b>with a break in service greater than 31 days.</b></li> <li>• Employment in a temporary appointment may not be credited toward the probationary period.</li> </ul>
<p><b>Who is not required to serve a probationary period?</b></p>	<ul style="list-style-type: none"> <li>• Once career status is attained, a new probationary period shall not be required if the employee experiences any of the following changes: <ul style="list-style-type: none"> <li>○ promotion</li> <li>○ transfer</li> <li>○ demotion</li> <li>○ reinstatement after leave of absence</li> <li>○ reassignment</li> </ul> </li> <li>• If any of the above changes occurs while an employee is serving a probationary period, the satisfied portion will be credited toward the new assignment. The employee will then be required to complete only the remaining portion of the probationary period.</li> <li>• Employees transferring from a local government entity subject to the State Human Resources Act who have already attained career status are not required to serve another probationary period, provided there is no break in service greater than 31 days.</li> </ul>
<p><b>What are the performance management requirements?</b></p>	<ul style="list-style-type: none"> <li>• <a href="#">Performance Plans</a> are issued within <b>60 days</b> of the start of employment</li> <li>• <a href="#">Probationary Reviews</a> are completed <b>quarterly</b> (every 3 months) <ul style="list-style-type: none"> <li>○ Recommended: July, October, January, April</li> <li>○ Written comments are <i>required</i>. Highlight where the employee is meeting and/or not meeting expectations.</li> </ul> </li> <li>• Supervisors may conduct additional <a href="#">off-cycle reviews</a> as often as deemed necessary and employees can request off-cycle reviews.</li> <li>• <a href="#">Employee Competency Assessments</a> (ECA) are completed <b>90 days</b> after start date</li> <li>• If the employee has been employed for at least 6 months, the supervisor must complete an <a href="#">Annual Performance Appraisal</a> at the end of the performance cycle (April 1-March 31).</li> </ul>
<p><b>In addition to performance management, what else is the supervisor expected to do during the probationary period?</b></p>	<ul style="list-style-type: none"> <li>• The supervisor is expected to provide appropriate progressive coaching/training <ul style="list-style-type: none"> <li>○ Suggestion: Once a week check-in/meeting with the employee</li> </ul> </li> <li>• If there are issues with the employee, these issues should start getting addressed <b>as early as three months in</b>. Issues can be addressed: <ul style="list-style-type: none"> <li>○ In a meeting/conversation with the employee. Then, follow up with a recap of the conversation via email.</li> <li>○ During a probationary review or other off-cycle review</li> </ul> </li> <li>• Provide clear expectations and confirm employee’s understanding</li> </ul>

<p><b>If performance is not improving, can the supervisor terminate the probationary employee?</b></p>	<ul style="list-style-type: none"> <li>• If the supervisor has provided appropriate progressive coaching and the employee’s performance/behavior is not improving, the supervisor should consult their HR representative prior to addressing performance or conduct deficiencies through the SHRA disciplinary policy.</li> <li>• Probationary employees are not protected under the disciplinary process, so supervisors can terminate at will. The employee must receive a written notification of separation.</li> <li>• Employee &amp; Management Relations (E&amp;MR) must be contacted before separating a probationary employee, as they <b>must</b> review the <a href="#">Notice of Separation during Probationary Period</a> letter before it is issued to the employee.</li> </ul>
<p><b>What is the probationary termination process?</b></p>	<ul style="list-style-type: none"> <li>• Contact your HR Consultant to initiate the process and send a draft of the Notice of Separation for review.</li> <li>• HR Consultant reviews draft Notice and may ask questions to gain further clarification of the issues and situation. The HR Consultant will forward E&amp;MR a copy of the draft Notice.</li> <li>• The College’s E&amp;MR Consultant in OHR reviews the draft Notice and may ask additional questions. They will give the greenlight to proceed with the written termination.</li> <li>• The supervisor meets with the employee to issue the Notice of Separation</li> </ul>
<p><b>Is a probationary termination grievable?</b></p>	<ul style="list-style-type: none"> <li>• Probationary employees have the right to appeal the termination under the University’s SHRA Employee Grievance Policy if they believe the decision to separate is due to: <ul style="list-style-type: none"> <li>○ Prohibited discrimination based on a protected status as defined by the Policy;</li> <li>○ Retaliation resulting from protesting prohibited discrimination as defined by the Policy; or</li> <li>○ Retaliation resulting from reporting improper government activities (“whistle blower” protection) as defined by the Policy.</li> </ul> </li> <li>• To be eligible for consideration, the employee must submit the “SHRA Grievance Initial Filing Form” to Employee &amp; Management Relations <b>within 15 calendar days</b> of receiving the separation notification.</li> </ul>
<p><b>What are probationary employees eligible for upon termination?</b></p>	<ul style="list-style-type: none"> <li>• Any applicable payouts of leave and/or other earned time off will be made to the employee.</li> <li>• For all State employees, there is <u>no</u> payout of accrued sick leave, although this leave can be restored if the employee returns to employment with the State of North Carolina within five (5) years of separation.</li> <li>• Any debts the employee owes to the University may be deducted from their last paycheck.</li> <li>• Employees can choose either to retain their contributions to the State retirement system or to withdraw their contributions from the system.</li> <li>• Employees are <u>not</u> eligible for severance pay or priority re-employment consideration.</li> <li>• A separation during probation does not necessarily keep the employee from receiving unemployment benefits. The state’s Division of Employment Security (DES) determines eligibility for unemployment benefits, not the University. However, DES may consider the reason for the separation from employment when determining eligibility.</li> </ul>

## **Helpful Resources**

- Probationary Period & Career Status for SHRA Employees: <https://hr.unc.edu/employees/policies/shra-policies/career-status/>
- SHRA Performance Appraisals & Management: <https://hr.unc.edu/managers/performance/shra/>
- Disciplinary Process (“SHRA Probationary Period”): <https://hr.unc.edu/managers/disciplinary/>