07-01.21 – PROBATION FOR REGULAR NON-EXEMPT EMPLOYEES

I. **Policy Statement:** All Regular Non-exempt employees are required to serve a trial period at work in order to demonstrate their ability to perform the duties and fulfill the responsibilities of their position.

II. **Reason for Policy:**

Towson University has established implementing procedures pursuant to the USM Policies VII-1.21, Policy on Probation for Regular Nonexempt and Exempt Staff Employees; and VII-9.20, Policy on Pay Administration for Regular Nonexempt Staff Employees. The USM policies can be found at [http://www.usmd.edu/regents/bylaws/SectionVII/VII121.pdf](http://www.usmd.edu/regents/bylaws/SectionVII/VII121.pdf), and [https://www.usmd.edu/regents/bylaws/SectionVII/VII920.pdf](https://www.usmd.edu/regents/bylaws/SectionVII/VII920.pdf) respectively.

III. **Definitions:**

A. Original probation: is a trial period of work following original appointment to a Non-exempt job classification.

B. Status-change probation: is a trial period of work as a result of reinstatement, promotion, lateral transfer or demotion.

IV. **Responsible Executive and Office:**

Responsible Executive: Associate Vice President of Human Resources

Responsible Office: Office of Human Resources

V. **Entities Affected by this Policy:** All divisions, colleges, departments and operating units; all Towson University regular non-exempt employees.

VI. **Procedures:**

A. General

1. An individual’s appointment to a position is not considered final until the individual has successfully completed the probationary period.

2. Original and status change probationary periods shall be six (6) months, with the exception of Police Officers who serve a one (1) year probation
following completion of mandated training approved by the Maryland Police and Correctional Training Commission.

3. Upon request of the supervisor, the Associate Vice President for Human Resources or the Employee/Labor Relations Manager may extend an original or status-change probationary period up to an additional six (6) months.

4. A contingent employee who is appointed as a regular employee to the same position held as a contingent will have the time spent as a contingent employee apply towards completion of the probationary period, as long as there was no break in service. However, upon request by the supervisor, and regardless of the time spent in the position, the Associate Vice President for Human Resources may require a probationary period of six months. In accordance with 3. above, the probationary period may be extended up to an additional six (6) months.

5. Employees serving an original probation are not eligible for annual merit increases.

6. Upon successful completion of an original or promotional probationary period, a 2.5% salary increase will be processed for the employee unless the employee is already at the maximum of his/her salary range.

B. Process

1. The supervisor is responsible for providing orientation and training for the probationary employee and discussing the performance factors and rating scale to be used in the Non-exempt Probation Form during the probationary period.

2. The Office of Human Resources (OHR) completes Section I of the Probation Report Form (PRF) and sends it to the new employee’s supervisor.

3. Halfway through the probation period, the supervisor completes the Interim Probation Report with appropriate signatures, discusses the rating with the employee and gives the employee a copy of the Interim Report.

4. The supervisor sends the completed interim report, marked “confidential,” to the OHR on or before the due date.

5. The OHR records the rating for the interim evaluation.
6. Prior to the end of the probationary period, the supervisor makes a decision to do one of the following:

   a. Approve the employee’s successful completion of the probationary period.

   b. Extend the Probationary Period. Original probations may be extended on a one-time basis only. The extension must be initiated prior to the end date of the probationary period.

   c. Reject the employee on probation after consultation with the Employee/Labor Relations Manager. An employee on original probation shall be provided with written notice of Rejection on Probation at least two (2) weeks prior to the expiration date of the probationary period. An employee on status-change probation shall be provided with written Notice of Rejection on Probation at least thirty (30) calendar days prior to the expiration of the probationary period. The Notice shall state the reasons for and the effective date of the rejection. The employee may be placed on Administrative Leave during the notification period and no leave will be accumulated during this time. Supervisors must advise the employee of his/her right to appeal the action under the TU policy “Special Action Appeals for Regular Non-Exempt Employees, 07-08.10.” An employee whose Rejection on Probation was not initiated on a timely basis will automatically be processed as having successfully passed probation.

   d. An employee whose job classification has been changed as a result of a promotion, and who is rejected during a status-change probationary period, must be restored to his/her former position if it is vacant or held by a contingent employee; otherwise the employee is terminated.

   e. The period of notice for original and status change rejection on probation may be shortened as necessary in the event of the employee’s incompetence or gross misconduct which jeopardizes essential services.

7. The supervisor completes the final probationary report and sends it to the Employee/Labor Relations Manager in the OHR. A copy of the report should be given to the employee.

C. Employees Not Subject to Probation

   1. An employee who has satisfactorily completed an original probationary period in a Non-exempt job class who is reinstated to the same job class
in the same department shall not serve a probationary period. If the probationary period has not been completed, the remainder of the probationary period shall be served.

2. An employee who has served an original probationary period and whose position is reclassified shall not serve a probationary period. If the employee has not completed an original probationary period and the position is reclassified, the employee shall serve the remainder of the probation in the new job class.

3. An employee who has been placed on temporary, acting, or interim assignment/reassignment shall not be subject to a probationary period.

4. An employee who has been demoted to a formerly held Non-exempt job class in which a probationary period has been previously served shall not serve a probationary period.

D. Appeal Process

1. An employee rejected on an original probationary period may appeal within five (5) working days of written notice based solely on grounds of procedural deficiency. It is not necessary to show cause for rejection on original probation. The supervisor shall give the employee a copy of the TU Policy “Special Action Appeals for Regular Non-Exempt Employees, 07-08.10.”

2. An employee rejected during a status change probationary period may appeal within five (5) working days of written notice of the rejection. The supervisor shall show cause for the rejection on status change probation, and the employee shall be given a copy of the Special Appeals Policy.

Related Policies:

USM Policy VII-1.21, Policy on Probation for Regular Nonexempt and Exempt Staff Employees

USM Policy VII-9.20, Policy on Pay Administration for Regular Nonexempt Staff Employees

TU Policy 07-08.10, Special Action Appeals for Regular Non Exempt Employees

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