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Chapter: Personnel

Modification No. 002

Subject: **Probationary and Regular Status for Staff Employees**

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- I. All staff employees must demonstrate competency in the positions to which they are appointed prior to awarding them regular status, which is defined as: the intent of the College to continue employment as long as the employee's performance is evaluated as at least satisfactory, as long as there exists an authorized and appropriate position, and as long as there is sufficient funding.
- II. The President is authorized to establish procedures to implement this policy.

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Board Approval: September 21, 1987; May 15, 2017.

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I Probationary Period

Probationary period is that period of time that an employee is required to serve in a position to demonstrate his or her knowledge, skills and ability to perform the duties of said position satisfactorily. Probationary periods are required for all new hires, and for regular staff who are promoted or transferred into a different job class, and for temporary employees who are promoted or transferred into a regular position.

II. Conditions of Probationary Status for Staff Employees

- A. The normal probationary period for staff employees shall be six months, with the following exceptions:
1. A probationary-status employee shall be required to serve at least a six-month probationary period in any regular position to which promoted. Such probationary period may run concurrently with the employee's probationary period in the original position.
  2. A temporary, acting, or interim employee filling a regular position and subsequently appointed to that position on a regular basis without a break in service shall be entitled to be credited with an amount of service credit toward regular status. The credited service shall be equal to the time served between appointment as a temporary employee and appointment as a regular employee.
  3. If there are sufficient similarities between positions, each probationary-status employee who is transferred from one regular position to another regular position of like responsibility may, upon approval by the Chief Human Resources Officer, retain the period satisfactorily served in the former position for credit towards earning regular status as a regular employee. However, depending on the specific situation, or if the prior service has not been satisfactory, the employee may be assigned a new probationary period.
- B. The Chief Human Resources Officer may, however, assign longer probationary periods when deemed appropriate and necessary to the situation.
- C. A regular-status employee transferring to a temporary position shall automatically forfeit regular status as an employee.
- D. The incumbent of a reclassified position shall retain the status-- probationary or regular-- held in that position at the time it is reclassified.
- E. Each staff employee who leaves the service of Montgomery College shall be considered a probationary employee when re-employed.

III. Regular Status

- A. A probationary employee shall become eligible for consideration for regular status upon satisfactory completion of the probationary period.
  - B. Regular status is granted to an employee when it is the intent of the College to continue employment as long as there exists an authorized and appropriate position, sufficient College funding, and as long as the employee's performance is evaluated as at least satisfactory.
  - C. A recommendation not to grant an employee regular status should be submitted by the employee's supervisor to the Chief Human Resources Officer, or designee, at least 30 calendar days before the end of the probationary period.
- IV. Procedures for Extension of Probationary Period for Staff Employees
- A. A supervisor may recommend to extend a new employee's probationary period under the following circumstances, including but not limited to, catastrophic illness, unplanned medical/family leave, unsatisfactory conduct, or poor performance.
  - B. The supervisor shall consult with the Chief Human Resources Officer, or designee, prior to making any recommendation.
  - C. A recommendation for probationary extension shall be submitted to the Chief Human Resources Officer, or designee, at least 30 calendar days prior to the date the employee is eligible for regular status
  - D. The recommendation to extend the probationary period must explain the reason(s) for the extension.
  - E. A supervisor may recommend extension of that employee's probationary period for a specified period of time, not to exceed six additional months.
  - F. The Chief Human Resources Officer, or designee, will review the recommendation. If the extension is approved, the Chief Human Resources Officer, or designee, will notify the employee in writing at least two weeks in advance of the effective date of the extension of the probationary period and three weeks prior to the date the employee is eligible for regular status.
  - G. In the event the Chief Human Resources Officer, or designee, does not approve the recommendation for extension, the Chief Human Resources Officer may grant regular status at the end of the original probationary period.
- V. Discharge During Probationary Status
- A. Recommendations for discharge must be made in accordance with 34003CP, Discharge of Administrative, Associate, and Support Staff, section II, Discharge During Probationary Period of Associate and Support Staff Employees.
  - B. If a supervisor determines that a new probationary staff employee's conduct or performance is unsatisfactory, or that other actions of the employee warrant dismissal during the probationary period, the supervisor may recommend the

employee be discharged.

- C. The supervisor shall consult with the Chief Human Resources Officer, or designee, prior to making any recommendation.
- D. A recommendation for discharge of a probationary employee shall be submitted to the Chief Human Resources Officer, or designee.
- E. A recommendation to discharge a probationary employee must explain the reason(s) and must include documentation of:
  - 1. Attempts made by the supervisor to make the employee aware of any performance improvement needs;
  - 2. Warnings given to the employee; and/or
  - 3. Any other material pertinent to the recommendation
- F. The Chief Human Resources Officer, or designee, will review the recommendation. If the discharge is approved, the Chief Human Resources Officer, or designee, will notify the employee in writing.
- G. Such notice must explain the reasons for recommending termination and must include documentation of the attempts made by the supervisor to make the employee aware of any shortcomings in the employee's performance; the attempts to motivate the employee to improve performance; warnings given to the employee; and any other material pertinent to the recommendation.

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Administrative Approval: September 21, 1987; September 27, 1990; March 1, 2004 (editorial); October 1, 2010; May 31, 2017.