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Chapter: Personnel

Modification No. 001

Subject: **Probationary and Regular Status For Support and Associate Staff Employees**

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- I. Support and associate 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.

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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.

A. Conditions of Probationary Status

1. The normal probationary period for staff positions shall be six months.
2. The Chief Human Resources Officer may, however, assign longer probationary periods when deemed appropriate and necessary to the situation.
3. A probationary employee filling a regular position shall become eligible for consideration for regular status upon satisfactory completion of the probationary period.

B. Procedures for Extension of Probationary Period

1. If the supervising administrator is not satisfied that a probationary employee's work record is sufficiently satisfactory to warrant recommending that the employee be granted regular status, he or she may recommend extension of that employee's probationary period for a specified period of time, not to exceed a total of six months. This recommendation shall be in writing and shall be submitted to the Director of Employee Engagement & Labor Relations at least three weeks prior to the date the employee is eligible for regular status. A copy of such recommendation shall also be forwarded to the Chief Human Resources Officer.
2. Such recommendation must explain the reasons for recommending an extension and must include documentation of: the attempts made by the supervisor to make the employee aware of any shortcomings in his or her performance; the attempts to motivate the employee to improve his or her performance; warnings given to the employee; and any other material pertinent to the recommendation.
3. After review and approval of the recommendation by the Director of Employee Engagement & Labor Relations, the employee shall be notified in writing by the Director of Employee Engagement & Labor Relations of the extension of the probationary period at least two weeks in advance of the effective date of extension and three weeks prior to the date the employee is eligible for regular status. A copy shall also be forwarded to the Chief Human Resources Officer.

4. At least 30 days prior to completion of the extension, the supervising administrator shall decide whether to recommend that the employee be granted regular. The supervising administrator shall prepare an appropriate written recommendation to the Chief Human Resources Officer. 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, and forwarded to the Director of Employee Engagement & Labor Relations with a copy to the Chief Human Resources Officer.
  
56. In the event the Director of Employee Engagement & Labor Relations does not approve the recommendation for extension, the Chief Human Resources Officer may grant regular status. In the event of a disagreement, the supervisor may appeal such action to the Senior Vice President for Administrative and Fiscal Services.

II. Regular Status

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.

A recommendation to grant an employee regular status must be in writing and should be submitted to the Chief Human Resources Officer at least three weeks before the recommended effective date. The recommendation should be made by the supervising administrator and shall specifically contain both a certification that the employee's work record is at least satisfactory and a statement that the granting of regular status is recommended.

A. Effective Date of Regular Status

1. Regular status shall be effective upon the satisfactory completion of an employee's probationary period.
  
2. When an employee who has previously earned regular status in a regular position is promoted or transferred into a different occupational class, he or she may be awarded regular status in the new position upon satisfactory completion of a probationary period in that position. The effective date shall be the date on which the promoted/transferred employee satisfactorily completes the probationary period in the position to which he or she has been promoted or transferred.

B. Earned Credit Towards Regular Status

Circumstances in which an employee may or may not receive credit toward regular service are as follows:

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 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, he or she may be assigned a new probationary period.
  4. A regular-status employee transferring to a temporary position shall automatically forfeit regular status as an employee.
  5. A temporary employee transferring or being promoted as a probationary employee to a regular position shall be required to serve the probationary period of that position before becoming eligible for regular status.
  6. The incumbent of a reclassified position shall retain the status-- probationary or regular-- held in that position at the time it is reclassified.
  7. Each support or associate staff employee who leaves the service of Montgomery College shall be considered a probationary employee when re-employed.

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