

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Probationary Periods	PAGE <u> 1 </u> OF <u> 2 </u> .
	NUMBER: 34-PRO-09
RULE/CODE REFERENCE: ORC 124.27; 124.34; OAC 123:1-19; 123:1-23	SUPERSEDES: 34-PRO-09 dated 10/20/14
RELATED ACA STANDARDS: 4-4059; 2-CO-1C-15	EFFECTIVE DATE: September 11, 2015
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to support and abide by Ohio Civil Service Laws and Rules and applicable collective bargaining agreements pertaining to initial probationary periods.

III. APPLICABILITY

This policy shall apply to all permanent part-time and permanent full-time employees of the Ohio Department of Rehabilitation and Correction.

IV. DEFINITIONS

Inter-agency Promotion - The act of promoting an employee from one agency to another agency with a different over-all appointing authority.

Intra-agency Promotion - The act of promoting an employee from one position to another within the same agency or over-all appointing authority.

Probationary Period - The period of time at the beginning of an original appointment or the period of time immediately following a promotion and/or position change in accordance with applicable bargaining unit agreement.

Probationary Removal - The termination of an employee's employment for unsatisfactory performance during the employee's probationary period.

Reduction - To be demoted to the position from which the employee was promoted.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction that all newly hired permanent part-time and permanent full-time employees shall serve an initial probationary period. An additional probationary period shall also be required when a promotion occurs and/or when a position change occurs in accordance with applicable bargaining unit agreement. The length of probationary periods shall conform to provisions set forth under the Ohio Civil Service Laws and Rules and applicable collective bargaining agreements. Probationary periods within the Department shall provide that employees covered by merit systems, civil service regulations, or union contract are appointed initially for a probationary term of at least six months but no longer than one year.

VI. PROCEDURES**A. Initial Probation**

All newly appointed employees shall be evaluated for performance in accordance with Ohio Civil Service Laws and applicable collective bargaining contracts. Employees shall be evaluated at the midpoint and at the end of the probationary period and may be terminated if his/her performance is unsatisfactory.

B. Probationary Extensions

An appointing authority may, with the consent of the employee and approval of the Director, extend an exempt employee's probationary period for up to sixty days to allow additional time to review the employee's performance. A probationary period extension shall only be granted if an employee consents to the extension prior to the end of the employee's normal probationary period. Bargaining unit employees may have their probation period extended in accordance with the terms of the applicable collective bargaining unit agreement.

C. Probationary Removals

1. Inter-agency promotion

If an employee accepts an inter-agency promotion and is found to be unsatisfactory in the advanced position, the receiving agency may remove the employee or may demote the employee to a position within the receiving agency that is the same or similar to the position the employee held at the releasing agency prior to promotion. The employee has no right to resume a position with the releasing agency.

2. Intra-agency promotion

If an employee accepts an intra-agency promotion and is found to be unsatisfactory in the advanced position, the employee shall be demoted to the position from which the employee was promoted or to a similar position. Upon such demotion, the employee's salary shall be the same that the employee was receiving prior to promotion, except for changes in pay range that may have occurred or any step increase to which the employee would have been entitled in the lower classification.

3. A probationary employee duly removed for unsatisfactory service does not have a right to appeal the removal or reduction.