



CITY OF MILES CITY PERSONNEL POLICY

Section 3:

Employment
Information

Effective:

10/14/2014

Last Revised:

10/7/2014

Probationary & Trial Period

- This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

PURPOSE

The City of Miles City believes that an employee should have time to adjust to new surroundings, assume an increasing workload and prove that he or she is the proper person for the position.

POLICY

The City of Miles City's policy for a newly hired employee is that he or she is subject to a probationary period.

PROCEDURE

A. Probationary Period:

1. All newly hired employees must serve a period of initial probation. Police Officers, Firefighters and Dispatchers serve a probationary period of one year; all other non-union employees serve a minimum of six months one year probation, unless otherwise defined by a Collective Bargaining Unit.
2. The "Employment Confirmation Letter" received by the employee, signed by the Mayor, and shall state length of probationary period.
3. The probationary period is designed to give the employee time to learn the position and to give the Department Director/Supervisor time to evaluate the employee's potential and performance. Probationary employees will be formally evaluated at three (3) months of employment and one (1) month prior to completion of their probationary period, using the City's "Employee Performance Appraisal" form. During the established initial probationary period, the City reserves the right to terminate the probationary employee's service with or without cause, provided; however, the employer shall not discharge or otherwise discipline an employee for protected union activity, public policy or written policies.

4. Rejected probationers shall be notified of such action in writing by the Department Director at any time during the initial probationary period, and copies of said notifications shall be retained in their personnel files.
5. At the end of the initial probationary period, the employee is formally evaluated and provided written documentation of progress. Other evaluations, as noted above, will be conducted during the course of the probationary period to assess performance and to advise employees of expectations regarding performance. Significant job deficiency(ies) shall be documented in the employee's personnel file. These evaluations provide the necessary justification for retention for the person as a permanent employee.
6. Under unusual circumstances, the initial probationary period may be extended. This is only after an evaluation of the situation, the employee's abilities, and demonstrated potential. Probation extension is done only upon recommendation of the Department Director. The Department Director must notify the employee in writing on or before the end of the established probationary period that it will be extended, and the department must inform the employee of the length of the extension.
 - ✓ An employee whose probationary period has been extended does not attain permanent status until the employee successfully completes the additional probationary period.
 - ✓ Provisions of the City Discipline Handling Policy, the Grievance Policy and the Reduction in Work Force Policy do not apply to a probationary employee.
7. The Department is permitted, but not required, to credit time in an approved leave of absence without pay toward completion of a probationary period. This includes leaves of absence between seasons for a seasonal employee. Employees returning from an approved leave of absence without pay are not required to begin a new probationary period.
8. If the employee successfully completes the probationary period, the Department Director will notify the Human Resources/Payroll Office. The Human Resources/Payroll Office will complete a "Payroll Change" sheet to be signed by the Department Director and Mayor. A "Longevity Letter" will then be sent to the employee by the Human Resources/Payroll office informing the employee that he or she has successfully completed his or her probationary period and is now a permanent employee.

B. Confirmation of Firefighters and Police Officers:

The City Council will confirm all permanent appointments of Police Officers and Firefighters on probation.

1. The Police Chief will review with the Human Resources Committee the performance history of each probationary Police Officer at least thirty (30) days prior to the end of the employee's probationary period. Based on this review, the Committee shall then make a recommendation to City Council regarding the confirmation or non-confirmation on each probationary employee. Confirmation is subject to the vote of the entire City Council.

2. The Fire Chief will make a written recommendation to the Mayor for appointment of a Probationary Firefighter. The Mayor may nominate and, with the consent of the City Council, appoint the Firefighter.

C. Trial Period:

1. After an employee has attained permanent status, a trial period may be established upon promotion, reassignment or reclassification, which shall be used to determine if the employee will be retained in the new position or returned to the former or equivalent position. The trial period shall not exceed six (6) months.
2. Whenever a trial period is a condition of an employee's promotion, reassignment, or reclassification, the Mayor or Department Director will inform the employee at the time the employment offer is made.
3. The immediate supervisor shall conduct a performance appraisal prior to the end of the trial period, using the "Employee Performance Appraisal" form.
4. During the trial period, the Department may return an employee to the former or approximately equivalent position.
5. Any employee who will not be retained in the new position will be so notified in writing by the Mayor or Department Director, with the concurrence of the Human Resources Committee prior to the end of the trial period.
6. The policy on trial periods does not obligate the City to return an employee to a former position or equivalent in lieu of other personnel actions that could be taken in accordance with the City Reduction-in-Force or Discipline Handling Policies.
7. A department may require an employee who has not attained permanent status and who is promoted or reassigned within the department to successfully complete the remaining time of his or her probationary period in the new position.

CLOSING

Vacation and sick leave are accrued during the initial employment period. Sick leave may be used after ninety (90) days of continuous employment and vacation leave may be used after six months of continuous employment.

Employees terminating from the City prior to three (3) months or six (6) months will not receive sick or vacation payout, respectively.

