

Probationary Period for University Staff Employees

Effective Date Saturday, January 1, 2011

Status Final

Last Revised Tuesday, November 16, 2021

Policy Type [University](#)

Contact Office

[UVA Human Resources](#)

Oversight Executive

[Vice President and Chief Human Resources Officer](#)

Applies To

Academic Division The College at Wise

Table of Contents

[Policy Statement](#)

1. [Performance Expectations and Progress Reviews](#)
2. [Extended Probationary Period](#)
3. [Disciplinary Action or Termination during Probationary Period](#)
4. [Transfers and Other Changes in Status](#)
5. [Roles and Responsibilities](#)
6. [Compliance with Policy](#)

[Procedures](#)

Reason for Policy

The University strives to hire and retain knowledgeable and competent staff. This policy establishes guidelines under which a University Staff employee serves a trial period to both demonstrate the ability to perform the duties and fulfill the responsibilities of the position and to assess interest in and suitability for the position.

Definition of Terms

Career Conversations

A discussion between the manager and employee that focuses on the employee's career aspiration and development goals, and the skills, capabilities and performance needed to excel in the current job or prepare for new responsibilities.

Human Resources Management System (HRMS)

The current human resources management system or human resources information system used for tracking and maintaining an electronic record of employee time and attendance, leave, benefits administration, pay details,

performance management, and related human resources documentation.

Managerial & Professional Staff Employee (M&P)

University staff employees who manage a division or subdivision of a major academic or administrative unit and/or exercise significant knowledge, discretion and independent judgment gained through advanced education or experience. This category includes coaches, other than Head or Associate Head Coaches/Coordinators, on individually negotiated contracts. M&P Staff are typically exempt employees under the provisions of the Fair Labor Standards Act (FLSA), and therefore not subject to the FLSA provisions governing the payment of overtime.

Operational & Administrative Staff Employee (O&A)

University staff employees performing office, laboratory, student, and library support; building construction and maintenance; equipment services; public safety; and other operational responsibilities. O&A Staff are typically non-exempt employees under the provisions of the *Fair Labor Standards Act* (FLSA), and therefore are subject to the FLSA provisions governing the payment of overtime.

Probationary Period

The period of initial employment (typically 12 months), that provides the employee and the University the opportunity to assess whether the employee is suited for the position.

University Staff Employees (University Staff)

Those salaried, non-faculty employees hired on or after July 1, 2006, and those salaried non-faculty employees and administrative and professional faculty electing to participate in the UVA Human Resources System established by the Board of Visitors under the authority granted by the *Restructuring Act* and the *Management Agreement*. (The term “University Staff Employee” includes all three categories of University staff employees - Operational & Administrative, Managerial & Professional, and Executive & Senior Administrative.)

Management Agreement

The [agreement](#) between the University and the Commonwealth required by Subsection D of § 23.1-1004 of the *Restructuring Act*.

Restructuring Act

The [Restructured Higher Education Financial and Administrative Operations Act](#), Chapter 10 of Title 23.1 of the Code of Virginia.

Policy Statement

All University Staff employees in Managerial & Professional and Operational & Administrative Staff positions, newly hired or rehired following a break in service, must serve a minimum twelve-month probationary period effective from the date of hire. The probationary period allows the University department or school to evaluate the progress and skills of the newly hired employee against established performance and conduct expectations, determine appropriate assignments, and monitor other aspects of the employee’s performance. The probationary period also presents the opportunity to gauge the appropriate fit between the employee’s skills, interests, and

experience with the requirements of the position.

University Staff in M&P positions who were hired on an individually negotiated contract are not required to serve a probationary period and are governed by the terms and conditions of their employment contract.

University Staff in Executive positions are not required to serve a probationary period and are governed by the terms and conditions of their employment agreement.

1. Performance Expectations and Progress Reviews:

Supervisors are required to engage in ongoing Career Conversations with employees, and within the first 30 days of employment, supervisors must acknowledge in the current Human Resources Management System (HRMS) that they have discussed expectations with probationary employees.

An ongoing discussion is the performance management process that takes place on a regular basis throughout the performance cycle, where the supervisor sets expectations and provides performance feedback, training, coaching, and mentoring to the employee. At a minimum, the ongoing discussion includes the initial 1:1 meeting that occurs within 30 days of hire and a six-month review for new hires during the probationary period to inform the employee of progress in achieving or exceeding performance goals. The six-month review must be documented in the HRMS.

Decline in performance during the second half of the 12-month period following a satisfactory review may result in either the extension of the probationary period or termination. Immediately prior to completion of the 12-month period, supervisors must meet with employees to review performance. Supervisors should notify employees during that meeting whether they have successfully completed the probationary period. Supervisors should note in the HRMS at the close of the probationary period whether the probationary period has been successfully completed. Satisfactory completion of the probationary period does not automatically entitle the employee to continued employment. After successful completion of the probationary period, the employee is governed by policy [HRM-021: Terms and Conditions of University Staff Employment](#) and all other applicable University policies.

2. Extended Probationary Period:

Supervisors may extend the probationary period beyond the 12 months for up to six additional months for extenuating circumstances such as absences, a new supervisor, or change in duties; however, the total probation period may not exceed 18 months, excluding periods of leave with or without pay (see paragraph below). The probationary period may not be extended due to continued unsatisfactory performance or conduct reasons. Employees must be notified in writing if their probationary periods will be extended at least 30 days before the end of the initial 12-month probationary period. Failure to notify the employee in writing of an extension will end the probationary period at the 12-month mark. The reasons for extending probation must be documented by the supervisor and this decision approved by an independent reviewer within the supervisor's management chain. The required documentation must provide specific information to the employee about performance expectations, the reasons for extension, and the period for which probation is extended.

Probationary periods must be extended by the same amount of time as the leave taken when probationary employees are on any leave with or without pay for more than 10 consecutive working days (i.e., 80 consecutive working hours). Such leave includes Workers' Compensation, Family Medical Leave,

Military Leave, or VSDP (Virginia Sickness and Disability Program) short term disability leave or long-term disability working status. Also included are periods of short-term disability where the employee is working in an “active employment” status with restrictions/modifications.

If an employee moves to a new position during the probationary period, the term of the probationary period may remain as the original 12 months or the term may be extended to provide the new supervisor the benefit of the full 12-month period. However, the total time served in probationary status may not exceed 18 months (excluding any periods of leave exceeding 10 consecutive working days as detailed above).

3. Disciplinary Action or Termination during Probationary Period:

Prior to, or in lieu of termination, supervisors may discipline probationary employees. The [Standards of Conduct](#), while not mandatory for probationary employees, are recommended to guide the disciplinary process.

At any time during the probationary period, the hiring department or school may determine that the employee is unsuitable for the position and may terminate the employee for any reason not otherwise prohibited by law; however, supervisors must document the reasons for termination, and must provide employees with notice of termination. Approval by an independent reviewer in the supervisor’s management chain is required for any termination of a probationary employee. Supervisors must consult with Human Resources prior to terminating a probationary employee.

Probationary employees are terminated without recourse to the State Grievance procedure (Title 2.2, Chapter 30; §2.2-3000 et seq. Code of Virginia) or the University’s Resolving Grievances Policy.

Employees concluding that they are unsuited for the position may resign at any time during the probationary period.

4. Transfers and Other Changes in Status:

The following University Staff Employees who have successfully served a probationary period and received a satisfactory performance evaluation from their prior supervisors are not required to serve a new probationary period if they are:

- Transferring to another University Staff position within the University.
- Promoted to new positions within the University.
- Transferring from other State agencies (including state institutions of higher education and the University of Virginia Medical Center) to positions within the University.
- In a classified position, have satisfactorily served a probation period, and have elected University Staff status.

[Administrative & Professional](#) (A&P) faculty and academic faculty (teaching and research) who elect University Staff status and have completed the first 12 months of employment are not required to serve a new probationary period. Effective January 3, 2007, the University no longer hires Administrative or Professional General Faculty members.

5. Roles and Responsibilities:

The *Employee* is responsible for:

- Understanding the performance expectations established for the position and how the assigned duties and responsibilities contribute to the University's mission and strategic goals and objectives.
- Engaging in Career Conversations with the supervisor and participating in the process of developing performance expectations.
- Acknowledging in the Human Resources Management System the supervisor-led discussion related to employee performance and behavior expectations.
- Performing duties of the position in accordance with established expectations.
- Actively discussing performance with the supervisor throughout the probationary period and beyond.
- Completing a self-evaluation (strongly encouraged).
- Complying with University policies and procedures.

The *Supervisor/Department Head* is responsible for:

- Explaining the purpose of the 12-month probationary period to the staff employee on the employee's first day of work.
- Establishing and communicating performance and conduct expectations within the first 30 days of employment regarding job performance in the new position and documenting this conversation in the current Human Resources Management System.
- Communicating the University's core values and leadership principles.
- Providing training covering specific duties and responsibilities of the position.
- Engaging in ongoing Career Conversations with probationary employees and providing feedback during the probationary period, including documenting the occurrence of six-month evaluations for probationary employees.
- Maintaining confidentiality of the evaluation document and other related Human Resources forms.
- Consulting with Human Resources prior to termination.
- Understanding and actively supporting the University's performance management process.
- Changing employee performance expectations when major changes to an employee's job occur.
- Providing notice of an extension to the probationary period no later than 30 days prior to the end of the initial probationary period.
- Facilitating compliance with all federal and state law and University policies.

UVA Human Resources is responsible for:

- Providing employee and supervisory training on the performance management process.
- Providing support and coaching to supervisors and employees.
- Monitoring and administering the probationary performance management process.
- Maintaining records and providing reports as necessary.
- Facilitating compliance with all federal and state law and University policies.

6. **Compliance with Policy:**

Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

Questions about this policy should be directed to [UVA Human Resources](#).

Procedures

[Probationary Status.](#)

Related Information

[HRM-018: Performance Management for University Staff Employees](#)

[HRM-021: Terms and Conditions of University Staff Employment](#)

Major Category [Human Resource Management](#)

Next Scheduled Review Saturday, November 16, 2024

Revision History

Revised for DEI considerations 11/16/21; Added Compliance section 7/20/21; Updated 3/30/11, 1/1/2011, 6/2/09.

Applies To Text

Academic Division and College at Wise.

Last modified February 5, 2024 - 3:07pm

Approved By Executive Vice President and Chief Operating Officer

Approved Date January 24, 2009 - 12:00pm