HRM-020

Probationary Period for University Staff Employees

Effective Date Saturday, January 1, 2011

Status Final

Last Revised Friday, May 2, 2025

Policy Type University

Contact Office UVA Human Resources

Oversight Executive
Vice President and Chief Human Resources Officer

Applies To Academic Division and College at Wise.

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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

Human Resources Management System (HRMS)

Description

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)

Description

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 on individually negotiated contracts, other than head or associate head coaches/coordinators (see definition of E&SA). 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)

Description

University staff employees performing duties and having other operational responsibilities in areas such as, but not limited to, 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

Description

The trial period of initial employment (12 months not to exceed 18 months as a result of an approved extension), that provides the employee and the University the opportunity to assess whether the employee is suited for the position.

University Staff Employees (University Staff)

Description

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

Description

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

Restructuring Act

Description

The *Restructured Higher Education Financial and Administrative Operations Act*, Chapter 10 of Title 23.1 of the Code of Virginia.

Performance Conversation

Description

A discussion between the manager and employee that focuses on setting goals and understanding performance expectations, giving and receiving feedback, and professional development.

Policy Statement

A University staff employee in a Managerial & Professional (M&P) or an Operational & Administrative (O&A) staff position, newly hired or rehired following a break in service, must serve a minimum 12-month probationary period effective from the date of hire. The probationary period allows the University school/department/unit 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:**
   A supervisor is required to meet with the newly hired employee and engage in a performance conversation within the first 30 days of employment. Within 60 days of the hire, the supervisor must acknowledge in the Human Resources Management System (HRMS) or document in their school/department/unit's files that they have held the performance conversation with the probationary employee.

   The performance management process occurs on a regular basis throughout the performance cycle, where the supervisor sets expectations; provides training, coaching, and mentoring to the employee; and informs the employee of progress in achieving or exceeding performance goals.

   Performance that does not meet expectations during the second half of the 12-month probationary 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, the supervisor must meet with the employee to review performance and inform the employee whether they have successfully completed the probationary period. At the end of the probationary period, the supervisor documents whether the employee has successfully completed the probationary period. 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. **Probationary Period Extension:**
   A supervisor may extend the probationary period beyond the 12 months for up to six additional months for the following reasons: (1) approved leave of absences; (2) assignment of a new supervisor; or (3) substantial change in duties. The length of the extension is determined by the supervisor in conjunction

with school/department/unit management and UVA Human Resources (UVA HR). The total probationary 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 continuous unsatisfactory performance or misconduct reasons during the 12-month probationary period.

If an employee's probationary period will be extended by 30 days or more, the employee must be notified in writing prior to 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 approved by the school/department/unit management (or designee) in consultation with Employee Relations. The required documentation must provide specific information to the employee stating performance expectations, the reason(s) for the extension, and the period for which probation is extended.

If the supervisor elects to extend the probationary period, it must be extended by the same amount of time as the leave taken when a probationary employee is on any approved 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 Virginia Sickness and Disability Program (VSDP) 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 transfers to a new position during the probationary period, the term of the probationary period may remain as the original 12 months, or the period may be extended up to an additional six months to provide the new supervisor time to assess the employee's job performance. 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, a supervisor may discipline a probationary employee. The Standards of Conduct, while not mandatory for a probationary employee, are recommended to guide the disciplinary process.

   At any time during the probationary period, the hiring school/department/unit may determine that the employee is unsuitable for the position and terminate the employee for any reason other than those prohibited by law or University policy, including any prohibited reason based on a protected characteristic or status set forth in the University's Notice of Non-Discrimination and Equal Opportunity. The supervisor must document the reason(s) for termination and provide the employee with notice of the termination. Approval by school/department/unit leadership is required for any termination of a probationary employee. The supervisor must consult with Employee Relations prior to terminating a probationary employee.

   A probationary employee is 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 policy HRM-027: Resolving Grievances for University Staff Employees.

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

4. **Changes in Status and Transfers:**
   A University staff employee who has successfully served a probationary period and received a satisfactory annual performance evaluation from their prior supervisor(s) is not required to serve a new probationary period if they:

   - Transferred to another University staff position within the University.
   - Were promoted to a new position within the University.
   - Transferred from another State agency to a position within the University (including a state institution of higher education).
   - Satisfactorily served a probationary period in a classified position and have voluntarily elected to convert to University staff status.

   Administrative & Professional (A&P) faculty and academic faculty who elect to become University staff and have completed the first 12 months of employment are not required to serve a new probationary period. (Effective January 3, 2017, the University no longer hires Administrative or Professional General Faculty members.)

   Medical Center Employee Transferring to the Academic Division: An employee transferring from a Medical Center position to an Academic Division position who has (1) completed the six months probationary period as a Medical Center employee; and (2) has been in their current role for at least one year, is not required to complete a new probationary period.

   An employee transferring from the Medical Center to an Academic Division position who has (1) completed the required six months probationary period as a Medical Center employee; and (2) **has not been** in the position for at least one year, must complete an additional six-month probationary period.

   Academic Division Employees Transferring to the Medical Center: Regular full-time or part-time University staff employed by the Academic Division who (1) have satisfactorily completed the 12-month probationary period in the Academic Division pursuant to this policy and without a break in service; and (2) begin employment with the Medical Center, are not required to complete the Medical Center probationary period. (See Medical Center Probationary Period Policy for more information.)

   Note: The annual performance evaluation or probationary period review for an internal transfer will be accessible in the HRMS by the receiving supervisor.

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 ongoing performance conversations with the supervisor and participating in the process of developing performance 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*** 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 within 60 days, documenting this conversation in the HRMS or the school/department/unit's files.
- Communicating the University's core values and leadership principles.
- Providing training covering specific duties and responsibilities of the position.
- Engaging in ongoing performance 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 of a probationary employee.
- 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 applicable federal and state law and University policies.

UVA Human Resources is responsible for:

- Administering and monitoring the probationary performance management process.
    - Determining the probationary period for an interagency transfer, if applicable.
    - Obtaining probationary period documentation from the agency from which the employee is transferring.
- Maintaining employment records and providing related reports as necessary.
- Facilitating compliance with applicable 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.

   Direct questions about this policy to UVA Human Resources.

Procedures

Probationary Status.

Related Information

HRM-018: Performance Management & Career Development for University Staff Employees
HRM-021: Terms and Conditions of University Staff Employment
HRM-027: Resolving Grievances for University Staff Employees
University's Notice of Non-Discrimination and Equal Opportunity
Medical Center Probationary Period Policy

Major Category Human Resource Management

Next Scheduled Review Thursday, January 27, 2028

Revision History

Minor edit for clarity Section 2 5/2/25; Clarified probationary period extensions, added language for transferring employees; 1/27/25; Revised for DEI considerations 11/16/21; Added Compliance section 7/20/21; Updated 3/30/11, 1/1/2011, 6/2/09.

Approved By Executive Vice President and Chief Operating Officer

Approved Date Saturday, January 24, 2009