New Employee Probationary Period

Definitions

**Probationary Period**: A period of six months (180 days) for a new UTMB employee. The period begins with the first day of appointment to a regular position.

**Probationary Employee**: All newly hired regular employees of UTMB (Classified, Administrative, and Professional).

**Employment at will**: An employment relationship in which either party can terminate the relationship without prior notice and for any reason permitted by law.

**Non-Probationary Employee**: Faculty are not subject to the six month probationary period for job performance but are subject to rules related to use of vacation time by state employees during the first six months of employment.

**Regular Employees**: Classified, Administrative and Professional employees who are appointed at least half time (20 hours per week) for a period of four and one-half months or more.

Newly transferred employees from other state agencies are subject to this policy for performance progress. Newly transferred employees from within UTMB who have completed their original probationary period do not fall under the guidelines of this policy. Non-probationary employees and employees who are appointed in positions not meeting criteria as regular employees are subject to employment-at-will policies.

Policy

Supervisors are responsible for providing new employees with the following information pertaining to the employees' probationary period:

1. All new employees of UTMB have a six months (180 days) probationary period.
2. Probationary periods are only extended when an employee is on an approved leave of absence without pay during the six months (180 days) probationary period.
3. The supervisor will conduct a departmental orientation for the new employee, discussing the purpose of the probationary period and reviewing the length of the probationary period.
4. The supervisor will provide the new employee with a clear description of the job to be performed, communicate the
### Policy, continued

Standards for the job, observe work performance, and provide feedback to the employee.

5. Probationary employees should be evaluated within the first 180 days of their employment. If performance issues arise before the 180 day probationary period ends, there shall be a documented discussion with the employee.

### Use of Accruals by Probationary Employees

A probationary employee will accrue vacation time, and sick leave monthly, but may not use vacation time until the probationary period (180 days) has been met. Accrual of sick leave begins on the first day of employment and may be taken upon accrual, with supervisory approval, in accordance with Policy 3.9.8, Sick Leave.

Probationary employees who have completed six continuous months of regular employment at another state agency may use accrued vacation with supervisory approval time during the probation period at UTMB with departmental approval.

### Transfers During Probationary Period

During the probationary period, the probationary employee may not transfer to another position or department within UTMB unless there is written approval from the Associate Vice President of Human Resources and Employee Relations.

### Pay Increases

Probationary employees are not eligible for merit increases.

### Appealing a Dismissal

A probationary employee may be dismissed at any time for performance deficiencies if the manager has communicated these deficiencies in writing to the employee and has discussed the issue with the appropriate Human Resources representative. Probationary employees do not have the right to appeal a dismissal from employment unless the alleged termination was based on unlawful discrimination.

A probationary employee who alleges that his or her termination from employment was based on unlawful discrimination and who is restricted from using the appeal procedures for employee dismissals may utilize the grievance process in accordance with the UTMB Grievance Policy 3.1.10 to pursue that complaint. The burden of proof is on the probationary employee who must submit written details of the facts to Human Resources Employee Relations. Such grievances are processed in the same procedural manner as other grievances as provided for in the Grievance Policy, 3.1.10.
| Section | Human Resources Policies | 05/01/95 - Originated  
|         | Subject | Employee Relations | 09/07/12 - Reviewed w changes  
| Policy  | 3.3.7   | New Employee Probationary Period | 10/03/12 - Effective  
|         | Policy  |                      | Human Resources - Author |

**References**

- IHOP Policy 3.1.9, Discipline, Dismissal and Appeal for Classified Employees
- IHOP Policy 3.1.10, Grievance
- IHOP Policy 3.6.12, Vacation