

Chapter Pers 9

PROBATION

Pers 9.01	Duration of probation	Pers 9.03	Probationary service reports
Pers 9.02	Dismissal during the probationary period	Pers 9.04	Permanent appointment

(Section 16.22 (1) Wis. Stats.)

Pers 9.01 Duration of probation. (1) **SIX MONTHS' PROBATION REQUIRED.** All original and all promotional appointments to permanent positions in the classified service shall be subject to a probationary period of 6 months, which shall commence upon the date of actual employment in the position; provided, however, that a promotion, demotion, or other change in job status shall not affect the permanent status and rights acquired by an employe in his previous position within that department. *Res (1)*

(2) **LAPSE IN EMPLOYMENT.** When an employe serving a probationary period suffers a lapse in employment, approved by his appointing authority, of not more than 30 calendar days, the appointing authority, in consideration of the employe's performance during that portion of the probationary period actually worked, may, at his discretion, determine whether the employe's probationary period shall be extended to cover such absence. *a*

(3) **REEMPLOYMENT.** In case a former employe is reemployed within the same department on a reemployment basis, he shall not be required to serve another probationary period. *1*

(4) **CARRY-OVER OF PROBATION.** If an employe is laid off or otherwise separated from the service during the probationary period and is later reappointed from the same register to the same or a similar job in the same department, the probationary period already served shall be carried over and applied toward the period following the second appointment. *a*

(5) **TRANSFER DURING PROBATION.** If an employe is transferred during his probationary period from a position under one appointing authority to a position under another appointing authority, the second appointing authority may in his discretion permit the granting of credit for the portion of the probationary period previously completed. *1*

(6) **TRANSFER OF PERMANENT EMPLOYEES.** Permanent employes transferred from the jurisdiction of one appointing authority to that of another appointing authority may be required to serve a full 6-month probationary period at the discretion of the second appointing authority. *1*

(7) **NOTICE TO EMPLOYE REQUIRED.** In cases where transferred probationary or permanent employes are required to serve a full 6-month probationary period beginning on the date of the transfer, written notice of this requirement shall be given to the employe and a copy of this notice shall be filed with the director prior to the effective date of the transfer. In the absence of such notice, transfer of a proba- *1*

tionary employe shall not affect the running of the probationary period and transfer of a permanent employe shall be with such status and not subject to a probationary period.

am (8) EMERGENCY, PROVISIONAL, AND TEMPORARY EMPLOYMENT. Time served on emergency, provisional or temporary employment shall not be counted as part of the probationary period.

Pers 9.02 Dismissal during the probationary period. (1) APPOINTING AUTHORITY MAY DISMISS DURING PROBATION. At any time during the probationary period, the appointing authority may dismiss an employe whose conduct or capacity does not merit his continuance in the service.

(2) DISMISSAL NOTICE REQUIRED. If in the judgment of the appointing authority the conduct or capacity of a probationer is not satisfactory, the probationer shall be notified in writing, and a copy of the notice shall be sent to the director prior to the completion of the period, stating that while he may be permitted to work to the end of the 6-months period, he will not be retained beyond that time or receive permanent appointment.

(3) NAME TO BE RETURNED TO EMPLOYMENT REGISTER. If an employe is removed during his probationary period, his name may be returned to the employment register from which he was certified, if such list is still in effect, providing the director finds that he is suitable for appointment to another position and it is in the interest of the state service to do so.

Pers 9.03 Probationary service reports. At such times during the probationary period and in such manner as the director may require, the appointing authority shall report to the director his observation of the employe's work and his judgment as to the employe's willingness and ability to perform the duties of the position satisfactorily, and as to his suitability and dependability.

am { **Pers 9.04 Permanent appointment.** If the probationer's services have been satisfactory during the probationary period, the appointing authority shall notify the director in writing that such is the case and that the employe will be continued on a permanent basis. A copy of such notice shall be given the employe. However, if the appointing authority fails to send such notice, the employe's permanent status shall become effective on the first day after the completion of the 6-months probationary period.