

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, Wis. Stats.)

**Pers 9.01 Duration of probation.** (1) (a) *Six month's 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.

(b) *Effect of transfer, reinstatement or demotion.* When an employe is transferred, reinstated or demoted he may be required to serve a new probationary period.

(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 or due to injury arising from state employment and covered by the workmen's compensation act, 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.

(4) **CARRY-OVER OF PROBATION.** (a) If an employe is laid off 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.

(b) When an employe is reinstated, transferred, or changed from a seasonal to a permanent position he may be given credit for that part of the probationary period already served.

(7) **NOTICE TO EMPLOYE REQUIRED.** In cases where an employe is required to serve a probationary period on transfer, reinstatement or demotion, written notice shall be given to the employe and a copy of this notice shall be filed with the director within 30 days of the effective date of the action. In the absence of such notice this employment shall not be subject to a probationary period.

(8) **EMERGENCY, PROVISIONAL, TEMPORARY, SHORT-TERM, PROJECT, PART-TIME AND STUDENT EMPLOYMENT.** Time served on emergency, provisional, temporary, short-term, project, part-time or student employment shall not be counted as part of the probationary period.

**History:** 1-2-56; renum. (1) to be (1) (a); cr. (1) (b); am. (2); r. (3); am. (4); r. (5) and (6); r. and recr. (7); am. (8), Register, April, 1958, No. 28, eff. 5-1-58.

**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.

**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 work day after the completion of the 6 months probationary period.

**History:** 1-2-56; am. Register, April, 1958, No. 28, eff. 5-1-58.