

VII-1.21 - POLICY ON PROBATION FOR REGULAR NONEXEMPT AND EXEMPT STAFF EMPLOYEES

(Approved by the Board of Regents on July 12, 1996; Amended October 9, 2015)

I. PURPOSE AND APPLICABILITY

This policy establishes the principles under which Nonexempt and Exempt Staff employees shall serve a trial period of work in order to demonstrate their ability to perform the duties and fulfill the responsibilities of their position. This policy applies to all regular appointments to Nonexempt and Exempt Staff positions.

II. DEFINITIONS

The following terms and definitions shall apply for the purposes of this policy.

A. Original Probation: the period following original appointment to a Nonexempt job class at each USM institution or to a Nonexempt position following a break in service of three (3) or more years.

A. Length of Probation Period

1. The Original Probation and Status Change Probation period shall be six (6) months.
2. Upon request by the appropriate administrator, the President may shorten the period of an Original or Status Change Probation period for an additional six (6) months. The employee shall receive written notice of any decision to shorten or extend the probation period.
3. A Contingent Category II employee who is appointed to Regular status without a break in service will have the probation period towards completion of Original or Status Change Probation period. Upon request by the appropriate administrator and regardless of the length of the probation period, the probation period shall be six (6) months.

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position, the institution President or designee may require a probationary period of six (6) months. The probationary period may be extended an additional six (6) months.

B. Salary Adjustments

1. Merit

Merit increases shall not be granted during an Original Probation period.

2. Cost of Living Adjustment (COLA)

A Cost of Living Adjustment(COLA) shall be granted when approved by the Maryland General Assembly.

3. Adjustment for Passing Probation

Nonexempt employees who successfully complete an Original Probation or Promotional Status Change Probation (at least one pay range higher than the prior position) shall receive a 2.5% adjustment to their base salary upon 2

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1. Original Probation

- a. An appropriate administrator may separate an employee on Original Probation without any reason at any time.
- b. Written notice of the rejection on Original Probation must be given to the employee at least (2) weeks prior to the expiration date of the probation period.
- c. The written notice shall advise the employee of the right to appeal the rejection to the institution President or designee, pursuant to Board of Regents Policy VII-8.00 Policy on Grievances for Nonexempt and Exempt Staff Employees.
- d. At the discretion of the appropriate administrator and in consultation with the CHRO, the employee may be placed on Administrative Leave with pay following the written notice. The employee shall not earn Annual, Sick, Personal, or Holiday Leave during this period.

2. Status Change Probation

- a. An appropriate administrator may separate an employee serving a Status Change Probation for cause only.
- b. Written notice of the rejection on Status Change Probation must be given to the employee and President or designee at least thirty (30) calendar days prior to the end of the probationary period.
- c. The written notice shall state the reason(s) for and effective date of the

3. Exception to Notice Requirement

An employee serving an Original or Status Change Probation may be subject to

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2. Written notice of the rejection on probation must be given to the employee and President or designee at least thirty (30) calendar days prior to the expiration date of the Exempt probation period.
3. The written notice shall state the effective date of separation and advise the employee of the right to appeal based solely on grounds of procedural deficiency or violation of law. The notice shall include filing deadlines for appeal of the rejection to the institution President or designee, pursuant to BOR Policy VII-8.00 Policy on Grievances and Appeals for Nonexempt and Exempt Staff Employees.
4. At the discretion of the appropriate administrator and in consultation with the CHRO, the employee may be placed on Administrative Leave with pay following the written notice. The employee shall not earn Annual, Sick, Personal, or Holiday Leave during this period.

D. Exception to Notice Requirement

An employee may be subject to immediate separation without prior notice in the event of such gross incompetence or gross misconduct as to jeopardize essential services.

IMPLEMENTATION PROCEDURES:

Each President shall identify his/her designee(s) as appropriate for this policy; develop institution-specific policies and procedures as necessary to implement this policy; communicate this policy and applicable procedures to his/her institutional community; and post it on its institutional website.

REPLACEMENT FOR: