

# Policies



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

**Subject** Probation Policy  
**Section** Human Resources  
**Approved by** Marissa Madrigal, Chief Operating Officer  
**Approved on** April 15, 2022  
**Replaces** Probation Policy Adopted 12/12

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**Policy Purpose:** Upon initial hire, promotion, transfer or demotion to a budgeted regular or limited duration position, all employees must successfully complete a probationary period. The probationary period is an integral part of the evaluation process. It is a working assessment for an employee to demonstrate fitness for the position based on the duties assigned. It gives the manager/supervisor an opportunity to observe the employee's work, train and aid the employee in adjustment to the position, and to remove an employee whose performance fails to meet expectations.

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## Policy

1. This policy is applicable to all employees occupying regular and limited duration positions. Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.
2. Definitions:
  - a. Limited duration position: A budgeted full-time or part-time position approved by the Chief Operating Officer (COO) or MERC Commission for a predetermined amount of time in order to meet a specific need.
  - b. Probation: A continuation of the screening process during which an employee is required to demonstrate fitness for the position to which the employee is appointed or promoted.
  - c. Probationary employee: An employee serving any period of probation.
  - d. Promotion: The movement of an employee from a position in one classification to a different position in a classification with a higher maximum salary rate.
  - e. Reclassification: A change in the classification of a position based on the duties currently assigned to an existing position or to be assigned for a vacant position. A position may be reclassified to a classification with a higher, lower, or equivalent rate of pay. If the position is filled, the incumbent employee is reclassified along with the position. A reclassification differs from a promotion, demotion or transfer in that the employee

- does not move to a different position; rather, the position is changed to a different classification.
- f. Regular status employee: An employee who has successfully completed the initial probationary period and occupies a regular full-time or regular part-time position.
  - g. Regular position: A budgeted full-time or part-time position approved by the Metro COO or MERC Commission for an ongoing, indefinite time period.
3. Upon initial hire, promotion, or lateral transfer to a regular or limited duration position, all employees must successfully complete a probationary period to demonstrate fitness for the position.
  4. Successful completion of any probationary period is for Metro's internal screening process only and does not confer any form of tenure or other expectation of continued employment.
  5. Duration. Probation begins on the date of appointment. Unless otherwise agreed to in a collective bargaining agreement, probationary periods have the following duration:
    - a. Six (6) months for newly hired into a regular or limited duration position.
    - b. Three (3) months for promotions, demotions, and transfers.
    - c. Three (3) months for employees promoted to or within management services.
  6. Standard probation.
    - a. The probationary period for a part-time employee must include a minimum of 400 hours, which may require a longer probationary period.
    - b. If an employee is absent from work for a total of 10 or more days during probation, the probationary period will be extended by the number of days the employee was absent.
    - c. With the approval of the Department Director and Human Resources (HR) Director, a supervisor may extend an employee's probation. The supervisor must provide the employee a written explanation of the reasons for the extension, with a copy to the HR Department.
  7. During initial probation, employees will accrue sick leave, vacation time and personal holidays.
    - a. Supervisors have discretion to grant probationary employees brief periods of leave without pay for illness for which the employee has insufficient accrued sick leave, for bereavement, or for any other appropriate purpose, subject to the department's operational needs.
    - b. Probationary employees may be entitled to additional types of leave as required by law.

8. Supervisors must evaluate employees' work performance and conduct at least twice during probation, once at or near the midpoint of the probationary period and again before the end of probation. Supervisors are encouraged to provide regular feedback in addition to formal performance evaluations.
  - a. If it is feasible and appropriate to do so, supervisors should notify the employee as soon as possible after conduct or performance problems arise to give the employee an opportunity to correct the problem.
  - b. Supervisors must submit performance evaluations to the Department Director and HR Department for review. Supervisors must consult with the Department Director and HR Director before terminating a probationary employee.
  - c. Before the conclusion of the probationary period, the supervisor must recommend whether the employee should be given regular status or terminated.
    - i. The supervisor's recommendation is subject to the Department Director's approval.
    - ii. If an employee does not pass probation, the supervisor must provide a written explanation to the employee with a copy to the HR Department.
9. Initial hire: All employees hired into a regular or limited duration position must complete a probationary period of six consecutive months of service.
  - a. Employees serving the initial six-month probationary period may be terminated without cause, with or without prior notice.
  - b. Successful completion of probation does not confer any form of tenure or a guarantee of continued employment. Non-represented employees are employed on an "at will" basis and can be terminated with or without cause in accordance with Metro's policies related to layoff and termination.
10. Application for promotion, demotion or transfer: Employees are permitted to apply for other positions at Metro while on initial probation but will be required to serve an additional probationary period upon beginning a new position.
11. Promotions, demotions, and transfers: Employees who are promoted, transferred, or voluntarily or involuntarily demoted and have completed initial probation at Metro must serve a three-month probationary period in the new position. Employees who have not completed initial probation must serve a complete six-month probationary period in the new position.
  - a. With the approval of the HR Director, the Department Director may reduce or waive this requirement if the employee has already completed initial probation and has previously demonstrated excellent performance in a position with the same or similar duties.
  - b. Employees who are unable to perform to the standards of the new position may be terminated. An employee in this situation is not entitled to reinstatement to the previous position but may apply for any suitable vacancy through the recruitment process.

12. Reclassifications: Employees whose positions are reclassified are not required to serve an additional probationary period.

13. Responsibilities

- a. Employees:
  - i. Become familiar with the performance expectations for your position and do your best to meet them. Ask your supervisor for guidance if you are having difficulty.
- b. Supervisors:
  - i. Provide instruction and feedback to help employees meet performance expectations. Notify the employee as soon as possible after conduct or performance problems arise.
  - ii. Conduct performance evaluations at the midpoint and before the end of the employee's probationary period and provide copies to the employee, Department Director, and HR Department.
  - iii. Consult with the Department Director and HR Department if an employee is not meeting the standards necessary to pass probation.
  - iv. Provide a written explanation to the employee and the HR Department if an employee does not pass probation or if probation is extended.
- c. Department Directors:
  - i. Consult with the supervisor and HR Department on decisions about employees' probationary status.
- d. HR Department:
  - i. Consult with the supervisor and HR Department on decisions about employees' probationary status.
  - ii. Make appropriate adjustments to the employee's status in the applicable HR systems.