

## **GUIDELINES FOR EVALUATING PERFORMANCE OF PROBATIONARY EMPLOYEES**

Probationary employees serve at the pleasure of the appointing authority and may be rejected at any time during the probationary period, Washoe County Code 5.219 provides that performance reports of probationers be filed at various times during the probationary period. The code provides that copies of these reports be given to the employee and the appointing authority shall provide training and assistance to the employee to meet the standards of performance for the position. Based upon the County code provisions and sound personnel practices, probationary employees should be given the opportunity to address performance concerns as well as an opportunity to improve.

Reasons for rejection of a probationary employee must be timely and clearly articulated. Otherwise, it appears that the reasons have been created after the decision has been made to terminate. In addition, reasons for rejection must be job related. Reasons which are not job related are virtually- impossible to defend and expose the County to potential liability in a wrongful termination or Title VII action.

The supervisor's power is limited when dealing with termination. The supervisor should make a recommendation to the department head who must independently and completely review the employee's performance to determine whether termination is appropriate. Some areas that should be considered when making this decision are:

- How have other probationary employees been treated in the past? What incidents have resulted in termination of probationary employees in the past and do these incidents indicate that discharge is appropriate in this situation?
- Did the employee have a fair chance to learn policies and procedures and other job related requirements?
- Would an impartial reviewer consider the performance expectations as reasonable and necessary to the job?
- Did the employee receive specific information concerning areas of performance deficiency with suggestions for improving these areas?
- Did the employee have an opportunity to discuss and or explain his/her side of problems that have been identified by the supervisor?
- Was the employee provided a sufficient time and supervisory guidance in order to correct performance deficiencies?
- Was the employee treated with dignity and respect through this process?

If you have any questions or concerns regarding this process, please feel free to consult with the Department of Human Resources.