

# Utah Tech University Policy

## 325: Probation



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### I. Purpose

- 1.1 To outline Probation of staff positions at Utah Tech University (“the University”). Faculty Probation is defined, regulated, and enforced within Academic Policy, specifically University Policy 638 for Part-Time Instructor Track Faculty and University Policy 641 for full-time faculty.

### II. Scope

- 2.1 This policy applies to both full-time and part-time staff positions at the University, as defined in University Policy 301.

### III. Definitions

- 3.1 **At-Will Employee:** As defined in University Policy 301, those positions where employment and compensation can be terminated with or without cause and with or without notice. Within the probationary period of employment, full-time faculty and staff are considered At-Will.
- 3.2 **Probation:** The process or period of testing and observing the character or abilities of an employee in a certain position, primarily reserved for a new employee being hired at the University or an existing employee changing positions (hereafter referred to as “Introductory Probation”). Probation may also be used as part of corrective and/or disciplinary action for an existing employee in order to observe improvements of character or abilities of an employee in their current role (hereafter referred to as “Improvement Probation”).

### IV. Policy

- 4.1 Part-time employees are considered At-Will Employees and can be terminated with or without cause and with or without notice. See

University Policy 373.

- 4.2 All full-time staff employees shall serve an introductory probationary period of one year, starting the first day of full-time employment, during which time their work performance and general suitability for their position will be evaluated. If completed, the introductory probationary period will end on the anniversary date of hire.
  - 4.2.1 A full-time staff employee who applies for and receives another staff position at the University, and who has previously completed the one (1)-year introductory probationary period, will only serve a new six (6)-month introductory probationary period for the new position. Any staff employee who has not completed the introductory probationary period in their current position, before accepting a new full-time position at the University, must complete a full year of Introductory Probation at the second position.
  - 4.2.2 Full-time staff employees who leave full-time University employment and are rehired into full-time staff positions following any break in service shall serve a new one (1)-year introductory probationary period, whether or not they attained non-probationary status previously.
- 4.3 During either an introductory probationary period or improvement probationary period, employees and supervisors should meet together frequently to train, mentor, support, and ensure satisfactory work performance and general suitability for the position.
- 4.4 A written probationary evaluation (including an employee self-evaluation, as well as a supervisor evaluation) will be completed by the employee and the supervisor at approximately the sixth month of Introductory Probation. The probationary evaluation process includes a face-to-face meeting to discuss both the self-evaluation and supervisor evaluation.
  - 4.4.1 Failure to complete probationary evaluation forms does not prevent the introductory probationary period from ending as scheduled. Employees and/or supervisors who fail to complete and/or turn in evaluation forms to Human Resources will be subjected to disciplinary action as outlined in University Policy 372.
  - 4.4.2 Deviation from completing the probationary evaluation at approximately the sixth month of Introductory Probation may be granted on a case-by-case basis by the Human Resources Director and vice president or President direct-report approval. Such approval would be to allow optimal evaluation to occur (examples

may include additional time required due to recent department head turnover or evaluation of a new athletic coach during their first year but at the conclusion of their sport season, etc.). Any deviation requires that a written probationary evaluation still be completed within the employee's first year of full-time employment and all parties be notified of when evaluation forms are due.

- 4.5 In the final month of Introductory Probation, Human Resources will inquire of the supervisor whether the probationary period may end as scheduled or if there are any concerns that need to be addressed.
- 4.6 The introductory probationary period may be extended up to six months longer, in collaboration with the supervisor and Human Resources, in those cases that indicate additional training and experience may enable the employee to be successful.
  - 4.6.1 An extension must be based upon written indication of the deficiencies and the steps that must be taken in order to address those deficiencies.
  - 4.6.2 Supervisors will work with Human Resources to draft a letter to the employee regarding extended Introductory Probation. Included within the letter is the reason for extended Introductory Probation, the deficiencies, and the required remedy, as well as what additional training, support, and/or mentorship the supervisor and/or department will make available for the employee's success.
  - 4.6.3 An employee on extended Introductory Probation will continue to have the same probationary employee rights as during the initial Probation, with the exception of the termination process at the end of extended Introductory Probation.
  - 4.6.4 In the final month of extended Probation, Human Resources will inquire of the supervisor whether the extended Introductory Probation may end as scheduled (e.g., deficiencies have been addressed) or employment will end. A recommendation of termination for any employee on extended Probation requires approval from the applicable Vice President or President direct-report.
- 4.7 During the probationary period, whether introductory or improvement as part of corrective and disciplinary action, an employee may be terminated with or without cause. See University Policy 373.
  - 4.7.1 An employee who is terminated during their probationary period

shall be given two (2) weeks' paid notice. It is at the discretion of the supervisor whether the terminated employee continues to work during the two (2) weeks' termination notice period.

4.7.1.1 If an employee is being terminated for serious misconduct, two (2) weeks' paid notice is not required. Examples of serious misconduct include, but are not limited to, those considered terminable in University Policy 372.

4.7.2 A probationary employee does not have the right to statement, written or verbal, of reasons or cause for termination. While departments are encouraged to give rationale and cite examples of corrective steps taken prior to the decision to terminate a probationary employee, no reason is required, as outlined by Utah State Code, Chapter 34.

4.7.3 An employee who is terminated during the probationary period does not have the right to appeal or grieve the termination, the effective date, or the reason for the action. See University Policy 151.

4.8 The employee may submit a written resignation during the probationary period in lieu of termination. Such resignation will result in no statement regarding termination being included in the employee's personnel file.

## **V. References**

5.1 University Policy 151: Staff Grievances

5.2 University Policy 301: Personnel Definitions and Classifications

5.3 University Policy 327: Staff Performance Evaluations

5.4 University Policy 372: Corrective and Disciplinary Action

5.5 University Policy 373: Termination and Reduction in Workforce

5.6 University Policy 638: Part-Time Instructor Track Faculty

5.7 University Policy 641: Faculty Retention, Promotion and Tenure

5.8 State of Utah Code, Chapter 34: Utah Labor Code:  
<https://le.utah.gov/xcode/code.html>.

## **VI. Procedures**

6.1 Probationary evaluation forms are available through Human Resources, with additional resources on criteria used for evaluating core

competencies, evaluator guidelines, etc., found on the Human Resources website.

- 6.2 Human Resources monitors all full-time staff currently on either Introductory Probation or Improvement Probation and will notify departments of pending evaluations due, forms required, and associated deadlines.
- 6.3 Once the introductory probationary period ends, all staff employees will complete annual staff performance evaluations as outlined in University Policy 327, and receive additional due process as outlined in University Policy 151.

## **VII. Addenda**

- 7.1 Staff evaluation materials are listed under the Human Resources webpage, under the “Employee Training and Professional Development” section:  
<https://humanresources.utahtech.edu/employee-resources/>.

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Policy Owner: Executive Director of Human Resources

Policy Steward: Executive Director of Human Resources

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