



RULES OF THE STATE PERSONNEL BOARD

478-1-.24 Working Test and Permanent Status for Classified Employees

(1) General Provisions:

- (a) Working test is a probationary period of employment for a classified employee during which the employee must demonstrate to the satisfaction of the Appointing Authority the knowledge, ability, aptitude, and other necessary qualities to perform satisfactorily the duties of the position in which employed.
- (b) Once the employee successfully completes a working test period in a job, the employee gains permanent status in that job. Permanent status grants the employee additional notice and appeal rights that are not required during working test.
- (c) While on working test, the employee can be returned without appeal rights to the last lower job in which the employee has permanent status if such action is determined appropriate by the Appointing Authority. If the permanent status job is not used by the Appointing Authority, the employee can be placed in an equivalent lower classified job, for which the employee is qualified.

(2) Applicability:

- (a) This Rule applies only to employees in the classified service as defined in Rule 478-1-.02 (Terms and Definitions).
- (b) Working test applies when an employee is promoted into a higher classified position or when a working test period is part of an agreement to dispose of an adverse action appeal.
- (c) Promotions:
 - 1. Following promotion into a classified position, the employee will serve a working test period. The working test shall be an essential part of the promotion process during which the employee must demonstrate the capability to perform satisfactorily.
 - 2. The DOAS Commissioner may fix the length of the working test period for any job at not less than six (6) nor more than eighteen (18) months. The working test period will be the first six (6) months in a position unless the DOAS Commissioner designates a different length. The length of the working test period shall apply to all positions in the job affected, but if the period is increased in duration, employees employed under the shorter period will acquire

Rules of the State Personnel Board

permanent status as if the length had not been increased, unless otherwise specified by the DOAS Commissioner.

(d) Adverse Action Appeal Agreements:

As part of an agreement to dispose of an adverse action appeal, a classified employee may be placed on working test. The length of the working test period and the consequences of failure to satisfactorily complete such working test shall be clearly indicated in the terms of the agreement.

(3) Extending Working Test:

The working test period shall be extended day for day by any time spent on leave with pay under the State Personnel Board Rule provisions for Special Injury Leave (Rules 478-1-16(8)(c) and 478-1-16(8)(d)) or in non-pay status. Exception: Time spent in non-pay status for ordered uniformed service (as defined in the Uniformed Services Employment and Reemployment Rights Act) shall not extend the working test period.

(4) Midpoint Review:

- (a) The Appointing Authority, or designee, shall conduct a midpoint performance review for each employee serving a working test period.
- (b) The midpoint review shall be presented to the employee within ten (10) calendar days of the date the employee completes one-half of the working test period or as near to that date as is practicable.
- (c) The midpoint review shall include an evaluation of the employee's progress and recommendations, if any, for corrective action.

(5) Granting Permanent Status:

It shall be the responsibility of the Appointing Authority to determine whether a working test employee is to be granted permanent status. Permanent status is effective on the calendar date following completion of the working test period. An employee who is not transferred, demoted, or separated prior to eligibility for permanent status shall acquire permanent status. Exception: Permanent status shall not be granted to a classified employee prior to the acquisition and submission to the Appointing Authority of any required license or certificate.

Rules of the State Personnel Board

(6) Failure to Attain Permanent Status:

- (a) If it is determined, prior to the completion of the working test, that the employee is not to be granted permanent status, the Appointing Authority may:
1. Demote the employee to a classified position equivalent to the last permanent status position held;
 2. Transfer the employee to a classified position for which the employee is qualified as provided in Rule 478-1-.15 (Changes to Employment Status);
 3. Separate the employee as provided in Rule 478-1-.26 (Adverse Actions for Classified Employees); or,
 4. Pursue a voluntary agreement with the employee on movement to a suitable vacancy for which the employee is qualified.
- (b) If an employee is transferred or demoted to a classified position, the employee will be considered to have permanent status in the new job on the effective date of the action.
- (c) An employee shall be notified in writing of failure to attain permanent status but the action may not be appealed unless otherwise provided in these Rules. (See Rules 478-1-.26 [Adverse Actions for Classified Employees] and 478-1-.27 [Appeals and Hearings for Classified Employees].)

Authority:

O.C.G.A. Secs. 45-20-3, 45-20-3.1, 45-20-4 (duties and functions of the State Personnel Board and Department of Administrative Services related to the Rules of the State Personnel Board), 45-20-6 (Working Test)