



**RULE 5 - PROBATIONARY PERIODS**

Probation permits an on-the-job evaluation of an employee’s adjustment to and performance in a new position. Department Directors shall notify the employee, in writing, of the applicable probation action. Completion of probation is the final requirement for any appointment, promotion, reclassification, demotion, or transfer. Employees and the Human Resources Department shall be notified in writing by the Department Director of the employee’s passing or failing of the probationary period.

- A. To successfully complete probation, an employee shall receive a satisfactory performance appraisal for that probation period.
- B. An employee on probation may be terminated for any or no reason at any time without notice during their probation. This action is not appealable.
- C. The Department Director may extend probation for up to ninety (90) calendar days for good cause with the concurrence of the Human Resources Director and County Administrator or Deputy County Administrator. Requests for extensions shall be submitted to the Human Resources Director at least ten (10) calendar days prior to the ending date of the normal probation. The employee shall be notified in writing of the extension by the Department with a copy to the Human Resources Department.

Types of Probation	Length of Probation	Mid-Probation Report	Extension	End Probation Report	Termination of Employment
<b>Initial Probation (Merit System Rule 5.1)</b>	180 calendar days; 360 calendar days for detention officers and certified law enforcement officers.	Yes	Up to 90 calendar days	Yes	May be terminated for any or no reason at any time without notice during their probation. This action is not appealable.
<b>Underfill Probation (Merit System Rule 5.2)</b>	Depends upon when the minimum qualifications are met. Either 180 days or 360 days (see section 5.2A).	Yes	Up to 90 calendar days	Yes	May be terminated for any or no reason at any time without notice during their probation. This action is not appealable.
<b>Promotional Probation (Merit System Rule 5.3)</b>	180 calendar days.	Yes	Up to 90 calendar days	Yes	May be terminated for any or no reason at any time without notice during their probation. This action is not appealable.
<b>Reclassification Probation (Merit System Rule 5.4)</b>	180 calendar days.	Yes	Up to 90 calendar days	Yes	May be terminated for any or no reason at any time without notice during their probation. This action is not appealable.
<b>Demotional Probation (Merit System Rule 5.5)</b>	180 calendar days; 360 calendar days for detention officers and certified law enforcement officers. No probation if involuntary demotion due to reorganization.	Yes	Up to 90 calendar days	Yes	May be terminated for any or no reason at any time without notice during their probation. This action is not appealable.
<b>Transfer Probation (Merit System Rule 5.6)</b>	180 calendar days; 360 calendar days for detention officers and certified law enforcement officers. No probation if due to a organizational change requiring transfer of functions between departments.	Yes	Up to 90 calendar days	Yes	May be terminated for any or no reason at any time without notice during their probation. This action is not appealable.
<b>Layoff Reinstatement Probation</b>	Will serve 90 calendar days unless waived by Merit Commission.	No	Up to 90 calendar days	Yes	May be terminated for any or no reason at any time without notice during their probation. This



Types of Probation	Length of Probation	Mid-Probation Report	Extension	End Probation Report	Termination of Employment
(Merit System Rule 5.8)					action is not appealable.
Merit Commission Reinstatement Probation (Merit System Rule 5.8)	May be required to serve 90 calendar days unless waived by Merit Commission.	No	No	Yes	

**5.1 PROBATION - INITIAL APPOINTMENT**

- A. All classified employees will be on probation following initial appointment to a regular status position.
- B. The probationary period shall be at least 180 calendar days in duration. For Detention Officers and certified law enforcement officers the probationary period shall be at least 360 calendar days.
- C. Probationary employees will be evaluated by the Department Director after completion of half of the probationary period on a mid-probation form provided by the Human Resources Department.
- D. The employee shall achieve regular status in County employment upon successful completion of the initial probationary period, including any extension; thereof, and must have received receipt of a satisfactory performance appraisal for the period.
- E. Employees in unclassified service who change positions and move to classified service shall be required to serve a probationary period. However, when a position is reclassified from unclassified service to classified service and there is no material change in duties, no probationary period shall be required.
- F. An employee on initial probation may be terminated for any or no reason at any time without notice during their probation. This action is not appealable under these Merit System Rules.

**5.2 PROBATION - UNDERFILL**

- A. An employee hired as an underfill shall serve one of the following probationary periods depending upon when the minimum qualifications are met:
  1. Day 1 through day 180 and meets minimum qualifications day 1 thru 180, will serve a 180 day probationary period from date of underfill appointment; or
  2. Day 181 through day 360 and meets minimum qualifications day 181 thru 360, will serve a 360 day probationary period from date of underfill appointment.



- B. An employee on underfill probation may be terminated for any or no reason at any time without notice during their probation. This action is not appealable under these Merit System Rules.

**5.3 PROBATION - PROMOTION**

- A. The probationary period for promoted County employees shall be 180 calendar days.
- B. An employee on promotion probation may be terminated for any or no reason at any time without notice during their probation. This action is not appealable under these Merit System Rules.

**5.4 PROBATION - RECLASSIFICATION**

- A. The probationary period for reclassification of a County employee shall be 180 calendar days.
- B. An employee on reclassification probation may be terminated for any or no reason at any time without notice during their probation. This action is not appealable under these Merit System Rules.

**5.5 PROBATION – DEMOTION**

- A. Employees who are demoted involuntarily due to reorganization will not serve a demotion probationary period. All other demotions will serve a 180 day probationary period. If demotion occurs prior to successful completion of initial probation for a new position, the probationary period shall be 180 calendar days from the effective date of demotion. Detention Officers and law enforcement officers shall serve at least 360 calendar days from the effective date of demotion.
- B. An employee that accepts a voluntary demotion through a recruitment process will serve a 180 day probationary period.
- C. An employee on demotion probation may be terminated for any or no reason at any time without notice during their probation. This action is not appealable under these Merit System Rules.

**5.6 PROBATION - TRANSFER**

- A. If a regular status employee transfers to a position within the same pay range within their department or a different department, the employee shall serve a probationary period of 180 calendar days. Detention officers and law enforcement officers, will serve a 360 day probation period. When the transfer is an organizational change requiring transfer of functions between departments, a probationary period will not apply.
- B. An employee on transfer probation may be terminated for any or no reason at any time without notice during their probation. This action is not appealable under these Merit System Rules.



**5.7 PROBATION – REHIRE**

Employees rehired by Cochise County shall serve applicable probationary periods regardless of previous County employment.

**5.8 PROBATION – REINSTATEMENT**

- A. An employee on regular status, terminated as the result of a layoff, may be required to serve a probationary period if reinstated. One of the following shall apply:
  - 1. Same classification and same department and the employee already served required probation prior to layoff – no probation will be required upon reinstatement.
  - 2. Same classification and different department - the employee will serve a ninety (90) day probationary period.
  - 3. New classification and different department - the employee will serve a ninety (90) day probationary period.
  - 4. New classification and same department - the employee will serve a ninety (90) day probationary period.
- B. A terminated employee reinstated by direction of the Cochise County Merit Commission will not be required to serve a probationary period unless directed by the Merit Commission.
- C. An employee on reinstatement probation may be terminated for any or no reason at any time without notice during their probation. This action is not appealable under these Merit System Rules.