



FAQs for Local 88 Probationary Employees Impacted by Budget Reductions

Q1. What is a probationary period?

- A1.** There are two types of probationary periods: (1) initial probationary period and (2) promotional probationary period.

The initial probationary period for employees is one (1) year from the employee's date of appointment to a permanent position from a certified list of eligibles. During the initial probationary period the employee may be dismissed from employment without recourse to the grievance procedure (Article 2, XI).

Employees who are promoted from a Local 88 position to another Local 88 position after serving an initial probationary period serve a six (6) month promotional probationary period. During the period of promotional probation, the employee shall be returned to the classification and department from which he or she was promoted, without recourse to the grievance procedure, if, in the opinion of the employee's supervisor, his or her continued service in the classification to which he or she was promoted would not be in the best interest of the county.

Q2. What happens to employees impacted by budget reductions during their initial probation period?

- A2.** Employees who have not completed their initial probationary period have no bumping rights within the county and are not eligible to be placed on recall lists if they are released from employment. Probationary employees who are released from employment are eligible to be placed on reinstatement lists, for outplacement services, and to apply for unemployment benefits from the state.

Q3. What is the difference between a recall and a reinstatement list?

- A3.** A recall list is a list of employees laid off from positions in particular classifications that have rights for appointment to a position in that classification based upon seniority. Employees are only eligible to be placed on a recall list for a classification if they have passed their probationary period in that classification. Eligible employees remain on recall lists for twenty-four (24) months.

Reinstatement refers to the non-competitive return of a county employee to regular county service within one (1) year of termination, or return to a former higher classification following a voluntary demotion. A reinstatement list is a list that identifies former employees who wish to return to county service after separation, as well as employees who voluntarily demoted and want to return to the higher classification. At the discretion of the county, the probationary employee may be hired into their former classification off of a reinstatement list if there are no eligible employees from the recall list. Please note that hiring managers are not required to use reinstatement lists to fill a vacancy, but instead have discretion to use reinstatements lists.

Q4. How do managers decide which probationary employee should be released from employment?

A4. If there is more than one (1) probationary employee in the department and/or county in an affected classification, there is management discretion on which probationary employee is bumped. Since probationary employees do not have status in their classification prior to completing probation, they do not have a layoff right in the classification. Therefore, managers do not have to release the probationary employee that was last hired. Managers can consider other factors such as business needs, performance assessments of the probationary employees, which position the employee that is bumping is a better match for, and other reasonable considerations.

If there is more than one (1) probationary employee in a classification that is being affected by countywide bumping, the departmental human resources unit should confer over which probationary employees should be released using the above factors.

Q5. What happens to a probationary employee's accrued sick and vacation leave if they are released from employment?

A5. Employees are required to cash out their vacation time at the time of their separation, which is paid on their last paycheck. Employee's sick leave accruals are restored if the employee is reinstated to county service within one (1) year of their separation date.

Q6. How does a bumping scenario operate if an employee is on a promotional probationary period?

A6. Employees who have completed their initial probationary period of one (1) year and then are promoted into a higher Local 88 classification must serve a six (6) month promotional probationary period in their new position. If the employee has not completed the six (6) month period and s/he is impacted by layoff, the employee will be returned to the position

previously held prior to their promotion (Article 21, Section III.C.2) and placed at the same step in the old range that s/he should be been on but for the promotion (Article 15, Section II.C.4.b).

Q7. Are probationary employees eligible for Project Save?

A7. Yes. To participate in Project Save, employees should send their resume to their Department HR Staff. The Department HR Staff will then send the resumes out to the county's recruiters requesting consideration for vacancies. Employees should also watch the county's job listings page and notify their Department HR Staff about vacancies that they are interested in. Please review the Project Save FAQs for more information regarding this program.

Q8. What happens to seniority if a probationary employee is hired back by the county?

A8. If an employee (regular or probationary) is on unpaid leave for more than thirty (30) days, their seniority will be bridged upon their return. For example: J is laid off on June 30, 2009. He was placed on a reinstatement list and returned to county service on September 1, 2009. He will not receive any seniority for the months of July and August, but he will receive seniority credit for the time served previous to his layoff date.