



New York State Correctional Officers & Police Benevolent Association, Inc.

102 Hackett Blvd., Albany, NY 12209
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To: All Probationary Sergeants
From: Dave Viddivo - Sergeant Liaison
Subject: Probationary Info – Guidelines
Date: 8/15/08

All,

Congratulations on your promotion to Sergeant! I hope your decision to move up the ranks is one of success and personal achievement. I am your Sergeant Representative for NYSCOPBA, and look forward to assisting you in any way that I can, while performing your duties as a Sergeant for the Department of Corrections.

This page will have various informational needs, which I hope will assist you, as you work to become a permanent non-probationary Sergeant. It is my objective to help you successfully meet that goal as smoothly and as timely as possible.

If you have any questions or concerns, or would like to have any additional information on this page, please feel free to contact me. Good luck in your new position and all future endeavors.

In Solidarity,

Dave Viddivo – Sergeant Liaison



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Probationary Information - These are guidelines directly from the State Personnel Management manual and Directive 2219 – Employee Probation

I would like to point out a few of the sections and guidelines that will be important to you as a probationary Sergeant.

- Section 63.1 of the Civil Service Law requires that original appointment to positions in the competitive class and interdepartmental promotions shall be for a probationary term. However, the Civil Service Commission may exercise jurisdiction in matters alleging procedural defects in the administration of the probationary process.
- State Civil Service Commission does not review the merits of an agency's decision to terminate a probationer. The only process of appeal is through Section 4.5 of the Classified Service Rules. I will request a re-instatement hearing for anyone who is terminated during their probationary period.
- You have the right to receive a written notice at least one week prior to termination.
- If you are terminated before completing your probationary term you may request to have your name restored to the eligible list from which you were appointed, if still in existence.
- The appointing authority may, at its discretion, offer a probationer who would otherwise be terminated, an opportunity to serve a second probationary term of not less than 12 nor more than 26 weeks in a different assignment and under a different supervisor.
- Authorized or unauthorized absences may, in the discretion of the appointing authority, be considered as time served in the probationary term with the following limits and conditions: A. Up to 20 workdays may be considered as time served. B. Any absences in excess of those allowed in A. shall be added to the min. and max. periods of the probationary term.
- Military time under Sec. 242 of the Military Law will be treated the same way as any other authorized or unauthorized absence.
- Time spent on military duty as defined under Sec. 243 of the Military Law must be credited as completed satisfactory service for purposes of probation.
- Your formal probationary period does not begin until you attain permanent status.
- The Superintendent may approve that the probationary term of employees absent in excess of 20 days be extended only by the total number of days absent in excess of those days.
- During the course of your probation you must receive from your supervisor formal evaluations of your progress and performance. **ALWAYS MAKE A COPY OF YOUR EVALUATIONS FOR YOUR RECORDS**
- You should have an interview with your immediate supervisor to discuss your evaluation.
- You should receive 6 evaluations within your 52 week evaluation period.
- It is very important that you **MAKE COPIES OF ALL INCIDENTS THAT YOU ARE INVOLVED IN.**

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NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
State Personnel Management Manual

2000 Probation

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.1 Background

.110 Purpose

.111 The probationary period is the last, and perhaps the most critical, step in the selection process. It is intended to provide an opportunity to evaluate an employee on those knowledges, skills and abilities not evaluated by other parts of the selection process. Permanent and permanent "contingent" appointments, reinstatements, promotions and transfers require satisfactory completion of a probationary term which includes a minimum and maximum period of probation. Probation begins on the date of such appointment. Probation continues until satisfactory completion of at least the minimum period and may require satisfactory completion of the maximum period of probation.

.120 Legal Basis

.121 Section 63.1 of the Civil Service Law requires that original appointment to positions in the competitive class and interdepartmental promotions shall be for a probationary term. This section also authorizes the Civil Service Commission to provide, by rule, for probation upon intradepartmental promotion (competitive) and upon appointment to positions in the non-competitive, exempt or labor class.

.122 Rule 4.5 of Chapter I of the Classified Service Rules was developed to implement §63.1 of the Civil Service Law and sets forth the conditions and extent of probationary service.

.2 Policy

.210 Minimum-Maximum Probation Periods

General Statement - All permanent and contingent permanent

appointments to positions in the classified service require a probationary period of 26 to 52 weeks unless otherwise specified below. [Note: No probationary period is required or may be imposed if the appointment is temporary or provisional.] The exceptions are as follows:

1. **Promotions** (defined as appointments of competitive, non-competitive or labor class employees from **promotion lists**) and **appointments from transition lists** to positions at G-13 and below -- 8 to 26 weeks, and to positions at G-14 and above -- 12 to 52 weeks, (except see #7 below).
2. Certain appointments in the **non-competitive class defined as promotions by Rule 4.5 (b)(2)** wherein permanent non-competitive employees are appointed to a higher salary grade non-competitive class position at G-13 and below -- 8 to 26 weeks, to a higher salary grade non-competitive class position G-14 and above -- 12 to 52 weeks.
3. Appointments of **currently permanent non-competitive or labor class employees** to another position in their same jurisdictional class **in their same appointing authority** to a position at G-13 and below -- 8 to 26 weeks, to a position G-14 and above -- 12 to 52 weeks. Where the appointment is to a position at the same or a lower salary grade, probation may be waived.
4. **Transfers** (pursuant to §§70.1, 70.4, 52.6) to positions at G-13 and below -- 8 to 26 weeks, and to positions at G-14 and above -- 12 to 52 weeks, unless waived at the time of transfer, (except see #7 below). (Probationers who transfer may not have their probationary period waived and must serve a complete probationary period as specified in .231 below).
5. **Preferred list reinstatements** do not require or permit any probation period EXCEPT if the individual was a probationer at the time of layoff, in which case he/she must complete the remainder of the probationary period (except see #7 below).
6. Appointments from **redeployment lists** or **agency reduction transfer lists** to a position in the same title - no probationary period is served EXCEPT if the individual is a probationer, in which case he/she must serve the remainder of the probationary period (except see #7. below).
7. Appointments from any list or by any means to **traineeships** require that the probationary period will be for the duration of the trainee appointment except in the case of an appointment from an open-competitive list, the probationary period shall be 26 to 52 weeks, or the length of the training period, whichever is greater, (Rule 4.5 (c)). (However, see .235 Trainee Appointments - Exceptional Circumstances, below.).
8. Appointments to **titles specified in Rule 4.5** are for the period delineated in that rule.

9. **Disciplinary demotion** - no probation period is required or allowed unless specified in the terms of the disciplinary proceeding.
10. **Reassignment** - no probationary period is required or allowed.
11. **Acquisition pursuant to §45** - no probationary period is required or allowed.
12. **Certain reclassifications** - no probationary period is required or allowed where positions in the non-competitive or labor class are reclassified to positions in their same jurisdictional class in the same occupational category and within two salary grades, and where the incumbents of the positions who have completed probation are found to be qualified upon review of their education and/or experience. Those incumbents who have not completed their probation will serve the remainder in their new title.
13. **Reinstatement after separation for disability** (§§71 and 73) - no probationary period is required or allowed, except that individuals who have not completed their probation will serve the remainder in their new position.
14. **Part Time** - Part-time employment shall generally be equated to full time for purposes of completing probationary service. However, where the agency believes there will not be a sufficient opportunity to evaluate a part-time employee, an agency may, at the time of appointment, inform the employee that the probationary period will be equated to the actual amount of time worked.
15. **Seasonal** - The probationary term for seasonal positions will be the same as for non-seasonal positions. If the probationary term is not completed during the initial employment season, it will be continued upon reappointment from the seasonal reemployment list.
16. **Voluntary Demotions** - (See also 1845, Voluntary Demotions) [Note: This should be 1850(F)!] Probationary periods for voluntary demotions are those required by the type of appointment under which they occur, i.e., reinstatement or transfer.
17. **Transfer of Function** (§70.2) - When an employee is transferred from one appointing authority to another pursuant to §70.2, no probationary period is required or allowed. A probationer so transferred must complete the remainder of the original probationary period.
18. **Commission Cover-ins to the Competitive Class** - No probation is required or allowed when the Civil Service Commission removes positions from the exempt or non-competitive class and covers in incumbents on a permanent basis to their competitive class positions, except that those incumbents who have not completed probation at the time must serve their remainder.

[Note: When employees are retroactively permanently appointed as a result of arbitration they must serve a probationary period which begins on the date they actually begin working, not on the date of their appointment.]

.220 Probationary Termination

The State Civil Service Commission does not review the merits of an agency's decision to terminate a probationer and therefore, does not accept appeals challenging the accuracy of evaluations of a probationer's performance. However, the Civil Service Commission may exercise jurisdiction in matters alleging procedural defects in the administration of the probationary process. Where procedural deficiencies are found the Commission may order the appellant's reinstatement subject to an appropriate additional probationary term. The ultimate remedy of tenured status may be imposed where bad faith in the termination is sufficiently demonstrated.

Therefore, agencies should establish procedures and internal controls for the administration of the probationary process by supervisors. It is suggested that these include:

- procedures to ensure probationers are given sufficient notice of what is expected of them.
- a schedule for regular meetings between supervisors and probationers to discuss the employee's performance.
- procedures for documenting the employee's progress and/or deficiencies, and for providing feedback to the employee.

.221 An unsatisfactory probationer may be terminated without a formal hearing, pursuant to Rule 4.5 (a), any time after eight weeks and before completion of the maximum period of probationary service.

Probationary employees may be terminated prior to the eight week minimum:

- a. pursuant to §75 of the Civil Service Law; or
- b. pursuant to the disciplinary procedures of a relevant collective bargaining agreement

.222 The following circumstances can result in the termination of a probationary employee any time during probation, including prior to completion of the eight week minimum:

1. Rule 4.5 (c), Trainee Appointment or Promotion, (see .235 d); or
2. being placed on involuntary medical leave pursuant to Civil Service Law §72, with eventual

- termination pursuant to Civil Service Law §73 (see SPMM 2234 [Note: Should be Policy Bulletin 84-03 in 2200] and item 21.3, p. State Attendance & Leave Manual); or
3. involuntary retention on work related disability leave pursuant to Civil Service Law §71 and Rule 5.9 (see SPMM 2200, and item 21.8 State Attendance & Leave Manual); or
 4. proceedings pursuant to Civil Service Law §50 (4) relating to any of the standards enumerated under that section.

.223 Written Recommendations - The supervisor shall report in writing to the proper appointing authority, his/her recommendation either to retain a satisfactory probationer, or to terminate a probationer for unsatisfactory performance, at least two weeks prior to the end of the probationary term.

.224 Rights of Probationer - A probationer who is to be terminated for unsatisfactory service is entitled to receive written notice at least one week prior to such termination, and upon request, shall be granted an interview with the appointing authority or his or her representative. Unless the employer fails to comply with required procedures there is no appeal to the Civil Service Commission from this discretionary decision. Similarly the courts will not review an appointing authority's judgment of a probationer's merit and fitness.

Probationers who are terminated or who resign before completing their probationary terms may request the Civil Service Department to restore their names to the eligible list from which appointed, if still in existence. The name may be restored, if after due inquiry the Civil Service Department determines that the probationer's service warrants a second opportunity.

.225 Extension Instead of Termination - The appointing authority may, at its discretion, offer a probationer who would otherwise be terminated, an opportunity to serve a second probationary term of not less than 12 nor more than 26 weeks in a different assignment and under a different supervisor. In this case, the appointment may be made permanent any time after 12 weeks, or the employment may be terminated any time after 8 weeks and before 26 weeks. However, except for the circumstances described in .235 below, employees in traineeships

may not have their probationary periods extended beyond the date on which they complete their traineeships.

.230 Specific Circumstances, Considerations, Limitations and/or Benefits.

.231 Transfers for Probationers - A probationer is eligible for transfer. However, a complete probationary term must be served in the new position in the same manner and subject to the same conditions as was required in the position from which transfer was made. Therefore, for example, a probationer serving a one year probationary period who transfers during that period must serve a complete one year probationary period in their new position even though they are transferring at or below grade 13. This probation may not be waived.

.232 Leave for Probationers - A permanent employee who is promoted or transferred (or appointed from an open competitive list as provided for by negotiated agreement) and is therefore required to serve a probationary term, is entitled to a leave of absence until completion of the probationary term. The probationer is entitled to return if he or she so chooses, and shall be returned prior to the completion of the probationary term if the service is unsatisfactory. Probationers on leave from a position/agency (A) to serve in another position/agency (B) who accept appointment or transfer and who must serve a new probationary term in a third position/agency (C) shall be continued on leave of absence both from their original position/agency (A) and from position/agency (B) for the duration of the probationary period in position/agency (C).

.233 Absence During Probationary Term - Authorized or unauthorized absences may, in the discretion of the appointing authority, be considered as time served in the probationary term with the following limits and conditions:

- a. Up to 10 workdays if the maximum probationary term is 26 weeks or less and up to 20 workdays if the maximum term exceeds 26 weeks may be considered as time served;
- b. In the case of a trainee appointment or trainee promotion that requires a probationary term that

- exceeds one year, 20 workdays per year multiplied by the number of years may be considered as time served;
- c. Any absences in excess of those allowed in (a) and (b) above and any absences not counted by the appointing authority as time served in the probationary term shall be added to the minimum and maximum periods of the probationary term;
 - d. Time spent on military duty as defined in §242 of the Military Law is treated the same as any other authorized or unauthorized absence if the agency has established fixed objective performance standards for satisfying the probation, and has a program of periodic review of each probationer against fixed objective standards. If not, the time must be credited as completed satisfactory service for purposes of probation
 - e. Time spent on military duty as defined in §243 of the Military Law must be credited as completed satisfactory service for purposes of probation.

.234 Service in Higher Level Positions

[Note: the draft revision to this TM permits service in *other* positions, and is not necessarily restricted to those at a higher level.]

- a. When a probationer is appointed on a provisional, temporary, permanent or "contingent" permanent basis to a higher level position, the appointing authority, in its discretion, may count the higher level service toward satisfactory completion of the probationary term required for the lower level position, and shall inform the employee in writing upon appointment, of whether or not such service will be counted.
- b. When the service in the higher level position will be counted toward completion of the probationary period required for the lower level position, probationers must be periodically advised of whether or not their service has been satisfactory.
- c. If the probationer returns or is returned to the lower level position, the probationer may not be terminated from the lower level position prior to

the completion of at least 8 weeks of actual service in that position, except as specified under .221 or .222 above.

.235 Trainee Appointments - Exceptional Circumstances

- a. Trainees who are first appointed temporarily or provisionally, and then become permanent, must serve at least the minimum called for probationary period or until completion of the traineeship, whichever is longer. Because probation cannot start until a permanent appointment has been made, there may be some cases where an employee may continue to be on probation although the traineeship has been completed;
- b. Trainees who transfer will serve the remainder of their probationary period or the normal transfer probationary period depending on the circumstances. Agencies should discuss the probationary period required for trainees with their Staffing Services Representative;
- c. Appointees to positions not under the regular supervision of the appointing authority, because of prescribed schooling or off-the-job training, shall serve a regular probationary term which shall commence after completion of the schooling or off-the-job training;
- d. In exceptional cases, a probationer-trainee may be terminated for cause in less than 8 weeks, provided this information has appeared on the examination announcement.

.3 Interpretation


Because §63.1 requires that every original [permanent] appointment in the competitive class, and Rule 4.5(b)(1) that every original permanent appointment in the non-competitive, exempt and labor classes, include a probationary period prior to the achievement of permanent (i.e. tenured) status, this probationary period upon original appointment can not be waived even by operation of an otherwise valid exception.

For example, although Rule 4.5(b)(4)(i) provides that the appointing authority may waive probation upon transfer, probationers, since they are not yet tenured, must be specifically provided with the right to transfer in subsection (d) of the same rule, which also specifically prohibits waiver of probation by

requiring that they shall serve a complete probationary period in their new position.

TM-49; August, 1999

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 <p style="text-align: center;">STATE OF NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES</p> <p style="text-align: center;">DIRECTIVE</p>	<p>TITLE</p> <p style="text-align: center;">Employee Probation</p>		<p>NO.</p> <p style="text-align: center;">2219</p>
			<p>DATE</p> <p style="text-align: center;">FEB 22 2007</p>
<p>SUPERSEDES</p> <p style="text-align: center;">DIR# 2219 Dtd. 1/30/01</p>	<p>DISTRIBUTION</p> <p style="text-align: center;">A</p>	<p>PAGES</p> <p style="text-align: center;">PAGE 1 OF 8 PAGES</p>	<p>DATE LAST REVISED</p> <p style="text-align: center;">07/21/2005</p>
<p>REFERENCES (include but are not limited to)</p>		<p>APPROVING AUTHORITY</p> <p style="text-align: center;"><i>Kenneth O. A. Kelly</i></p>	

- I. DESCRIPTION.** The final and most important step in the examination and selection process for appointing and promoting employees within State service is the probationary period. During this time period, a supervisor has an opportunity to train the employee and evaluate his or her job performance. The supervisor must also determine whether to retain the individual or, when it is in the best interest of the Department, recommend termination.

Additional information is available to supervisors responsible for completing evaluations in the booklet, "Supervisors' Guide to Evaluations of Probationary Employees", which is available in your Personnel Office.

Since the Courts, the Division of Human Rights, et. al., are becoming increasingly involved in the probationary process, each facility and office must ensure that an evaluation program is implemented fairly and in strict accordance with Civil Service Rules 4.5 and the policies and procedures established by this Department. The Bureau of Personnel has the responsibility of making decisions based on each supervisor's recommendations regarding an employee's probation; therefore, any questions or problems that occur must be referred to them.

II. POLICY

A. Duration of Probationary Periods (See Table #1)

1. Permanent full-time appointments from an open-competitive list or an original appointment to a position in the non-competitive, exempt or labor class require that a probationary period consist of no less than twenty-six nor more than fifty-two weeks.

Exceptions to the normal probationary period for facility employees are:

 - a. Traineeship appointments for Correction Counselors, who are required to serve a probationary term of two years for Trainee I and a one year for Trainee II appointees.
 - b. Teachers, who are required to serve a probationary term of not less than one year nor more than three years.
 - c. Vocational instructors - see examination announcement for detailed description.
 - d. Less than full-time permanent appointments must serve the maximum probationary period. Therefore, these employees are required to be on probation until the actual amount of time worked is equal to the time set for a full-time employee.
2. Any appointments obtained by promotion or an inter-departmental transfer require that an employee serve a probationary term as follows:

Grade 13 and below - not less than eight nor more than twenty-six weeks.

Grade 14 and above - not less than twelve nor more than fifty-two weeks.

For purposes of probation, the term promotion includes the appointment of an employee to a higher grade position in the non-competitive class.
3. The Bureau of Personnel may approve a superintendent's or division head's (for main office employees) recommendation for permanent retention of an employee before their maximum

probationary period is completed if they had previous satisfactory service with the Department on a temporary or provisional basis in that title. The minimum period must be completed before any request for retention can be considered.

4. When a permanent employee is reinstated to his previous agency following his resignation from State service, he or she must serve a new probationary term of the same duration as the time period served when the original title was obtained (see Section 5.4 of the Rules for the Classified Service).
5. Any employee appointed or promoted on a temporary or provisional basis should be evaluated at the same time intervals as a permanent employee. Note on the evaluation form that the employee is serving in either temporary or provisional status. Should the temporary or provisional employee attain permanent status, his or her formal probationary period begins anew pursuant to Section 4.5 of the *Classified Service Rules and Regulations*.

B. Extension of Probationary Terms

1. It is required that all new employees serve the maximum probationary period associated with their position before acquiring full tenure.
2. Section 4.5 (f) of the Civil Service Classified Rules requires that any probationer's absence of more than the number of workdays specified below shall have their minimum and maximum probationary periods extended. It is our Department's policy that all absences whether authorized or unauthorized with the exception of military and holiday leave, are to be counted in the extension.

<u>Maximum Period</u>	<u>Workdays Absent</u>
26 weeks	10
52 weeks	20

For traineeships exceeding one year, multiply the number of years of the traineeship by 20 work days. Probationary periods may be extended for absences of less than the number of days specified above, subject to the discretion of the Director of Personnel.

3. For promotional probationary periods only, the supervisor may recommend and the Superintendent (for facility employees) or Bureau Head (for Central Office employees) may approve that the probationary term of employees absent in excess of the above stated workdays be extended only by the total number of days absent in excess of those days e.g., A Correction Sergeant who is absent 23 work days may, subject to the approval of his Superintendent, have his probation extended by only three work days.

C. Termination

1. If the conduct or performance of a probationer is not satisfactory, his or her services may be terminated solely by and with the written approval of the Bureau of Personnel, in accordance with Section 4.5 of the Civil Service Rules, anytime after eight weeks and before completion of the maximum period of probation.
2. A probationer serving a traineeship may be terminated at any time after a specified minimum period of service. Unless otherwise prescribed in the exam announcement, the minimum period of service shall be eight weeks.

3. The superintendent or division head (for main office) should notify the Bureau of Personnel no later than three weeks prior to the expiration of the probationary term of the decision to recommend termination of an employee. This will allow ample time for thorough review at various levels within Central Office, and for submission of additional information if needed.
4. An employee shall receive written notice one week prior to probationary termination. The Courts have determined that the date of mailing constitutes the start of that one week notice. Upon request, employee shall be granted an interview with the appointing authority or his or her designee.
5. The Central Office Bureau of Personnel may offer a probationer who receives an unsatisfactory evaluation a notification in writing of an option to serve a second probationary term in a different assignment under another supervisor for an additional period of no less than twelve weeks nor more than twenty-six weeks. This option cannot be considered for employees serving a traineeship, e.g. Correction Officer Trainee, Correction Counselor Trainee.

III. EMPLOYEE EVALUATION DURING PROBATION

A. Written Reports.

1. During the course of a probationary period, the probationer's supervisor(s) must prepare formal evaluations of the employee's progress and performance by using one of the following forms entitled, "Probationary Period - Evaluation Report":
 - a. Form #1246, designed to evaluate personnel employed in entrance level security or clerical positions. (Attachment #1)
 - b. Form #1247, designed to evaluate personnel employed in supervisory security positions and professional or administrative positions. (Attachment #2)

These forms are prepared in duplicate and distributed as follows: a copy to the employee and the original to the personnel folder.
2. All evaluations are signed by the probationer's supervisor and then forwarded for review by either a member of the facility executive staff or Central Office division director.
3. The immediate supervisor arranges an interview with the probationer in order to review the evaluation report, requests the probationer to sign the report which acknowledges the review and discussion, and then presents a copy of the report to the employee. If the employee declines to sign the form, it should be so noted on the form by the supervisor.
4. The employee's personnel unit retains the original copy of the evaluation report for addition to the employee's file.
5. In cases of questionable retention, reports are to be prepared more frequently than shown on the attached schedule. (Every six weeks, four weeks or if necessary every two weeks).

B. Probationary Evaluation Tracking System

1. The Central Office Bureau of Personnel maintains a system that tracks all employees serving probation in Main Office. Records are kept by the date evaluations are due. Each facility is responsible for maintaining their own tracking system, either through use of a computerized system or a manual file card system.

2. The tracking system should be reviewed every week by the Personnel Unit to determine whose evaluations are due three weeks hence. If an evaluation is due, the following steps should be taken:
 - a. Prepares appropriate Form 1246 or 1247 in duplicate and forwards it to the appropriate supervisor.
 - b. Updates the follow up records as the evaluation reports are returned.
3. If evaluations are not returned to the personnel unit within one week of the due date, the second line supervisor should be advised.

IV. EMPLOYEE APPOINTED TO HIGHER LEVEL POSITIONS

A. Restoration

1. During a probationary period, a permanent employee who accepted an intradepartmental or interdepartmental promotion has the right to return to his former title after providing the local Personnel Office with an adequate notice of at least two weeks.
2. An unsatisfactory probationary evaluation resulting in termination during a probationary term by an employee in a higher level position will restore that employee to his or her former position.

B. Promotion of a Probationer

1. If an employee is appointed to a higher level promotional line position on a temporary or provisional basis during his or her probationary term, the appointing authority may allow credit for satisfactory probationary service toward the completion of the lower level position's probationary term.
2. In the event the appointing authority determines that the probationer is not performing satisfactorily in the higher level position, the probationer will be returned to the lower grade position and continue there until the completion of his probationary term.

V. GENERAL

- A. If an employee is terminated or resigns before the completion of probation and if the employee merits another employment opportunity, the employee may request that the Department of Civil Service restore his or her name to the eligible list from which he or she was appointed, provided the eligible list still exists.
- B. During the probationary period, a supervisor should prepare detailed narratives which contain specific examples of both strong and weak points of the employee's performance based on the duties and responsibilities of the position held. The employee may submit for the record any written response to his or her written evaluation.
- C. Under the direct supervision of facility Deputy Superintendent for Administration, each Personnel Unit is responsible for ensuring that the probationary evaluation reports are completed according to Section III of this directive without exception.
- D. Positions that are left vacant as a result of a permanent promotion may be filled temporarily or on a 4.11/4.12 permanent basis pending the successful completion of the incumbent's probation.

Table 1

TYPE OF EMPLOYEE AND LENGTH OF PROBATION		1st Eval.	2nd Eval.	3rd Eval.	4th Eval.	5th Eval.	6th Eval.
Competitive Non Competitive, and Labor Class (26-52 weeks) /1		8 weeks	20 weeks	30 weeks	40 weeks	49 weeks	
Correction Officers (52 weeks)		8 weeks Trng. Acad.	11 weeks OJT (Fac.)	20 weeks	30 weeks	40 weeks	49 weeks
Inter and Intra Departmental Promotion	SG-13 and below (8-26 weeks)	6 weeks	15 weeks	23 weeks			
	SG-14 and above (12-52 weeks)	6 weeks	10 weeks	20 weeks	30 weeks	40 weeks	49 weeks
Teachers	(1 yr. - 3 yrs.)	12 weeks	24 weeks	1 year	1 yr. 6 mos.	2 years	2 yrs. 11 mos.
Correction Counselor Trainee II (52 weeks)		8 weeks	20 weeks	30 weeks	40 weeks	49 weeks	
Correction Counselor Trainee I (104 weeks) /2		6 weeks	16 weeks	32 weeks	48 weeks	76 weeks	98 weeks

/1 When an employee reassigns to another facility during the probationary period, the releasing facility should complete a probationary evaluation covering the period from the date of the last evaluation to the date of reassignment. This evaluation should be forwarded immediately to the receiving facility along with the employees' other personnel records, including the probationers' attendance record.

/2 When an employee is advanced from Trainee I to Trainee II (one year after initial employment), the two year probation period is continued. Those employees who have completed a "full" traineeship probation period are not required to serve an additional probation period upon being advanced to full title. In cases where a Trainee is being advanced to a different salary, Form 1230 is required in addition to the evaluation report.

NOTE: Any employee appointed or promoted on a temporary or provisional basis should be evaluated at the same time intervals as a permanent employee. Note on the evaluation form that the employee is serving in either temporary or provisional status. Should the temporary or provisional employee attain permanent status, his or her formal probationary period begins anew pursuant to Section 4.5 of the *Classified Service Rules and Regulations*.

DATE FEB 22 2007

FORM 1248 (REV 01/87)

**STATE OF NEW YORK - DEPARTMENT OF CORRECTIONAL SERVICES
PROBATIONARY PERIOD - EVALUATION REPORT
(CORRECTION OFFICER AND NON-PROFESSIONAL CIVILIAN POSITIONS)**

INSTRUCTIONS: Submit in duplicate and distribute as follows: original to Personnel folder, copy to employee

EMPLOYEE	TITLE
FACILITY/OFFICE	IMMEDIATE SUPERVISOR
DATE OF PERMANENT APPOINTMENT	DURATION OF PROBATIONARY PERIOD
REPORT FOR PERIOD OF ____/____/____ TO ____/____/____	8-26 WEEKS <input type="checkbox"/> 26-52 WEEKS <input type="checkbox"/> 12-52 WEEKS <input type="checkbox"/>
NOTE TO EVALUATOR: Please check all applicable choices	
RESOURCEFULNESS	
<input type="checkbox"/> Lacks understanding of the overall job	<input type="checkbox"/> Unwilling to accept responsibility
<input type="checkbox"/> Suggests changes to improve procedures	<input type="checkbox"/> Lacks self-confidence
<input type="checkbox"/> Usually effective in settling differences	<input type="checkbox"/> Skillful in handling difficult situations
<input type="checkbox"/> Usually finds ways and means of dealing with emergencies	
<input type="checkbox"/> Other _____	
QUANTITY OF WORK	
<input type="checkbox"/> Must be prodded to meet goals	<input type="checkbox"/> Frequently falls behind schedule
<input type="checkbox"/> Exceeds projected goals	<input type="checkbox"/> Keeps work up to schedule
<input type="checkbox"/> Completed work shows care and good judgment	
<input type="checkbox"/> Other _____	
WORK HABITS	
<input type="checkbox"/> Work must be carefully checked, needs constant direction	<input type="checkbox"/> Has difficulty following prescribed procedures
<input type="checkbox"/> Willing worker at all times	<input type="checkbox"/> Adapts easily to different job assignments
<input type="checkbox"/> Can always be depended upon to complete assignment properly	
<input type="checkbox"/> Other _____	
RELATIONSHIP WITH OTHERS	
<input type="checkbox"/> Lacks confidence when confronted by inmates	<input type="checkbox"/> Often antagonizes other with whom he/she comes in contact
<input type="checkbox"/> Receives constructive criticism well	<input type="checkbox"/> Overly aggressive when confronted by inmates
<input type="checkbox"/> Works well with others	<input type="checkbox"/> Should be more considerate of others
<input type="checkbox"/> Effectively handles situations with inmates	
<input type="checkbox"/> Tactful in dealing with peers, supervisors, and subordinates	
<input type="checkbox"/> Other _____	
QUALITY OF WORK	
<input type="checkbox"/> Work is generally unacceptable	<input type="checkbox"/> Completed work shows need for improvement
<input type="checkbox"/> Work is consistently of high quality	<input type="checkbox"/> Work is generally acceptable
<input type="checkbox"/> Other _____	

CONTINUED ON THE BACK

FORM 1247 (Rev. 01/07)

STATE OF NEW YORK - DEPARTMENT OF CORRECTIONAL SERVICES

PROBATIONARY PERIOD - EVALUATION REPORT

(Supervisory Security Positions, Professional and Administrative)

INSTRUCTIONS: Prepare in duplicate and distribute as follows: original to Personnel folder, copy to employee.

Employee	Title
Office	Immediate Supervisor
Date of Appointment	Permanent
Report for Period of:	Duration of Probationary Period
To	26-52 Wks <input type="checkbox"/> 12-52 Wks <input type="checkbox"/> Other <input type="checkbox"/>

Evaluation: Include in the attached remarks the type of training given, the quantitative performance, and the quality of probationer's work. Submit your evaluation of the probationer's demeanor, ability to use authority acceptably, and relation to clients and coworkers. Attach additional sheets to this form.

Recommendation: Continuation of Probation Permanent Retention Termination
 (Not final until approved by Main Office Personnel) (Final report only)

Probationary periods will be extended to the maximum

Supervisor's Signature	Title	Date
Facility/Office Head	Title	Date
Employee's Signature	Title	Date

Time Use Summary

The probationary period will be extended by all absences (except military leave and holidays) if absent for more than 20 days for 26-52 week probationary periods or 10 days for 8-26 week probationary periods. Probationary periods may be extended for absences of less than the number of days specified above at the discretion of the appointing authority.

	Days Used	This Period	Total
Annual Leave			
Personal Leave			
Sick Leave			
Workers Comp.			
Tardy (Hrs.)			
Other (specify)			