

Probationary Employment Process

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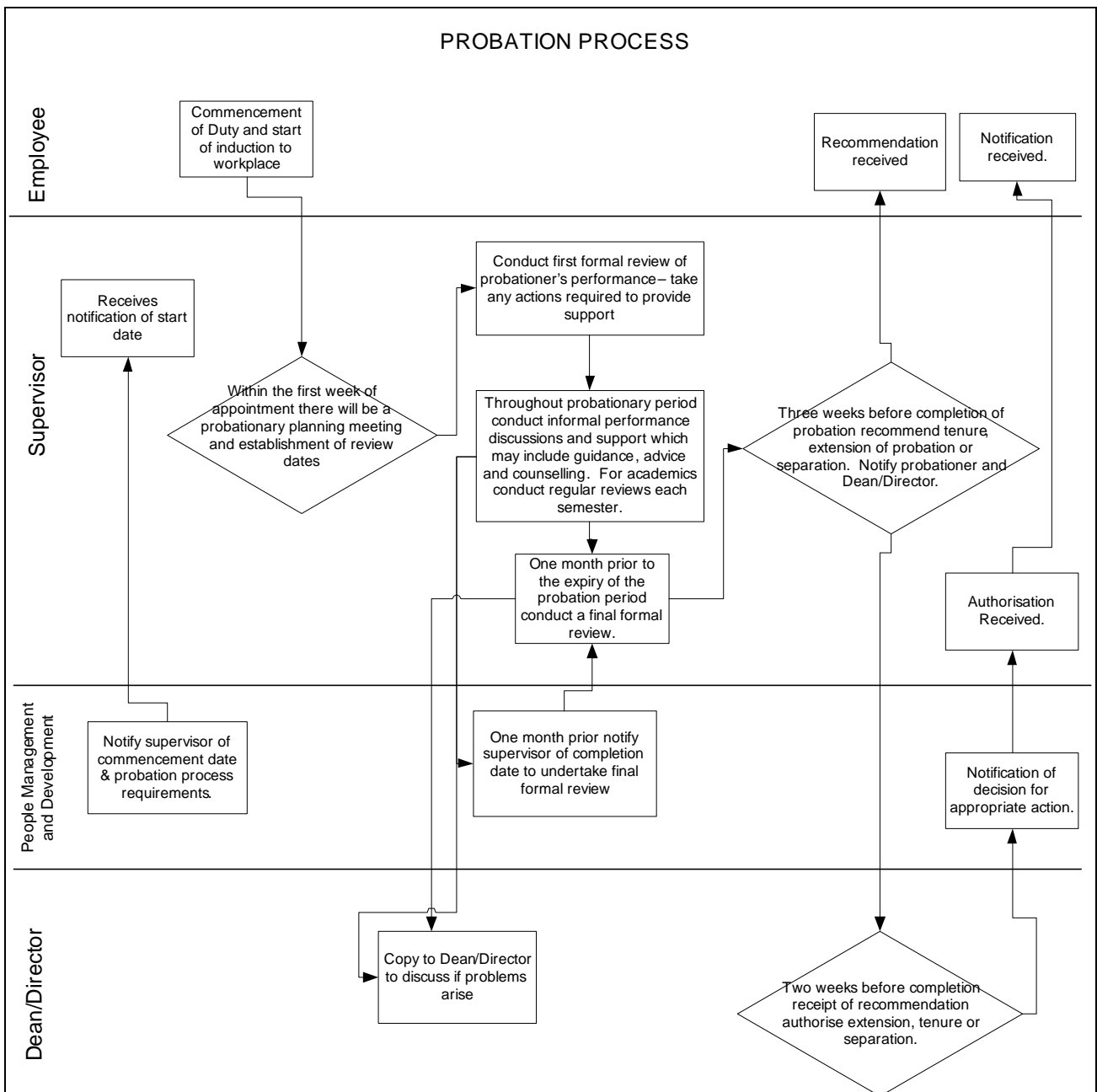
Next Review: 31 December 2007

Purpose:

This document describes the management of employees during their probation employment period.

Intent:

- 1) To establish whether an appropriate match has been made between the Probationer, the position and the work environment, and whether the Probationer is able to perform the required role and assume the levels of responsibility of the position at least satisfactorily.
- 2) The University recognizes that the assessment of match and competence requires some knowledge of the discipline and sector in which the Probationer is employed. To this end, the University must ensure that prior adequate training and/or advice is provided to support the manager responsible for the assessment.
- 3) For academic staff (as defined) the role of the supervisor, the dean and the process are expanded under Attachment A.



General Information

Appointment	<p>4) All newly appointed employees of the University in either a continuing or fixed-term capacity will normally be required to complete a probationary employment period. You will be deemed to be on probation unless clearly stated in your letter of offer.</p> <p>5) Any second or subsequent fixed-term contract will not normally contain a period of probation where the employment is a continuation of the initial fixed-term employment unless the initial probationary employment period is less than the period that would apply to an ongoing appointment.</p> <p>6) A person shall not be expected to undertake a second period of probation because of promotion or transfer to another position within the University.</p>
Exclusions	<p>7) Clauses 26, 27, 28 and 29 of the CDU Union Collective Agreement 2006 do not apply to employees in Probationary Employment.</p>
Length of probation period	<p>8) The probation period will be clearly stated in your letter of offer. If no period is stated in the letter of offer you will be on probation for the period prescribed by clause 9 of this guide.</p> <p>9) In determining the length of the probationary period, the University shall take into account the Probationer's qualifications and experience and the duration of the appointment.</p> <p>9.1. For fixed-term appointments, the probationary period will normally be not more than half of the duration of the appointment.</p> <p>9.2. For continuing appointments, the probationary period will normally be up to three (3) months for general staff up to and including HEW 4, six (6) months for general staff HEW 5 and above, and twenty-four (24) months for academic staff. However in those cases where it is necessary for an academic Probationer to demonstrate research and/or publication activity the probationary period may be up to thirty-six (36) months.</p> <p>9.3. Where performance during the probationary period has been assessed as not satisfactory, the probationary period may be extended by the supervisor at his/her discretion. The period of extension may be up to the duration of the initial probationary period, but is not to exceed 12 months. Extension of the probationary period may only occur once for a given staff member.</p> <p>10) The Probationer will be advised of the length of the probationary period and the name and position of his/her supervisor prior to commencement of employment through the letter of offer or contract of employment.</p>
Feedback	<p>11) The supervisor must meet with the Probationer at least twice during the probationary period at times arranged by the supervisor and the Probationer. The period between meetings should not to exceed six months. The aim of the meeting is to provide feedback to the Probationer relating to the assessment of match, competence and performance within the job.</p>
Right of reply	<p>12) A Probationer will be given an opportunity to make response to, any adverse material about his/her performance or conduct which the University intends to take into account in a decision to terminate the employment upon or before the expiry of the period of probation.</p> <p>13) The Probationer's response must be within 5 working days of receiving the feedback.</p>
Termination	<p>14) The University may terminate a Probationer during the probationary period at any time following receipt of the response under clause 11, or lapse of the 5 working day response period.</p>

Notice	<p>15) Notice of termination is two weeks or payment in lieu of notice for the first two years and four weeks thereafter. An additional weeks notice will be provided to a Probationer who is over 45 years old and has two years continuous service with the University.</p> <p>16) A Probationer may separate at anytime during the notice period by agreement with the supervisor. However, payment will only be made to the day of separation.</p>
Failure to notify	17) If by close of business on the last day of the probationary period, the Probationer receives neither notice of termination or notice that the employment will be confirmed, employment will be confirmed by default, regardless of any concerns about the Probationer's performance.

Responsibility and Timeframe

Responsibility	Action	Timeframe
Supervisor	Appointment made	
Supervisor	Commencement of duty and start of induction to workplace	First week, first day
Supervisor	Probationary planning meeting at which work objectives and key performance indicators are established.	Within first week
Supervisor	First review date set	Within first week
Supervisor	Conduct first formal review of probationer's performance – take any action to provide support and ensure all induction activities are complete	Within agreed timeframes. For academics end of first semester. For other staff the sooner the mid point or 3 month.
Supervisor	Conduct informal performance discussions and support which may include guidance advice and counselling	Throughout the probation period
Supervisor	Conduct regular reviews for academics	Each semester
Supervisor	Conduct final formal review	One month prior to expiry of probation
Supervisor	Recommend tenure, extension of probation or separation. Notify probationer.	3 weeks prior to expiry of probation
Dean/Director	Authorise extension, tenure/permanency or separation.	Within one week of receipt of recommendation.

Summary of Process

Appointment	18) Contract of employment signed by new employee.
Probation period	19) Period of probation stated in contract of employment.
Performance feedback/counselling	20) Performance feedback ongoing with formal feedback sessions no more than 6 months apart.
Natural justice	21) Probationer has 5 working days to respond to adverse behaviours and underperformance identified in performance feedback/counselling.

Termination/extension	22) The University may terminate the Probationer's employment after 5 working days of notifying the Probationer of unsatisfactory behaviours or underperformance identified in performance feedback/counselling.
Notice period	23) The Probationer is entitled to 2 weeks notice for each year of probation.
Permanency/tenure	24) Failure to advise the Probationer of their future before the last day of probation automatically secures tenure or permanency.
Forms	25) General Staff Probationary Report Form

Academic staff	
Definition	<p>'Academic Staff': For the purpose of this process the term 'Academic Staff' means staff employed under the Charles Darwin University Union Collective Agreement 2006 whose primary role is falls within the gamut teaching and learning or research and scholarship.</p> <p>'Dean of Faculty': means either the Dean of the Faculty or Director of Division in which the probationer is employed.</p> <p>'Probationer' means a full-time or fractional-time appointee who will be eligible for tenure after satisfactory completion of a designated probationary period.</p> <p>'Probationary Period' is a period during which both parties can access the suitability of the appointment. The University is able to assess a probationer's performance against the required standards before offering tenure.</p> <p>'Probationary Supervisor' means:</p> <ul style="list-style-type: none"> (i) in the case of Faculty-based staff, normally the Head of School in which the probationer is employed, or a staff member at an appropriate level appointed by the Dean; (ii) where a staff member is not assigned to a Faculty, a person appointed by the Vice-Chancellor or delegate. (iii) Where a Head of School is a probationer, alternative supervisory arrangements should be agreed with the Dean of Faculty. <p>'Tenurable Appointment' is an appointment, which may lead to tenure after a period of probation.</p> <p>'Tenure' or 'Tenured Appointment' means continuing employment until resignation, retirement, medical retirement, death, abandonment of employment, dismissal for disciplinary reasons or redundancy.</p>
The Dean	<p>The Dean will ensure the following processes are followed:</p> <ul style="list-style-type: none"> (i) that probationary supervisors undertake reviews of probationers in accordance with these procedures. (ii) supervisors maintain good working relationships with probationers to enable constructive supervision and, if required, periodic counselling; (iii) that copies of all documentation of discussions relating to a probationer's performance are forwarded to PMD for filing on the probationer's personal file.
Supervisor	<p>The function of the probationary supervisor is to supervise, counsel and advise the probationer as necessary. This may take the form of informal discussions as well as the mandatory semester probation reviews.</p>
Planning discussion	<p>Within the first month of appointment, the probationary supervisor will meet with the probationer to clarify and agree on the duties, expectations and goals associated with the appointment. These criteria and objectives will be specific to each probationer and will be derived from various sources such as job description, selection criteria, position classification standards and University policies and practices.</p>
Purpose	<p>The purpose of the planning discussion is to:</p> <ul style="list-style-type: none"> (i) clarify the expectations of the University and the work unit, which is normally the School / Faculty; (ii) review the level and appropriateness of the probationer's goals; (iii) plan support and development activities, which will assist

	<p>probationers to meet their obligations to the University as well as enhance their careers.</p>
<p>Probationary Reviews</p>	<p>The probationer and the supervisor are required to meet formally each semester to cover all aspects of the probationers performance as established through the workload agreement, targets established for teaching and learning, outcomes of student evaluation, research, business development, community and access and corporate services. This meeting can be guided by the Performance, Development and Review System (PDRS).</p> <p>The supervisor will complete the probation report form in conjunction with the probationer.</p> <p>The probationer will sign the report and provide any comments or statements on the content of the report. These written comments must be attached to the report.</p> <p>The supervisor will then submit the report to the dean for comment and action on any recommendations.</p> <p>A copy of the report, with all relevant comments including those of the Dean, is to be forwarded to PMD for filing. The Probationer and the supervisor should retain copies.</p> <p>The contents of all reports are confidential.</p> <p>Where any written report signifies unsatisfactory aspects of the probationer's performance the report must also recommend specific corrective action. In some case a further report may be required within an agreed period.</p> <p>Where a subsequent report indicates unsatisfactory progress towards the recommended action the Dean will formally advise the Vice-Chancellor of any disciplinary action required including terminating the probationers employment.</p>
<p>Issues</p>	<p>During this process the probationary supervisor and probationer should take into account:</p> <ul style="list-style-type: none"> (i) the purpose of the appointment as outlined in the relevant duty statement; (ii) the requirements of the appointment as outlined in the relevant selection criteria; (iii) the Position Classification Standards applicable to the level of appointment; (iv) the probationer's individual development needs; and if applicable (v) any of the probationer's relevant personal circumstances. <p>It is important that both the probationer and probationary supervisor agree on the tasks, goals etc for the coming year at the planning stage because the planning discussion becomes the basis for later discussion of the probationer's performance during semester reviews. In some circumstances it may become necessary to revise these expectations during the year.</p> <p>Should the probationer and probationary supervisor experience any difficulty in agreeing on the broad or specific detail of the planning discussion, assistance in furthering the discussion may be sought from the Dean of Faculty or PMD.</p> <p>During the planning phase, the probationary supervisor and the probationer should discuss how the probationer's performance will be rated, for example, student assessment, acceptance of papers for publication, timely completion of marking and administrative duties.</p> <p>The <i>Planning Discussion</i> form must be signed by the probationary supervisor, the probationer and the relevant Dean and forwarded to PMD for inclusion on the probationer's personal file. The probationer and probationary supervisor each</p>
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	<p>retain a copy of the form as it will assist to structure, or prompt, semester reviews.</p> <p>Should the probationer's role and goals change to the extent that leads to a significant variation to the agreed <i>Planning Discussion</i> document the probationary supervisor and probationer may agree to amend or replace this document.</p>
Student evaluation	<p>It is a requirement under this process that during the probation period an academic staff member be systematically evaluated through a process of student feedback, focus groups and interviews. A new round of student evaluation should take place each semester while the Probationer is subject to this process.</p> <p>In all cases the probationer must receive satisfactory outcomes of teacher evaluations through the Student Experience of Learning and Teaching (SELT) system for all teaching undertaken during the probation period.</p>
Forms	Academic Staff Probationary Reports

Document History and Version Control

Version	Date Approved	Approved by	Brief Description
1.00	09/06/05	VCMG	Original – Version 1
2.00	04/09/06	Executive Director Corporate Services	Revised General Information and Summary of Process– Version 2
2.01	06/03/07	People Management and Development	Add links for relevant forms/reports.