

State Police Commission

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January 23, 1996

Transmittal Sheet No. 14

To: State Police Commission Members, Colonel William R. Whittington, Personnel, Legal, Retirement, LSTA, LSTA Affiliate Presidents, Floyd Falcon, Walter L. Smith, III, and Court of Appeal, First Circuit Judges

From: Debra L. Johnson

Re: Revisions and Adoption of Rules in Chapter 9 of the State Police Commission Rules

At its January 22, 1996 meeting, on motion duly made and seconded, by unanimous vote of the members present, the State Police Commission revised and adopted the following rules:

Rule 9.1(a) - **REVISED**
Rules 9.3(a), (b), (c) and (d) - **REVISED**
Rule 9.4 - **ADOPTED**

These revisions were effective January 22, 1996.

If you have any questions, please contact me.

Sincerely,

Debra L. Johnson

Debra L. Johnson
Director

Attachment

CHAPTER 9

PROBATIONARY PERIOD

9.1 Probationary Period.

- (a) Except as provided by Rule 9.3 and 9.4 herein, a probationary period of no less than six (6) months nor more than twelve (12) months shall be served by employees following original appointment or non-competitive reemployment.
- (b) A permanent employee who is promoted, transferred, reassigned or demoted to another position shall not serve a probationary period in the new position.
- (c) A permanent or probationary employee who is appointed to another position following certification from an open competitive eligible list is considered a new employee in the new position and shall serve a probationary period no less than six months or more than twelve months in such new position.
- (d) Repealed, effective January 28, 1992.
- (e) A probationary employee may be removed by the Appointing Authority at any time, provided that the Appointing Authority furnish the Director reasons therefor in writing.
- (f) A former employee who is appointed from a department preferred re-employment list is not required to serve a probationary period in the new position.
- (g) The probationary period of a part-time employee shall be computed on the same calendar basis as though he were employed full time.

9.2 Permanent Appointment Action Following Probationary Period.

- (a) Permanent appointment of a probationary employee shall begin upon certification by the Appointing Authority. Certification will consist of a statement in the "remarks" section of the SF- 1, " I certify that this employee has met the required standard of work during the probationary period."
- (b) A permanent appointment must be reported on an SF-1.
- (c) The Appointing Authority shall remove employees who have not been certified as permanent at the end of the twelve-month probationary period in accordance with the provisions of Rule 9.1 (e).

9.3 Interruption of Probationary Period Because of Physical and/or Mental Disability or Condition.

- (a) A probationary employee whose physical and/or mental disability or condition prevents them from performing their duties, shall, upon their request to the appointing authority, be placed in an appropriate leave status for a period not to exceed one (1) year, which shall have the effect of interrupting their probationary period without prejudice.

In the event no other leave status is available to the employee, he or she may be placed on Leave Without Pay during the interruption of their probationary period.

- (b) Upon the resumption of their duties, such employee shall be returned to duty in a probationary status at the point in the probationary period he or she reached before being so absent.
- (c) After a probationary employee has been absent from duty because of such a physical and/or mental disability or condition for one year, the appointing authority shall, for this reason, remove such employee and shall report such removal, and the reasons therefor, to the Director.
- (d) Such physical and/or mental disability or condition which results from an employee's willful misconduct shall not be the basis of the interruption provided for in Subsection (a) herein, nor shall such physical and/or mental disability or condition resulting from the employee's willful misconduct prevent the termination of such probationary employee as provided for by Rule 9.1(a) and (e).

9.4 Interruption of Probationary Period for Military Purposes.

A probationary employee who is absent from duty for military training or military active duty, without regard to the length of time of such absence, shall be returned to duty in a probationary status at the point in the probationary period he or she reached before being so absent.

- 9.5 An employee cannot attain permanent status or acquire other rights and benefits of permanent appointment for more than one full-time equivalent position in State service.