**R477. Government Operations, Human Resource Management.**

**R477-5. Employee Status and Probation.**

**R477-5-1. Career Service Status.**

(1) Only an employee who is hired through a pre-approved process shall be eligible for appointment to a career service position.

(2) An employee shall complete a probationary period before receiving career service status.

(3) Management may convert a career service exempt employee to career service status, in a position with an equal or lower salary range, when:

(a) the employee previously held career service status with no break in service between the last career service position held and career service exempt status;

(b) the employee was hired from a public hiring list to a career service exempt position, in the same job title to which they would convert, as prescribed by Section R477-4-8; or

(c) the employee was hired through the Alternative State Application Program (ASAP) and successfully completed a six month on the job examination period.

**R477-5-2. Probationary Period.**

The probationary period allows management to evaluate an employee's ability to perform the duties, responsibilities, skills, and other related requirements of the assigned career service position. The probationary period shall be considered part of the selection process.

(1) Management shall provide each employee an opportunity to demonstrate competence in a career service position by establishing a performance plan and giving the employee feedback on performance in relation to that plan.

(a) During the probationary period, management may separate an employee from state employment in accordance with Subsection R477-11-2(1).

(b) At the end of each employee's probationary period, management shall evaluate the employee's performance. DHRM shall enter the evaluations into the human resource information system as the performance evaluation that reflects successful or unsuccessful completion of probation.

(2) DHRM shall assign a probationary period to each career service position consistent with its job.

(a) Except for absences covered by USERRA, management may extend the probationary period for any period of absence or temporary transitional assignment.

(b) Management may not reduce the designated probationary period after an employee is appointed to the position.

(c) An employee who has completed a probationary period and obtained career service status may not be required to serve a new probationary period, including when changing agencies, unless there is a break in service.

(3) An employee in a career service position who works at least 50% of the regular work schedule or more shall acquire career service status after working the same amount of elapsed time in hours as a full time employee would work with the same probationary period.

(4) An employee serving probation in a career service position may accept a transfer, reassignment, promotion, or career mobility to another career service position. Each new appointment to a career service position shall include a new probationary period unless management determines that the required duties or knowledge, skills, and abilities of the old and new position are similar enough not to warrant a new probationary period. The probationary period shall be the full probationary period defined in the job description of the new position.

**KEY: employment, personnel management, state employees**

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