




OREGON DEPARTMENT OF FISH AND WILDLIFE POLICY

Human Resources Division

Title:	Trial Service Period	HR_440_06
Supersedes:	HR_440_06, dated January 1, 2005	
Applicability:	Management service employees. Refer to labor agreement for classified represented employees.	
Reference:	State Policy 40.065.01; 105-040-0065	
Effective Date:	July 16, 2007	Approved: 

I. PURPOSE

Trial service is the final phase of the hiring process. The trial service period affords an employee the opportunity to demonstrate the ability to perform the work and gives the department the opportunity to determine the employee's qualifications and fitness for the position.

II. POLICY

- A. Upon initial appointment to state service or upon promotion in the management service, an employee shall serve a trial service period.
- B. An employee who has regular status may be required to serve a trial service period upon:
1. Transfer from classified service into the management service;
 2. Transfer to the department from a different state agency;
 3. Transfer back to the department from another state agency after an absence of more than one year;
 4. Reemployment with the department after separation from another agency, or after separation from the department for more than one year; or
 5. Voluntary demotion to a different classification series.
- C. Length of trial service:
1. Trial service period shall be at least six months but not more than twelve months. The Human Resources Administrator shall determine the length of the trial service period, based upon specific circumstances which may affect the amount of time needed to demonstrate competency (i.e., the complexity of the job, the length of time required to effectively perform the work, the length of the training program). Employees shall be notified of the length of trial service at the time of appointment. The Human Resources Administrator, in conjunction with the appropriate deputy director, may extend a six-month trial service period up to twelve months by giving written notice to the employee. Such notice shall be retained in the employee's

personnel file. Part time employees shall serve an equivalent trial service period set by the Human Resources Administrator for the specified classification on an hour by hour basis (i.e., a six month trial service period is equivalent to 1040 hours for a half-time employee).

2. A new trial service period may be established for an employee who is serving a trial service period upon lateral transfer to another position having a different supervisor or upon demotion, unless demoted as a result of restoration.
3. Employment under temporary appointment shall not count as part of a trial service period upon subsequent appointment to a permanent position.
4. The Human Resources Administrator may extend the trial service period by the corresponding total number of days of a period of leave with or without pay exceeding 15 calendar days.
5. Upon successful completion of trial service, the employee shall be placed in regular status.

D. A trial service employee may be removed during the trial service period if, in the opinion of the Human Resources Administrator, in conjunction with the division administrator/region manager, the employee is unable or unwilling to perform the duties of the position satisfactorily, or the habits and dependability of the employee do not merit continuance in the service.

1. The employee shall be provided with written notice of trial service removal. The notice shall state that the action of removal is being taken, the effective date of the action, the grounds as listed above, and the statutory citation, "ORS 240.570(3)."
2. An employee who held regular status in the classified or management service immediately prior to transferring, promoting, or voluntarily demoting and is removed from trial service shall have return rights to a position in the same classification and agency as the previously held position. In order to have return rights, the removal from trial service shall be involuntary and for reasons other than specified in ORS 240.555. Eligible employees shall be returned as follows:

a. Classification Determination

- 1) The employee shall be placed in a position which is the same classification and service type within the same agency or successor agency as the previously held position in which the employee gained regular status.
- 2) If no such classification exists, the employee shall be placed in that agency in the same service type, in a successor classification with duties comparable to the previously held position in which the employee gained regular status.
- 3) If no such classification exists, or the employee does not qualify, the agency shall consider other classifications in the same service category, beginning with the comparable level, in descending salary

range order, to determine a classification for which the employee qualifies. The employee shall then be returned to that classification.

b. Return

- 1) An employee shall be returned to the appropriate classification as determined in (D)(2)(a).
 - 2) If no vacant position exists in the classification determined in (D)(2)(a) the employee shall be returned to a filled position as provided for in HR_440_10, Alternate Methods of Filling a Position.
 - 3) The doublefill created by (D)(2)(b)(2) above shall be resolved by (i) or (ii) below:
 - i. The agency may conduct a layoff; or
 - ii. The agency shall develop a plan to resolve the doublefill. The plan shall be documented in writing and specify the timeframe for resolution.
 - 4) The decision to resolve the doublefill created above shall be subject to applicable HRSD State rules and policies, and applicable collective bargaining agreements.
3. A trial service employee who is removed and gained regular status in an agency where the employees of that agency are excluded from the provisions of ORS 240 shall be subject to the policies of the former agency.
 4. An employee who is removed during trial service may request to be returned to the open competitive list from which appointed if the list still exists.