

# PROBATION

## Employment Instruction Number 2

---

### 1. **Scope**

1.1. This Employment Instruction:

- a) sets out rules for managing probation for an ongoing employee in accordance with the *Public Sector Employment and Management Act* (the Act);
- b) is issued in accordance with section 16 of the Act;
- c) is to be read in conjunction with, and subject to, section 32 of the Act; and
- d) is to be read in conjunction with Employment Instruction Number 3 (Natural Justice).

### 2. **Agency procedure**

2.1. A Chief Executive Officer must develop a probation procedure consistent with the Act, its subordinate legislation and any relevant award or enterprise agreement.

### 3. **Probation process requirements**

3.1. The agency procedure must require:

- a) the employee to be provided with the details of the probation process as soon as practicable after commencing duty;
- b) the employee to be informed about his or her duties, and expected standards of performance and conduct;
- c) the employee to be provided with appropriate assistance and support during the period of probation;
- d) the process to be documented in writing;
- e) assessment of the employee's:
  - ability to perform his or her assigned duties; and
  - suitability to perform, or capability of efficiently performing his or her assigned duties;
- f) that the employee receive regular performance feedback and an opportunity to discuss it with his or her supervisor;
- g) notification of the Chief Executive Officer's decision to extend the period of probation, or to confirm or terminate the employee's ongoing employment under

---

the probation, and reasons for the decision to be given in writing to the employee; and

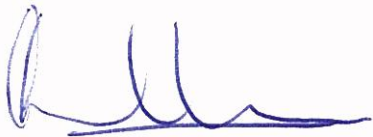
h) an opportunity for the employee to respond to any adverse decisions.

#### **4. Termination of ongoing employment**

4.1. Where a Chief Executive Officer intends to terminate an employee under section 32(3)(b) of the Act, the Chief Executive Officer must notify the employee in writing.

#### **5. Extension of probation**

5.1. Where a Chief Executive Officer intends to extend an employee's probation period under section 32(3)(c) of the Act, the Chief Executive Officer must notify the employee in writing that his or her probation will be extended, the reasons for the extension, and the period of the extension.



**GRAHAM SYMONS**  
**Commissioner for Public Employment**

14 December 2011