



UNIVERSITY OF  
**LIMERICK**  
OLLSCOIL LUIMNIGH

# **PROBATION POLICY**

# 1 Introduction

## 1.1 Purpose

**1.1.1** The first 11 months of any new job can be challenging and it is critical that the new employee gains a clear understanding of and expectations around the job role during this time. The purpose of the probationary period is to provide the University with an opportunity to establish the employee's suitability for the role and to provide the new employee with an opportunity to fully discuss and understand the role and to receive feedback on their performance.

## 1.2 Scope

### 1.2.1 To whom does the Probation Policy apply?

The probationary period of 11 months applies to all new permanent and contract employees of the University of Limerick. If probation has been satisfactorily completed at the end of the 11-month period, the appointment is confirmed.

### 1.2.2 In what situations does the Policy apply?

Where the contract is for a period of less than 11 months the probation period will apply for the duration of the contract. In the event the contract is renewed the probation period will continue to apply until a total of 11 months service has been achieved.

Existing employees promoted or appointed to another post within the University of Limerick who are in the first 11 months of service will continue their probationary period.

The Policy does not apply to existing employees who, having already completed a probationary period; are promoted or appointed to another post within the University of Limerick. Existing employees promoted or appointed to another post within the University who have already completed a probationary period will have their performance assessed in the normal manner through the PDRS process.

### 1.2.3 Who is responsible for ensuring that the Probation Policy is implemented and monitored?

Implementation of the Policy will be the responsibility of the Director, Human Resources with the relevant Dean/Division Head/Head of Department/Line

Manager (who for the purposes of this Policy will now be known as the 'manager') playing a key procedural role.

## **1.3 Definitions**

### **1.3.1 Probationary Period**

A probationary period is the initial period of employment during which an employee's performance is evaluated so that an assessment can be completed as to their suitability for the role.

## **2 Context**

### **2.1 Legal and Regulatory Context**

#### ***Universities Act, 1997***

Statute No. 4 - Statute on Disciplinary Matters, Suspension, Termination and Capacity as set up under the Universities Act, 1997 sets out the process to be followed by the University in the event of termination of an employee's contract of employment during or at conclusion of the probationary period. This Policy ensures compliance with this section of Statute No. 4.

#### ***Unfair Dismissals Act 1997-2005***

The Unfair Dismissals Acts, 1977-2015 provides protection for employees in relation to the termination of their employment. The Act, however, excludes the application of the legislation in relation to dismissals during a probationary period, provided the probation is less than 12 months. This Policy ensures compliance with this legislation.

#### ***Industrial Relations Act, 1946-2015***

Under the Industrial Relations Act, 1946-2005 the University of Limerick must ensure the application of natural justice and procedural fairness in dismissing an employee on probation. This Policy ensures compliance with this legislation.

## **3 Policy Statements**

### **3.1 Principles for the Probation Policy**

The University of Limerick is committed to the development of a positive working environment in which new members of staff are supported. The Probation Policy assists in establishing a clear set of expectations for staff and

gives managers a structure to manage performance and provide feedback. Through regular meetings any performance issues that may arise can be identified early which offers the best opportunity for resolution.

## **4 Procedures for Probation Policy**

- 4.1** Probation meetings should be held between the manager and their employee after three, six and nine months of service. However, this does not preclude regular informal meetings being held to review progress. These meetings can be used to give and receive feedback, clarify priorities and set expectations.
- 4.2** At the three, six, and nine-month probation meetings the Probation Assessment Form is completed by the manager in consultation with the employee. A plan of action to be taken by the employee before the next meeting is agreed and recorded on the form, a copy of which will be provided to the employee. It is the responsibility of the manager to ensure the probation meetings take place and that the Probation Assessment Forms (i.e. after three, six and nine months) are completed and returned to Human Resources. The Probation Assessment Form should provide a true and accurate reflection of what was discussed, including any performance issues.
- 4.3** Employees must ensure they have read and understood the University of Limerick policies and procedures and complete the relevant mandatory training during the probationary period to successfully complete probation. Employees are required to complete and return to Human Resources the Policies and Procedures/Mandatory Training “First Six Months - Checklist” (or version of this checklist that is current at that time) to successfully complete probation and to receive confirmation of appointment.
- 4.4** While an employee on probation must clearly establish their suitability for the job, there is a corresponding obligation on the University to draw any shortcomings to the employee’s attention to help them to improve.
- 4.5** It is the line manager’s responsibility to deal with underperformance specifying where performance is unacceptable and outlining the consequences for the employee of failing to reach the required standard.
- 4.6** If the performance continues to be unsatisfactory, the manager will liaise with Human Resources to consider and recommend an appropriate course of action. Such action could include but may not be limited to:
- Monthly assessment of the individual for the remainder of their probation.
  - Termination of the contract.

- In certain instances, where there is reasonable expectation that difficulties outlined in continuous adverse assessments can be overcome, an extension of the probationary period for a limited time and with defined objectives may be possible. Agreement to extend must be sought and received from the Human Resources Division before this can happen.
- 4.7** An employee can raise an issue under the University of Limerick's Grievance Procedure at any stage during the probationary period.
- 4.8** By the end of the probation period (or earlier if the employee's performance is unsatisfactory), the line manager should complete the Probation Assessment Form and return it to Human Resources recommending that the employee:
- Pass probation and be confirmed in post or
  - Have their employment terminated or
  - Extend the period of probation
- 4.9** If the manager indicates on the Probation Assessment Form that the employee's performance is satisfactory and the employee has completed and returned to Human Resources the Policies and Procedures/Mandatory Training "First Six Months - Checklist" (or version of this form that is in place at that time), Human Resources will confirm the appointment at the end of the probationary period and issue a letter to the employee confirming their appointment in the post.
- 4.10** Either party may terminate the employment during the probationary period. In circumstances where performance has not met expectations and the University wishes to terminate the employment, notice of termination will issue. Agreement to termination must be sought and received from the Human Resources Division before this can happen.
- 4.11** In certain instances, the University reserves the right to extend the probation period. In the norm extensions of probation will be due to periods of leave. If an employee takes leave (e.g. sick leave, maternity leave) during the probationary period that extends beyond one month, the probationary period will be extended beyond the initial 11-month period. The duration of the extension will be commensurate with the duration of leave.
- 4.12** The University reserves the right in certain instances to extend the probation period, where there is a reasonable expectation that difficulties outlined in continuous adverse probation assessments can be overcome within a defined duration.

- 4.13** The notice to extend probation will be issued prior to the original end date of the probationary period. Agreement to extend probation must be sought and received from the Human Resources Division before this can happen. The employee will be provided with written details of duration of the probation extension.

## 5 Related Documents

Probation Assessment Form

First Six Months – Checklist (*Policies and Procedures / Mandatory Training Checklist*)

Guidelines for Managing Probation

Statute No. 4 - Statute on Disciplinary Matters, Suspension, Termination and Capacity

## 6 Document Control

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