

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS DIRECTIVE

4315.3
REVISION 1

5/3/89

PROBATIONARY PERIOD FOR NEWLY APPOINTED SUPERVISORS AND MANAGERS

I. PURPOSE

This directive provides guidance to newly appointed supervisors and managers serving probationary periods and to reviewing officials responsible for appraising these employees.

II. CANCELLATION

This directive cancels FSQS Directive 4315.3; dated 6/12/81.

III. REASON FOR REISSUANCE

- A. **Paragraph VIII.** Revised to reduce the length of managerial probationary period.
- B. **Paragraph X.** Expanded to include additional instances when credit towards completion of probationary period may be granted.
- C. **Paragraph XIX.** Revised to reduce the required minimum hours of formal training.

IV. REFERENCES

FSIS Directive 4713.1 Equal Employment Opportunity
Supervisory Grade-Evaluation for General Schedule Positions
Job Grading Standard for Supervisors (Wage Grade)

V. FORMS AND ABBREVIATIONS

The following will appear in their shortened form in this directive:

EEO	Equal Employment Opportunity
LWOP-	Leave Without Pay
MPI	Meat and Poultry Inspection
NFC	National Finance Center
OPF	Official Personnel Folder
OPM	Office of Personnel Management
SPO	Servicing Personnel Office
WGI	Within-Grade Increase

AD-773
SF-50
SF-52

Supervisory or Managerial Probationary Period Report
Notification of Personnel Action
Request for Personnel Action

VI. DEFINITIONS

A. **Supervisory Position:** A position classified as "supervisory" under the OPM "Supervisory Grade-Evaluation Guide for General Schedule Positions," or, if under the wage system, the "Job Grading Standard for Supervisors." It does not include managerial positions defined in subparagraph B. Each position must be looked at on a case-by-case basis to determine if the position meets the minimum criteria for classification as a supervisory position.

B. **Managerial Position.** A position which satisfies the definition of a managerial position contained in the Supervisory Grade-Evaluation Guide. A managerial position is one in which the incumbent directs the work of an organization, is held accountable for the success of specific line or staff programs, monitors the progress of the organization toward goals, and periodically evaluates programs and makes appropriate adjustments. The following are examples of typical duties and responsibilities of a managerial position:

1. Determines program goals, resource needs, and allocation of resources.
2. Establishes policy for the organization managed in such areas as determining program emphasis and operating guidelines.
3. Deals with general personnel management policy matters affecting the organization managed. '
4. Delegates authority to subordinate supervisors and hold them responsible for the performance of the organizational units.

VII. SIGNIFICANCE OF PROBATIONARY PERIOD FOR NEWLY APPOINTED SUPERVISORS AND MANAGERS

The success or failure of FSIS programs is dependent to a large extent on the caliber of its supervisors and managers. They require skills and abilities which cannot readily be taught or developed in other kinds of positions. The probationary period is intended to bridge the gap between perceived supervisory or managerial potential and actual performance. It provides an opportunity to assess the new appointee's development on the job and to return an employee to a nonsupervisory or nonmanagerial position without undue formality should circumstances warrant.

VIII. BASIC REQUIREMENT AND LENGTH

A. Basic Requirement.

A probationary period is required when a supervisory or managerial position is filled on a permanent basis or on a temporary basis by a temporary appointment, promotion, or reassignment for 120 days or more and when the temporary action can be made permanent without further competition and this was a matter of record.



2. Because of the differences in the responsibilities of supervisory positions and managerial positions, a full probationary period is required for both supervisors and managers. Only one probationary period is required if the position is classified as **both** supervisory and managerial. ■
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B. **Length.** The probationary period is 12 months for a newly appointed Supervisor or manager. The length and commencing date of the probationary period are indicated in the Remarks" section of SF-50. ■
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IX. **EMPLOYEES EXEMPT FROM REQUIREMENTS OF THE PROBATIONARY PERIOD**

A: Some individuals with prior experience as managers or supervisors do not have to serve a probationary period. In applying the provisions below, length of service in the prior position is **not** a factor in determining applicability:

1. If an employee had served in a managerial position on or before August 11, 1979, then no probationary period is required upon assignment to either a supervisory or managerial position.

2. If an employee had served in a **supervisory** position on or before August 11, 1979, then a probationary period is required only upon assignment to a managerial position.

B. Temporary service as a supervisor or manager on or before August 11, 1979, counts in the same way as service under a permanent appointment provided the individual was **officially** assigned to the position for more than 120 consecutive calendar days (e.g., temporary appointment, promotion, or reassignment). However, service while on detail or in an acting capacity during the temporary absence of the regular supervisor or manager does not count regardless of the length of time served.

C: A probationary period is not required when a supervisory or managerial position is filled under a temporary appointment, promotion, or reassignment and the possibility of the selection being permanent was not made a matter of record. A full probationary period must be served if the employee is subsequently placed in a supervisory or managerial position requiring a probationary period. ■
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X. **CREDITING SERVICE TOWARD COMPLETION OF THE PROBATIONARY PERIOD**

A. Time spent in a probationary period which began after August 11, 1979, but which was interrupted, is credited toward the completion of a later probationary period if all of The following conditions are met:

1. The employee served at least 6 consecutive months of the interrupted probationary period.

2. The new probationary position is substantially in the same line of work as the former position requiring a probationary period.

3. The time since leaving the former probationary position was no more than 2 years.

* * *

B. Absences in LWOP status during the probationary period (other than absence because of compensable injury or military service) are counted toward completion of the probationary period up to a total of 22 workdays. LWOP in excess of 22 workdays extends the probationary period by an equal amount of time in a pay status.

C. Absence during the probationary period due to compensable injury or military duty from which the employee is entitled to restoration rights or priority consideration is creditable in full toward completion of the probationary period.

D. When a probationary employee is transferred, reassigned, or promoted to another supervisory or managerial position, the employee is subject to the probationary period prescribed for the new position. Service in the former position counts toward completion of the probationary period required for the new position. **EXCEPTION:** A probationary employee who moves from a supervisory position to a managerial position is subject to the full managerial, ■

E. When a probationary employee is **temporarily** placed in another supervisory or managerial position (i.e. detailed, temporary promotion or reassignment), the temporary service is creditable toward completion of the probationary period probationary requirement. ■

F. The total credit given for previous probationary service as a supervisor or manager shall not exceed 9 months. ■

G. Credit may not be granted in the instances described below. ■

1. Time spent by the probationary employee during temporary placement (detail, temporary promotion or reassignment) in a **nonsupervisory** position. ■

2. Any retroactive period involving placement in a supervisory or managerial position as a result of a complaint settlement or grievance. ■

3. Time spent in a previous supervisory or managerial position when, during the probationary period, the employee was separated or demoted for cause or placed in a nonsupervisory or nonmanagerial position due to deficiencies in supervisory or managerial performance. ■

XI. DOCUMENTATION

A. AD-773 (see Attachment 1) is the official document for recording completion or noncompletion of a probationary period. All applicable responsibilities listed on the form must be rated either Satisfactory or Unsatisfactory. Documentary evidence must be attached when an Unsatisfactory rating is given for any of the responsibilities.

B. Complete AD-773 at least 30 days before the end of the probationary period and no earlier than 90 days after appointment, for those employees with previous creditable supervisory or managerial service. ■
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C. The NFC will furnish the AD-773 90 days before the completion date of probationary period. **EXCEPTION:** The AD-773 will be produced manually by the SPO when the probationary period is less than 1 year * * * or where unsatisfactory service is indicated during the probationary period.

XII. NOTIFICATION OF PROBATIONARY REQUIREMENTS

A. Vacancy announcements will include the following statement, as appropriate: "Selectee will be required to serve a supervisory/managerial probationary period unless prior service is creditable."

B. Following selection, the SPO will review the OPF and application material to determine whether the selectee will be required to serve a probational period and the length of time required. The SPO will send the selectee a "Letter of Acknowledgment" stating the length and specific provision of the probationary period. A copy will be furnished to the immediate supervisor.

C. In the absence of records which support an individual's claim that he/she should be exempt from the requirement because of previous service in a supervisory or managerial position, the SPO may require that individual to serve a probationary period. An employee who wishes to contest the SPO, determination may do so under the FSIS grievance procedures. There is no right of appeal to the Merit Systems Protection Board.

XIII. EVALUATION. AND COUNSELING

Evaluation and counseling of the probationer must be an ongoing process and should not be delayed until final probationary report is issued or a decision is made to remove the employee from the position. The responsibilities and associated performance indicators listed in Attachments 2 and 3 may be used as guidelines to provide counseling and to evaluate performance during and at the end of the probationary period.

A. The performance indicators on Attachments 2 and 3 represent some of the more common activities associated with supervisory and managerial positions. They are not all-inclusive and may be modified by individual raters to more accurately reflect the supervisory or managerial responsibilities of a specific position.

B. Performance indicators for assigned responsibilities should be reviewed with each new supervisor or new manager within the first 30 days in the position, periodically during the probationary period, and when preparing the final report on the AD-773.

XIV. **PROCESS WHEN SUPERVISOR OF PROBATIONER CHANGES**

If the supervisor of the probationer is not available or is changed during the probationary period, the next higher-level supervisor assumes the responsibility for counseling and rating the probationer until the supervisor returns or until a permanent replacement has been in the position for 120 days.

XV. **FAILURE TO SATISFACTORILY COMPLETE PROBATIONARY PERIOD**

Successful completion of the probationary period is a prerequisite to continuing in the position. If supervisory or managerial performance is evaluated as unsatisfactory, the incumbent is returned to a nonsupervisory or nonmanagerial position.

A. The new nonsupervisory or nonmanagerial position must be similar to and at a grade and pay level **no lower** than the position occupied before the supervisory or managerial position. **EXCEPTION:** An employee is entitled to be placed in a vacant position **equal** in grade to the supervisory or managerial position if the conditions below apply. In this instance, there is no authority to demote the employee.

1. The employee was appointed to a supervisory or managerial position either:
 - a. From an OPM register; or
 - b. Based on reinstatement eligibility.
2. The employee is not serving in a probationary period for new employees. (See paragraph XVIII. if employee is in probationary period.)

B. The action to return an employee to a nonsupervisory or nonmanagerial position:

1. **Must be initiated** by the immediate supervisor and concurred in by a higher level supervisor or manager and documented on the AD-773. (For MPI, concurring officials are regional directors, assistant deputy administrators, and the executive officer within their respective areas of responsibility.) The concurring official submits the AD-773 and appropriate documentation to the SPO (through normal channels) along with an SF-52 and a list of positions available for placement.

2.. **Must be completed** within two pay periods after the final decision of unsatisfactory performance. If this is not possible, detail the employee to a nonsupervisory or nonmanagerial position until placement action is completed. Placement must be **completed** within the probationary period.

C. An employee who is returned to a nonsupervisory or nonmanagerial position is not covered by provisions relating to grade and pay retention. Provisions pertaining to the "highest previous rate" rule are also prohibited from use in this situation.

D. An employee who does not satisfactorily complete the required supervisory or managerial probation must be advised in writing of the reasons for the return to a nonsupervisory or nonmanagerial position. A decision to return an employee to a nonsupervisory or nonmanagerial position may neither be appealed to the Merit Systems Protection Board nor is it subject to negotiated grievance procedures. However, such a decision is subject to Agency grievance procedures. If discrimination is alleged, it is processed as a discrimination complaint. (See FSIS Directive 4713.3.) ■
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XVI. **WGI WHEN EMPLOYEE RETURNS TO THE FORMER-GRADE**

When an employee is promoted to a supervisory or managerial position and is subsequently returned to his/her former grade level and step, he/she must be placed in the step which would be appropriate had it not been for the promotion action. Entitlement to future WGI's will be computed as though the promotion had not occurred.

XVII. **EFFECT OF REMOVAL ON SUBSEQUENT CONSIDERATION**

Since position requirements and employee abilities vary considerably, removal from a supervisory or managerial position during the probationary period shall not preclude the employee from applying and being considered for subsequent supervisory or managerial positions. If selected for a second covered position, a new probationary period is required. ■

XVIII. **RELATIONSHIP TO THE PROBATIONARY PERIOD FOR COMPETITIVE APPOINTMENT**

When an employee is required to serve a supervisory or managerial probationary period and a probationary period for an initial appointment simultaneously, the latter takes precedence. The completion of the probationary period for competitive appointment fulfills the requirements for the supervisory or managerial probationary period. Termination during the initial appointment probationary period is processed as any other termination action during an initial appointment probationary period.

XIX. . **REQUIRED TRAINING**

A minimum of 40 hours of formal training is required for each new first level supervisor or manager and should be completed as early as possible within the first year of entering the position. The required number of hours may be reduced only where the individual's previous training, education, and supervisory/managerial experience clearly indicates that certain necessary skills are possessed.

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Attachment

- 1 Form AD-773, Supervisory or Managerial Probationary Period Report
- 2 Recommended List of Probationary Period Performance Indicators for Supervisors
- 3 Recommended List of Probationary Period Performance Indicators for Managers

UNITED STATES DEPARTMENT OF AGRICULTURE

IMPORTANT
 THIS FORM IS DUE BACK TO THE
 PERSONNEL OFFICE NO LATER THAN:
 12/16/88

SUPERVISORY OR MANAGERIAL PROBATIONARY PERIOD REPORT

1 SOCIAL SEC. NO. 999-99-9999		2 NAME (Last, First, Middle) GRAHAM, OLIVER W.			3 PROBATIONARY PERIOD SERVED AS (Check One) <input checked="" type="checkbox"/> Supervisor <input type="checkbox"/> Manager <input type="checkbox"/> Supervisor/Manager		
4 PAY GS	5 OCCP. 1320	6 GRADE 12	7 SERVICE PERIOD COVERED THIS RPT. 01/17/88 01/16/89		8 OFFICIAL POSITION TITLE SUPERVISORY CHEMIST		
9 AGENCY CODE 37		10 ORGANIZATIONAL STRUCTURE CODE 37-30-30-0010-01			11 OFFICIAL DUTY STATION ST. LOUIS, MISSOURI		

SEE REVERSE OF FORM BEFORE COMPLETING FOLLOWING ITEMS

12 FOR COMPLETION BY SUPERVISOR. IN THE APPROPRIATE RESPONSIBILITIES LISTED BELOW, CHECK WHETHER THE EMPLOYEE'S PERFORMANCE IS SATISFACTORY OR UNSATISFACTORY.

A SUPERVISORY PROBATIONARY PERIOD			B MANAGERIAL PROBATIONARY PERIOD		
SATIS-FAC-TORY	UNSAT-ISFAC-TORY	RESPONSIBILITIES	SATIS-FAC-TORY	UNSAT-ISFAC-TORY	RESPONSIBILITIES
<input checked="" type="checkbox"/>		1 Assigns, directs, and evaluates subordinates work			1 Determines and sets programs' goals
<input checked="" type="checkbox"/>		2 Organizes and utilizes staff resources effectively			2 Formulates, determines, and/or influences agency policy
<input checked="" type="checkbox"/>		3 Accomplishes work objectives			3 Effectively determines and allocates resource needs
<input checked="" type="checkbox"/>		4 Identifies and meets development needs of subordinates			4 Organizes and directs work
<input checked="" type="checkbox"/>		5 Recognizes and performs employee counseling			5 Accomplishes organizational affirmative action objectives
<input checked="" type="checkbox"/>		6 Maintains effective organizational climate			6 Evaluates program effectiveness
<input checked="" type="checkbox"/>		7 Adheres to agency and USDA rules and regulations			
<input checked="" type="checkbox"/>		8 Accomplishes affirmative action objectives			

13 I CERTIFY THAT THE EMPLOYEE HAS COMPLETED THE REQUIRED 80 HOURS OF SUPERVISORY/MANAGERIAL TRAINING.
 Yes No **1**

14A I RECOMMEND THAT THE EMPLOYEE BE RETAINED IN SUPERVISORY OR MANAGERIAL POSITION. 14B I RECOMMEND THAT THE EMPLOYEE BE RETURNED TO NONSUPERVISORY OR NONMANAGERIAL POSITION.

15 SUPPORTING REASONS FOR NOT RETAINING EMPLOYEE IN SUPERVISORY OR MANAGERIAL POSITION (Narrative)

1 NOTE: THIS REQUIREMENT HAS BEEN REDUCED TO 40 HOURS.

16 SUPERVISOR'S SIGNATURE <i>James Dixon</i>		19 REVIEWING OFFICIAL'S SIGNATURE <i>Raula Bennett</i>	
17 TITLE <i>Chemist in Charge</i>	18 DATE <i>12/9/88</i>	20 TITLE <i>Laboratory Director</i>	21 DATE <i>12/9/88</i>

EMPLOYEES COPY

FORM AD - 773 (5-80)

**RECOMMENDED LIST OF
PROBATIONARY PERIOD PERFORMANCE INDICATORS FOR SUPERVISORS**

Instructions for Use

Review these supervisory responsibilities with the employee at the beginning of the probationary period and in preparation of the final probationary report. In addition, it is recommended that periodic reviews be made during the probationary period for counseling and monitoring employee progress. Appropriate comments may be made in the space provided below each responsibility. The only required formal rating is on Form AD-773 during the 10th month unless earlier termination is proposed.

The performance indicators listed only represent some of the more common activities associated with a supervisory position. The performance indicators shown are not all inclusive and may be modified by individual rater to more accurately reflect the supervisory responsibilities of the position.

Responsibilities	Performance Indicators
1. ASSIGNS DIRECTS AND EVALUATES SUBORDINATES' WORK Comments:	a. Assignments, work standards and instructions are given to employees at start of work. b. Periodically discusses with employees work progress and problems encountered prior to dates of completion. c. Reviews or spot checks completed work. d. Adjusts work assignments with employees to meet targets. e. Employees receive on-the-job training, equipment and supplies so they can complete work assigned. f. Employees perform duties in a safe manner, using the right equipment for each task. g. On a systematic basis, reviews work processes and procedures to find more effective ways of doing business and implements or recommends alternatives.

Responsibilities

Performance Indicators

2. ORGANIZES AND USES RESOURCES EFFECTIVELY

- h. Each employee has written performance standards that measure quality, quantity and timeliness.
- i. Recommends employees for awards when performance exceeds the standards.
- j. Takes and/or recommends corrective action, including discipline when performance falls below the standard.

- a. Plans and schedules assigned work and allocates resources necessary to accomplish it. Plans and schedules are revised based upon changing conditions. Takes into account such things as:

- Individual employee's knowledge, skills, and abilities
- Budget
- Coordination with related work activities
- Timeliness
- Priorities
- Safety
- Work quality standards
- Meeting target dates

- b. Plans and schedules have specific beginning and ending dates, state what is to be done, and are available for review.
- c. Allocated resources are used on assigned projects.

3. ACCOMPLISHES WORK OBJECTIVES Comments:

- a. Meets assigned objectives and targets within established budgets and personnel ceilings.
- b. Identifies problems affecting the work objectives. Analyzes and determines possible causes and develops alternative solutions.

Responsibilities	Performance Indicators
4. IDENTIFIES AND MEETS DEVELOPMENT NEEDS OF SUBORDINATE Comments:	a. Trains and develops employees so that skills and knowledges are available to accomplish work to desired standards. b. Cross-training is provided for backup, work continuity and employee development. c. Employees' career development plans identify knowledges, skills, and abilities needed and actions to be taken. d. New employees receive basic orientation to organization and worksite.
5. RECOGNIZES AND PERFORMS EMPLOYEE COUNSELING Comments:	a. Provides timely information to employees on personnel policies and programs. b. Resolves most employee grievances in the informal process c. Communicates effectively with employees so they know what is going on and the supervisor knows the concerns of employees. d. Relationships with existing labor organization is bilateral and positive. e. Agency rules and regulations are not violated.
7. ADHERES TO AGENCY AND USDA RULES AND REGULATIONS Comments:	a. Agency rules and regulations are not violated.

7. (Cont.)

- b. Employees receive information on rules and regulations of conduct, personnel, fiscal matters, contracting, and purchasing.
- c. Takes or recommends corrective action for employee misconduct.
- d. Adheres to the terms of labor management contract.

8 ACCOMPLISHES AFFIRMATIVE ACTION OBJECTIVES
Comments:

- a. Approaches to affirmative action are positive.
- b. Accomplishes assigned portions of the Affirmative Action Plan.
- c. Applies affirmative action in job selections, assignments, upward mobility, developmental opportunities, training, etc.
- d. Explains and supports principles and purposes of the Affirmative Action Program to employees.
- e. Takes prompt and decisive action to resolve potential EEO problems.

**RECOMMENDED LIST OF PROBATIONARY
PERIOD PERFORMANCE INDICATORS FOR MANAGERS**

Instructions for Use

The following managerial responsibilities and associated performance indicators are to be reviewed with the employee at the beginning of the probationary period and in preparation of the final probationary period report. In addition, it is recommended that periodic reviews be made during the probationary period for counseling and to monitor employee progress. Appropriate comments may be made in the space provided below each responsibility. The only required formal rating is on Form AD-773 during the 10th month unless earlier termination is proposed.

The performance indicators listed only represent some of the more common activities associated with managerial positions. The performance indicators shown are not all inclusive and may be modified by individual raters to more accurately reflect the managerial responsibilities of the position.

Responsibilities	Performance Indicators
1. DETERMINES AND SETS PROGRAM GOALS Comments: -	a. Plans prepared are responsive to the objectives and targets set by higher level management and within authorized budget and personnel ceilings. b. Objectives and targets are approved by higher level management with only minor revisions required. c. Objectives and targets prepared by the manager are current and feasible. d. Plans are prepared in timely manner, assigns responsibility and establishes due dates.
2. FORMULATES, DETERMINES, AND/OR INFLUENCES AGENCY POLICY Comments:	a. Recommends policies for higher organizational level to consider. b. Establishes policies within own authorities needed to assure program direction and continuity. c. Understands and communicates policies and priorities throughout the unit, including policies of higher organizational levels.

Responsibilities

3. EFFECTIVELY DETERMINES AND ALLOCATES RESOURCE NEEDS

Comments:

4. ORGANIZES AND DIRECTS WORK

Comments: -

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Performance Indicators

- d. Revises policy and guidelines in a timely manner.
- a. Allocates resources according to existing plans so that programs and projects have the funds, work force; equipment and supplies to satisfactorily complete the assigned work.
- b. Allocations are made so that projects can start as scheduled. Delays are not the result of untimely allocations.
- c. As objectives and targets change, reallocates resources between programs and projects to ensure effectiveness.
- d. Resources are effectively used. Potentially significant over or under expenditures on a project are called to the attention of higher management promptly. Authorized budgets are not exceeded.
- e. Maintains fiscal integrity of funds.
- a. Develops or revises the structure or methods of work applying management principles (e.g., position management, work force planning, methods-improve ment studies) that result in increasing te efficiency of the . organization.
- b. As appropriate, involves employees, higher levels of management, and unions in analyz- ing and planning the structure or methods of work.

Responsibilities

4. (Cont.)

Performance Indicators

- c. Activities occur in a sequence which avoid work delays, duplication of effort or conflict with other units.
- d. Employees receive program information that includes objectives for the year, targets, and assigned responsibilities.
- e. Employees in the unit understand their responsibilities, and the performance expected of them.
- f. Employees are delegated the authority to conduct their work and are permitted the latitude to operate.
- g. Employees know when they are doing a good or poor job.
- h. Performance and conduct problems are positively addressed and resolved in a timely manner.
- i. Selects a work force with the knowledge and ability to do the work and meet future needs.
- j. Employees are trained and developed for more responsible assignments.
- k. Grievances normally are resolved within the informal process in a timely manner.
- l. Conflicts and frustrations are managed for improved group interaction and quality decisions rather than being allowed to result in discord and division.
- m. Relationships with unions are bilateral and positive.
- n. The manager can be absent for periods of time without loss to the unit's performance.

Responsibilities

- 4. (Cont.)

- 5. ACCOMPLISHES ORGANIZATIONAL AFFIRMATIVE ACTION OBJECTIVES
Comments:

- 6. EVALUATES PROGRAM EFFECTIVENESS
Comments:

Performance Indicators

- o. In addition to their specific responsibilities, the immediate subordinates are knowledgeable and can represent the manager in the full range of the unit's activities.

- a. Meets EEO goals and objectives.
- b. Actively supports the FSIS EEO program. Changes or helps change local operating procedures, policies, practices, and attitudes which prevent progress in the program.

- a. Meets the program/management review objectives of the FSIS.
- b. Takes action to implement results of evaluations in a timely manner.