

Chapter 7 Probationary Evaluation Periods

7.03 Provisions for Probationary Extensions

The Wisconsin Administrative Code provides limited reasons certain probationary periods may be extended. Details of these extensions are explained in the rest of this section.

The two reasons listed below, ER-MRS 13.02 (2)(a) and (2)(b) apply **only** to six-month original or promotional probationary periods. They do **not** apply to permissive probations or the one-year probations served by employees in positions designated as supervisory or managerial.

Section I

The Office of State Employment Relations has granted the authority to approve an extension under ER-MRS 13.02 to Classified Human Resources.

(1) ER-MRS 13.02 (2)(a) “...Unanticipated change in the program or duty assignment,

OR

(2) ER-MRS 13.02 (2)(b) “...substantial change in performance”

1. Requesting an extension under (1) 13.02 (2)(a) “...Unanticipated change in the program or duty assignment

Required information

An explanation of the *unanticipated* change in program or duty assignment and the new duties the employee will need to accomplish in order to successfully pass the probation. The employing unit Human Resources Representative should use [Appendix 7-A](#) to submit the request to CHR.

2. Requesting an extension under (2) ER-MRS 13.02 (2) (b) “...substantial change in performance”

Required information:

1. A copy of an earlier probationary performance evaluation or, at minimum, a description of the earlier performance
2. A copy of a recently prepared probationary performance evaluation that reflects current performance showing a substantial change in performance when compared to the information provided in 1 above.
3. A draft letter to the employee from the supervisor, which addresses the following:
 - Identification of the specific performance outcome(s) that must be achieved or maintained

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- Identification of strategies the employer will take to improve the employee performance or for providing the employee the necessary training
- A proposed schedule of meetings (preferably weekly or biweekly) to share feedback and expectations to keep the employee fairly informed of his or her status and progress

The employing unit Human Resources Representative should use [Appendix 7-B](#) to submit the request to CHR.

Process for extensions under ER-MRS 13.02 (#1 and #2 above)

Upon receipt of a request of extension under ER-MRS 13.02 (2)(a) or (2)(b), CHR will contact the employing unit personnel office to resolve any questions about the submitted request CHR will inform the employing unit personnel representative if the request is approved or denied.

If approved, CHR will:

- enter the revised end date in the appointment system
- place a copy of the probation extension letter in the employee's personnel file
- maintain the original request in a separate probation extension file subject to inspection by the Administrator of DMRS staff member.

If approved, the employing unit will:

- inform the employee by letter of the extended probation date (with a hard copy and an e-mail copy to the employing unit personnel representative)
- ensure the supervisor's letter to the employee is finalized and sent to the employee with a copy to CHR personnel file.

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Section II

The next two reasons listed below, ER-MRS 13.05 and WIS. Stat 230.28 (bm) apply to any probationary period except one-year probations for supervisory or management positions.

(3) ER-MRS 13.05 extensions due to absences for any reason approved by the appointing authority

The Wisconsin Administrative Code grants the authority to approve an extension under this provision to the employing unit's appointing authority (the employing unit's Human Resources Representative).

AND

(4) WIS. STAT. 230.28 (bm) extensions due to accommodation needs

Only the Office of State Employment Relations has the authority to approve an extension under this provision.

3. Requesting an extension under ER-MRS 13.05 due to absences

The Wisconsin Administrative Code grants the authority to approve an extension under ER-MRS 13.05 to the employing unit's appointing authority, which is the employing unit's Human Resources Representative.

The employing unit appointing authority (who is typically the Human Resources Representative) has the authority to decide if the probation will be extended for absences that were approved for any reason by the appointing authority up to 174 hours.

For absences more than 174 hours, the probation must be extended, and the appointing authority may waive up to 174 hours.

Process for extensions due to absences under ER-MRS 13.05 (#3 above)

When approved, the employing unit's appointing authority will:

- send to the employee notification of the extension under ER-MRS 13.05, identifying the reason and new probationary end date [Appendix 7-C](#)

AND

- send a copy to CHR, marking such letters **ATTENTION PROBATION END DATE CHANGE** to alert CHR to enter the new date into HRS and place the letter in the employee's personnel file.

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Upon receipt of the above information, CHR will:

- change the end date in HRS and file the letter in the employee's personnel file.

The next reason, Bulletin OSER-0049-MRS extensions due to light or modified duty applies to positions that require probation and permissive probations.

4. Extensions under WIS. STAT. 230.28 (bm) are not delegated to UW Madison.

The Divisional Disability Representative (DDR) in the employing unit develops the request for the extension in consultation with the Disability Coordinator/Employment in the Office of Equity and Diversity. The request should identify Wis. Stat. 230.28 (bm) and explain the reasons for the extension.

Classified Human Resources should be notified when such an extension is granted to ensure the probationary period is extended in HRS.

Section III

(5) OSER-0049-MRS extensions due to assignment of "light or modified duty"

...due to an injury on the job when the modified duties do not constitute a majority of the essential job duties for which the employee was hired.

Authority to approve an extension under this provision is delegated to the employing unit's appointing authority (the employing unit's Human Resources Representative).

5. Requesting an extension under Bulletin OSER-0049-MRS due to assignment of "light or modified duty" due to an on-the-job injury when the modified duties do not constitute a majority of the essential job duties for which the employee was hired.

Follow the same process steps above under **(3) An extension due to absences (ER-MRS 13.05)** with this modification: Use template letter [Appendix 7-D](#)