

PERSONNEL – Series 4000

4400 THE MERIT SYSTEM

4460 IN-SERVICE STATUS AND TRANSACTIONS

4461 PROBATIONARY PERIOD

4461.2 Rights of Probationary Employees

- A. An employee who is laid off for lack of work or lack of funds during the initial or promotional probationary period shall not have reemployment rights to the classification from which they are laid off.
- B. An employee who resigns in good standing during the initial probationary period may, at the discretion of the Director, Human Resources, have their name restored in proper rank to the eligibility list from which the employee was appointed if the list is still valid. Such action shall not extend the life of either the eligibility list or the period of eligibility of the resigning employee.
- C. An employee who is released from employment during an initial probationary period shall be notified in writing of the action taken. The probationary employee shall not have the right to appeal.
- D. A permanent employee who has been promoted to a higher class and who does not successfully complete the probationary period in the higher class shall be reinstated to a position in the employee's former class in accordance with Rule No. 4462.2.
- E. A permanent employee who has been promoted to a higher class and is suspended, dismissed or demoted (to other than the employee's former class) for cause during the probationary period in the higher class retains full rights to appeal.
- F. No probationary employee shall be dismissed or otherwise discriminated against on the basis of actual or perceived race, color, gender, gender identity, gender expression, national origin, ancestry, ethnic heritage, religious creed, sex, sexual orientation, marital status, pregnancy, political persuasion, age, physical disability, mental disability, medical condition, genetic information, military and veteran status, or the association with a person or group with one or more of these actual or perceived characteristics to the extent prohibited by law.

Reference:

Education Code Sections 45136, 45260-45261, 45269-45271 and 45301

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