

**9575.0790 COMPLETION OF PROBATIONARY PERIOD.**

Subpart 1. **Notice and evaluation of performance.** The appointing authority shall submit written notice of the satisfactory completion of the probationary period to the employee and to the merit system within ten days of the expiration of the probationary period. A rating or appraisal of the employee's performance shall accompany the notice. The employee shall then be granted permanent status in the position the day following the last day of the probationary period.

Subp. 2. **Permanent status.** If an appointing authority fails to implement the purpose and intent of the probationary period by appropriate action as provided in parts 9575.0710 to 9575.0790, a probationary employee whose probationary period is not extended or who is not certified permanent according to subpart 1 and is not removed or demoted but is continued in employment beyond the full probationary period shall obtain permanent status in the position by the default of the agency. The payment of salary beyond the probationary period shall be deemed to be evidence of the determination by the appointing authority that permanent status shall be granted to the employee. The supervisor shall enter such status on the record of the employee and shall notify the appointing authority and the employee of the change in status.

Subp. 3. **Report to council.** Each instance in which permanent status is granted to an employee in accordance with the provisions of subpart 2 shall be reported to the merit system council. The council may recommend and the commissioner may take appropriate action to ensure that the purpose and intent of the probationary period shall be given effect in the agency in all future appointments.

**Statutory Authority:** *MS s 256.012*

**History:** *23 SR 2404*

**Published Electronically:** *October 15, 2013*