

Probationary Periods: A Missed Opportunity to Address Poor Performance

In its recently released report on poor performers in Government, the Government Accountability Office (GAO) recommended more effective use of the probationary period to identify and remove individuals who are unlikely to be good performers. GAO recommended that agencies consider doing more to ensure that supervisors have the opportunity to intercede before an individual completes a probationary period and that OPM and possibly Congress consider whether longer probationary periods might be appropriate for some positions¹.

MSPB's extensive research over the past decade supports these recommendations. In a 2009 survey, we asked proposing and deciding officials for adverse actions whether the individual in question demonstrated during the probationary period that he or she was a good employee. Only 56% of those with knowledge of the individual during that period agreed the individual had shown good signs at that time. Thus, it appears that some of these adverse actions could have been avoided by better use of the probationary period.

We also conducted a survey of supervisors of probationary employees, discussed in our 2005 report, *The Probationary Period: A Critical Assessment Opportunity*. Of those supervisors who admitted that they would not select the person again if they could do it over, more than half planned to keep the individual beyond the end of the probationary period, less than one-third stated they did not expect to retain the person, and the rest were unsure². This data was one more indicator that the probationary period was not being used to separate some candidates who failed to show they were the right choice for the job at hand. GAO is correct that inadequate communications with supervisors of probationers may also be an issue³. In the survey for our 2008 report, *Federal Appointment Authorities: Cutting through the Confusion*, we asked supervisors of newly hired individuals whether anyone had discussed with them the purpose of the trial or probationary period for the individual they selected. Thirty-one percent of the supervisors said this had not occurred, with another 3% unsure whether the discussion had taken place.

GAO recommended that agencies make use of automated human resources systems to inform supervisors that they have a probationer nearing the end of the probationary period so that "an affirmative decision" or other action may be taken⁴. Our 2005 report recommended that supervisors be required to certify that the individual should become an employee⁵. This was based on survey data that showed 69% of supervisors would prefer it if the supervisor was required to actively certify that the individual's conduct and performance are fully acceptable before conversion can occur. In contrast, only 5% of supervisors of probationers preferred a system where conversion to employee status is automatic if the supervisor does not act to remove the employee (the current system). Twenty-six percent favored a system in which conversion would not occur if the supervisor indicates there is a problem with the individual⁶.

¹ GAO, *Improved Supervision and Better Use of Probationary Periods Are Needed to Address Substandard Employee Performance*, GAO-15-191 (Mar 9, 2015), pp. 30-31.

² MSPB, *The Probationary Period: A Critical Assessment Opportunity* (2005), pg. 7.

³ GAO pg. 11, 30.

⁴ GAO pg. 30.

⁵ MSPB pg. 15.

⁶ *Id.* pg. 14.

GAO reported that Chief Human Capital Officers (CHCOs) informed them that for some positions, such as trainee positions or those involving complex projects, a longer probationary period may be appropriate⁷. Our surveyed supervisors of probationers agreed. Sixty-five percent wanted bureaus/components to be able to determine the length of an employee's probationary period based upon the complexity of the job⁸.

MSPB's finalized research agenda for 2015 - 2018 includes a study of the incidence and consequences of poor performance in the civil service. While this study is only in the earliest planning stages, we hope we will soon be able to provide new data and insights to add to this important discussion.

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⁷ GAO pg. 13.

⁸ MSPB pg.18.