



COMDTINST 12315.2
3 NOV 1986

COMMANDANT INSTRUCTION 12315.2

Subj: Probationary Period for New Supervisors and Managers

Ref: (a) Public Law 95-454, Civil Service Reform Act of 1978 (CSRA) ((NOTAL)
(b) Federal Personnel Manual, Chapter 315, Probation on Initial Appointment to a Supervisory or Managerial Position (NOTAL)

1. PURPOSE. This Instruction sets forth Coast Guard policy and procedures for a probationary period upon initial appointment to a supervisory or managerial position in conformance with references (a) and (b).
2. BACKGROUND. Reference (a) established a "period of probation before initial appointment as a supervisor or manager becomes final." The purpose of the probationary period is to give new supervisors and managers a chance to develop the unique skills and abilities which cannot readily be taught or developed in other kinds of positions. The probationary period provides the Coast Guard with an opportunity to assess the new appointee's supervisory or managerial performance and to return an employee to a nonsupervisory or nonmanagerial position without undue formality should circumstances warrant.
3. POLICY. It shall be Coast Guard policy to:
 - a. Maintain high quality performance by new supervisors and managers through effective use of a 1 year probationary period requirement;
 - b. Provide new supervisors and managers adequate opportunity to prove themselves and encourage support of efforts to help them succeed;
 - c. Consider the competencies and possible developmental needs of each such employee and provide appropriate training as well as other support and assistance;

3.
 - d. Establish, as part of the performance plan of a new supervisor or manager, quantitative criteria that will effectively measure the incumbent's performance of supervisory or managerial duties; and
 - e. Return or reassign the employee to a nonsupervisory or nonmanagerial position if, after a reasonable trial, an evaluation of the employee's performance reveals supervisory or managerial deficiencies which reflect unsuitability for continued employment in the position.
4. COVERAGE. The provisions of this Instruction apply to all Coast Guard employees upon their initial appointment to a supervisory or managerial position in the competitive service. The term "appointment" includes initial competitive appointment, promotion, reassignment, transfer, reinstatement, or any other action which places an employee, for the first time, in a position that meets the definition of supervisor or manager.
5. DEFINITIONS. Supervisory position and managerial position have the meaning given them by the Office of Personnel Management (OPM) Supervisory Grade Evaluation Guide for General Schedule positions. The Job Grading Standard for Supervisors provides the definition for supervisors under the Federal Wage System. (The complete definitions for supervisors and managers are in enclosure (1).)
6. BASIC REQUIREMENTS.
 - a. When Probation is Required.
 - (1) The first time an individual is permanently placed in a competitive service supervisory position, he/she is required to complete a probationary period. An individual is exempt from this requirement if he/she has previously completed a probationary period in a managerial position.
 - (2) The first time an individual is permanently placed in a competitive service managerial position, he/she is required to complete a probationary period.
 - (3) Requests for exclusions from this requirement (on an individual basis) require written documentation of the reasons for the exclusion, including evidence of demonstrated success as a supervisor in exercising the knowledge, skills, abilities, and other characteristics necessary to perform the managerial duties described in the Supervisory Grade Evaluation Guide. Requests for exclusions will be submitted to and approved only by district commanders, commanding officers of Headquarters units, and the Chief of Staff for Headquarters. This approval authority may not be delegated. Requests for exclusions shall be made by memo from the supervisor of the position being filled and be routed through the servicing civilian personnel office for regulatory review.

6. a. (3) (cont'd) If approved, the request will be referenced on the appointing SF-50 (Notification of Personnel Action) as permanent documentation of the exception.
- (4) If a position is classified as both supervisory and managerial, an employee is required to complete a single probationary period.
- b. EXCLUSIONS.
 - (1) Employees who, as of 11 August 1979, were serving or had served in Federal civilian supervisory or managerial positions are exempt from the comparable probationary period requirement. A former supervisor is not required to serve supervisory probation and a former manager is not required to serve either supervisory or managerial probation. A former supervisor is required to serve managerial probation unless excepted under paragraph 6.a.(3).
 - (2) For purposes of paragraph (1) above, temporary service (temporary appointment, promotion, or reassignment) as a supervisor or manager is counted if the employee was officially assigned to the position for more than 120 days. Service while on detail or in an acting capacity does not count.
 - (3) In the absence of records which clearly support an individual's claim that he/she should be exempt from the requirement because of previous service in a supervisory or managerial position, a probationary period as stipulated in paragraph 4. of this Instruction will be served. An employee who wishes to contest this determination may do so under the Coast Guard grievance procedures. There is no right of appeal to the Merit Systems Protection Board (MSPB).
7. OPTION FOR TEMPORARY SERVICE. When a temporary assignment to a supervisory or managerial position is expected to exceed 120 days, the employee is required to serve a probationary period. If the employee satisfactorily completes the required probationary period (see paragraph 8. below) while on the temporary assignment, the appropriate requirements of paragraph 6.a. would be met.
8. LENGTH. The probationary period for both managers and supervisors is 1 year. The period begins on the effective date of the official personnel action assigning the employee to the position. The probationary period may not be extended except for those situations cited in paragraph 15.c.(2).
9. TENURE GROUPS. The requirement to serve supervisory or managerial probation does not affect an employee's tenure group.

10. COMPLETION OF THE PROBATIONARY PERIOD. Once an employee has satisfactorily completed a probationary period in accordance with paragraph 6.a. of this Instruction, the employee may not be required to serve another such probationary period regardless of the number of agencies, occupations, or positions in which he/she serves. Completion of the probationary period is documented in the employee's Official Personnel Folder (OPF) IN accordance with FPM Supplement 296-33.
11. RELATIONSHIP TO THE PROBATIONARY PERIOD FOR COMPETITIVE APPOINTMENT. If, upon appointment, an employee is required to serve both a probationary period under this Instruction and a probationary period required in conjunction with an initial competitive appointment, the latter probationary period takes precedence. Completion of the 1 year probationary period for competitive appointment fulfills the requirement for supervisory or managerial probation.
12. COAST GUARD OBLIGATION DURING THE PROBATIONARY PERIOD.
 - a. Training. In order to prepare and equip new supervisors and managers for the demands of the job, the competencies and possible developmental needs of each such employee should be considered and appropriate training, as well as other support and assistance, should be provided.
 - b. Full and Fair Evaluation. New supervisors and managers who are required to serve a probationary period must be given an opportunity to prove themselves during that period. In order to assure a fair trial period, specific performance standards must be developed for evaluation of probationers and made known to them upon initial appointment to the supervisory or managerial position. Probationers must be kept advised of their progress during that period based on those standards. The Coast Guard has an obligation to give new supervisors and managers adequate opportunity to prove themselves and should direct efforts at helping them succeed.
13. FAILURE TO SATISFACTORILY COMPLETE THE PROBATIONARY PERIOD.
 - a. Unsatisfactory Performance. Satisfactory completion of the probationary period is a prerequisite to continuation in a supervisory or managerial position. If, after a reasonable trial, an evaluation of the employee reveals deficiencies in supervisory or managerial performance, the employee must be returned or reassigned to a nonsupervisory or nonmanagerial position. Because of the need for a fair evaluation of performance, action to return or reassign an employee to a nonsupervisory or nonmanagerial position may not be taken during the first 90 calendar days following appointment to a supervisory or managerial position. However, this 90 day requirement does not apply to actions taken against employees serving probationary periods for new competitive appointments or to actions for reasons other than satisfactory performance of supervisory and managerial duties.

13. b. Basis for Decision. An action to return or reassign an unsuccessful supervisor or manager under this subchapter may be taken only for reasons directly related to the employee's performance as a supervisor or manager. An action to demote or separate for conduct or performance not related to supervisory or managerial performance is governed by COMDTINST M12750.3 (series).
- c. Who Makes the Decision. The decision to return or reassign an employee to a nonsupervisory or nonmanagerial position under this Instruction must be initiated by the employee's immediate supervisor and concurred in by the second level supervisor. The decision to return or reassign an employee to a nonsupervisory or nonmanagerial position is not grievable but may, if requested by the employee, be reviewed by the third level supervisor. The supervisor must notify the employee of the right to third level review in the written notification required by paragraph 13.d. There is no entitlement to review beyond the Commandant or outside the Coast Guard.
- d. Notice to the Employee. An employee who does not satisfactorily complete supervisory or managerial probation must be advised in writing of the reasons for his/her return to a nonsupervisory or nonmanagerial position.
- e. Position to Which Returned. An employee who is removed from a supervisory or managerial position under this Instruction is entitled, except as provided in paragraph 13.e.(3), to be placed in a position in the Coast Guard of no lower grade and pay than the one the employee left to accept the supervisory or managerial position. The employee's entitlement is Coast Guard-wide although efforts should be made to place the employee within the same commuting area. The promotion potential of a position is not a factor to be considered in determining the position to which an employee is entitled.
- (1) A transferee has a right to a position in the employing agency not back to the agency from which transferred.
 - (2) An employee who is appointed to a supervisory or managerial position from a register or based on reinstatement or non-competitive eligibility and who is not serving a probationary period for initial competitive appointment, is entitled to be placed in a vacant position equal in grade to that currently held. There is no authority under this Instruction for demoting such an employee.

13. e. (3) If the former position (the one the employee left to accept the supervisory or managerial position) is at a higher grade than the supervisory or managerial position, the employee is entitled to be placed in a position at the same grade as the position in which he/she was serving probation. Repromotion would then be in accordance with the Coast Guard Merit Promotion Program (COMDTINST 12335.1 (series)).
 - f. Method of Placement. Reduction-in-force (RIF) procedures in which the employee competes with others to determine the position to which assigned may not be used.
 - g. Effect of Return on Within-Grade Increases. An employee who is promoted to a supervisory or managerial position and is subsequently returned to his/her formal grade level, is entitled to credit toward a within-grade increase at the lower grade for the time spent at the higher grade.
 - h. Effect on Subsequent Consideration. The return of an employee to a nonsupervisory or nonmanagerial position under this Instruction is not grounds, in and of itself, for denying the employee consideration for subsequent assignment to such a position. Position requirements vary substantially. An employee who is not suited to a particular position might be able to perform satisfactorily in another supervisory or managerial job.
 - i. Grade and Pay Retention. An employee who is returned to a lower grade position for failure to satisfactorily complete probation under this Instruction is not entitled to grade or pay retention. An employee's entitlement to grade or pay retention (in connection with a demotion to a supervisory position) is not affected if the employee is reassigned because of failure to satisfactorily complete the probationary period. An employee, whose entitlement to grade retention ends when promoted to a supervisory position, may resume the remainder of the period of eligibility if promotion is not completed and the employee is returned to the position (or equivalent) in which he/she was entitled to grade or pay retention.
 - j. Documentation. A Coast Guard action to return or reassign an employee for failure to satisfactorily complete the probationary period is documented in accordance with FPM Supplement 296-33.
14. APPEALS AND GRIEVANCES.
 - a. A Coast Guard action to return or reassign an employee in accordance with this Instruction for reasons directly related to supervisory or managerial performance is not appealable.

14.
 - b. An action to demote an employee to a lower grade than the one the employee left to accept the supervisory or managerial position or an action to demote or separate an employee for reasons of conduct or performance not related to supervisory or managerial performance is governed by COMDTINST M12750.3 (series).
 - c. An employee serving both probation under an initial competitive appointment and under this Instruction has appeal rights granted in conjunction with the initial competitive appointment probationary period. (See paragraph 11 .)
 - d. An allegation of discrimination due to race, color, religion, sex, national origin, physical handicap, or age in connection with an action returning an employee to a nonsupervisory or nonmanagerial position under this Instruction is to be processed as a discrimination complaint under 29 CFR 1613.709. Final action on such a complaint is appealable to the Equal Employment Opportunity Commission (EEOC). An allegation of discrimination due to marital status or partisan political affiliation is appealable to the MSPB if the employee is not serving probation as cited in paragraph 11. of this Instruction. An appeal to MSPB must be filed no later than 20 calendar days after the action has been effected. The MSPB may extend the time limit for good cause.
 - e. Actions in connection with the reassignment or return of an employee under this Instruction are not covered by grievance procedures. However, employees may request (in writing, and within 15 days of receipt of the notice of unsuccessful completion of probationary period) a third level review under the provisions of paragraph 13.c.

15. CREDITING SERVICE TOWARD COMPLETION OF THE PROBATIONARY PERIOD.

- a. Movement to Other Supervisory or Managerial Positions During Probation.
 - (1) When an employee serving probation under this Instruction is transferred, reassigned, or promoted to another supervisory or managerial position, the employee becomes subject to the probationary period for the new position. However, service in the former position counts toward completion of the probationary period required for the new position. If a supervisory employee moves during probation to a managerial position, the employee must begin a new 1 year probationary period in the managerial position. An exception to this requirement may be made, and time in the supervisory probation period applied to the 1 year managerial probationary period, under the same conditions specified in paragraph 6.a.(3).

15. a. (2) When an employee serving probation under this Instruction is temporarily placed in another supervisory or managerial position (under detail, temporary promotion, or reassignment), the temporary service is creditable toward completion of the probationary period.
- b. Temporary Movement to Nonsupervisory Position During Probation. Time spent during temporary placement (detail, temporary promotion, or reassignment) in a nonsupervisory position is not creditable toward completion of probation.
- c. Credit Toward Subsequent Probationary Period.
- (1) When an employee serving probation under this Instruction is permanently placed in a nonsupervisory or nonmanagerial position, the probationary service does not count toward completion of a probationary period required under a subsequent appointment.
- (2) Absence in a nonpay status while on the rolls (other than absence because of compensable injury or military duty) is creditable up to a total of 22 workdays. Any nonpay time in excess of the total of 22 workdays extends the probationary period by an equal amount of time in a pay status. Absence (whether on or off the rolls) due to compensable injury or military duty is creditable in full upon restoration to the Federal service.
- (3) When a probationary employee is separated or demoted for cause, or is placed in a nonsupervisory or nonmanagerial position for deficiencies in supervisory or nonmanagerial performance, the probationary service does not count toward completion of a probationary period required under a subsequent appointment.
- d. Temporary Service Prior to Probation. Temporary service in a supervisory or managerial position under temporary appointment, promotion, or reassignment is creditable toward probation in a permanent supervisory or managerial position if a break of no more than 180 days occurs between termination of the temporary incumbency and occupancy of a supervisory or managerial position on a permanent basis. Prior service under detail may be credited only when a detail to a supervisory or managerial position is made permanent without a break.
- e. Veterans Readjustment Act (VRA) Service Prior to Probation. Service in a supervisory or managerial position under VRA appointment is creditable upon the employee's conversion to a supervisory position in the competitive service.
- f. Credit for Time Not Served. If an employee is retroactively placed in a supervisory or managerial position as a result of a complaint settlement or grievance, no credit toward probation shall be allowed for the retroactive period.

COMDTINST 12315.2
3 NOV 1986

6. ACTION. District commanders and commanding officers of Headquarters units and chiefs of offices and special divisions in Headquarters shall ensure that the provisions of this Instruction are brought to the attention of all civilian employees and supervisors of civilian employees, and that local directives are published as needed.

HENRY H. BELL
Chief, Office of Personnel

Encl: (1) Definitions of Supervisors and Managers

AMPLIFICATION OF DEFINITIONS OF SUPERVISOR AND MANAGER

1. GENERAL. For purposes of this Instruction, "supervisory position" and "managerial position" have the meaning given them by the OPM Supervisory Grade Evaluation Guide, or the Job Grading Standard for Supervisors. For information purposes, the definitions themselves are reprinted below. However, since identification of such positions is a classification matter, addressees are cautioned to consult with their servicing civilian personnel office or to refer to the complete discussion of the use of these terms before making coverage determinations in questionable cases.

2. SUPERVISORY POSITIONS.
 - a. "Supervisory positions" are those in which incumbents perform supervisory duties and responsibilities with respect to three or more employees (exclusive of "support employees") to the extent that the positions are titled "supervisory" for classification purposes under the Supervisory Grade Evaluation Guide or, if under the wage system, the Job Grading Standard for Supervisors. Supervisors perform a range of responsibilities such as:
 - (1) Assign, direct, and review the work of subordinate employees;
 - (2) Plan and carry out the training and development of employees;
 - (3) Evaluate employees' work performance;
 - (4) Recommend selections, promotions, status changes, awards, disciplinary actions, and separation;
 - (5) Plan, schedule, and coordinate work operations;
 - (6) Solve problems related to the work supervised;
 - (7) Determine material, equipment, and facilities needed;
 - (8) Explain and gain the support of employees for management policies and goals (for example, cost reduction and safety);
 - (9) Work to achieve the objectives of Government-wide personnel programs and policies (e.g., labor-management relations and equal employment opportunity); and
 - (10) Deal effectively with employees and union representatives on employee suggestions, complaints, grievances, and other matters involved in the day-to-day administration of labor management agreements, sometimes including labor-management contract negotiations.

2. b. Some supervisory positions also include responsibility for advice management on and participation in the:
 - (1) Establishment of program and production goals, priorities, and major work schedules;
 - (2) Development of cost budget analyses or forecasts; and
 - (3) Determination of long-range work force requirements.
- c. The following are not considered "supervisory" positions for the purpose of this Instruction:
 - (1) Positions with responsibility for work assignments requiring only one or two other workers or with supervisory responsibility only in the absence of the regular supervisor. Such positions have, as their primary responsibility, personal work accomplishment. Responsibility for work assignments involving one or two other persons is not sufficient to warrant identification of a position as supervisory for purposes of this Instruction.
 - (2) Positions with some supervisory duties and responsibilities but less than that required to warrant classification of the position as "supervisory."
3. MANAGERIAL POSITIONS. "Managerial positions" are those in which the incumbents (1) direct the work of an organization, (2) are held accountable for the success of specific line or staff programs, (3) monitor the progress of the organization toward goals and periodically evaluate and make appropriate adjustments, and (4) typically perform the full range of the following duties and responsibilities:
 - a. Determine program goals and develop plans for the organization independently of or jointly with higher management;
 - b. Determine resource needs and allocation of resources and account for their effective use;
 - c. Determine the need and develop plans for organizational changes which have considerable impact, such as those involving basic structure, operating costs, or key positions;
 - d. Consider a broad spectrum of factors when making decisions (or recommendations to higher level management) including public relations, congressional relations, labor-management relations, public policy stances, effect on other organizations and other parts of the organization, economic impact, and the like;
 - e. Coordinate program efforts with other internal activities or with the activities of other agencies;

3.
 - f. Assess the impact on organization program of substantive developments in programs and policies in other parts of the agency, in other Government entities, and in the private sector;
 - g. Set policy for the organization managed in such areas as determining program emphasis and operating guidelines; understand and communicate agency policies and priorities throughout the organization managed;
 - h. Deal with general personnel management policy matters affecting the organization manager, with personnel actions affecting key employees, and other actions with possible serious repercussions; and
 - i. Delegate authority to subordinate supervisors and hold them responsible for the performance of their organizational units.