

REGULATION

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Issued By: Classifications and Selections	Rule Reference: Rules: 1-7 (Equal Employment Opportunity) 3-1 (Examinations) 3-6 (Probation and Status)		Replaces: Reg. 3.05 (SPDOC 03-29, March 18, 2001)
Authority: Regulations are issued by the State Personnel Director under authority granted in the Michigan Constitution and the Michigan Civil Service Commission Rules. Regulations are subordinate to the Commission Rules.			
Subject: TWELVE-MONTH TRIAL APPOINTMENT PROCESS FOR PERSONS WITH DISABILITIES			

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1. **PURPOSE**

The twelve-month trial appointment process permits Civil Service to include individuals with disabilities in applicant pools, under certain conditions, without participating in the appraisal process administered for the classification by Civil Service. This process is designed for persons, whose disabilities prevent them from competing in a standard written, electronic, or other appraisal process, even when reasonable accommodations are provided. This regulation contains the conditions and standards that apply to such inclusion in applicant pools.

2. **CIVIL SERVICE COMMISSION RULE REFERENCE**

Note: This Section 2 reprints only selected Commission Rules for quick reference by the reader. Additional Rules (that are not reprinted below) may apply. The complete, current version of the Rules can be found at www.michigan.gov/mdcs.

Rule 1-7 Equal Employment Opportunity

Civil service staff and each appointing authority shall provide equal employment opportunity in the state classified service for all persons in accordance with the civil service rules and regulations.

Rule 3-1 Examinations

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3-1.4 Reasonable Accommodations

Civil service staff shall make reasonable accommodations in its application and appraisal process for a person with a disability who makes a reasonable request for accommodation in advance. Civil service staff may offer an alternative evaluation method for a person with a disability if the person is unable to participate in the regular appraisal process. Civil service staff is not required to make an accommodation that would cause undue hardship.

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Rule 3-6 Probation and Status**3-6.1 Probationary Period**

- (a) **New employee without status.** *A newly appointed classified employee who does not have status in the classified service when appointed must satisfactorily complete a working test period, called a probationary period, and receive a final satisfactory probationary rating as provided in rule 2-3 [Performance Ratings] as a condition of continued employment.*
- (b) **Employee with status.** *An employee with status who is appointed to a new classification must satisfactorily complete a working test period, called a probationary period, and receive a final satisfactory probationary rating as provided in rule 2-3 [Performance Ratings] as a condition of continued appointment in that position.*

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3-6.2 Length of Probationary Period

- (a) **Minimum length.** *The minimum length of a probationary period is 12 calendar months of full-time employment or 18 calendar months of less than full-time employment.*
- (b) **Extension of probationary period.** *If the appointing authority determines that (1) the probationary period has been insufficient to adequately test the performance of a probationary employee or (2) the performance of a probationary employee has been unsatisfactory, the appointing authority may extend the probationary period for an employee. Any extension beyond an additional 6 calendar months requires the approval of the state personnel director. The appointing authority shall give written notice of the extension of the probationary period to the employee.*

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3. STANDARDS

- A. Applicants for the twelve-month trial appointment process must be referred and certified from one of the following authorized certifying agencies: (1) Michigan Rehabilitation Services, (2) Michigan Commission for the Blind, or (3) Veterans' Administration. Individuals who submit applications directly to Civil Service, or who

are referred by other rehabilitation agencies, will be referred to authorized certifying agencies, to verify their eligibility for this process.

- B.** The applicant must be self-designated as a person with a disability, as defined by applicable state and federal laws, and by completing Civil Service Form CS-944 (Application for Persons with Disabilities and Request for Reasonable Accommodation in the Appraisal Process).
- C.** Applications are reviewed to determine if reasonable accommodation can assist the applicant in the written, electronic, or other appraisal process, in accordance with regulation 3.11 [Written, Electronic, and Other Appraisal Method Administration].
- D.** Applicants certified for the process must possess the required education and experience for the requested classifications listed on the Classified Civil Service Application (CS-102) and Application for Twelve-month Trial Appointment Program for Persons with Disabilities (CS-630) forms.
- E.** Applicants must be able to perform the essential functions of the classification for which they are certified, with or without reasonable accommodations. Requests for reasonable accommodations on the job may be necessary and provided by the employer, as described in regulation 1.04 [Reasonable Accommodation].
- F.** The requested appraisal method must be open in accordance with regulation 3.11.
- G.** Applicants approved for this process are included in applicant pools in accordance with the time period established by Civil Service.
- H.** Applicants in this process may be removed from the referral process for the reasons defined in rule 3-2.2 [Removal from Applicant Pool].
- I.** Once an applicant is appointed from the applicant pool, the 12-month probation period will serve in lieu of the written, electronic, or other appraisal process to evaluate candidates for positions in state service. Upon satisfactory completion of the probation period, permanent status may be granted. The same probationary rating methods and time periods are observed as in regular appointments. Persons with a disability who receive less than satisfactory ratings are subject to the same conditions as other employees, including separation from employment. Any appeals are in accordance with rule 3-6.5 [Grievance of Probationary Rating or Discipline].
- J.** Appraisal methods that consist of an assessment of an applicant's education and experience are exempted from this process.
- K.** To enable successful job performance, whenever possible, sponsoring rehabilitation agencies may provide supportive services to persons with disabilities appointed under this process and to employing agencies.

4. PROCEDURE

Responsibility	Action
<p>Authorized Agency</p> <p>[Michigan Rehabilitation Services, Michigan Commission for the Blind, or Veterans' Administration]</p>	<p>1. Submits Form CS-944 (Application for Persons with Disabilities and Request for Reasonable Accommodation in the Written, Electronic, and Other Appraisal Process), Form CS-630 (Application for Twelve-month Trial Appointment Program for Persons with Disabilities), and Form CS-102 (Application).</p> <p>The forms must include the:</p> <ol style="list-style-type: none"> Classification and appraisal method. Identification of the disability and the rationale for the certification. Signature of the counselor.
<p>Civil Service</p>	<ol style="list-style-type: none"> Reviews the applications to determine if the applicant is eligible for the program. If the applicant is eligible for the program: <ol style="list-style-type: none"> Includes applicant in applicant pools for which qualified. Sends notification letter to the applicant. Sends copy of approved Form CS-630 application to the authorized certifying agency counselor. If the applicant is not eligible for the program: <ol style="list-style-type: none"> Indicates rejection and the rationale for rejection on the CS-630 application. Sends copy of disapproved CS-630 application to the authorized certifying agency counselor. Files the CS-102, CS-630, and CS-944 applications for 6 months.

CONTACT

Questions regarding this regulation should be directed to Classifications and Selections, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; by telephone, at 517-373-3030 or 1-800-788-1766; or by e-mail to MDCS-BHRS@michigan.gov.