



## 27. Probation



CSIRO Staff Association

This is No. 27 (of 28) in a series of fact sheets to assist CSIRO union members better understand and enforce our rights at work. The source of these rights is contained in the CSIRO Enterprise Agreement 2011-2014 (EA) and relevant legislation, including the Fair Work Act.

# Know Your Rights

### What is the probation period?

The probation period for new staff is normally 6 months. The period can be less, but can not be more than 6 months, as this is the maximum prescribed by the Fair Work Act. The effect of probation is that officers have no right to unfair dismissal if employment is annulled during the 6 month period, except in unusual circumstances.

### How is probation reviewed?

Probation reviews are to occur at regular intervals (usually at the 3 month and the 5 month period for officers on 6 months' probation) accordingly to the following process:

- at each review period, the supervisor will assess whether the probationer has met, or is making good progress towards meeting, the requirements of the job and will document the assessment in the form of a written probation report, addressing quality of work, ability and personal qualities and attitudes;
- the probationer must be given the opportunity to read, sign and date each report, indicating that the contents have been noted;
- any weakness or adverse aspect of a probationer's work performance must be specifically drawn to their attention;
- the probationer must be given the opportunity to comment on any aspect of a report, and to have those comments recorded on the report;
- unless annulment of appointment is being proposed, remedial action, such as training and/or closer supervision may be provided. Any counselling or remedial action will be documented in the probation report, along with any comment by the probationer; and
- if annulment is proposed, a recommendation must be made to the delegate (e.g. Chief of Division) immediately, and not delayed until the end of the normal probationary period (EA Schedule 4, Paragraph 2(b)).

### Can a grievance be lodged about the probation process?

Yes, but it is limited to challenging the procedural aspects of the probation process outlined above. It can be lodged at any time during the probation period, but in the event that an officer is formally advised in writing that annulment is being considered, it must be lodged within 5 working days of receipt of the advice (EA Schedule 4, Paragraph 2(b)).

### How can I get more information or raise concerns about probation?

As a Staff Association member, you are able to contact your workplace delegate or organiser for professional support and advice.