

On March 21, 2018, the Nebraska Supreme Court approved the following rule amendments to the Nebraska Supreme Court Personnel Policies and Procedures Manual, specifically “19. Original Provisional Period”:

Nebraska Supreme Court Personnel Policies and Procedures Manual

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19. Original Provisional Period

The original provisional period is part of the selection process. It is a time for the employee and the employer to determine suitability for the job. The following shall apply to the use of the original provisional employment status:

1. All new employees, including employees who have left employment with the Supreme Court System and have been rehired, shall serve an original provisional period of 6 months from the date of hire, and shall be so notified.* Employees who transfer from other state agencies are also required to serve an original provisional period.

*New employees hired into job classifications requiring extensive initial training periods, or who are granted periods of extended leave early in their employment, may be required to serve an original provisional period of up to 12 months from the date of hire to allow sufficient time for observation of job suitability.

2. An employee will be removed from original provisional status on the day following the end of the original provisional period, unless notified of an extension or separation by the supervisor. Notification of separation or an extension for up to 12 months from the date of hire must be in writing, must be delivered prior to the end of the 6-month period, and must include the performance-related reason for the extension or separation.

3. It is the supervisor’s responsibility to closely review the job performance of the employee.

4. If during the original provisional period it is determined that the performance of the employee is not acceptable and, in the opinion of the supervisor, is not likely to become acceptable, the employee shall be separated. Employees may be separated at any time during an original provisional period. Two weeks’ notice of separation does not have to be given to provisional employees; however, the supervisor shall notify the employee in writing of the date the separation is effective. The reason for separation shall be documented in the employee's personnel file and the employee shall be informed regarding the reasons for separation. Employees who are separated during an original provisional period do not have Nebraska Court System grievance rights.

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