



**Langley Research Center**

**LPR 3430.2**  
**Effective Date: January 28, 2005**  
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## **PROBATIONARY PERIOD**

**National Aeronautics and Space Administration**

**Responsible Office: Office of Human Capital Management**

**LPR 3430.2**

**PREFACE**

This Langley Procedural Requirements (LPR) sets forth the general provisions, responsibilities, and the processing details required for the probationary period.

This LPR 3430.2 cancels dated July 22, 2004.

**original signed on file**

Lana M. Couch  
Associate Director for  
Business Management

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## 1.0 GENERAL PROVISIONS

A Federal employee, given a career-conditional or career appointment by selection from an Office of Personnel Management certificate of eligibles, is required to serve a probationary period of 1 year. This applies not only to the first appointment of this kind, but to any subsequent career or career-conditional appointment by selection from a certificate of eligibles, regardless of whether the appointee had previously completed a probationary period.

## 2.0 STATEMENT OR ASSIGNMENT OF RESPONSIBILITY

### a. Supervisors

During the probationary period:

- (a) Observe the employee's conduct, general character traits, and performance.
- (b) Assess the employee's potential and determine whether the employee is suited for employment.
- (c) Make every effort to understand the employee's problems and provide proper guidance.
- (d) Discuss the employee's performance, conduct, and character traits with the employee.
- (e) Consult the Personnel Management Branch (PMB), Office of Human Capital Management (OHCM), promptly to determine the action to be taken if it becomes apparent that the employee's conduct, general character traits, or capacity to work are inadequate for satisfactory performance in the employee's present position.

### b. Director, OHR

The Director, OHCM is the official delegated authority to make separations of probationers based on circumstances occurring prior to an individual's employment at this Center (see LAPD 1200.5).

### 3.0 PROCEDURES

#### a. PMB, OHCM

(1) Forward NASA LaRC BDS Report RF 20A750, "Request for Review of Employee's Probationary Period," to the supervisor during the tenth month of the employee's probationary period.

(2) Retain NASA LaRC BDS Report RF20A750 on file in the PMB, OHCM.

Forward written notification to the employee giving reasons for the termination and the effective date of the action. The employee is not given a right of reply, except as noted below.

#### b. Immediate Supervisor

(1) Recommendation to Retain

Certify on the report that the employee's performance, conduct, and general character traits are either satisfactory or unsatisfactory. Forward through line management officials to PMB, OHCM, Mail Stop 174. (NOTE: The certification must contain a recommendation to retain or to separate the employee.)

(2) Recommendation to Terminate

(a) Take sufficient time to observe the employee's performance and make judgment concerning retention.

(b) Recommend the termination of an unsatisfactory employee on NASA LaRC BDS Report RF 20A750 and forward through line management officials to PMB, OHCM, Mail Stop 174. (NOTE: Although the report is required during the tenth month of employment, it is not intended that the supervisor wait until this time to recommend the termination of an unsatisfactory employee. Consult the PMB, OHCM, as soon as an employee's performance becomes unsatisfactory.)

#### c. Employee Appeal

(1) If separated during the probationary trial period for unsatisfactory performance or conduct after employment.

An employee may appeal to the Merit Systems Protection Board (MSPB) a separation not required by law which he/she alleges was based on: (i) partisan political reasons (political affiliation) or marital status; or (ii) race, color, religion, sex, national origin, physical handicap, or age (provided that at the time of the alleged discriminatory action, the employee was at least 40 years of age) if such discrimination is raised in addition to (i) above. (Appeals of discrimination based solely on race, color, religion, sex, national origin, physical handicap, or age are to be processed under the discrimination complaint procedures. (NOTE: Make appeal to MSPB no later than 30 calendar days after the separation.)

(2) If terminated during the probationary period based on conduct before employment.

(a) Only the Director, OHCM, can make separations for conduct before appointment. When the termination of a probationer for reasons based in whole or in part on conduct before employment (such as intentional falsification of application forms or other pre-appointment documents), the probationer is entitled to:

- i. notice in advance,
- ii. a specific and detailed statement of the reasons,
- iii. the right to reply in writing and submit affidavits in support of reply,
- iv. the identity of the person to receive a reply (Director, OHCM, Mail Stop 120),
- v. a reasonable time for preparation and return,
- vi. consideration of the reply, if made, by the Director, OHCM, and
- vii. notice of the right to appeal to MSPB no later than 30 calendar days after the separation is effected.

(b) An appeal may be based on:

- i. a review of the procedures by which the employee was separated.
- ii. discrimination because of partisan political reasons (political affiliation) or marital status.
- iii. discrimination because of race, color, religion, sex, national origin, physical handicap, or age (if such discrimination is raised in addition to partisan political reasons or marital status). Appeals of discrimination based solely on race, color, religion, sex,

national origin, physical handicap, or age are to be processed under the discrimination complaint procedure (see LAPD 3713.1).

(c) The probationer is not entitled to an examination of witnesses nor to a trial or hearing. Should the Office of Personnel Management direct the separation of a probationer, the above entitlements are not required.

**4.0 APPLICABLE DOCUMENTS**

- a. LAPD 1200.5, "Delegation of Authority to Take Disciplinary and Adverse Actions and Performance-Based Actions."
- b. LAPD 3713.1, "Equal Opportunity Program (EOP)."