



HUMAN HABITATS

MANAGING STAFF ON PROBATION

Executive Policy

November 2024

Policy Summary

Policy Name:	Management of Staff on Probation
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Attributable to:	Executive Management
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At Human Habitats, we recognise the importance of supporting our employees through their probation period. The probation period for the employees covers 6 months and gives the HH business time to both train and assess candidate compatibility for the role they're performing and their company fit. During this time HH will provide on-boarding, assess candidates against level/role, monitor performance and ascertaining cultural fit within the team and business.

As HH provides employees with access to a Flexible Work Policy (FWP), during probation, HH will ensure appropriate monitoring and mentoring is in place during the probation period to give new employees the best possible chance of success prior to beginning flexible work for the company.

This policy is a guideline for the management/support of employees and access to Flexible Working Policy.

Eligibility

All employees (includes full-time, part-time and casual employees¹) commencing with Human Habitats will be subject to a probation period as outlined in this Policy and the applicable contract of employment.

Probation length and entitlements

Probation at Human Habitats is 6 calendar months in line with the *Fair Work Ombudsman*² recommendation.

If hired on a full-time or part-time basis, employees on probation are entitled to accrue and access their paid leave entitlements, such as annual leave and sick leave. *(See Leave Policy for guidelines for taking leave)*

If employees don't pass their probation, they are still entitled to receive notice when employment ends and have their unused accumulated annual leave hours paid out. HH may at its discretion extend the Probation period of an employee in certain circumstances such as underperformance. *(See End of Probation)*

Onboarding and Induction

HH has created a comprehensive onboarding and induction process to acclimate new employees into the HH culture and provide them with the knowledge and resources they need to succeed.

Over the first week, employees will meet key internal contacts such as their Performance Manager, Buddy and HH Operations staff and be taken through an induction. These contacts play an important part in the onboarding and induction process and are there to support a smooth and positive start to employment at HH. *(See Onboarding and Induction process).*

Executive Notes:

¹ All employees is inclusive of Directors and Equity Directors.

² Federal Government recommendation as per [website](#)



Buddy System

Technical staff of Senior level and below and Operations

All Technical employees at a Senior level and below will be assigned an Associate level employee as their buddy, as assigned by the HR Director, for the entire probation period. This Associate is required to check in with their buddy twice a week for the first month (see *Checks Ins*) to provide the employee with support and guidance. The buddy still has access to the FWP however will need to take a One Team approach to utilising the FWP: ensuring teamwork, collaboration and training during the probation period is balanced with working remotely.

Operations employees will be assigned buddy in the Operations team as their and report to the CEO.

Associate Level and Above

Employees hired at an Associate level and above will be assigned a Director as their buddy.

Performance

Performance Managers

All employees will have a Director as their Performance Manager, as assigned by the Personnel Director.

Check ins

Check ins provide new employees with less formal, day-to-day support and guidance as they settle into their role in the first month. Scheduled check ins between the buddy and new staff member should occur on Tuesday and Thursdays and in person in the office. Check ins should cover tasks and workload for the day, and any questions the new staff member may have.

Formal Reviews

Formal reviews will be held at the 1, 3 and 5 months³ and will assist both the business and staff member in terms of performance management. These reviews will be conducted by the employee's Performance Manager and the Personnel Director.

If employees have performed to a satisfactory level throughout their probation and there are no technical or behavioural issues to be addressed as noted in their 1-month and 3-month reviews, the recommendation to convert to permanent employment will be noted in their 5-month review. Upon completion of this review, probation will officially end.

Satisfactory Performance

If performance of employees is deemed satisfactory at their 3-month review meeting, they will be able to access the Flexible Work Policy⁴.

Unsatisfactory or Under Performance

If employees are not deemed to be performing to a standard or require more face to face office time at their 3-month review meeting, a formal Performance Improvement Plan (PIP)⁵ may be put in place for the remainder

Executive Notes:

³ Refer Decision Paper and Management Meeting Minutes October 2023

⁴ Refer HH Flexi Work Policy



of probation. The employee will not yet be able to access the Flexible Work Policy and will remain in the office on a full time basis.

End of Probation

Continued Satisfactory Performance

If performance of employees is deemed satisfactory at their 5-month review meeting, they will successfully pass probation. This will be confirmed in writing via email from their Performance Manager on the 6-month anniversary of their start date. Their employment including access to the Flexible Working Policy will continue as normal from this date.

Termination of Employment

If performance of employees has been continuously unsatisfactory, or their technical skills or behaviour is not deemed suitable, a decision to terminate employment may be made and communicated to the employee at their 5-month review meeting.

As per the Termination of Employment clause in Human Habitats employment contracts⁶, the decision to terminate employment may also be given as written notice in line with the Notice Period or by the Employer making a payment to the Employee in lieu of notice. Human Habitats may make changes at its discretion and effective immediately, for all or part of the notice period, to the employee's position including title, location, duties and responsibilities.⁷

Continued Unsatisfactory Performance / PIPs / Extended Probation Periods

Human Habitats, at its discretion may choose to extend an employee's probation in good faith if performance has been continuously unsatisfactory and allow the employee more time to rectify their performance.

Legal Comment

Sladen Legal: As a general comment, we would recommend that a policy of this nature be internal facing and not be available to employees. The purpose of a policy like this is to assist management effectively oversee probation and minimise the risk of legal action when terminating someone during a probationary period. If you publish this policy broadly and terminate during probation without following all the steps you could create unnecessary legal headaches.

Executive Notes:

⁵ Sladen Legal Comment: There is no need to implement a PIP in order to terminate an employee's employment (for performance reasons) during the first six months of employment. A PIP is often used to demonstrate that termination of employment is not unfair (e.g. as may be relevant to unfair dismissal proceedings under the FW Act). Employees are not eligible to make an unfair dismissal application during the first six months of employment and so termination of employment must be lawful but it does not need to be "fair". In other words, termination of employment during the first six months of employment must not be discriminatory, or in breach of general protections (under the FW Act), but there is no overarching requirement of fairness. The fact that probation might be extended does not impact on this six month requirement.

⁶ HH Employment Contract clause cited and signed by employee prior to commencement.

⁷ Sladen Legal Comment: This is reasonable to include, however, ultimately, HH's right to make these changes depends on the contract of employment.