



TO: AGENCY HEADS AND AGENCY PERSONNEL ADMINISTRATORS  
DT: May 7, 2001  
RE: Working Test Period (in a lower class) after Promotion to a Higher Class

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ALAN J. MAZZOLA  
Deputy Commissioner

This memorandum is provided to advise you of an error in DAS Memorandum No. 98-08 ("DAS #98-08"). Specifically, the information in the guidelines concerning 'adjustments to an employee's working test period' in DAS #98-08 was incorrect but the rest of the information in DAS #98-08 remains accurate. Please refer to DAS #98-08 for reference\*.

C.G.S. Section 5-230 discusses the topic of service credit toward meeting the working test period requirement in a lower class while serving in a higher class. This statute states, in part:

**"...For the purposes of this section any employee who has served part of a working test period in a position in the classified service who is, pursuant to examination, appointed to, and serves part of a working test period in, a position in a higher classification in a field of work directly related to his prior position, from which new position he is dismissed, shall, at his option be reappointed to the position which he first had and his service in the working test period for such first position shall be deemed to include the time spent in the working test period for the higher position."**

As mentioned in DAS #98-08, an agency may promote an employee in the same classification series prior to completing a working test period in the lower class. For example, an Office Assistant position is filled at the Clerk level; the incumbent serves two months of the (Clerk) working test period, passes the exam for Office Assistant and is then promoted to the Office Assistant level.

Based on the above language and given the above example, the employee automatically continues to be credited with service in the lower (Clerk) class while working in the higher (Office Assistant) class. DAS #98-08 erroneously indicated it was *at the agency's discretion* whether the service in the Office Assistant class would be credited toward meeting the employee's working test period as a Clerk.

This is a very important clarification of the interpretation of C.G.S. 5-230. The language clearly removes agency discretion from authorizing the employee's service in the higher class toward meeting the working test period in the lower class. Further, this language enables an employee in an initial working test period (for Clerk) to become a permanent employee after six months of service even if s/he is unsuccessful in completing the working test period of the higher (Office Assistant) class. *The crediting for the initial working test period is not limited to promotion in the same position but would also apply if the employee is promoted to a vacant position.*

**\*NOTE:** We have edited DAS #98-08 on the Internet, advising readers to review this (DAS #01-05) memorandum for the most up-to-date, accurate information on this subject.

Please share this information with your staff. We apologize for any confusion this may have caused agencies and appreciate this error being brought to our attention promptly by the Department of Children and Families.

Questions concerning this information may be directed to your Human Resources Liaison or to Shari Grzyb at (860) 713-5176 or via e-mail at [shari.grzyb@po.state.ct.us](mailto:shari.grzyb@po.state.ct.us) .

**TO REITERATE, THE EMPLOYEE'S SERVICE IN A HIGHER CLASS IS AUTOMATICALLY CREDITED TOWARD MEETING THE WORKING TEST PERIOD OF THE LOWER CLASS IF THE HIGHER CLASS IS IN A FIELD OF WORK DIRECTLY RELATED TO THE LOWER CLASS. IT IS IMPORTANT THAT AGENCIES RECOGNIZE THE IMPACT OF THIS STATUTE BEFORE PROMOTING EMPLOYEES WHO ARE STILL IN THEIR INITIAL WORKING TEST PERIOD.**

*Alan J. Mazzola*

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ALAN J. MAZZOLA  
DEPUTY COMMISSIONER

**01-05**