



MANUAL TRANSMITTAL

Department of the Treasury
Internal Revenue Service

6.315.2

DECEMBER 8, 2025

EFFECTIVE DATE

(12-08-2025)

PURPOSE

- (1) This transmits the revised IRM 6.315.2, Probationary Period for Career and Career-Conditional Employment.

MATERIAL CHANGES

- (1) IRM 6.315.2.2.1 Revised section to incorporate the interim guidance memorandum (IGM) HCO-06-0225-0002, Interim Guidance on Probationary Period for Career and Career-Conditional Employment signed February 27, 2025.
- (2) IRM 6.315.2.2.3 Removed guidance that is operational in nature such as scenarios to be included in Talent Acquisition (TA) and Program Execution Office (PEO) operational guidance and provided program contact information.
- (3) IRM 6.315.2.2.1 Updated the language to align with 5 CFR 11, Probationary and Trial Periods (Rule XI), also known as Civil Service Rule XI effective as of April 24, 2025.
- (4) Throughout the IRM removed all content with the word "gender" and replaced with male or female, woman, male, he or she, or sex to align with Executive Order (EO) 14168, Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the federal government.
- (5) Throughout the IRM removed all terms "equity," "diversity," the acronym for equity, diversity and inclusiveness ("EDI"), and links to the EDI program, office or content promoting diversity, inclusion and equity if used in the context of the EDI program to align with EO 14151, Ending Radical and Wasteful Government DEI Programs and Preferencing.
- (6) Throughout the IRM removed content related to "gender neutrality" to align with EO 14168, Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the federal government.
- (7) Throughout the IRM updated names of divisions in the Human Capital Office (HCO). Employment Operations (EO) Division is changed to Hiring Operations (HOps).
- (8) Throughout the IRM updated formatting on external web links.

EFFECT ON OTHER DOCUMENTS

HCO-06-0225-0002, Interim Guidance on Probationary Period for Career and Career-Conditional Employees is incorporated herein and IRM 6.315.2, Probationary Period for Career and Career-Conditional Employment, dated February 09, 2024, is superseded.

AUDIENCE

All business units

David P. Traynor, Acting IRS Human Capital Officer

6.315.2

Probationary Period for Career and Career-Conditional Employment

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6.315.2.1
(12-08-2025)
Program Scope and Objectives

- (1) **Purpose.** IRM 6.315.2, Probationary Period for Career and Career-Conditional Employment provides Servicewide policy on probationary periods for permanent employment in the competitive service.
- (2) **Audience.** The policies, authorities, and guidance in this IRM apply to all business units excluding contractors and the Office of Chief Counsel.
- (3) **Policy Owner.** IRS Human Capital Officer
- (4) **Program Owner.** HCO, Office of Human Resources Operations (OHRO), TA
- (5) **Primary Stakeholders.** HCO, OHRO, TA, PEO, Hiring Operations (HOPs), and Labor and Employee Relations and Negotiations (LERN)
- (6) **Program Contact.** HCO, OHRO, TA, PEO and HOPs

6.315.2.1.1
(12-08-2025)
Background

- (1) This IRM provides policy related to probationary periods for employees appointed to a career or career-conditional appointment in the competitive service. The probationary period allows management to consider the employee's performance and conduct for continued employment. During this period, a decision is made to retain or terminate the employee based on considerations contained in the Code of Federal Regulations (CFR) 5 CFR 11, Probationary and Trial Periods (Rule XI). Considerations include the employee's performance and conduct, the needs and interests of the agency, whether the employee's continued employment would advance organizational goals of the agency, and whether the employee's continued employment would advance the efficiency of federal service.
 - a. For employees initially appointed to a supervisory or managerial position, the probationary period serves as an opportunity to evaluate the employee's supervisory or managerial performance. During this period, a decision is made to retain the employee as a supervisor/manager or reassign him or her to a non-supervisory or non-managerial position.

6.315.2.1.2
(12-08-2025)
Authority

- (1) *Laws:*
 - a. *5 USC 2301, Merit System Principles*
 - b. *5 USC 3321, Competitive Service; Probationary Period*
 - c. *5 USC 9510, General Workforce Staffing*
- Note:** Effective October 13, 2000, the Department of Treasury (Treasury) approved IRS' request to extend the probationary period for GS-1811 Special Agent positions in Criminal Investigation (as provided under the IRS Restructuring and Reform Act of 1998).
- (2) *Regulations:*
 - a. *5 CFR 11, Probationary and Trial Periods (Rule XI)*
 - b. *29 CFR 1614, Federal Sector Equal Employment Opportunity*
- (3) *Other:*
 - a. *Treasury Policy TN-16-001, Effective Hiring*
 - b. *2022 National Agreement - Internal Revenue Service (IRS) and National Treasury Employees Union (NTEU)*

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- c. *IRS Servicewide Delegation Order (SDO) 6-29, Authority to Address Employee Performance or Conduct Issues*
- d. *OPM Guide to Processing Personnel Actions (GPPA)*
- e. *EO 14284, Strengthening Probationary Periods in the Federal Service, dated April 24, 2025, codified into 5 CFR 11 on April 29, 2025*
- f. *Fact Sheet: President Donald J. Trump Strengthens Probationary Periods to Improve the Federal Service*

6.315.2.1.3
(12-08-2025)

Roles and Responsibilities

- (1) The Human Capital Officer is the executive responsible for this IRM and overall Servicewide performance policy.
- (2) HCO, Policy Office (PO) develops policies related to human resources (HR), ensures internal compliance with these policies and advises customers on HR policy.
- (3) HCO, TA, HOps must ensure that probationary period requirements contained in 5 CFR 11, Probationary and Trial Periods (Rule XI), are communicated to supervisors and managers and probationary employees, probationary periods are documented in vacancy announcements, and probationary periods are included in personnel action request (PAR) remarks.
- (4) Supervisors or managers of Non-Supervisory Employees Serving a Probationary Period Upon Initial Appointment to a Competitive Service Position must:
 - a. Maintain documentation pertaining to the probationary employee's performance and conduct during the probationary period.
 - b. Discuss four certification factors listed in 5 CFR 11, Probationary and Trial Periods (Rule XI) with the probationary employee.
 - c. Ensure the probationary employee receives adequate training to perform duties of the position.
 - d. To the extent practical, conduct a progress review with the probationary employee and document any counseling in writing at least 60 days prior to the end of their probationary or trial periods to discuss performance and conduct, if continued employment advances public interest, needs of the agency, organizational goals, and efficiency of the service.
 - e. Terminate the probationary employee in the following circumstances: less than fully successful performance, misconduct, consideration of the needs and interests of the agency, consideration of whether the employee's continued employment would advance the efficiency of federal service, or any other reason where the employee is not being certified for continued employment according to 5 CFR 11.5(d), Completion of Probationary or Trial Period.
- (5) Supervisors or managers of Employees Serving a Probationary Period Upon an Initial Appointment to a Supervisory Position must:
 - a. Maintain documentation pertaining to the probationary employee's performance and/or conduct during their probationary period.
 - b. Establish and discuss written performance requirements with the probationary employee within 30 calendar days of the probationary employee's assignment to the supervisory or managerial position.
 - c. Ensure the probationary employee receives adequate training to perform the duties of the position.

- d. Conduct a progress review with the probationary employee and document any counseling in writing at least 60 days prior to the end of their probationary or trial period.
 - e. If needed, initiate a PAR to return the employee serving in a management probationary period to a non-supervisory or non-managerial position due to unsatisfactory performance.
- (6) HCO, LERN provides technical and procedural advice to supervisors and managers about termination and demotion actions including appeal rights, and ensures such actions conform to current laws and regulations.

6.315.2.1.4
(12-08-2025)
**Commonly Used
Acronyms**

- (1) This table lists commonly used acronyms in this IRM.

Acronym	Definition
BU	Bargaining Unit
DEU	Delegated Examining Unit
SDO	Service-wide Delegation Order
eOPF	Electronic Official Performance Folder
EMU	Executive Misconduct Unit
GPPA	Guide to Processing Personnel Actions
HCO	Human Capital Office
HR	Human Resources
LERN	Labor/Employee Relations & Negotiations
LRS	Labor Relations Specialist
NBU	Non-Bargaining Unit
OCRC	Office of Civil Rights and Compliance
OPM	Office of Personnel Management
PAR	Personnel Action Request
TA	Talent Acquisition

6.315.2.1.5
(12-08-2025)
Terms and Definitions

- (1) The following table defines terms contained in this IRM.

Term	Definition
Career Status (Status)	Permanent status with the federal government that results from three years creditable and satisfactory service in a career-conditional position and successful completion of a probationary period
Career-Conditional Appointment that obtains Status	The three years of creditable and satisfactory service on a permanent appointment that leads to career status
Competitive Service	Civil service positions in the executive branch of the federal government that are subject to a competitive process (that is competitive examining) which are open to all applicants
Executive Misconduct Unit	The office in LERN that provides support to managers for high-level employees in the following positions: Managers of Executives (such as Senior Executive Service (SES)), Administratively Determined and Streamlined Critical Pay, Senior Level (also known as Senior Advisors), Senior Managers (IR-01), Frontline Managers (IR-03) and GS-15 non-bargaining unit (NBU) employees. The Executive Misconduct Unit (EMU) Human Resources Specialists provide guidance from consultation, to processing the case and through any appeal, if applicable
Initial Appointment	Applicant's first appointment to the federal government, agency, excepted service, or competitive service or a preference eligible or Schedule A eligible given a career-conditional or career appointment by selection from a certificate of eligibles

Term	Definition
Labor Relations Specialist	Specialists in the LERN's Field Operations Office who provide support to supervisors and managers of employees who are not covered by the EMU in the form of guidance from consultation, to processing the case and through any appeal
Non-Status Appointment	An excepted, term or temporary appointment that does not confer reinstatement eligibility or competitive status
Non-Supervisor/Non-Manager	An employee with no supervisory/managerial responsibilities
Probationary Period	A one-year period (three-year period for Criminal Investigation, 1811 series) that applies to a new appointment to a competitive service position which management uses to assess a career or career-conditional, non-supervisory or non-managerial employee's performance and conduct for continued employment in the federal government; and a supervisory or managerial employee's performance and conduct for continued appointment in a supervisory or managerial position
Supervisor/Manager	Supervises/manages employees and meets requirements outlined in OPM's General Schedule Supervisory Guide for titling positions supervisory/managerial
Supervisor/Manager Probationary Period	A one-year period that applies to an initial appointment of an employee into a supervisor or manager role which management uses to assess an employee's supervisory or managerial performance and conduct for continued appointment in a supervisory or managerial position

Term	Definition
Trial Period	A two-year period that applies to an appointment in the excepted service which management uses to assess a probationary employee's performance and conduct for continued appointment in the federal government

6.315.2.2
(12-08-2025)

Probationary Period for Initial Career and Career-Conditional Employment

- (1) The probationary period is an assessment period that gives employees an opportunity to demonstrate that their continued employment advances public interest, needs of the agency, organizational goals, and efficiency of the service.
- (2) Unless the IRS certifies that the employee's continued employment advances public interest, needs of the agency, organizational goals, and efficiency of the service, the probationer's employment terminates before the end of the tour of duty on the last day of their probationary or trial period unless the IRS certifies within the 30 days prior to that date that finalizing their appointment advances the public interest, needs of the agency, organizational goals and efficiency of the federal service.
- (3) If the probationary employee demonstrates less than fully successful performance or commits misconduct such as chronic absenteeism or failure to attend or successfully complete training during the probationary period, management will terminate him or her during the employee's probationary period.

6.315.2.2.1
(12-08-2025)

Probationary Period Requirements

- (1) A probationary period is required for the first year of service of an employee who is given an initial career or career-conditional appointment under 5 CFR 11, Probationary and Trial Periods (Rule XI), to a competitive position. The first year of service (first three years of service for Criminal Investigator job series 1811 according to 5 USC 9510(d), General Workforce Staffing), of an employee who is given a career or career-conditional appointment in the competitive service under the Civil Service Regulations is a probationary period when the employee:
 - a. Was appointed from a competitive list of eligibles
 - b. Was reinstated (including from a Reinstatement Priority List)

Note: A probationary period applies unless during any period of service that affords a current basis for reinstatement the employee completed a probationary period of at least one year; or served with competitive status under an appointment that did not require a probationary period. In this case, the date of reinstatement begins a new 12- month probationary period.

 - c. Is required to go through a probationary period and then is transferred, promoted, demoted, or reassigned in accordance with the Civil Service Regulations before he or she completes such period is required to complete the remainder of the probationary period in the new position
 - d. Upon noncompetitive appointment to the competitive service under the 39 USC, Postal Reorganization Act, an employee of the Postal Career

Service (including a substitute or part-time flexible employee) who has not completed one year of Postal service must serve the remainder of a one-year probationary period in the new agency

- e. Is appointed to the competitive service either by a special appointing authority or by conversion to a career or career-conditional appointment under the Civil Service Regulations where they must serve a one-year probationary period (three years for job series 1811) unless specifically exempt from such period by the special appointing authority itself
- f. Is promoted, transferred, or otherwise assigned, for the first time, to supervisory or managerial position and is required to serve a probationary period under terms and conditions prescribed by the Office of Personnel Management (OPM)

Note: If an employee is required to concurrently serve both a probationary period in a supervisory or managerial position under 5 CFR 315.901, Probation on Initial Appointment to a Supervisory or Managerial Position, and a probationary or trial period following initial appointment or reinstatement under 5 CFR 11, Probationary and Trial Periods (Rule XI), the latter takes precedence and fulfills the requirements of this paragraph.

- (2) A person who is appointed to the competitive service either by special appointing authority or by conversion under 5 CFR 315, Subpart F, Career and Career-Conditional Employment Under Special Authorities, and 5 CFR 315, Subpart G, Conversion to Career or Career-Conditional Employment from Other Types of Employment, serves a one-year probationary period unless specifically exempt from probation by the authority itself.
- (3) The IRS uses probationary and trial periods required upon initial appointment or subsequent reinstatement to evaluate employees' fitness for duty and whether their continuation of employment advances the public interest. If not terminated sooner, an employee's service terminates before the end of the tour of duty on the last day of their probationary or trial period unless the IRS certifies within the 30 days prior to that date that finalizing their appointment advances the public interest.

Note: An employee on a probationary or trial period bears the burden of demonstrating why their continuation in employment through the finalization of their appointment to the federal service is in the public interest.

- (4) A probationary or trial period ends when the probationary employee completes his or her scheduled tour of duty on the day before the one year anniversary date of the probationary employee's appointment. For example, when the last workday is a Friday and the anniversary date is the following Monday, a probationer will be separated before the end of the tour of duty on Friday if the IRS does not make the requisite certification that their continued appointment advances the public interest.
- (5) A probationary employee on a probationary or trial period bears the burden of demonstrating why their continuation in employment through the finalization of their appointment to the federal service is in the public interest.

- (6) The Director of OPM has not yet, but may in the future, prescribe circumstances under and procedures by which probationary employees terminated from a probationary or trial period may appeal termination.

6.315.2.2.2
(12-08-2025)

Trial Period for Excepted Service Employment

- (1) A trial period is required for the first two years of service of an employee who is given an initial appointment in the excepted service under 5 CFR 11, Probationary and Trial Periods (Rule XI) to a Competitive Position.
- (2) A person who is required to go through a trial period and is transferred, promoted, demoted, or reassigned before he or she completes the trial period is required to complete the remainder of the trial period in the new position.
- (3) A trial period ends when the employee on the trial period completes his or her scheduled tour of duty on the day before the two-year anniversary date of the trial period. For example, when the last workday is a Friday and the anniversary date is the following Monday, a probationer will be separated before the end of the tour of duty on Friday if their agency does not make the requisite certification that their continued appointment advances the public interest.
- (4) Employees who separate from the federal service for a period of more than 30 days after completing a trial period, and who subsequently are reappointed to an excepted service position, must complete a new trial period unless such individual is appointed to the same or a substantially similar position in the same agency as their most recently held position.

6.315.2.2.3
(12-08-2025)

Creditable Service for Prior Civilian Service

- (1) The probationary period required is one year (three years for Criminal Investigation, 1811 series) for career and career-conditional appointments and the trial period is two years.
- (2) Prior federal civilian service (including non-appropriated fund service) counts toward completion of the probationary period when the prior service:
 - a. Is in the same agency, for example, the Treasury
 - b. Is in the same line of work determined by the employee's actual duties and responsibilities
 - c. Contains or followed by no more than a single break in service that does not exceed 30 calendar days
- (3) Periods of absence while in a pay status count toward completion of the probationary period. The following addresses creditability in a non-pay status:
 - a. Absence in non-pay status while on the rolls (other than for compensable injury or military duty) is creditable up to a total of 22 workdays. Nonpay time in excess of 22 workdays extends the probationary period or trial period by an equal amount.
 - b. Absence (whether on or off the rolls) due to compensable injury or military duty is creditable in full upon restoration to federal service. Nonpay time in excess of 22 workdays extends the probationary period or trial period by an equal amount.
- (4) Service credited for other than full time:
 - a. The probationary period for part-time employees is computed based on calendar time in the same manner as for full-time employees.

- b. Intermittent employees do not have regularly scheduled tours of duty. For intermittent employees each day or part of a day in pay status counts as one day of credit toward the 260 calendar days in a pay status required for completion of probation.

Note: The probationary period cannot be completed in less than one year of calendar time.

6.315.2.2.4
(12-08-2025)
**Termination of Employee
During Probationary
Period**

- (1) In determining whether it is in the public interest to finalize the appointment to the federal service of an employee in a probationary or trial period, the agency head, or his or her designee, may consider, in his or her sole and exclusive discretion:
 - a. The probationary employee's performance and conduct
 - b. The needs and interests of the agency
 - c. Whether the probationary employee's continued employment would advance organizational goals of the agency or the government
 - d. Whether the probationary employee's continued employment would advance the efficiency of the Civil Service
- (2) If, prior to the end of the probationary period, the IRS determines not to certify that the continued employment of a probationary employee advances the public interest, the IRS will provide the employee a written notice of such non-certification and the effective date of their termination. Probationary employees have no right to appeal their termination unless OPM at a future date prescribes one.
- (3) Per OPM's Guide to Processing Personnel Actions (GPPA) Chapter 31, Separations by Other than Retirement, if a probationary employee chooses to resign before receiving a termination letter, their Standard Form (SF) SF-50B, Notification of Personnel Action, will not contain a statement referring to their performance/conduct issue.

6.315.2.2.5
(12-08-2025)
**Completion of
Probationary or Trial
Period**

- (1) An employee on a probationary or trial period bears the burden of demonstrating why their continuation in employment through the finalization of their appointment to the federal service is in the public interest.
- (2) Before an agency terminates the service of an employee serving a probationary or trial period, it will notify such employee in writing as to the effective date of the action.
- (3) If the IRS terminates an employee serving on a probationary or trial period for reasons based in whole or in part on conditions prior to their appointment, the IRS will notify such employee in writing as to the effective date of the action.
- (4) Probationary or trial period employees generally do not have appeal rights that employees have under 5 CFR 432, Performance Based Reduction in Grade and Removal Actions, or 5 CFR 752, Adverse Actions.
- (5) LERN or EMU, as applicable, must be consulted to determine whether an employee has due process and appeal rights, and what procedures may need to be followed. For assistance, contact LERN at IRS Service Central, access

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the chat bot, or call the LERN Support Gate at 866-743-5748, option 1, and option 6, Monday - Friday, 7 a.m.- 7 p.m., CT to speak to an HR specialist.

6.315.2.3 (12-08-2025) **Supervisory Probationary Period for New Supervisors or Managers**

- (1) An employee who is initially appointed to a supervisory or managerial position must serve a one-year probationary period. This period serves as an opportunity for management to evaluate the employee's supervisory or managerial performance and either retain the employee as a supervisor or manager or reassign him or her to a non-supervisory or non-managerial position.

6.315.2.3.1 (12-08-2025) **Supervisory Probationary Requirements for New Supervisors or Managers**

- (1) An employee is required to complete a one-year probationary period upon initial assignment to a supervisory or managerial position. An employee is only required to complete one probationary period, regardless of the number of supervisory or managerial positions the employee serves in the competitive service.
- (2) If an employee is required to concurrently serve a probationary period for a new supervisory or managerial position and an initial competitive position, the completion of the probationary period for the competitive position satisfies the requirement for the supervisory or managerial position.
- (3) For employees who occupied supervisory or managerial positions on or before August 11, 1979, a probationary period is not required for future positions when:
 - a. The employee held or currently holds a permanent supervisory or managerial position, without time limitation or
 - b. The employee completed a temporary promotion or reassignment in a supervisory or managerial position for more than 120 calendar days

6.315.2.3.2 (12-08-2025) **Termination or Reassignment of New Supervisors or Managers Serving a Supervisory or Managerial Probationary Period**

- (1) If an employee fails to demonstrate satisfactory performance and/or conduct during the employee's supervisory or managerial probationary period, management may terminate the employee if the employee is also serving an initial probationary period. If the employee previously held a non-management position with the IRS, management will return the employee to their former or a similar non-supervisory or managerial position unless the employee accepted a change to lower grade for the initial supervisory appointment. In accordance with 5 CFR 315.907(b), Failure to Complete the Probationary Period, a non-supervisory or non-managerial employee who is demoted into a position in which probation is required and who, for reasons of supervisory or managerial performance, does not satisfactorily complete the probationary period is entitled to be assigned to a position at the same grade and pay as the position in which the employee was serving the probationary period.
- (2) Before taking any action, supervisors or managers should consult with their assigned Labor Relations Specialist (LRS) or EMU specialist. For assistance, contact LERN at IRS Service Central, access the chat bot, or call the LERN Support Gate at 866-743-5748, option 1, and option 6, Monday - Friday, 7 a.m.- 7 p.m., CT to speak to an HR specialist.
- (3) The termination or reassignment letter is drafted by management's servicing LRS or EMU specialist, as appropriate. It is reviewed, approved, signed, dated, and issued by the supervisor or manager with the delegated authority under

SDO 6-29, Delegation of Authority to Address Employee Performance or Conduct Issues, and Criminal Investigation's deviation from SDO 6-29.

6.315.2.3.3

(12-08-2025)

Appeal Rights for New Supervisors or Managers Serving a Supervisory or Managerial Probationary Period

- (1) An employee who is returned to a non-supervisory or non-managerial position during the employee's supervisory or managerial probationary period has no appeal rights.

