

RULE 1 DEFINITIONS

These definitions shall apply wherever the following terms are used in the personnel rules:

Administrative class:

A class in which the duties and responsibilities meet the following criteria:

- a) Performance of office or non-manual work directly related to management policies or general business operations and
- b) Regular exercise of discretion and independent judgment and
- c) 1) Regular and direct assistance to a bonafide executive or administrator or
2) Performance, under only. general supervision, of work along specialized or technical lines requiring special training, experience, or knowledge, or
3) Execution, under only general supervision, of special assignments and tasks, and
- d) No more than 20% of hours worked in a work week are devoted to activities which are not directly and closely related to the performance of the work in paragraph a) through c) above. (Effective May 1, 1974; Rules Revision Memo 83A).

Agency:

A unit of government identified by a "fund organization" number in an appropriation ordinance. (Effective December 15, 1988; Rules Revision No. 118, Series B).

Appointing authority:

A municipal official designated by the annual appropriation ordinance to approve expenditures for a given appropriation; hence the official authorized to appoint employees to be paid from such appropriation. Such an official may designate an agent to act for him as an appointing authority. (Effective May 16, 1956; Rules Revision Memo 16A).

Appropriation:

An authorization by the City Council to a specified agency to expend a specified sum of money from a specified fund during a specified period for a specified purpose. (Effective May 16, 1956; Rules Revision Memo 16A).

Appropriation sub-account:

Includes all divisions of appropriations recognized by the Office of Budget and Management, up to and including the lowest level of the account code at which expenditures and revenues are recorded, the tracking level. (Effective March 19, 2004, Rule Revision Memo 247B)

Break in service:

Any lapse of working time between the official separation of an employee and his subsequent re-hiring. (Effective May 16, 1956; Rules Revision Memo 16A).

Career Service:

All employees of the City and their positions subject to the exceptions in the City Charter (relevant sections have been attached as an appendix to Rule 5 APPOINTMENTS AND STATUS). (Effective June 8, 2007; Rules Revision Memo 19C)

Career Service Authority:

The agency created by the Denver City Charter to administer the Career Service. (Effective August 15, 1979; Rules Revision Memo 113A).

Career Service Board:

The board created by the Denver City Charter to direct the Career Service. (Effective August 15, 1979; Rules Revision Memo 113A).

Career Service employee:

The incumbent of a position in the Career Service. (Effective May 16, 1956; Rules Revision Memo 16A)

Career status:

The status of a Career Service employee who has satisfactorily completed an employment probationary period or who has been reinstated after lay-off. (Effective September 18, 1980, Rules Revision Memo 127A).

City:

City and County of Denver (Eff. December 15, 1988; Rules Revision No. 118, Series B).

Class series:

The arrangement in sequence of classes that are alike in the kind but not in level. For the purposes of lay-off, a class series shall include first line supervisors and lead workers, if so designated for the class series. (Effective May 16, 1956, Rules Revision Memo 16A; Revised March 19, 2004, Rule Revision Memo 247B)

Continuous service date:

The effective date of an employment appointment or a re-employment appointment in the career service, whichever is later; or the effective date of appointment from a reinstatement list plus credits for service prior to lay-off. This definition does not affect employee rights to sick leave and vacation leave as established in the Revised Municipal Code or the Career Service Rules. (Eff. 12/15/83, Rules Rev. 51B; Revised 3/19/2004; Rules Rev. 247B)

Disabled individual:

An individual who (1) has a physical or mental impairment which substantially limits one or more major life functions; or (2) has a record of such impairment; or (3) is regarded as having such an impairment; or (4) has begun or successfully completed a supervised drug rehabilitation program and is no longer engaged in the illegal use of drugs. (Eff. 1/1/93; Rules Rev. 160B).

Disqualification:

An involuntary no-fault separation of an employee, or action in lieu thereof, based on a legal, physical, mental or emotional impairment or incapacity, occurring or discovered after appointment, which prevents satisfactory performance of the duties and responsibilities of the position. (Eff. 3/15/79; Rules Rev. 110A).

Documented performance:

A verifiable assessment of an individual's work performance, including PEPR ratings, disciplinary actions, and safety violations. (Eff. 3/19/2004, Rule Rev. 247B).

Domestic Partner:

An unmarried adult, unrelated by blood (closer than would prohibit marriage in Colorado pursuant to the Colorado Revised Statutes), with whom an unmarried employee has an exclusive committed relationship, maintains a mutual residence and shares basic living expenses. (Eff. 3/16/95; Rules Rev. 178, Series B).

Effective date:

The date when a personnel action takes effect; in the case of separation, the employee's last day of work, exclusive of accrued vacation leave or compensatory time. (Eff. 5/16/56; Rules Rev. 16A).

Employment appointment:

One which is made as the result of certification from an employment list. (Effective September 18, 1980; Rules Revision Memo 127A).

Employment probationary status:

The initial status of an employee receiving an employment appointment or a re-employment appointment. (Effective September 18, 1980; Rules Revision Memo 127A).

Entry level professional class:

Any class where the principal minimum qualifications for education and experience are a college degree and no experience. These are identified as entry level by the word "staff" as part of the title. (Effective September 1, 1989; Rules Revision Memo 129B).

Executive class:

A class in which the duties and responsibilities meet the following criteria:

- A. Primary duty consists of the management of the agency or appropriation account, or of a customarily recognized subdivision or section thereof; and
- B. Regular direction of the work of two or more other employees therein, and
- C. Authority to hire or fire other employees, or suggestions or recommendations as to the advancement and promotion or any other change of status of other employees will be given particular weight, and
- D. Regular exercise of discretionary powers, and
- E. No more than 20% of hours worked in a work week are devoted to activities which are not directly and closely related to the performance of the work described in paragraphs a) through d) above; provided that this paragraph shall not apply in the case of an employee who is in sole charge of an independent establishment or a physically separated establishment. (Effective May 1, 1974; Rules Revision Memo 83A)

Fringe benefits:

Vacation, holidays, sick leave, payments for injuries or sickness received in the line of duty, health insurance, life insurance, pensions, termination pay, uniform and equipment allowances, dependents' benefits, longevity pay, and any other financial or economic benefits which are found by the Career Service to be the prevailing practice in the Denver metropolitan area. (Effective September 22, 1978; Denver City Charter, Section C5.26-1).

Full-time position:

One in which the employee is scheduled to work forty (40) hours per week or is scheduled to work eighty (80) hours in two (2) weeks under an authorized special work schedule. (Effective September 18, 1980; Rules Revision No. 127A).

Immediate family:

Husband, wife, son, daughter, mother, father, grandmother, grandfather, grandchildren, brother, sister, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, domestic partner, and the mother, father, son, daughter, brother, or sister of the domestic partner, as well as minor children for whom the employee or the employee's domestic partner provide day-to-day care and financial support. (Effective March 16, 1995; Rules Revision No. 178, Series B).

Incumbent:

The current occupant of a position in the Career Service. (Effective May 16, 1956; Rules Revision No. 16A)

Lay-off:

The involuntary separation of a career status unlimited employee, or a limited employee appointed prior to January 16, 2004, resulting from the abolishment of a position. (Eff. 9/18/1980, Rules Rev. 127A; Revised 3/19/2004, Rule Rev. 247B).

Lay-off unit:

An appropriation account, appropriation sub-account, combinations of appropriation sub-accounts, or combinations of appropriation accounts for the purposes of lay-off. (Eff. 11/01/1979, Rules Rev.115A; Revised 3/19/2004, Rule Rev. 247B).

Leave:

An authorized absence from regularly scheduled work hours which has been approved by proper authority. (Effective May 16, 1956; Rules Revision No. 16A).

Length of Service:

Total number of years, months and days of continuous service, (for examination purposes) including time an employee is on authorized leave of absence without pay, but exclusive of service in non-career status positions. (Effective December 15, 1988; Rules Revision No. 118B; Revised March 19, 2004, Rule Revision Memo 247B).

Limited position:

One which has a specified ending date. (Effective September 18, 1980; Rules Revision No. 127A).

Month of service:

The period of time between a given date in one month and the preceding day in the following month (e.g., April 16 through May 15). (Effective October 12, 1981; Rules Revision Memo 19B).

Non-career status:

The status of an employee who is appointed to an on-call position. Non-career status employees do not serve a probationary period. (Effective June 8, 2007; Rules Revision Memo 19C)

On-call position:

A position in which the incumbent works as needed. On-call positions may have routine or variable work patterns and are generally filled to accommodate seasonal or short term activities in various city agencies. (Effective June 8, 2007; Rules Revision Memo 19C)

Part-time position:

One in which an employee is scheduled to work less than forty (40) hours per week. (Effective September 18, 1980; Rules Revision Memo 127A).

Probationary period:

A period of time following employment appointment, promotional appointment, or re-employment which is a work-test period for the employee, and during which the employee is on a trial basis. (Effective September 18, 1980; Rules Revision Memo 127A).

Professional class:

A class in which the duties and responsibilities meet the following criteria:

- A. Primary duties consist of the performance of:
 - 1. Work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes, or
 - 2. Work that is original and creative in character in a recognized field of artistic endeavor (as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training), and the result of which depends primarily on the invention, imagination, or talent of the employee, or (Effective March 2, 1982; Rules Revision Memo 30B)

3. Teaching, tutoring, instructing, or lecturing in the activity or imparting knowledge, as a teacher in the school system or educational establishment or institution, and
- B. Work requires the consistent exercise of discretion and judgment in its performance, and
 - C. Work is predominantly intellectual and varied in character (as opposed to routine mental, manual, mechanical, or physical work) and is of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time, and
 - D. No more than 20% of hours worked in the work week is devoted to activities which are not an essential part of and necessarily incident to work described in paragraphs a) through c) above.
(Effective May 1, 1974; Rules Revision Memo 83A).

Promotional probationary status:

The initial status of an employee receiving a promotional appointment. (Effective September 18, 1980; Rules Revision Memo 127A).

Re-assignment:

The change of duties of an employee in a position in a class or the movement of an employee from a position in the same class within the same agency or within consolidated appropriation accounts.

Re-instatement List:

Employees shall be placed on the re-instatement list for the classification they have been laid off from, demoted in lieu of lay-off from, or have voluntarily resigned or voluntarily demoted in lieu of lay-off from. The re-instatement list shall only be used within the Lay-off Unit the employee was in when the lay-off took place. (Effective May 4, 2007, Rule Revision Memo 18C)

Return from promotional probation:

Change of a career status employee serving promotional probation to a position in the class from which promoted within the agency from which promoted. (Effective December 3, 1981; Rules Revision Memo 25B).

Resignation:

The voluntary separation of an employee from the Career Service. (Effective May 16, 1956; Rules Revision Memo 16A).

Retirement:

The separation of an employee from the Career Service who is required to retire because of mandatory retirement age or who is eligible to retire under the provisions of the Denver Employees' Retirement Plan. (Effective November 1, 1965; Rules Revision Memo 47A).

Separation:

The termination of employment by reason of probation, disqualification, lay-off, resignation, retirement, dismissal, or death. (Effective September 18, 1980; Rules Revision Memo 127A).

Serious health condition:

An illness, injury, impairment or physical or mental condition, which involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider. (Effective February 8, 2005, Rules Revision Memo 257B)

Sexual harassment:

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment. (Effective March 22, 1984; Rules Revision 60B).

Staggered work schedule:

The assignment of differing reporting times to individual employees. (Effective November 14, 1978; Rules Revision 104A).

Unlimited position:

One which has no specified ending date. (Effective September 18, 1980; 127A).

Workmen's compensation:

Benefits received by an employee who is injured while carrying out his work assignment as determined by the Workmen's Compensation Act of Colorado. (Effective May 16, 1956; Rules Revision 16A).