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PLEASE POST: 07/22/05 –08/12/05

NOTICE OF PUBLIC HEARING – RULE MAKING

On August 12, 2005 - 8:30 a.m.

Proposed Changes To Commission Rules

Rule 7 – Examination Lists and Eligible Registers: Sections 1 and 2

Rule 8 – Requisition, Certification, and Appointment: Sections 1 - 5

On **Friday, August 12, 2005, at 8:30 a.m.** the Civil Service Commission will hold a public hearing in the Commission conference room at **1570 Grove St., Denver, CO 80204-1930**, for the purpose of receiving public comment on proposed **amendments to the above noted Commission Rules. Attachments A and B provide summary tables of the respective proposed rule changes.**

The **full text** of the proposed changes to each of the two noted rules is **posted at the Commission's office and on the Commission's web site** at: www.denvergov.org/civilservice. Click on the link "Commission Rule Changes". Additional copies are available by email or fax.

Written comment or questions may be submitted by mail, fax, email or in-person to Earl Peterson, Executive Director, Civil Service Commission, 1570 Grove St., Denver, CO 80204-1930. Submissions must be received by the **deadline of Tuesday, August 9, 2005, at 12:00 noon.** Fax: 720-913-3373; Email: earl.peterson@ci.denver.co.us.

Oral comment, limited to ten (10) minutes per rule, may be scheduled for the public hearing by contacting Brian Kellogg, Sr. Personnel Analyst, by the **deadline of Tuesday, August 9, 2005, at 12:00 noon.** Phone: 720-913-3366; Fax: 720-913-3373; Email: brian.kellogg@ci.denver.co.us.

Authority for rule making is provided by City and County of Denver Charter § 9.3.4 and Commission Rule 2 § 4(A).

For: Earl E. Peterson, Executive Director

By: Antoinette J. Torres-Janke, H.R. Supervisor

Dated and posted, July 22, 2005

City and County of Denver
CIVIL SERVICE COMMISSION

Summary of Proposed Rule Changes
RULE 7 Sections 1 and 2 - Examination Lists and Eligible Registers
(Re: Rule 7 draft dated 7-22-05)

Existing Rule 7 By Section		Nature and Summary of Proposed Changes to Current Rule (Comments listed in numerical order.)	
Section 1	C(2)(a)	1.	For consistency, replace the words “on to” with “into”
	C(2)(b)	2.	For consistency, replace the words “on to” with “into”
	C(3)	3.	Strike the citation to subparagraphs “(1-3)” of subsection 2(B). A new subparagraph “4” of subsection 2(B) is being proposed and the reference to the particular subparagraphs of subsection 2(B) is unnecessary detail.
Section 2	A.	4.	Move the first sentence of subsection 2(B) to subsection 2(A).
	A.	5.	Reorganize existing subsection 2(A) by separating it into subsections 2(A)(1) and (2).
	A.	6.	Minor language changes in subsection 2(A)(2)
	A.	7.	Add a new provision, at subsection 2(A)(3) clarifying the Commission’s existing authority to conduct an updated background investigation and review, after an applicant’s placement on the eligible register.
	B	8.	Delete the first sentence of subsection 2(B) and move it to subsection 2(A).
	B	9.	Add a new subsection heading titled “Separate Eligible Registers.”
	B	10.	Add a new subsection 2(B)(4) providing for creation of separate “deferred appointment” eligible registers.
	New C	11.	Add a new subsection 2(C) providing the eligibility criteria and other standards related to placement of an applicant’s name on a “deferred appointment” eligible register and for removal therefrom.
	C-H	12.	Re-letter subparagraphs C through H as subparagraphs D through I. Also, minor changes in word choice, for consistency.

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Summary of Proposed Rule Changes
RULE 8, Sections 1 through 5 - Requisition, Certification, and Appointment.
(Re: Rule 8 draft dated 7-22-05)

Existing Rule 8 By Section		Nature and Summary of Proposed Changes to Current Rule (Comments listed in numerical order.)	
Section 1	Title	1.	Title changed from “Requisition” to “Filling Vacancies in the Classified Service.” The provisions regarding “Requisition” have been incorporated into a new Section 2.
	Intro Paragraph	2.	Delete language regarding positions not in the Classified Service.
	A. and B.	3.	These provisions are deleted and incorporated into the new subsections 2(A)(2) and (3).
	New A.	4.	New language regarding the filling of positions in the Classified Service.
	New B.	5.	New language identifying those positions in the Classified Service of the Police Department filled by original appointment and those filled by promotional appointment.
	New C.	6.	New language identifying those positions in the Classified Service of the Fire Department filled by original appointment and those filled by promotional appointment. Subparagraphs 4(a) and (b) clarify the special provisions regarding the unique ranks of Master Mechanic and Superintendent of Fire Alarm.
	New D.	7.	New language clarifying that the provisions of Rule 8 do not impinge on the Manager’s authority regarding demotions in the Classified Service.
Section 2	Title	8.	Change from “Reserved” to “Requisition of Names of Those Eligible For Appointment.”
	New A.	9.	New language outlining the General Provisions for requisition. The provisions of existing sub-sections 1(A) and (B), regarding requisition, are incorporated into the new subsections 2(A)(2) and (3).
	New B.	6.	New language that clarifies provisions for identifying from which eligible registers for original appointment the names of individuals are being requisitioned. This includes provisions regarding requisition of Cadets consistent with the Charter requirement for limiting the original appointment of Cadets to 25% of any academy class.

Rule 8 Continued:

Section 3	Title	1.	Additional language added for clarification.
	A.	2.	Section reorganized to distinguish between procedures for original and promotional appointment.
	New A(1).	3.	Clarifies that it is the Executive Director, as opposed to the Commissioners, who certifies names to the Manager. For original appointment only, the requirement for certification of names in a number equal to the number requisitioned plus 2 is rescinded. The Executive Director may certify the number requisitioned, “plus as many additional names...as the Commission deems necessary.” A Charter requirement for the certification for original appointment of “number plus two” was rescinded. The procedures are to be established by Commission Rule.
	New A(2).	4.	Updates the language providing for the certification of those who are the highest ranking on the eligible register, and listing names in rank order. Adds language to acknowledge that court decrees or mandates may require modification of the certification procedures.
	B. and New A(3).	5.	Existing subsection B relabeled as subsection A(3) and the language is modified to change notification of certification from being mandatory to permissive.
	New B.	6.	New section that clarifies procedures for certification for promotional appointments. Stipulates the Charter mandated provisions for: certification of number requisitioned plus 2; certification of highest ranking; and certification in rank order.
	C.	7.	Clarifies current language regarding certification of additional names when a person is “unsuitable.” Adds new language to distinguish between certifications for original appointment and promotional appointment. Certification of additional names required in the case of promotion but only permissive in the case of original appointment. “Applicants” refers to original appointment, “candidates” to promotional appointment.
	D.	8.	Subsection on Certification of Cadets is rescinded. The provisions are the same as for any original appointment. Some provisions regarding appointment of Cadets were moved to Section 4, as applicable.

Rule 8 Continued:

Section 4	A.	1.	The Commission requirement for the swearing of an oath is rescinded. Any such requirements and procedures and timing shall be left to the individual departments.
	New A. and Title	2.	New title and provisions clarify that appointments must come from the list of names of those certified by the Commission.
	B. and Title	3.	Adds subsection title. Updates language regarding the Manager reporting appointments to the Commission.
	C.	4.	The provisions of current subsection 4(C) are deleted here and incorporated, with updates, into the new Section 5
	New C.	5.	New subsection and title incorporating the updated provisions regarding the appointment of Cadets. Updates and incorporates those provisions currently in subsection 3(D). Reflects current Charter provisions which no longer contain a requirement that Cadets be appointed first but retain the 25% limitation on appointments to an academy class.
	D.	6.	Rescinded.
	E.	7.	Rescinded.
Section 5 New		8.	Incorporates and updates the provisions previously contained in subsection 4(C).