



Career Service Board Meeting #2277
Minutes
Thursday, December 3, 2015, 5:00 p.m.
Webb Municipal Building
201 W. Colfax Ave, Fourth Floor, Room 4.G.2

Colleen M. Rea (Chair)
Gina Casias, Esq. (Co-Chair)
Patti Klinge
Neil Peck

I. Opening: *Meeting called to order at 5:04 p.m.*

1. Approval of the Agenda for the December 3, 2015 Board Meeting.

The Board unanimously approved the agenda for the December 3, 2015 meeting.

2. Approval of the Minutes for the November 19, 2015 Board Meeting.

The Board unanimously approved the minutes for the November 19, 2015 meeting.

II. Board Comments: *None.*

III. Public Comments: *None.*

IV. Public Hearings:

1. Public Hearing Notice No. 512 – Prevailing Wage – Custodians

Alena Duran, Classification and Compensation Analyst with the Office of Human Resources, presented Public Hearing Notice No. 512 to the Board.

Ms. Duran emphasized that the proposed wage increases are for City contractors and do not apply to City employees. She stated there were increases in both fringe benefits and base pay. The proposed hourly wage increases are as follows:

<u>Classification</u>	<u>Current</u>	<u>Proposed</u>
<i>Custodian I:</i>		
<i>Single</i>	<i>\$18.71</i>	<i>\$19.20</i>
<i>2-Party</i>	<i>\$20.68</i>	<i>\$21.26</i>
<i>Family</i>	<i>\$22.57</i>	<i>23.22</i>
<i>Custodian II:</i>		
<i>Single</i>	<i>\$19.11</i>	<i>\$19.61</i>
<i>2-Party</i>	<i>\$21.09</i>	<i>\$21.67</i>
<i>Family</i>	<i>\$22.98</i>	<i>\$23.63</i>

The Board unanimously approved Public Hearing Notice No. 512.

2. Public Hearing Notice No. 513 – Prevailing Wage – Transit Technicians

Alena Duran presented Public Hearing Notice No. 513 to the Board.

Mike Gleiforst, Business Manager from the International Union of Elevator Constructors, expressed concerns with the proposed wage rates.

The Board asked that the proposal be further reviewed and potentially revised. Public Hearing No. 513 was postponed until the December 17, 2015 Board meeting.

3. Public Hearing Notice No. 514 – Proposed Revision of Career Service Rules 15 (Code of Conduct), 16 (Discipline and Dismissal), and 18 (Dispute Resolution), and related rules

Pete Garritt, HR Supervisor from the Office of Human Resources, presented Public Hearing Notice No. 514 to the Board. Dani Brown, HR Manager, and Kristen Merrick, Assistant City Attorney, assisted with the presentation.

Mr. Garritt reviewed each proposed change with the Board.

Board Co-Chair Gina Casias asked about rule 16-28. She wondered if appointing authorities ever ask employees to secretly record. Mr. Garritt said it does happen at times.

Board member Patti Klinge asked for further explanation of the involuntary temporary reduction of pay mentioned in rule 16-42, section B2. Mr. Garritt said it is used as a form of punishment and is equivalent to a suspension.

Ms. Klinge also asked about the contemplation of discipline mentioned in rule 16-24, section C. She was curious if there is a time limit in which management must make a decision regarding discipline. Mr. Garritt said there is not. Ms. Brown further explained that there is no deadline for disciplinary decisions due to instances when an employee may be under investigation and management is waiting for more information in order to proceed.

Board Chair Colleen Rea asked about service of written notice via e-mail mentioned in 16-10. She expressed concern that notice may be provided to an e-mail address that is no longer used or not often checked. The issue was further discussed.

Ms. Rea also asked if it is necessary for the specific Executive Orders to be listed in rule 16-21, section 4. Ms. Brown explained that most employees are not familiar with which Executive Orders apply to them, and that is why they are listed. Ms. Rea was concerned that the Executive Orders may change, which would require another revision to the rule, but Mr. Garritt said a change to these Executive Orders is not likely.

Speaker Mike Jackson, President of the Denver Sheriff Department Lodge 27 of the Fraternal Order of Police, expressed concern with the proposed changes to rule 16-27, section D. Mr. Jackson said it does not give supervisors or management the ability to discuss the union. He said it is important that the department's sergeants and captains be allowed to represent their union.

Mr. Jackson also said there is concern with section E of rule 16-27. He said to not allow an employee's representative to speak on their behalf would be a violation of the employee's rights. He also does not feel that an employee should be required to identify his or her representative in writing as it states in section G1.

With regard to rule 16-28, Mr. Jackson said it is inappropriate to state that employees cannot secretly record audio or video or take photographs during work hours. He stated that audio and video recording already takes place in the City without people's' knowledge.

Mr. Jackson also had concerns with rule 16-29, section T3. He does not think it is acceptable to say that employees may not participate in "conduct unbecoming." He says there is no specific definition included to describe what "conduct unbecoming" means and, therefore, the statement is nothing more than a catch-all.

Mr. Jackson's final concern was with rule 16-41. He said that when determining the degree of discipline for an employee, his or her past record must always be taken into consideration.

Speaker Cheryl Hutchison, Executive Director of AFSCME Council 76, asked that Board postpone their decision on the proposed rule changes until a later date. She said it would allow more time for her and other union representatives to sit down with the rules committee to provide input and discuss their concerns.

Speaker Ed Bagwell, representative from the Teamsters Local 17, agreed with Ms. Hutchinson's request

Mr. Garritt said that the rules committee would be willing to meet with the union representatives and come up with a new draft to present to the Board.

Public Hearing No. 514 was postponed as the Board requested that the proposed rule changes be reworked and presented at a later date.

V. Director's Briefing:

- 1. Valerie McNaughton, Hearing Officer from the Career Service Hearings Office, presented the 2015 3rd quarter appeal statistics. Ms. McNaughton also said that Laura Hammock has joined the Hearings Office as a paralegal. Ms. Hammock is a Black Belt in the Peak Performance Program and has made significant progress toward their implementation of the Justware case management system. Ms. Hammock is also drafting an A3 proposal which will help the City capture the cost savings resulting from the Hearings Office's move to a paperless system. Ms. McNaughton also said their website decision digest has been updated and includes all decisions issued as of November 13, 2015.*
- 2. Karen Niparko, Executive Director of the Office of Human Resources, provided an employee engagement update. She said the employee engagement steering committee will meet again on December 4. She said many agencies are taking the issue very seriously and are highly involved in finding opportunities for improvement.*

VI. New Cases:

- 1. Sonya Leyba v. Department of Safety, Denver Sheriff Department, Appeal No. 59-14A. The Career Service Board postponed the case for discussion at the December 17, 2015 meeting.*

VII. Pending Cases:

- 1. Thomas Ford v. Department of Safety, Denver Sheriff's Department, Appeal No. 48-14A. The Career Service Board ordered reinstatement and modified the penalty to a suspension, written order to follow.*
- 2. Suzanne Culin v. Department of Aviation, Revenue Management, Den Real Estate Division, Appeal No. 43-15A. The Career Service Board signed an order permitting the opportunity to respond to the substance of the interlocutory appeal and providing a time frame in which to do so.*

VIII. Executive Session:

The Board went into executive session at 6:48 p.m. to discuss cases and staffing matters.

The Board re-convened the meeting at 7:55 p.m.

IX. Adjournment: *Adjournment was at 7:55 p.m.*