

Career Service Board Meeting #2355
Minutes
Thursday, March 7, 2019, 4:30pm
Webb Municipal Building
201 W. Colfax Ave, Fourth Floor, Room 4.G.2

Karen DuWaldt (Co-Chair)
Neil Peck (Co-Chair)
Patricia Barela Rivera
David Hayes
Tracy Winchester

I. Opening: *Meeting was called to order at 4:30pm*

- 1. Approval of the Agenda for the March 7, 2019 Board Meeting.**
The Board unanimously approved the agenda for the March 7, 2019 meeting.
- 2. Approval of the Minutes for the February 7, 2019 Board Meeting.**
The Board unanimously approved the minutes for the February 7, 2019 meeting.

II. Board Comments: *None.*

III. Public Comments: *None.*

IV. Public Hearing:

- 1. Classification Notice No. 1587 – Increase to Minimum Wage Floor**

Brendan Hanlon, Chief Financial Officer for the City & County of Denver, presented a proposal on behalf of the administration to increase the minimum wage floor for certain classifications, which the City Council will soon consider. Mr. Hanlon noted this proposal is on a separate track than the proposal to increase the minimum wage floor for contractors and subcontractors doing work for the City.

At the Mayor's request, an interagency team has been working on a proposal since October 2018 to increase the minimum wage for both employees and contractors, including the Office of Human Resources ("OHR"), the Budget & Management Office ("BMO"), the City Attorney's Office ("CAO"), and the Mayor's Office ("MO").

Mr. Hanlon noted the recent ballot measure that voters approved raising the minimum wage for contractors working at DIA encouraged the Mayor to develop a similar proposal for all city employees and contractors as part of his equity platform. While the Denver economy remains strong and unemployment is low, wage growth has not kept pace with the rising cost of living in the area.

The proposed rollout would increase the minimum wage in the City to \$13.00 per hour on July 1, 2019 (the State's minimum wage is currently \$11.10 per hour), \$14.00 per hour on July 1, 2020, and \$15.00 per hour on July 1, 2021. Thereafter, subsequent increases will be based on a formula using the Consumer Price Index ("CPI").

Mr. Hanlon stated the initial change on July 1, 2019 would impact 1,868 employees (13.5% of City employees), of which 83% are seasonal employees working for Parks & Recreation. 60% of these employees currently earn \$13.00 per hour, while 48% earn minimum wage (\$11.10 per hour). Most of the impacted employees are seasonal hired for the summer and most full-time employees at the City make considerably more than minimum wage.

The employees affected will either have their pay adjusted to the new minimum wage of \$13.00 per hour, or will receive a pay increase to maintain their relative position within the new pay range.

Mr. Hanlon noted the implementation cost is estimated at \$5.7 million, which is conservative given that pay equity and future pay survey adjustments are not included in the estimate. Board Co-Chair Neil Peck asked why an additional amount should not be included since it is almost certain the total cost will be higher. Mr. Hanlon responded future pay survey adjustments would lower the overall implementation cost, therefore, he felt it was important to highlight the cost of the pay rate changes.

Future minimum wage increases after 2021 will be pegged to the Denver-Aurora-Lakewood CPI. Mr. Hanlon noted the next step was to present to the Finance Committee of the City Council on March 19th, followed by the Mayor-Council on March 26th. The first reading to the full Council is scheduled for April 1st, with the final reading and vote on April 8th.

Blair Malloy, Senior Classification & Compensation Analyst, presented Classification Notice No. 1587 to amend the Classification and Pay Plan by making changes to pay ranges, pay grades, and employee pay rates, effective July 1, 2019.

As previously noted by Mr. Hanlon, the Mayor's Office is proposing a change to the city's minimum wage floor for all city employees as follows: \$13.00 per hour on July 1, 2019, \$14.00 per hour on July 1, 2020, and \$15.00 per hour on July 1, 2021.

Classification & Compensation analyzed all existing pay ranges to identify classifications whose pay range minimum is below the proposed wage floor rate. Classifications with current pay minimums below the July 1, 2019 threshold rate of \$13.00 per hour were adjusted to the new rate, and pay range maximums were recalculated appropriately as noted below.

REVISED PAY RANGES as of July 1, 2019

Compensation Grade	Range Minimum	Q2 Minimum	Midpoint	Q4 Minimum	Range Maximum
A-403	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00
A-604	\$13.00	\$14.49	\$15.99	\$17.48	\$18.98
B-403	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00
C-605	\$13.00	\$14.49	\$15.99	\$17.48	\$18.98
J-405	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00
J-606	\$13.00	\$14.49	\$15.99	\$17.48	\$18.98
Z-116	\$13.00	\$14.20	\$15.40	\$16.61	\$17.81

Pay Grade and Pay Range Changes

<u>Class Title</u>	<u>Proposed Pay Grade & Range</u>
Administrative Support Assistant I	C-605 (\$13.00-15.99-18.98)
Custodian	J-606 (\$13.00-15.99-18.98)
Food Service Worker	J-603 (\$13.00-15.99-18.98)
Golf & Pro Shop Assistant	C-608 (\$14.74-18.13-21.52)
Golf Care Attendant	Z-116 (\$13.00-15.41-17.81)
Golf Sales Associate	Z-118 (\$14.27-16.91-19.55)
Golf Starter and Ranger	Z-116 (\$13.00-15.41-17.81)
Laundry Worker	J-606 (\$13.00-15.99-18.98)
Lead Usher	Z-120 (\$16.41-19.45-22.48)
Library Aide	Z-116 (\$13.00-15.41-17.81)

<i>Lifeguard</i>	Z-116 (\$13.00-15.41-17.81)
<i>Park Seasonal Laborer</i>	Z-116 (\$13.00-15.41-17.81)
<i>Parks Intern I</i>	J-405 (\$13.00)
<i>Public Safety Cadet</i>	B-403 (\$13.00)
<i>Recreation Assistant</i>	Z-116 (\$13.00-15.41-17.81)
<i>Senior Usher</i>	Z-118 (\$14.27-16.91-19.55)
<i>Usher</i>	Z-116 (\$13.00-15.41-17.81)
<i>Washing Machine Operator</i>	J-606 (\$13.00-15.99-18.98)
<i>Youth Operative Associate</i>	A-601 (\$11.29-13.89-16.48)
<i>Youth Worker Mayors</i>	A-403 (\$13.00)

Abolished Pay Grades: A-601, A-602, A-603, A-604, C-602, C-603, C-604, E-604, E-605, E-606, I-602, I-603, I-604, J-603, J-604, J-605, L-602, L-603, L-604, N-603, N-604, N-605, N-606, O-600, O-601, O-602, O-603, V-602, V-604, V-605, Z-114, Z-115

The total anticipated annual cost for 2019 is \$1,095,893, with a net cost of \$547,947 for the six months from July 1st. An estimated 1,868 employees will be impacted by the change. Ms. Malloy noted Classification & Compensation will need to return with a new Notice each subsequent year before July 1st to adjust the pay ranges in accordance with the proposal. Board Member David Hayes asked if the proportional hierarchy with the pay ranges has been maintained with these changes, which Ms. Malloy confirmed is correct

Mr. Peck asked how this change compares with other municipalities in the area in terms of their minimum wage. Ms. Malloy stated the City would be leading the market with the highest rate. Mr. Peck asked if this would provide the City with a competitive advantage in terms of seasonal hiring. Ms. Malloy noted the private sector, such as Amazon, was used as the primary comparator in reviewing wages. Mr. Hanlon stated a target wage of \$13.00 per hour was deemed competitive with other employers in the market for similar candidates.

Board Member Tracy Winchester asked how the ranges were reviewed to ensure the decompression adjustments were fair. Mr. Hanlon responded the proposal group ensured all the affected agencies, including Arts & Venue, Parks & Rec, and Public Works, were included in the discussion to ensure pay ranges were appropriately adjusted and cliffs were not created by the changes. Ms. Winchester asked if the affected agencies supported the proposal, which Mr. Hanlon stated in the affirmative.

Karen Niparko, Executive Director of OHR, noted Mr. Hanlon did a great job including all the impacted agencies from the beginning to ensure they had sufficient input in creating the proposal. Ms. Niparko asked Diane Vertovec, Director of OHR Marketing & Communications, to outline the communications plan as these changes are very complex and it was important employees understand how their pay will be impacted.

Ms. Vertovec noted the Marcom team in OHR worked very closely with Mr. Hanlon's team and the Mayor's Office in developing the messaging around these changes, including highlighting the fact the City is one of the area's largest employers and is committed to fair and equitable pay practices to attract the best talent in a highly competitive market.

Ms. Vertovec stated employees and executive leadership received emails and updates highlighting key points after the Mayor's press conference announcing the proposal. Graphic scenario proposals were created using examples of how the change would affect specific employees in various agencies.

Board Member Patricia Barela Rivera asked what kind of feedback was received from employees on the information provided. Ms. Vertovec noted a mailbox was set-up for employees to submit questions and very few were received, indicating the communication had been effective.

The Career Service Board unanimously approved Classification Notice No. 1587.

2. Public Hearing Notice No. 596 – Proposed Revision to Career Service Rule 9-51

Lauren Locklear, HR Compliance Officer, presented Public Hearing Notice No. 596 regarding proposed revisions to Career Service Rule 9–51 Shift Differential.

Ms. Locklear noted non-exempt employees are eligible for shift differential pay when the majority of hours worked is between 3pm and 7am. For schedules between 3pm to 11pm, employees are eligible for the evening rate shift differential of 7% of the hourly rate times the number of hours worked. If the employee works from 11pm to 7am, they receive the night rate shift differential of 12%.

Ms. Locklear stated it was brought to OHR’s attention that employees were losing eligibility through no fault of their own when their shift was extended, such as when overtime was mandated or their relief was late in reporting to work. As a result, employees were falling out of the schedule window for shift differential when their total hours worked were calculated. The proposed revision states managers can submit a Time & Attendance form to Payroll to ensure employees are paid the appropriate shift differential rate if factors outside of their control causes them to lose eligibility.

Ms. Locklear noted this issue most frequently occurs when overtime is mandated and employees work an additional three to four hours. Employees were clocking out early in Kronos and then clocking back-in to ensure the system was calculating their hours within the window. However, this workaround was not approved by Payroll and an appropriate change needs to be implemented.

Board Member David Hayes asked whether Payroll is considering a systemic fix in Kronos to address the issue, to which Ms. Locklear stated was a continuing conversation with Payroll as the system is not currently able to distinguish when shift differential still applies if an employee is working additional hours outside the window.

Board Co-Chair Karen DuWaldt stated she was unclear as to how a couple of hours of overtime could affect an employees’ eligibility for shift differential if their work schedule mandates the additional pay.

Ms. Locklear used the example of an employee who worked from 2pm to midnight, with five hours falling within the shift differential window, and five hours outside of it, not receiving the additional pay rate since 50% of their total hours were outside the window. This type of overlap between shifts happens frequently and the employee should still receive shift differential pay.

The Career Service Board unanimously approved Public Hearing Notice No. 596.

V. Director’s Briefing:

1. Denver Sheriff’s Department – Employee Engagement Update

Karen Niparko, Executive Director of the Office of Human Resources (“OHR”), noted today’s briefing is from the Denver Sheriff’s Department (“DSD”) who will provide an update on the work they have been doing on employee engagement as well as touch on reform initiatives.

Andrea Albo, Chief of Staff, and Major Steve Koch introduced themselves to the Board and thanked Ms. Niparko for the opportunity to share the work the Sheriff’s Department has been doing, and while the process of change is slow, they are excited to highlight their achievements to-date. Ms. Albo noted several members of their staff were present in the audience as well as Kim Desmond of the Office of Human Rights & Community Partnership (“HRCP”) who has been instrumental to the ongoing initiatives.

Board Member Tracy Winchester clarified whether the DSD initiative started last summer, which Ms. Albo replied was correct, and asked whether today’s presentation would include analysis of how effective their work has been to-date. Ms. Albo asked if Ms. Winchester was referring to employee engagement or reform, to which Ms. Winchester stated what was being

covered today. Ms. Albo noted their presentation would touch on the status of various initiatives, some of which are well in-process, while others are in the formation stage.

Ms. Albo noted the DSD was currently focused on Plan 2.0 for the 4 Pillars of Organizational Culture, Employee Experience, Inmate Wellness, and Community Partnership as strategic areas after getting extensive feedback from the staff, inmates and their families, and the community at-large. Ms. Albo stated the DSD is using a data-driven framework for measuring their progress against each of these pillars.

Ms. Albo noted the DSD's employee engagement approach was designed to be collaborative with the Mayor and Department of Safety Troy Riggs' goals and integrative with the City's strategic initiatives. Ms. Albo stated it was very important to have a continuous dialogue with their staff to ensure the process remains interactive.

The bottom five results from the DSD employee engagement survey indicated the areas the DSD needed to focus on improving including: (1) taking meaningful action of the results of the last engagement survey; (2) ensuring the most qualified are promoted; (3) whether senior leadership discussed the results of the last survey; (4) leaders and managers need to communicate and demonstrate everyone's perspective is valued; (5) senior leadership is interested in the well-being of employees.

Ms. Albo highlighted some of the strategies needed to address critical areas, especially in retention which continues to be a major challenge for the DSD. Ms. Albo noted the current attrition rate is 11%, which is a marked improvement from prior year, but still high.

The DSD has partnered with HRCP and the UC Berkley Project, which looks at retention and how new staff are onboarded as a starting point, as well as reviewing exit survey data, in addition to helping DSD develop evidence-based practices through a racial equity lens. Ms. Albo noted these practices have been used very successfully with other law enforcement agencies and DSD was moving into the pilot phase during the second quarter.

Ms. Niparko asked Ms. Albo to explain what the UC Berkley project is. Ms. Albo noted this was an agreement between HRCP and UC Berkley to use research-based strategies to address recruitment and retention issues, such as compassion fatigue and burnout, which are common in some of the community-facing agencies, including the DSD, where the nature of the work is overwhelming and stressful.

UC Berkley is working with the DSD to develop a data-driven, evidence-based approach to evaluating employee feedback, developing training curricula and effective outcomes that improve employee retention. Ms. Albo noted the DSD is currently in the analysis phase of the project, which is the second part of the pilot program.

Ms. Winchester asked if the project began in June/July 2018, to which Ms. Albo replied in the affirmative noting the first phase was discovery. The DSD is currently in the second phase, which is analysis, while the third phase will encompass evaluation of what has been learned to-date. The final phase will be to develop pilots that will produce ideal outcomes. Ms. Winchester commented this work was great, as retention was one of the key concerns the Board noted in the past, and she looked forward to learning the results.

Ms. Albo noted the DSD has also partnered with Denver University's Latin Leadership Initiative ("LLI") on the Neuro-Leadership Model, a behavior-based approach based on the cognitive functions of our brain used to make executive decisions and understanding the interplay with emotion, to train all sergeants and captains as well as civilian-level leadership. Ms. Albo noted aspects of the approach would be used to develop an aspiring leaders program.

Board Member Patricia Barela Rivera asked how the program has been working. Ms. Albo responded she thought it was going well, although there are challenges in explaining the concept which LLI did a great job of individualizing by using self-assessments to create a profile. Ms. Albo noted the emphasis was on how an individual interacted with the team. Ms. Albo noted a "what would you do" communications campaign, which Sheriff Firman

joined every shift roll call for a week to seek feedback on what issues the deputies were seeing and to gain their perspective. A solutions-based approach was taken to address various reform matters, which DSD will keep updated on their intranet.

Major Koch introduced himself and noted the four engagement highlights he would touch on, including: (1) security specialists – performance improvement team (“PIT”); (2) promotional process revisions; (3) employee message boards and suggestion boxes, and, (4) the employment engagement subcommittee for trauma-informed practices;

Major Koch noted the security specialist performance improvement team was put together to address the ongoing recruitment and retention challenges within this classification. Several changes will be implemented including: (1) pay equity – provide flexibility with starting wages to reflect prior experience; (2) training timeline reduced to six weeks from six months, by onboarding individually, rather than by classes; (3) increasing field training; (4) Rule 9 shift differential change.

Ms. Winchester asked if the workaround employees were doing by clocking out early, as discussed earlier, then clocking back-in to ensure the appropriate shift differential was against the Rules. Major Koch replied shifts are a set schedule of hours in which employees are expected to work and their time records were inaccurate by doing that. Ms. Niparko noted the time record needs to be accurate for Payroll to appropriately calculate overtime.

Major Koch noted the promotional process for captains and sergeants would be changed by revising the key competencies needed for leaders, adding a decision-making component to the interview process, and developing additional input on the promotional process through feedback via suggestion boxes and an email inbox.

Ms. Niparko commented the DSD is working with Class & Comp and Talent Acquisition to refine the classification and interview process. Ms. Barela Rivera asked whether these changes will help improve the number of women and people of color selected to become captains and sergeants. Ms. Albo responded the DSD is reviewing their staffing data for equity inclusion by race and gender, noting there is a deficit in female captains, which is driving discussion about the changes needed to address this issue.

Major Koch stated the DSD launch a kick-off in June 2018 to implement monthly meetings at every jail facility to empower the staff to develop and implement solutions. There are now 24 staff ambassadors, both sworn and civilian, and a charter was developed to provide direction and drive accountability. Subcommittees were created for trauma-informed practices, communications, and employee appreciation.

Board Co-Chair Karen DuWaldt asked for more information about what the staff ambassadors are doing. Major Koch replied they are expected to spread the word about the initiatives and many are also on the various subcommittees. Ms. Albo noted they are also expected to solicit feedback and encourage engagement.

Ms. Barela Rivera asked if the subcommittees will continue for a long period of time, rather than being just ad-hoc. Major Koch noted the idea was to continue them for as long as needed, but new ones are added, while others end. Ms. Albo stated the goal was to empower employees to decide what subcommittees were needed and whether the end of a lifecycle has been reached.

Major Koch noted the DSD has partnered with the Office of Behavioral Health Strategies to focus on defining trauma, including recognizing it in yourself and others, as well as training staff in self-awareness and practice, developing strategies to become a trauma-informed practice organization, especially in encouraging employee outreach when help is needed.

Ms. Niparko asked if employee outreach was one of the key issues for the DSD in terms of ensuring employees seek help if they need it. Major Koch responded in the affirmative, stating this was one of the biggest issues, particularly in allowing yourself to feel vulnerable and able to admit you need help

Ms. Albo noted the Office of Behavioral Health Strategies has been key to developing programs and resources that employees find effective in helping them reach out for assistance when needed.

Ms. DuWaldt asked if the trauma-informed practices subcommittee had been in existence long enough to measure whether any progress is being made in changing the culture. Major Koch responded it too early, which Ms. Albo agreed as the action plan was still being discussed and evaluated.

Ms. Albo noted there is a substantial amount of data indicating significant progress on the reform efforts and a sense that some of the tools are appropriate for generating positive change. Ms. Albo noted the DSD had also recently released a "Beyond Reform" Report which she is happy to share.

Major Koch noted the final recommendation from the trauma subcommittee was a return to 12-hour shifts. Major Koch stated the current 10 hour shifts result in the deputies being moved around more frequently and increase the difficulty of forming relationships with co-workers, which is critical to providing protective coping skills. Major Koch noted the subcommittee is gathering data and getting ready to make a proposal to Sheriff Firman to start a pilot program.

Ms. Barela Rivera asked if the 12-hour shift proposal will help with retention, which Major Koch responded in the affirmative, noting it also helps with increasing the amount of personal time off to help the deputies decompress. Ms. DuWaldt asked several questions regarding shift construction and how overtime eligibility differs from the Career Service Rules. Major Koch confirmed the deputies' overtime eligibility is governed by collective bargaining agreement.

In response to Ms. Niparko's question regarding filling open positions and reducing the amount of mandated overtime, Ms. Albo noted the DSD had worked with the PEAK Academy to review their processes and overtime has been reduced by \$2 million to-date.

The Board thanked Ms. Albo and Major Koch for their presentation and commended them for all their excellent progress and hard work.

VI. Pending Cases:

1. Leonard Fazio vs. Denver Sheriff's Department, Appeal No. A014-18
The Career Service Board affirmed the Hearing Officer's decision, written order to follow.
2. Pasquale Tamburino vs. Department of Safety, Appeal No. A040-17A
The Career Service Board affirmed the Hearing Officer's decision, written order to follow.
3. Donald DeMello vs. Denver Sheriff's Department, Appeal No. 012-18A
The Career Service Board affirmed the Hearing Officer's decision, written order to follow.
4. Darrell Jordan vs. Denver Sheriff's Department, Appeal No. A021-18
The Career Service Board affirmed the Hearing Officer's decision, written order to follow.
5. Emina Gerovic vs. General Services-Facility Management, Appeal No. A077-17
The Career Service Board affirmed the Hearing Officer's decision, written order to follow.

VII. Executive Session:

The Board went into executive session at 5:32pm. Karen Niparko updated the Board on several OHR issues. The Board also granted the Petitioner-Agency's Unopposed Motion to Dismiss the Appeal in the matter of Michelle Lee Tenorio vs. Office of Economic Development, Appeal No. 34-16B. The meeting was re-convened at 5:45pm.

VIII. Adjournment: Adjournment was at 5:48pm.