



**Office of Human Resources**

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**Career Service Board Meeting #2412**

**Minutes**

**Thursday, July 21, 2022, 9:00am**

**201 W. Colfax Ave, First Floor, Career Service Hearings Office**

**Karen DuWaldt, Co-Chair**

**David Hayes, Co-Chair**

**Patricia Barela Rivera**

**Erin Brown**

**LaNee Reynolds**

- I. **Opening:** *The meeting was called to order at 9:00am by Board Co-Chair Karen DuWaldt. All members of the Career Service Board were present, in addition to Bob Wolf, Sr. Asst. City Attorney to the Board, and Kathy Nesbitt, Executive Director, Office of Human Resources (“OHR”).*
  1. **Approval of the Agenda for the July 21, 2022 Board Meeting.**  
*Board Co-Chair Karen DuWaldt made a motion, seconded by Board Member LaNee Reynolds, to approve the agenda for the July 21, 2022 meeting, which was approved unanimously by the Board.*
  2. **Approval of the Minutes for the June 16, 2022 Board Meeting.**  
*Board Member Erin Brown made a motion, seconded by Board Member LaNee Reynolds, to approve the minutes for the June 16, 2022 meeting, which was approved unanimously by the Board.*
- II. **Board Comments:** *Board Co-Chair Karen DuWaldt stated the Board would like to commend Rory McLuster, who retired last week as Deputy Director of OHR, for ten years of service to the city and her exceptional work over the last few years.*

*Board Member Erin Brown, formerly the Mayor’s Deputy Chief of Staff, noted she had the pleasure of working closely with Ms. McLuster for six or seven years on many different initiatives and wished her all the best in her new chapter.*

III. **Public Comments:** *None.*

IV. **Public Hearing:**

1. Classification Notice No. 1730 – Workday Analyst Specialist

*Blair Malloy, Sr. Classification & Compensation Analyst, presented Classification Notice No. 1730 to amend the Classification and Pay Plan by increasing the pay grade of CA3212 Workday Analyst Specialist by one grade to align to current market data.*

*Ms. Malloy noted there are currently six incumbents in this classification and there is no budget impact as the employees are all paid within the range of the higher grade of EX-13.*

*Board Member LaNee Reynolds made a motion, which was seconded by Board Co-Chair David Hayes, to approve the revision to Classification Notice No. 1730, which was unanimously approved by the Board.*

2. Public Hearing Notice No. 670 – Prevailing Wage: Fire Extinguisher Repairer & Pest Controller

*Conor Wildt, Sr. Classification & Compensation Analyst, presented Public Hearing Notice No. 670 to adopt a change in the pay and/or fringe benefits of the prevailing wage classifications, “Tile Finisher and Tile Setter” in accordance with section 20-76(c)(3) of the Denver Revised Municipal Code.*

	<u>Current</u>			<u>Proposed</u>		
	<u>Base Wage</u>	<u>Fringes</u>	<u>Total</u>	<u>Base Wage</u>	<u>Fringes</u>	<u>Total</u>
<b>Fire Extinguisher Repairer</b>	\$21.14	\$7.04	\$28.18	<b>\$21.14</b>	<b>\$7.24</b>	<b>\$28.38</b>
<b>Pest Controller</b>	\$22.45	\$7.19	\$29.64	<b>\$22.45</b>	<b>\$7.39</b>	<b>\$29.84</b>

*The Service Contract Act was used to determine the base wage and fringe benefits for the above classifications.*

*Board Co-Chair David Hayes asked for an update on selecting an outside vendor to assume the prevailing wage process. Nicole de Gioia-Keane, Director of Classification & Compensation, responded the request for proposal process is complete with several bids received. Class & Comp is currently reviewing the bids in preparation for choosing a vendor.*

*Board Member LaNee Reynolds made a motion, which was seconded by Board Co-Chair Karen DuWaldt, to approve the revision to Public Hearing Notice No. 670, which was unanimously approved by the Board.*

3. Classification Notice No. 1727 – Pay Tables Adjustment & Classification Notice No. 1728 – Minimum Wage Updates

*Nicole de Gioia-Keane, Director of Classification & Compensation, and Blair Malloy, Sr. Classification & Compensation Analyst, presented Classification Notice No. 1727 to amend the Classification & Pay Plan by adjusting the city’s pay tables and ranges by 2.1% to be competitive with market rates as required by ordinance. These changes affect non-exempt, exempt, and community pay grades NE-07 through NE-22, EX-05 through EX-26, and CR-06 through CR-13.*

*In addition, Classification Notice No. 1728 amends the Classification and Pay Plan to adjust the classifications and pay tables which will be impacted by the minimum wage increase announced in late July and/or August 2022. In addition, there are pay grade changes as a result of abolishing pay grade CR-05 and NE-05.*

*In 2019, the Mayor’s Office and City Council established minimum wage policies affecting all employers and employees in the City and County of Denver. The city’s current minimum wage by ordinance is \$15.87 per hour and is scheduled to increase on January 1, 2023.*

*The new rate for 2023 has not been announced, pending publication of data from the US Bureau of Labor Statistics, but based upon review of estimated data, it is recommended that anticipated changes be made to the classification and pay plan including pay range adjustments, pay grade adjustments, and adjusting employee pay rates to be no less the minimum wage rate once announced, effective on January 1, 2023.*

*Ms. Malloy noted Classification Notice 1727 reflects the updating of the city’s pay grades to reflect the annual analysis of market data as required by ordinance, which is effective on January 1, 2023. In most cases, employees do not receive a pay increase unless their pay falls below the adjusted range minimum, in which they would be adjusted to the new minimum pay.*

*The annual market adjustments for individual classifications identifies positions in which the range midpoint lags market median pay by 10% to 20%. Employees in these classifications may receive a pay adjustment depending on the market data.*

*The ordinance requires the minimum wage for all Denver employers to be reviewed and adjusted annually by the Department of Finance and the City’s Economist based on a consumer price index, which is updated in late July for the Denver Metro area. In addition, the Colorado minimum exempt salary will increase from \$45,000 to \$50,000.*

*Class & Comp does not know what the new minimum wage rate will be at this time, except that it is expected to increase beyond the current \$15.87 per hour. Board Co-Chair David Hayes clarified this is the first minimum wage increase based on the Consumer Price Index analysis, whereas past increases were based on a schedule of set hourly rates, to which Ms. de Gioia-Keane replied was correct.*

*Ms. de Gioia-Keane stated a new public posting will be necessary to update the pay tables once the new minimum wage is officially announced. Board Co-Chair Karen DuWaldt commented she thought there was going to be an update for minimum salaries coming in 2025 or 2026, to which Ms. de Gioia-Keane replied in the affirmative.*

*Ms. Malloy stated Class & Comp is asking the Board to approve the adjustments related to the annual exempt salary being adjusted to \$50,000, which impacts eight classifications, requiring adjustments to five positions at an annual cost of \$5,445.*

*In addition, the Board will approve all of the city's pay tables increasing by 2.1%, requiring adjustments to the minimum pay for 198 positions at an annual cost of \$93,311.*

*Ms. DuWaldt asked if there was any way to make this process self-executing each year, rather than having to go through the process of having a public hearing to update the tables and minimum wage rates to reflect market data. Ms. de Gioia-Keane noted the compensation data source and impact to individual classifications both are required to have the Board's review and approval.*

*Ms. Malloy highlighted the recommendation, which would be presented with Public Hearing Notice No. 669, to revise CS Rule 7-73, to sunset the current employee market adjustment process, in which classifications lagging the market are adjusted on an annual basis, effective January 1<sup>st</sup> of the following year, rather than in a timely manner once identified during the year.*

*Class & Comp would continue to provide an annual market analysis of all classifications as required by ordinance, however, the intent would be proactively address pay issues and collaborate with appointing authorities to prioritize business needs more quickly as they come up.*

*In addition, the requirements of the Colorado Equal Pay for Equal Work Act eliminated market conditions as a pay factor under the Rules. This change also discourages applying blanket adjustments which may create or perpetuate pay inequities prohibited by law.*

*Class & Comp now conducts pay studies on a timely basis when issues are identified in order to ensure optimal classification and pay adjustments are implemented as needed.*

*Board Member LaNee Reynolds clarified that Class & Comp would still be required to conduct annual market analysis, however, identified inequities or market lagging pay issues would be addressed immediately, rather than waiting for January 1<sup>st</sup>, to which Ms. de Gioia-Keane replied in the affirmative.*

*Board Member Erin Brown made a motion, which was seconded by Board Member LaNee Reynolds, to approve Classification Notice No. 1727, which was unanimously approved by the Board.*

*Board Co-Chair Karen DuWaldt made a motion, which was seconded by Board Member Erin Brown, to approve Classification Notice No. 1728, which was unanimously approved by the Board.*

#### 4. Public Hearing Notice No. 669 – Proposed Revisions to CS Rules 7 and 9

*Nicole de Gioia-Keane, Director of Classification & Compensation, stated Blair Malloy, Sr. Classification & Compensation Analyst, would present the proposed revision to CS Rule 7-73, which is directly related to the approved Classification Notices, and Ms. de Gioia-Keane would present the proposed revisions to CS Rules 7-34 and 9-39.*

*Ms. Malloy noted the proposed revision to CS Rule 7-73 updates the language to remove the market adjustment criteria and provisions to reflect Class & Comp will address pay issues and analyze market data on a continuous basis to identify needed adjustments during the year. The annual process for reviewing the market pay data remains unchanged.*

*Ms. de Gioia-Keane stated the proposed revisions to CS Rules 7-34B and 9-39D are related to the annual blackout period, in which Class & Comp does not process any pay changes as a result of a position audit or a pay equity adjustment after the last Sunday in November or before the first Sunday in March.*

*The rule language presently identifies the processing period as March 1<sup>st</sup> through October 31<sup>st</sup>, with the Executive Director of OHR able to grant exceptions upon receiving sufficient information as to the reasons why a pay equity exists and the impact to the work group.*

*Ms. de Gioia-Keane noted the current language is unnecessary as Class & Comp does accept all requests, however, the actual pay adjustment occurs once the annual merit process is complete. In addition, Class & Comp has never received an exception request requiring the Executive Director's approval since the language was originally added.*

*CS Rule 9-66A provides a new provision in which city paid interns or on-call employees who apply for unlimited positions with an available recruitment bonus will be eligible to receive it. This change is designed to provide an incentive for these individuals to apply for difficult-to-fill positions.*

*Board Co-Chair David Hayes asked if a substantial number of current applicants are interns or on-call employees, to which Ms. de Gioia-Keane stated has been very minimal for recruitment bonus eligible positions, but this change will hopefully encourage them to do so.*

*Board Member LaNee Reynolds made a motion, which was seconded by Board Co-Chair Karen DuWaldt, to approve Public Hearing Notice No. 669, which was approved unanimously by the Board.*

#### **V. Executive Session:**

*The Board went into executive session at 9:35am and discussed several OHR issues with Kathy Nesbitt.*

#### **VI. Adjournment:** *Adjournment was at 10:53am.*