

CAREER SERVICE BOARD,
CITY AND COUNTY OF DENVER

NOTICE OF ADOPTION OF EMERGENCY RULES

NOTICE IS HEREBY GIVEN by the Career Service Board, City and County of Denver, pursuant to Denver Revised Municipal Code § 2-98, that, on this date, a quorum of the Career Service Board considered and, upon a proper vote, adopted emergency rule revisions to Career Service Rule 11-27, as attached, which were deemed necessary to immediately protect the public health, safety or welfare. The emergency rules so adopted will remain in effect for no more than 180 days from this date.

Respectfully submitted, this 26th day of May 2020.



Karen Niparko
Executive Director, Office of Human Resources
On Behalf of the Career Service Board

11-27 **Budget Required Furlough**

(Emergency Rule Revision Effective May 26, 2020, expires November 22, 2020)

If the Mayor of the City and County of Denver decides or allows appointing authorities to furlough employees due to budgetary reasons, the following Career Service Rule applies:

- A. This Rule is intended to comply with the Fair Labor Standards Act regulation 29 C.F.R. § 541.710, which permits furloughs for budgetary reasons without affecting the exemption status of an overtime exempt employee except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced. Furlough hours are not considered hours worked for purposes of calculating overtime.
- B. In order to ensure the cost savings that furloughs are intended achieve, during the workweek in which an employee takes one or more furlough days, the furlough hours taken and hours actually worked plus any paid leave taken (including holidays and comp time used) should not total more than forty (40) hours. A work day is eight (8) hours for the purposes of this rule.-An employee who exceeds this 40-hour limitation will not get full credit for the furlough hours taken in that week. Instead, those furlough hours will be reduced in proportion to the overage and will have to be made up on another day, preferably within the same payroll period.
- C. The Department of Finance will determine how furloughs declared by the Mayor, other than scheduled furlough days, will be implemented, including whether they may be taken in less than eight (8) hour increments. When the Mayor has allowed an appointing authority to furlough employees, the appointing authority may determine how such furloughs will be implemented, including whether they may be taken in less than eight (8) hour increments.
- D. The Mayor may exempt certain employees from a mandatory furlough in order to maintain essential City services or for other necessary business reasons.
- E. During the period of time in which the Mayor has declared mandatory furloughs, employees may take additional voluntary furlough days with the prior approval of the employee's appointing authority. Except as otherwise provided, the same rules apply to voluntary furloughs that apply to mandatory furloughs.
- F. **Maintenance of benefits:**

An employee on a furlough is entitled to;

- a. Have the City continue paying its share of the employee's health, dental, and life insurance premiums.

- b. Earn PTO, or sick and vacation leave, and
 - c. Receive paid holiday leave for holidays observed during a furlough even if the workday immediately preceding and/or immediately following the holiday is a scheduled furlough day.
- G. Nothing herein precludes the Mayor from designating specific furlough days or otherwise determining how to implement mandatory furloughs.