



**CITY AND COUNTY OF DENVER  
CAREER SERVICE AUTHORITY**

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**MEMORANDUM**

**REVISION 244, SERIES B**

**TO:** Holders of CSA Rule Books  
**FROM:** CS Board  
**DATE:** November 25, 2003  
**SUBJECT:** Personnel Rule Revision –  
Rule 11-84, Budget Required Furlough

The Career Service Board has adopted an amendment to Rule 11-84 that was published as Rule Proposal 337B. The effective date of this revision is November 25, 2003.

	<b><u>Page Number</u></b>	<b><u>Effective Date(s)</u></b>
<b>Remove</b>	11-14.2 thru 11-15.1	July 30, 2003 & December 22, 1987
<b>Insert</b>	11-14.2 thru 11-15	November 25, 2003

**PLEASE INSERT IN YOUR RULE BOOK IMMEDIATELY. THANK YOU.**

11-84 Budget Required Furlough  
(Effective July 30, 2003; Rule Revision Memo 236B)

If the Mayor of the City and County of Denver decides to furlough employees within the Career Service 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. § 541.5d, 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.
- b) Furloughs of overtime exempt employees may be taken in work day or workweek increments. During the workweek in which an overtime exempt employee takes one or more furlough days, the furlough hours taken and the hours worked plus any leave taken by the exempt employee should not total more than 40 hours. A work day is eight (8) hours for the purposes of this rule. (11/25/03, 244B)
- c) Furloughs of non-exempt employees need not be taken in work day or work week increments but shall be debited in no less than two (2) hour increments. (11/25/03, 224B)
- d) The Mayor may exempt certain employees of the Career Service from a mandatory furlough in order to maintain essential City services or for other necessary business reasons.
- e) At the expiration of the furlough, the employee shall return to the position held prior to the furlough.
- f) During the period of time in which the Mayor has declared mandatory furloughs, employees, upon the agreement and prior approval of their Appointing Authority, may take additional voluntary furlough days, up to a maximum of forty-five (45) voluntary furlough days. Employees are not required to take voluntary furlough days. (11/25/03, 244B)
- g) Pay increases and employees benefits:

A mandatory furlough or voluntary furlough shall have no effect on the following:

- 1. Performance evaluations or merit increases;
- 2. City contributions to health, dental and life insurance during the furlough period;
- 3. Vacation and sick leave credits accrued during the furlough period; or
- 4. Holiday eligibility (11/25/03, 244B)

- h) Mandatory furlough or voluntary furlough shall not constitute a break in service. Failure to report promptly back to work after the expiration of a mandatory furlough or voluntary furlough may be grounds for discipline, up to and including dismissal from employment (11/25/2003, 244B).
- i) During the period of time in which there are mandatory furloughs, the first forty-five (45) days of unpaid FMLA or ADA Interactive Process Leave shall be treated as voluntary furlough days (11/25/2003, 244B).
- j) Nothing herein precludes the mayor from designating specific furlough days or otherwise determining how to implement mandatory furloughs (11/25/2003, 244B)

Section 11-90 Unauthorized Absence for Non-exempt Employees  
(Effective August 16, 1985; Rules Revision Memo 74B)

A non-exempt employee who is absent from duty without approval shall receive no pay for the duration of the absence. Such denial of pay shall not affect the right of the City or any of its agencies to invoke any other form of disciplinary action which it deems appropriate.

Section 11-100 Procedure for Requesting Leave  
(Effective November 1, 1980; Rules Revision Memo 127A)

For all leaves except sick leave, a written request indicating the kind of leave, duration, and dates of departure and return shall be approved prior to the taking of the leave. In the case of sick leave, the written request shall be completed and submitted for approval immediately upon the employee's return to duty. Unless an absence is substantiated by a written request approved by the supervisor in accordance with this section, an employee shall not be paid for any absence from scheduled work hours.

Section 11-110 Training Leave  
(Effective January 1, 1968; Rules Revision Memo 55A)

Appointing authorities may grant training leave with pay for the purpose of attending institutes, seminars, or educational courses related to an employee's work for a maximum of thirty (30) calendar days at any one time. Any training leave in excess of thirty (30) calendar days shall be approved by the Mayor.

Section 11-120 Disability Leave  
(Effective September 1, 1968; Rules Revision Memo 59A)

11-121 Revised Municipal Code Provisions  
(Effective 1974; Revised Municipal Code, 1982 codification, Section 18-287)

- a) The Revised Municipal Code provides that under certain conditions and after compliance with certain requirements "...eligible employees shall be granted disability leave with pay for a period not to exceed ninety (90) calendar days."
- b) Compensation during disability leave shall be eighty percent (80%) of gross salary. (Effective January 1, 1981; Revised Municipal Code, 1982 codification, Section 16-286).