
Career Service Rule Section 2-20 B. - Adoption, Amendment or Repeal of Career Service Rules. When the Board or the Personnel Director considers that a change in the Rules is necessary or desirable, the procedure shall be as follows: ... 2) The proposed rule change shall be posted on bulletin boards and made available to appointing authorities, employees, and the general public for comments and suggestions. A short summary of the proposed rule changes shall be posted with the proposed rule change. 4) A public hearing on the proposed rule change shall be held by the Board."

**PLEASE POST ON ALL BULLETIN BOARDS AS SOON
AS POSSIBLE**

Public Hearing Notice - No. 440

A Career Service Board Public Hearing has been scheduled regarding a proposed revision to Career Service Rule 3 **SELECTION** and related rules.

The scheduled time for the public hearing is **THURSDAY, JANUARY 5, 2012, at 5:00 P.M.**, in the **CSA Board Room, 4.G.2.**, Webb Municipal Building, 201 West Colfax Avenue.

If anyone wishes to be heard by the Board on this item, please contact Leon Duran at 720-913-5168 no later than 12:00 Noon on **THURSDAY, DECEMBER 29, 2011.**

If anyone wishes to submit written comments, please submit them

**IN PERSON NO LATER THAN 12:00 NOON ON
THURSDAY, DECEMBER 29, 2011 TO:**

Roberta Monaco
HR Supervisor
Career Service Authority
201 West Colfax, 1st Floor
Denver, Colorado 80202

**BY MAIL TO BE RECEIVED NO LATER THAN 12:00 NOON ON
THURSDAY, DECEMBER 29, 2011, ADDRESSED TO:**

Roberta Monaco
HR Supervisor
Career Service Authority
201 West Colfax, Department 412
Denver, Colorado 80202

**BY FAX, TO BE RECEIVED NO LATER THAN 12:00 NOON ON
THURSDAY, DECEMBER 29, 2011 TO: (720-913-5720)**

**OR BY E-MAIL TO BE RECEIVED NO LATER THAN 12:00 NOON ON
THURSDAY, DECEMBER 29, 2011, TO:**

And Peter.Garritt@denvergov.org
Roberta.Monaco@denvergov.org

PLEASE POST ON ALL BULLETIN BOARDS

AS SOON AS POSSIBLE

RULE PROPOSAL 417B

TO: Appointing Authorities, Managers, and Employees

FROM: Christopher M.A. Lujan, Interim CSA Director

DATE: December 15, 2011

SUBJECT: Proposed revision of Career Service 13 SELECTION and related rules

THIS PROPOSED REVISION TO THE CAREER SERVICE RULES IS BEING POSTED FOR PUBLIC COMMENT AND HEARING TO BE HELD ON

THURSDAY, JANUARY 5, 2012, at 5:00 P.M.

CSA is proposing changes to the Career Service Rule governing recruiting (Rule 3 SELECTION). These changes are intended to simplify the recruiting process and make it more responsive to individual agency needs while still maintaining merit system principles.

The rule proposal contains the following changes:

- **Re-organizes Rule 3 for better flow.**
- **Revises the Rule 3 purpose statement.**
- **Standardizes terminology by making the following changes:**
 - 'Selection' to 'recruitment'**
 - 'Examination' to 'assessment'**
 - 'Certification' to 'referral'**
- **Removes redundant definitions that can be found in other rules.**
- **Clarifies meanings of the terms 'applicant', 'candidate', and 'eligible candidate'.**
- **Reduces minimum period of posting of vacancies from two business days to two calendar days. However, the posting period must include at least one business day.**
- **Allows recruitments to be restricted to a consolidation code within a department or agency.**
- **Allows agencies to hire employees who are eligible for transfer, demotion, repromotion or reemployment from other City agencies even if their names do not appear on a referral list. New hires and promotions still must be taken from referred lists.**

- **Allows trainees, interns, and apprentices who have successfully completed their training to move into the positions they have trained for without being on a referral list. Trainees, interns and apprentices still have to go through a competitive process to be appointed to their respective trainee, intern or apprentice positions.**
- **Clarifies provisions relating to reinstatement.**
- **Eliminates the rule mandating that only twenty names can be referred to a vacancy. Agencies are now allowed to determine in advance how many names will be referred to them.**
- **Clarifies rule provisions relating to list duration, reopening recruitments, and reuse of examination scores.**

If you would like to schedule a meeting with a member of Career Service Authority to discuss this proposal prior to the Public Hearing, please contact Roberta Monaco at 720-913-5629.

DELETIONS ARE INDICATED BY strike through AND ADDITIONS ARE INDICATED BY bold, italics, and underline.

**RULE 3
SELECTION RECRUITMENT**

Purpose statement:

As provided in the City charter (See Appendix), the Career Service Authority (“CSA”) administers a merit-based personnel system in which appointments and promotions of employees are made on the basis of merit and ability. Further, applicants and employees are entitled to equal employment opportunity without regard to race, color, creed, religion, national origin, gender, sexual orientation, marital status, military status, age, disability, or political affiliation or any other status protected by federal, state or local laws. ~~The purpose of the CSA selection process is to provide City departments and agencies with the best qualified employees, in accordance with the principles set forth in the City charter (See Appendix), by publicizing job opportunities, examining applicants, identifying those with the greatest merit and providing their names to the various departments and agencies for hire or promotion. (Revised effective January 22, 2010; Rules Revision Memo 44C)~~

Section 3-5 Definitions

~~B. Demotion: An appointment of an employee to a position in a classification in which the range minimum of the pay range of the new classification is lower than the range minimum of the pay range of the classification previously held (Revised effective October 17, 2010; Rules Revision Memo 47C).~~

A. Applicant: A person who has submitted an application to the CSA in connection with a posted job opening.

B. Assessment: A competitive examination of competence that the CSA is required by the City Charter to conduct on candidates for posted job openings.

C. Candidate: An applicant who has been determined by the CSA to have met the minimum qualifications for a posted job opening.

D G. Eligible candidate: An applicant A candidate for a vacant position a posted job opening within the Career Service who meets the criteria required for placement on an eligible list.

~~D. Examination: The Career Service Board is authorized to adopt, administer and enforce rules concerning competitive examinations of competence by the City Charter (See Appendix). The CSA may give one or all of the following kinds of examinations:~~

~~1. Evaluation of experience and education;~~

~~2. Written;~~

~~3. Skill based;~~

~~4. Assessment interview; or~~

- ~~5. Any other appropriate measures.~~
- ~~E. **E. Promotion:** An appointment of an employee to a position in a classification in which the range minimum of the pay range of the new classification is higher than the range minimum of the pay range of the classification previously held (~~Revised effective October 17, 2010; Rules Revision Memo 47C~~).~~
- A. ~~**F. Certification Referral:** The act of providing an appointing authority with one or more lists of candidates eligible to be hired into a particular vacancy.~~
- ~~F. **Recruitment:** The process by which CSA solicits individuals to apply for positions within the Career Service.~~
- ~~G. **Re-employment:** An appointment of a former employee to a position in the classification in which the employee was previously employed within the preceding five (5) years, or to a successor classification; or to any classification for which the employee is qualified, with the same or lower range minimum than the former classification, subject to the following conditions:~~
- ~~1. Former employees whose separation was the result of a dismissal are not eligible for re-employment.~~
 - ~~2. An appointment that meets the definition of a re-instatement in Rule 5 **APPOINTMENTS AND STATUS** is not a re-employment appointment.~~
 - ~~3. In order to determine eligibility for re-employment into a successor classification, the Career Service Personnel Director ("Personnel Director") may, on a case by case basis, review the duties previously performed as well as classification and pay.~~
- ~~(Revised effective October 17, 2010; Rules Revision Memo 47C)~~
- ~~H. **Re-promotion:** A promotion of an employee to a position in a higher classification in which the employee was previously employed within the preceding five (5) years, or to a successor classification; or to any classification for which the employee is qualified, with the same or intervening range minimum as the former classification. Appointments that meet the definition of a promotional re-instatement in Rule 5 **APPOINTMENTS AND STATUS** are not re-promotions (~~Revised effective October 17, 2010; Rules Revision Memo 47C~~).~~
- ~~I. **Transfer:** An appointment of an employee from a position in one classification to a different position in a classification with the same range minimum:~~
- ~~1. In a different department or agency; or~~
 - ~~2. In a different classification in the same department or agency.~~
- ~~(Revised effective October 17, 2010; Rules Revision Memo 47C)~~

Section 3-10 Delegation of Authority by Personnel Director

The **Career Service Personnel Director (“Personnel Director”)** may delegate any authority given under this rule to a subordinate employee.

Section 3-15 Selection Responsibilities **in the Recruitment Process**

~~3-16~~ CSA Responsibility

- A. The CSA shall be responsible for **the following steps in recruiting for job openings in the Career Service (including vacant trainee, paid intern, and apprentice positions):**
1. ~~Recruiting~~ **Advertising job openings;**
 2. ~~Examination~~ **Assessment of candidates;**
 3. ~~Certification~~ **Referral of re-instatement and eligible lists to appointing authorities;** and
 4. Any other services related to the ~~selection~~ **recruitment** process requested by the appointing authority and agreed to by the CSA.
- B. Except as delegated by the **Personnel Director** CSA, departments and agencies are not authorized to administer pre-employment or on-the-job **assessments** ~~examinations~~ to applicants or ~~eligible candidates~~ **or employees.**

~~3-17~~ Trainees, Interns, and Apprentices

~~The CSA is responsible for recruiting, reviewing and approving applications, examining and certifying eligible candidates for vacant trainee, paid intern, and apprentice positions.~~

Section 3-20 Recruitment

~~3-21~~ Notice of Job **Openings** Opportunities (Effective January 23, 2009; Rules Revision Memo 34C)

- A.** **Notice regarding job openings opportunities in the Career Service must be posted in the CSA office and on the City web site for at least two (2) business calendar days. One of these calendar days must also be day the CSA office is open for business, and access to the recruitment notice must be provided at the CSA office on this day.** ~~Such notices may also be posted in other places where potential applicants would be likely to see them.~~
- B.** ~~3-22~~ Content of **Job Posting** Notices

The notice must contain the job title, ~~hiring range~~, pay grade, dates the recruitment will open and close, minimum qualification requirements, and instructions on how to apply.

3-21 ~~23~~ Restricted Recruitments

- A. Appointing authorities may request that recruitments be open only to applicants who:
1. Are:
 - a. Current City employees; or
 - b. Career Service employees eligible for promotion; or
 - c. Career Service employees in the appointing authority's department or agency, **or in a consolidation code in the department or agency** eligible for promotion; or
 - d. Career Service employees eligible for transfer, demotion, and re-promotion, and former employees eligible for re-employment, **as defined in Rule 5 APPOINTMENTS AND STATUS.**
 2. Possess specific education, experience, knowledge, skills, abilities, and competencies necessary to perform a particular job, in addition to the minimum requirements in a classification specification; or
 3. Fall within one of the categories in subsection 1 and possess the special qualifications required under subsection 2.
- B. An individual who has been separated as a result of a lay-off, and whose name still appears on a re-instatement list, shall be eligible to compete for recruitments that are otherwise restricted to current City employees as if he or she were still an employee.

Section 3-30 **Assessment** ~~Examination~~

- A. ~~Applicants for posted job opportunities may be examined by the CSA to predict how well the applicant may perform a job, and to allow the CSA to compare the people competing for a job with each other so the best qualified applicants may be identified.~~ **The CSA may give one or more of the following kinds of assessments:**
- 1. Evaluation of experience and education;**
 - 2. Written;**
 - 3. Skill-based;**
 - 4. Assessment interview; or**
 - 5. Any other appropriate measures.**

- B. The CSA shall decide the weight of each phase of the **assessment** examination. Weights and phases may be changed as conditions warrant.

3-31 Substitution of Experience for Education

- A. One year of the appropriate type and level of experience may be substituted for each required year of post-high school education for all classifications, subject to the limitations below;
- B. Two years of the appropriate type and level of experience may be substituted for each required year of post-high school education for all classifications at or above the type and level of a first-level manager, such as Manager 1;
- C. No substitution of experience for education will be permitted for:
1. Classifications that require a college degree or graduate degree in order to obtain a license or certification to practice within the discipline. Examples include, but are not limited to, physicians, pharmacists, and attorneys;
 2. Classifications that require a college degree to provide optimum successful performance at the time of job entry. Examples include, but are not limited to, accounting, environmental and scientific occupations; or
 3. Classifications where college, vocational, or other specialized education beyond high school is required to meet certification or licensure requirements. Examples include, but are not limited to, licensed and certified skilled trades workers, paralegals, paramedics, and various other medical technicians.

3-32 Disqualification of Applicants **and candidates**

- A. Applicants **and candidates** may be disqualified from further consideration in the ~~selection~~ **recruitment** process for any valid reason, **including, but not limited to, submission of a late or incomplete application or resume; or the failure to submit other required documents on time.**

B. Applicants **and candidates** shall be disqualified from further consideration in the ~~selection~~ **recruitment** process for the following reasons:

- ~~1.~~ ~~Late or incomplete application or resume; or the failure to submit other required documents by their due date;~~
- ~~2.~~ **1.** Failure to meet minimum education, experience and/or licensing or certification requirements;
- ~~3.~~ **2.** Failure to attain the required minimum score on an **assessment** examination;
- ~~4.~~ **3.** Unsuitability for the position, including certain criminal convictions;
- ~~5.~~ **4.** Committing, or threatening to commit, acts of violence against City employees involved in the ~~selection~~ **recruitment** process, including intimidating, threatening or hostile behavior;
- ~~6.~~ **5.** Dismissal from the Career Service. Employees dismissed from the Career Service are not eligible to be **assessed** ~~examined~~ for five years after the date of dismissal; or
- ~~7.~~ **6.** Providing false information in an application or resume, or falsification of **assessment** ~~examination~~ scores or records, or cheating, taking or participating in taking **assessments** ~~examinations~~ for which the applicant **candidate** is not the registered applicant **candidate**. This conduct may result in the applicant **candidate** being barred from future examinations.

3-33 Scheduling of **Assessments** ~~Examinations~~

- A. Every effort shall be made to plan **assessments** ~~examinations~~ so as to prevent any **the** disruption of work schedules in operating departments or agencies **operations**.
- B. Unless another date and time is available prior to the end of the scheduled **assessments** ~~examinations~~ for the announced opening, all **assessments** ~~examinations~~ must be taken when scheduled, or returned by the due date, as appropriate.

- C. Notwithstanding the previous section, deferred assessments examinations are permissible for ~~applicants~~ candidates who miss a scheduled assessment examination or due date for the following reasons, and provide appropriate documentation:
1. The ~~applicant~~ candidate or ~~employee~~ was ordered into military service;
 2. The ~~applicant~~ candidate or ~~employee~~ has jury duty;
 3. The ~~applicant~~ candidate or ~~employee~~ has been subpoenaed to appear in court;
 4. The candidate ~~employee~~ has been ordered to perform City business; or
 5. The candidate is a City employee who has a work related injury, which renders the candidate ~~employee~~ unable to take the assessment examination when scheduled.
- D. The Personnel Director may also approve a request for a deferred assessment examination on other grounds for good cause shown.
- E. Certification Referral of a list resulting from the assessment examination shall not be delayed if the deferred assessment examination cannot be scheduled within seven (7) calendar days of the end of scheduled assessment examinations.

3-34 How Assessments Examinations are Given

- A. Except as provided in part B of this subsection, the same, or equivalent, assessments examinations will be given to all ~~applicants~~ candidates assessed examined.
- B. Accommodation for Disabled Applicants Candidates:
1. The CSA will provide reasonable accommodations in the assessment examination process, upon request, for ~~applicants~~ candidates who are qualified individuals with a disability under the Americans with Disabilities Act.
 2. In instances where established assessment examination procedures are not appropriate for such ~~applicants~~ candidates, their eligibility shall be determined by alternate assessment examination procedures which accurately measure their ability to perform the essential functions of the position with or without reasonable accommodation.

3-35 Assessment Examination Scores

- A. Minimum Score: The Personnel Director must decide how assessments examinations are scored and what score is needed to pass.
- B. Multiple part assessments examinations: The Personnel Director may decide that by failing one part of a multiple part assessment examination, an applicant a candidate has failed the assessment examination and the other parts of the assessment examination cannot be taken.
- C. Final Rating: Final ratings must be based on the total or combined assessment examination score.
- ~~D. Re-use of Passing Score: Passing examination scores may be re-used for a period of time designated by the Personnel Director. The period of time may vary based on the subject matter contained in the examination. An applicant may request the use of a passing examination score for all classifications for which the applicant has applied and the examination applies. The creation of new or revised examinations for a classification may require all applicants to take and pass the new examination to gain eligibility.~~
- ~~E. D. Veterans Points: Points must be added to passing scores of eligible candidates, who are not employees, as required by the Veteran' Preference provision of the Colorado Constitution (relevant portions are attached as an Appendix).~~
- ~~F. E. Notice to applicants candidates: Each applicant candidate shall be provided with access to their assessment examination scores, either in writing or on-line.~~
- ~~G. F. Confidentiality of score: Assessment Examination scores are confidential and shall not be made available to any person outside the CSA except the appointing authority, at the time of certification in connection with a referral, and the applicant candidate. The applicant candidate assessed examined may, in writing, allow CSA to release his or her assessment examination scores to others. Assessment Examination scores may also be released pursuant to court order or an appropriate subpoena.~~

~~3-36 Re-opening Examination~~

~~(Effective January 23, 2009; Rules Revision Memo 34C)~~

- ~~A. Re-opening: A classification may be re-opened for recruiting at any time, unless it is determined that a sufficient list of eligible candidates exists.~~
- ~~B. Applicants who have taken an examination may retake the same examination if a classification is re-opened for recruiting or if the same examination is used in a recruitment for another classification.~~

~~C. Re-application: If a classification is re-opened for recruiting, eligible candidates whose names are already on the list may elect to remain on the list for the duration of their eligibility or to apply for the new examination. If they elect to re-apply, their prior eligibility shall be cancelled and their score is determined from the results of the most recent examination.~~

3-37 Request for review

Applicants **and candidates** for employment or promotion in the Career Service who are dissatisfied with the results of the **assessment** ~~examination~~ process may notify the recruiter of their concerns in writing or by e-mail within three (3) business days from the mailing **date** of **the** ~~notice of the examination.~~

Section 3-40 ~~Certification~~ **Referral**

~~3-41 Request for Certification~~

Appointing authorities can only fill vacant Career Service positions with eligible candidates who **se names appear on lists referred to the appointing authority** ~~have been certified by the CSA~~ **as described in this section of this Rule 3**, or ~~with individuals who fall within one of the following exceptions:~~

- A. **Career Service e** ~~Employees of the department or agency with the vacancy who are eligible for re-promotion, transfer, demotion, or re-assignment appointments, or former employees who are eligible for re-employment, as defined in this Rule and under Rule 5~~ **APPOINTMENTS AND STATUS.**
- B. City employees who are eligible for re-assignment under Rule 5-84, Reasonable Accommodations for Individuals with Disabilities Policy, ~~may be appointed to a Career Service position.~~
- C. Trainees and paid interns who have successfully completed the trainee or intern probationary period as provided in Rule 5 APPOINTMENTS AND STATUS may be promoted into the position the trainee or intern was being trained to perform.**
- D. Trades apprentices who meet the minimum qualifications of the applicable trades classification and have successfully completed the required apprenticeship training (as documented by the employee's department or agency and verified by the CSA) may be promoted into the applicable trades classification.**

3-~~41~~ ~~42~~ Re-instatement List

- A. Employees or former employees shall be placed on the re-instatement list for the classification from which they have:
1. Been laid off;
 - ~~2.~~ 2. Transferred or re-assigned in lieu of lay-off when the employee has been moved from an unlimited position to a limited or on-call position, or from a full-time position to a part-time position;
 - ~~3.~~ 3. Demoted in lieu of lay-off;
 - ~~4.~~ 4. Voluntarily resigned in lieu of lay-off; or
 - ~~5.~~ 5. Voluntarily demoted in lieu of lay-off.
- B. The names of eligible employees or former employees shall be added to this list as soon as administratively feasible, with the effective date being the effective date of the lay-off, demotion in lieu of lay-off, or resignation in lieu of lay-off.
- C. Eligible candidates employees or former employees will be listed for one year unless removed for cause.
- D. Eligible candidates employees or former employees shall be listed by seniority, or by proficiency (to the extent it was used as a basis for the employee's lay-off) so that the employee with the longest length of service, as defined in Rule 14 **SEPARATION OTHER THAN DISMISSAL**, is higher on the list.
- E. Re-instatement lists shall only be used within the Lay-off Unit (as defined in Rule 14 **SEPARATION OTHER THAN DISMISSAL**) that the employee or former employee was in when the lay-off took place.
- F. ~~Certification~~ Referral from the re-instatement list is mandatory and exclusive. No other ~~certification~~ referral shall be made while any available eligible candidates employees or former employees remains on this list. ~~Certification~~ Referral shall consist of the highest ranking available eligible candidate employee or former employee, or if there are ties, all those at the highest ranking.
- G. If a re-instatement list exists for a classification in which the department or agency has a position with a special qualification, which has been approved by the Personnel Director, ~~certification~~ referral shall consist of the highest ranking available candidate eligible employee or former employee who has the special qualification, or if there are ties, all those with the required special qualification at the highest ranking. If none of the available candidates eligible employees or former employees have the required special qualification, a ~~certification~~ referral shall be made in accordance with the rules applicable when there is no re-instatement list.

- H. Any re-instatement list may be abolished at any time by the Personnel Director if the classification specification is abolished or revised.

3-~~42~~ ~~43~~ Employment **Eligible** List

- A. An employment **eligible** list is comprised of all eligible candidates ~~who have applied to and qualified for a particular~~ **job opening** classification.
- B. Certification **Referral**:
1. ~~The requesting department or agency is entitled to have twenty (20) names of eligible candidates with the highest scores for each vacancy, unless fewer are qualified.~~ **The department or agency may request that any number of eligible candidates on the eligible list be referred for a vacancy. However, at least three (3) eligible candidates shall be referred (unless there are less than three (3) eligible candidates on the list).**
 2. ~~a.~~ A minimum of three (3) eligible candidates from a ~~certified~~ **referred** employment **eligible** list must be interviewed by the department or agency when filling a vacant position, **unless there are less than three (3) eligible candidates on the list, in which case, the department or agency must interview all of the eligible candidates on the list.**
 3. **At the request of the department or agency, CSA shall provide an analysis of the results of the assessment (s) taken by eligible candidates whose names are referred to the department or agency in order to assist the department or agency in making appointments on the basis of merit and ability.**
 - ~~b.~~ ~~The three interview requirement imposed by the preceding subsection shall be waived for the limited purpose of transitioning employees of the Election Commission as of July 16, 2007 into the Career Service. (Effective June 8, 2007; Rules Revision Memo 19C)~~
 3. ~~The department or agency may request additional names from the Personnel Director. Such a request shall be accompanied by a written justification explaining why the original certification was insufficient, and may be granted for good cause shown.~~
 4. ~~Certification to an on-call vacancy from an on-call employment list may consist of one name or as many names as there are on the list, depending on a request from a department or agency.~~
 5. ~~CSA shall certify an employment list to the appointing authority containing the names of all eligible candidates for an applicable trainee or intern position.~~

- ~~C. Candidates on employment lists may be re-certified during the life of the employment list. However, at the request of an appointing authority, eligible candidates may be excluded from re-certification to the same department or agency if approved by the Personnel Director.~~
- ~~D. Employment lists may be abolished or extended at the discretion of the Personnel Director. Eligible candidates may be listed on:~~
- ~~1. On call employment lists as long as they are available for work, unless removed for cause, or unless the list is abolished; and~~
 - ~~2. All other employment lists for three months unless removed for cause, or unless the list is abolished or extended.~~

~~E. Trades Apprentices~~

~~Career Service employees serving in the Career Service classification of Trades Apprentice who have satisfactorily completed apprenticeship training needed for entrance into a promotional classification, as evidenced by an appropriate statement of completion signed by their department or agency, and who meet the minimum qualification requirements of the promotional classification, may have their names added to the employment list for the classification and trade in which they have trained. They may be promoted without further certification. The trades involved are Carpentry, Electrical, Heating, Ventilating and Air Conditioning (HVAC), Heavy Equipment Mechanic, Painting and Plumbing.~~

~~3-44 Transfer, Demotion, Re-promotion, or Re-employment candidates~~

- ~~A. All candidates who have applied for and are eligible for a transfer, demotion, re-promotion, or re-employment appointment into a vacancy shall be certified in addition to the employment list.~~
- ~~B. No examination in addition to an evaluation of experience and education is necessary to be certified as a transfer, demotion, re-promotion, or re-employment candidate.~~
- ~~C. The names of eligible candidates who have applied for and are eligible for a transfer, demotion, re-promotion, or re-employment appointment into a vacancy may be certified to vacancies for as long as the underlying employment list exists.~~

~~3-**43** ⁴⁵ Use of Appropriate Alternative Lists~~

~~When full certification **the existing referral list for a job opening does not have a sufficient number of names,** is not available for a given classification, the Personnel Director may **allow** ~~declare~~ a list for a different classification to be **used instead of or to supplement the existing referral list** ~~an appropriate list~~, provided the classification chosen has an equal or higher beginning pay rate than the ~~original classification~~ **job opening**, and that the eligible candidates on the new list meet the minimum qualifications of the ~~original~~ **job opening's** classification.~~

3-~~44~~ ~~46~~ Emergency Certification **Referral**

If the Personnel Director determines an emergency exists, a list of eligible candidates may be given to the hiring department or agency at any time, even before all ~~applicants~~ **candidates** have been **assessed** ~~examined~~. Only eligible candidates who can be reached immediately in person or by any other available means will be considered ready to work.

~~Section 3-50 Restrictions Concerning Certification~~

3-~~54~~ **45 Referral** Restrictions by Appointing Authorities

An appointing authority may request that ~~certification~~ **referral** be restricted to eligible candidates who:

- A. Possess specific education, experience, knowledge, skills, abilities, or competencies necessary to perform a particular job;
- ~~B. Reside in a prescribed area of the city when knowledge of the area and the ability to relate to residents of that area are essential requirements of the job; or~~
- ~~C.~~ **B.** Are current City employees. Eligible candidates who have been separated as a result of a lay-off and whose names appear on a re-instatement list, shall be treated as if they were still City employees for purposes of this subsection.

~~3-52~~ Restrictions by Eligible Candidates

~~Eligible candidates on employment lists may restrict their eligibility:~~

- ~~A. To employment in specific departments or agencies;~~
- ~~B. To hours, days of the week, or shifts to be worked;~~
- ~~C. Until the eligible candidate notifies CSA that he or she is available to work;~~
- ~~D. To full-time, part-time, on-call, unlimited and limited positions;~~
- ~~E. To vacancies that meet the eligible candidate's salary requirements; or~~
- ~~F. To other conditions as may be authorized by the CSA.~~

Section 3-60 Removal and Restoration of Names on Lists

Section 3-50 List Management

3-51 Eligible List Duration

- A. Eligible candidates may be listed on an eligible list until the list is inactivated. Eligible lists may be inactivated at the discretion of the Personnel Director.**
- B. Eligible candidates on an eligible list may be referred during the life of the eligible list. However, at the request of an appointing authority, eligible candidates may be excluded from subsequent referrals to the same department or agency from the same list if approved by the Personnel Director.**

3-52 Re-opening Recruitments

An eligible list may be re-opened for recruitment at any time during the life of the list in order to add additional eligible candidates to the list. When new eligible candidates are being added to an existing list, the same assessment plan that was used to create the original list must be used. Eligible candidates already on the eligible list are not permitted to re-take the assessment for the re-opened recruitment. Candidates who originally failed the assessment used to create an eligible list that is subsequently re-opened are not permitted to re-apply.

3-53 Re-use of Assessment Scores

After an eligible list is inactivated, candidates who were formerly on the list may re-use passing assessment scores in other recruitments for a period of time designated by the Personnel Director. The period of time may vary based on the subject matter contained in the assessment. A candidate may request the use of a passing assessment score for all recruitments for which the candidate has applied and for which the same assessment is used. The creation of new or revised assessments for a classification may require all candidates to take and pass the new assessment to gain eligibility.

3-64 ~~54~~ Removal of Names from Referral Lists: Restoration Permitted

The name of an eligible candidate shall be removed from all lists for the reasons listed below, **but** Names may be restored upon providing **if the eligible candidate provides** a satisfactory explanation to the Personnel Director, provided that list eligibility remains:

- A. The eligible candidate does not answer when asked by the City if available or ready to work, or the eligible candidate cannot be reached for two consecutive days.
- B. The eligible candidate turned down certification **referral** or a job offer for reasons that would make it impossible to take other jobs in the same job classification.

- C. The employee or former employee on a re-instatement list refuses an offer of re-instatement **to a position equivalent in terms of duration and hours worked to the position the employee or former employee was in immediately prior to the lay-off.**
- D. The eligible candidate requested that his or her name be removed from the list.
- E. The eligible candidate did not pass the appropriate post-employment offer health **assessment** examination.
- F. Evidence has been produced that the eligible candidate no longer meets minimum qualification requirements.
- G. The eligible candidate did not report for work after being hired. The names of eligible candidates who did not report for work after being hired will not be added to any lists for five (5) years.

~~3-62~~ **55 Removal of Names from Referral Lists: Restoration Not Permitted**

The name of an eligible candidate shall be removed from all applicable lists for the reasons listed below. Restoration is not permitted when:

- A. Evidence has been produced that the eligible candidate should not have been admitted to the **assessment** examination.
- B. An eligible candidate who was not a City employee has been appointed to an unlimited position in the Career Service.
- C. A re-instatement list eligible candidate has been appointed to an unlimited Career Service position at the same or higher pay grade than the classification from which the eligible candidate was laid off or demoted from in lieu of layoff.
- D. The name of an eligible candidate who has been promoted to a higher classification is removed from all lists at or below the level of the promotional classification.
- E. The eligible candidate has been dismissed from the Career Service. The names of dismissed employees will not be added to any lists for five (5) years after the date of dismissal.

Employment appointment:

One which is made as the result of ~~certification~~ **referral** from an employment list.

Section 2-10 Career Service Board

2-11 Officers and Duties

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- B. The Board is responsible for adopting, administering and enforcing rules necessary to foster and maintain this merit-based personnel system including, but not limited to rules providing:
1. For the conduct of competitive examinations of competence (Rule 3 ~~SELECTION~~ **RECRUITMENT**);
 2. That appointments and promotions of employees in the Career Service shall be made on the basis of merit and ability (Rule 3 ~~SELECTION~~ **RECRUITMENT**);

Section 2-40 Personnel Director

A. Powers and Duties

The Personnel Director shall serve at the pleasure of the Board, report directly to the Board, and perform all duties and responsibilities as directed by the Board, including those contained in the Rules, and as delegated by the Denver Revised Municipal Code. In addition, the Personnel Director's powers and duties are:

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2. To prepare and hold examinations, pass upon qualifications of applicants, establish eligible lists and ~~certify~~ **refer** eligible applicants to appointing authorities to fill vacancies;

5-62 Employees in Career Status

An employee in career status:

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- F. May receive re-instatement appointments (as provided in Rule 3 ~~SELECTION~~ **RECRUITMENT**), re-assignments, transfer appointments or demotion appointments without serving a new probationary period;

Section 5-70 Types of Appointments

5-71 Appointments of Applicants Who Are Not in the Career Service

- A. Employment appointment: An appointment made as a result of ~~certification~~ **referral** of an employment list in accordance with Rule 3 ~~SELECTION~~ **RECRUITMENT**.
- B. Re-instatement appointment: An appointment of a former employee who had been laid off or who resigned in lieu of a lay-off, which is made as a result of ~~certification~~ **referral** from a re-instatement list in accordance with Rule 3 ~~SELECTION~~ **RECRUITMENT**.

5-72 Appointments of Employees Who Are in the Career Service

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- B. Promotional re-instatement appointment: An appointment of an employee who has been demoted in lieu of lay-off which is made as a result of ~~certification~~ **referral** from a re-instatement list in accordance with Rule 3 ~~SELECTION~~ **RECRUITMENT**.
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- G. End of training or internship probationary period:
 - 1. The department or agency shall report to the CSA, in writing, at the conclusion of the trainee or intern probationary period, whether the trainee or intern has successfully completed the probationary period by acquiring the competencies, knowledge, skills and abilities necessary to satisfactorily perform the duties of the position.
 - 2. An appointing authority may request, in writing to the Personnel Director, that the trainee or intern be deemed to have successfully completed the probationary period prior to the employee's completion of the trainee or intern probationary period.

3. Upon a determination by CSA that the trainee or intern has successfully completed the trainee or intern probationary period, the department or agency ~~may request that CSA conduct a recruitment so that the trainee or intern may compete for~~ **promote the trainee or intern into** the position **the trainee or intern was being trained to perform**.

5-73 Transfer Appointment

(Effective May 4, 2007, Rule Revision Memo 18C)

- A. An employee may be given a transfer appointment provided that the employee and the receiving appointing authority consent, and that the requirements of Rule 3 ~~SELECTION~~ **RECRUITMENT** are satisfied. The employee's status shall not be affected by this type of transfer appointment except as provided in paragraph C Transfer transition period.

5-74 Demotion Appointments

- C. CSA approval: Voluntary demotions must satisfy the requirements of Rule 3 ~~SELECTION~~ **RECRUITMENT**. For all other types of demotions, the CSA shall approve the demotion appointment if it finds that the employee meets the minimum qualifications for the new class.

Section 9-5 Definitions

- I. Promotional re-instatement: A promotion of an employee resulting from ~~certification~~ **referral** from a re-instatement list.
J. Re-instatement: An appointment of a laid off employee resulting from ~~certification~~ **referral** from a re-instatement list.

14-24 Re-employment

Employees who have been separated as a result of a disqualification may be eligible for re-employment according to the provisions of Rule 3 ~~SELECTION~~ **RECRUITMENT**.

14-48 Re-employment, Re-instatement, and Promotional Re-instatement Rights

- A. Re-employment or re-instatement appointments: The ability of a former unlimited employee, or limited employee appointed to their position before January 16, 2004, who was laid off, to be re-employed or re-instated are set forth in Rule 3 ~~SELECTION~~ **RECRUITMENT**.

14-52 Re-employment

Employees who resign may be eligible for re-employment according to the provisions of Rule 3 ~~SELECTION~~ **RECRUITMENT**.