

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. 457

A Career Service Board Public Hearing has been scheduled regarding proposed revisions to Career Service Rule 9 **PAY ADMINISTRATION**.

The scheduled time for the public hearing is **THURSDAY, DECEMBER 20, 2012, at 9:00 A.M.**, in the **Room, 4.I.4.**, Webb Municipal Building, 201 West Colfax Avenue.

If anyone wishes to submit written comments or talk to CSA staff regarding this notice, please contact:

Pete Garritt
HR Supervisor
Career Service Authority
201 West Colfax, 4th Floor
Department 412
Denver, Colorado 80202

(720) 913-5671

Peter.Garritt@denvergov.org

Comments regarding this notice should be submitted no later than the close of business on **FRIDAY, DECEMBER 14, 2012**.

If anyone wishes to address the Board regarding this notice please contact Fran Trujillo at (720) 913-5168 or at Frances.Trujillo@denvergov.org no later than **12:00 noon on MONDAY, DECEMBER 17, 2012** to get on the agenda.

PLEASE POST ON ALL BULLETIN BOARDS

AS SOON AS POSSIBLE

RULE PROPOSAL 425B

TO: Appointing Authorities, Managers, and Employees

FROM: Nita Mosby Henry, CSA Executive Director

DATE: December 7, 2012

SUBJECT: Proposed revision of Career Service Rule 9 PAY ADMINISTRATION

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

**THURSDAY, December 20, 2012, at 9:00 A.M.
Webb Building Room 4.I.4**

CSA is proposing to revise Rule 9 as follows:

- **Eliminate requirement that agencies document reasons for additional pay when new employees are hired at above the mid-point of range or existing employees receive more than an 8% pay increase upon promotion.**
- **Re-organize sections 9-30 through 9-60 to group similar rules together ;**
 - ✓ **Section 9-60 Pay Differentials will be broken into a section covering differentials and a section covering stipends.**
 - ✓ **Section 9-40 Work Assignment Outside of Job Classification will be moved to stipend section.**
 - ✓ **Section 9-50 Recruitment and Retention Pay will be broken up between Section 9-30 Changes in Classification and Pay and the new sections on stipends and differentials.**
 - ✓ **The bilingual services differential will be re-named to be the bilingual services stipend.**

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 Pete Garritt at (720) 913-5671.

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

Section 9-5 Definitions

- F. Pay Factors: Appointing authorities who wish to hire employees at higher than the range midpoint, or increase the salary of promoted employees by more than 8.0%, or provide an equity adjustment, ***shall base that decision on one or more of*** ~~must provide Career Service Authority ("CSA") with documentation explaining how any or all of the following pay factors affected their decision:~~
1. Market conditions;
 2. Related experience;
 3. Previous work record;
 4. Salary history;
 5. Specialization of education;
 6. Quality/quantity of education.
 7. Internal equity;
 8. Level of responsibility accepted;

Section 9-20 Pay When First Employed

- A. An appointing authority may set pay for a new employee higher than the range minimum (but not to exceed the range maximum of the applicable pay range) if necessary to obtain the services of an unusually well-qualified person.
- B.*** The ***appointing authority may decide*** ~~decision~~ to appoint ***an employee*** at a pay rate higher than the range minimum ***if the appointing authority determines that*** ~~shall be based on~~ ***one or more*** any of the pay factors as defined in this Rule 9 ***justify such a starting salary.*** In any event, qualifications of the new employee should exceed the minimum qualifications stated in the classification specification, and internal equity shall be considered.
- ~~B. The appointing authority shall submit documentation with the Personnel Action Form documenting the justification for hiring an employee at or above the mid point of the applicable pay range.~~

9-31 Promotion and re-promotion

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- B. ~~In the event~~ the appointing authority **may** increase an employee's pay by more than eight percent (8%) upon promotion, ~~documentation shall be submitted with the Personnel Action Form explaining how~~ **if the appointing authority determines that** one or more of the pay factors defined in this Rule 9 justify such an increase.
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~~Section 9-50 Recruitment and Retention Pay~~

~~C.~~ **9-37 Counter offer** (Revised effective May 20, 2008; Rule Revision Memo 28C):

- A** 4. A counter offer may be made for any of the reasons listed below:
- ~~a.~~ **1.** To retain an employee whose skills, knowledge or abilities are deemed essential to the mission of the City or a department or agency;
 - ~~b.~~ **2.** To avoid recruiting and training costs when those costs clearly exceed the costs of a counter offer;
 - ~~c.~~ **3.** When it has been determined that turnover rates in a classification exceed the calculated turnover rate for that occupational group or classification and pay has been determined to be a significant cause; or
 - ~~d.~~ **4.** When the vacancy rate within a classification reaches a level where additional loss of personnel may interfere with the City's ability to provide adequate levels of services to the public.
- B** 2. An appointing authority may make a counter offer to an employee when the following conditions have been met:
- ~~a.~~ **1.** The base salary and employee benefits the employee will receive at the prospective employer are greater than the base salary and employee benefits the employee is currently receiving from the City;
 - ~~b.~~ **2.** The counter offer does not exceed the range maximum of the pay range the employee occupies at the time the offer is extended; (Revised effective October 17, 2010; Rule Revision Memo 47C)
 - ~~c.~~ **3.** The prospective employer is not a department or agency of the City; and
 - ~~d.~~ **4.** The appointing authority has verified the authenticity of all job offers which constitute the basis for a counter offer.

C 3. The appointing authority shall submit a copy of the written offer of employment from the prospective employer with the Personnel Action Form.

D. 9-38 Interim market adjustments:

A. The Board, following a public hearing, may make a market adjustment in a pay practice, or create a temporary pay practice, if the Board finds that all of the following conditions exist:

- 1.** Numerous vacancies exist in the classification(s) that will be affected by the proposed pay practice;
- 2.** Recruitment has not been effective;
- 3.** Retention rate is low; and
- 4.** Market driven personnel shortages in the classification(s) are causing difficulty in fulfilling an essential mission of the City.

B 2. An interim market adjustment shall remain in effect for up to one (1) year. Nothing in this subparagraph prevents a new market adjustment from being established for the same classification(s), provided that all of the requirements of the previous subparagraph are met.

E. 9-39 Pay adjustment within the salary range (Revised effective September 21, 2010; Rules Revision Memo 48C):

A 4. An appointing authority may adjust pay for an existing employee, within that employee's current salary range, if the purpose is to eliminate pay inequity created by external market conditions, so long as the existing employee's pay is being compared with the pay of a subsequent hire from outside the City in the same department or agency if the following conditions are met:

- 1.** Employees at or above the level of Manager 1 are eligible for this pay adjustment only if the subsequent hire is also at or above the level of Manager 1.
- 2.** Other employees are eligible for this pay adjustment if the subsequent hire is;
 - a.** In the same classification; or
 - b.** In the same classification series or
 - c.** In a classification in the same occupational group within the same career path performing similar types of duties; or
 - d.** Subordinate to the existing employee in the existing employee's chain of command.

9-~~63~~ ~~66~~ Bilingual Services **Stipend** Differential

- A. An appointing authority may pay an employee bilingual services **stipend differential** if the following conditions have been met:

- B. The effective date of the bilingual services **stipend differential** shall be the beginning of the first work week following receipt of an appointing authority's request to determine bilingual proficiency by CSA, or following the employee's demonstration of proficiency in a second language, whichever date is later.
- C. Employees who are eligible for bilingual services **stipend differential** shall receive a **stipend differential** based on the level of proficiency demonstrated by that employee:

- D. Employees in part time positions shall have bilingual **stipend differential** prorated as follows, based on the amount of hours actually worked in a pay period:

- E. When an employee changes positions and the language skills are not a requirement of the new position, the bilingual services **stipend differential** shall cease.

Section 9-~~65~~ ~~40~~ Work Assignment Outside of Job Classification

~~Section 9-50 Recruitment and Retention Pay~~

~~A.~~ **9-66** Recruitment premium (Revised effective May 20, 2008; Rule Revision Memo 28C):

A department or agency may pay a one-time premium of up to \$4,000 to attract a highly qualified external candidate whose skills, knowledge and/or abilities are deemed essential to the mission of the City. The request must be approved by the Budget and Management office prior to extending the bonus offer. The candidate will be eligible to receive this bonus upon the completion of employment probation.

~~B.~~ **9-67** Relocation premium (Revised effective May 20, 2008; Rule Revision Memo 28C):

A department or agency may pay relocation costs of up to \$7,500 to attract a highly qualified external candidate whose skills, knowledge and/or abilities are deemed essential to the mission of the City. The individual receiving the relocation assistance must stay employed by the city for two (2) years. If the individual voluntarily terminates employment prior to serving two (2) years, he or she must repay part of the relocation pay. The basis for repayment shall be pro-rated for each month of service. The Budget and Management office must approve relocation pay and the employee receiving such pay shall sign a form acknowledging their acceptance of the terms of this rule.