

Career Service Rule Section 2-20 B. - Adoption, Amendment or Repeal of Career Service Rules. When the Board or the OHR Executive 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. 485

A Career Service Board Public Hearing has been scheduled regarding the proposed revision of the Career Service Rule 9-73 B regarding exempt emergency pay.

The scheduled time for the public hearing is **THURSDAY, June 5, 2014, at 5:00 P.M.**, in **Room, 4.G.2.**, Webb Municipal Building, 201 West Colfax Avenue.

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

Pete Garritt
HR Supervisor
Office of Human Resources
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 noon on **Monday, June 2, 2014.**

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 noon on **Monday, June 2, 2014** to get on the agenda.

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AS SOON AS POSSIBLE

RULE PROPOSAL 435B

TO: Appointing Authorities, Managers, and Employees

FROM: Natalie Landau, OHR Deputy Director, and Melissa Fisher, Interim OHR Deputy Director

DATE: May 22, 2014

SUBJECT: Proposed revision of Career Service Rule 9-73 B regarding exempt emergency pay

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

**THURSDAY, June 5, 2014, at 5:00 P.M.
Webb Building Room 4.G.2**

The OHR has proposed a revision of the Career Service Rule 9-73 B regarding the eligibility of exempt employees for emergency pay. This proposal is part of an overhaul of City laws regarding emergency response. Current Career Service Rules regarding the eligibility of exempt employees for overtime limit the City's ability to pay exempt employees for hours worked related to an emergency. Under this proposal, exempt employees who work during a City-wide emergency declared by the Mayor will be paid for each hour worked that was related to the emergency (including time spent in response and recovery efforts after the emergency), even if that employee is not otherwise eligible for overtime under Career Service Rules.

If you would like to schedule a meeting with a member of the OHR 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.

9-73 Interruption of Work and Pay during City-wide Emergency

B. Work interruptions during a City-wide emergency declared by the Mayor:

In addition to pay for the interrupted work hours, employees who work during the hours of a City-wide emergency declared by the Mayor are eligible for compensation for working during hours attributed to the emergency condition as follows:

1. Non-exempt employees shall also receive pay for the actual time they work during the City-wide emergency. For purposes of determining if an employee is entitled to overtime, the work hours interrupted by the City-wide emergency shall be counted as time worked in addition to time actually worked and other amounts, such as paid holidays, periods of paid leave, or any discharge of compensatory time, as provided by the overtime provisions of this rule.
2. a. An employee exempt from overtime shall be paid at the straight time hourly rate for each hour worked that was related to the emergency **even if application of this rule results in an employee who is not otherwise eligible for overtime receiving compensation for time worked and paid leave in excess of forty (40) hours in a work week. Time spent engaged in response and recovery activities after a declared emergency shall be considered to be activities related to an emergency.** ~~Interrupted work hours during a City-wide emergency count as time worked and exempt employees eligible for overtime in accordance with 9-93 Overtime Exceptions will be compensated for hours beyond forty (40).~~
- b. City-wide emergency pay may be paid in either cash or compensatory time off, at the discretion of the appointing authority. Compensatory time may be taken at any time mutually convenient to the employee and the appointing authority. All accrued compensatory time shall be used by March 31st of each calendar year or paid in cash by the final pay period in April of that year.
3. Employees who were on other leave such as paid time off, vacation, compensatory time, sick, or unpaid leave must use that leave unless called back to work. When called back to work, unused leave hours are returned to the banks and work hours are counted.
4. Employees who telecommute must have prior written approval to telecommute from their appointing authority or designee. The written approval shall include the employee's assignment while telecommuting. An employee must demonstrate that he or she accomplished the assignment in accordance with the written approval.