

Career Service Rule Section 2-20 B. - Adoption, Amendment or Repeal of Career Service Rules ("Rules"). When the Board or the OHR Executive Director determines 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 the same bulletin boards as the local, state, and federal-mandated posters, as well as the Career Service Board's internet page, and made available to appointing authorities, employees, and the general public for comments and suggestions. A short summary of the proposed rule change and the reason(s) for the proposed change 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. 587

A Career Service Board Public Hearing has been scheduled regarding proposed provisional revisions to Career Service Rule 13 **PAY FOR PERFORMANCE**.

The scheduled time for the public hearing is **THURSDAY, OCTOBER 18, at 9:00 A.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:

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HR Compliance Officer
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Denver, Colorado 80202
(720) 913-5618
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Comments regarding this notice should be submitted no later than **12:00 P.M. on MONDAY, OCTOBER 15, 2018**.

If anyone wishes to address the Board regarding this notice please contact George Branchaud at (720) 913-5650 or at george.branchaud@denvergov.org no later than **12:00 P.M. on MONDAY, October 15, 2018** to get on the agenda. You are encouraged to submit written comments regarding the subject matter of your testimony at this time so that the Board has time to adequately consider your input.

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

RULE PROPOSAL 477B

TO: Appointing Authorities, Managers, and Employees
FROM: Karen Niparko, OHR Executive Director
DATE: October 4, 2018
SUBJECT: Proposed revisions of Career Service Rule 13 PAY FOR PERFORMANCE

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

**THURSDAY, October 18, 2018, at 9:00 A.M.
Webb Municipal Building Room 4.G.2**

Every year the Office of Human Resources (“OHR”) revises the merit table and performance review schedule in Career Service Rule 13 PAY FOR PERFORMANCE to reflect the amount allocated by the City Council for merit increases and to adjust performance review deadlines. OHR is seeking provisional approval of Rule 13, to be confirmed upon final approval by the City Council of the merit increase allocation. Here is a summary of the proposed rule change:

Rule 13 Pay for Performance			
CURRENT RULE	REVISED RULE	RULE NUMBER	REVISION INTENTION & IMPACT
Departments and agencies are responsible for determining the percentage increase associated with each employee rating based on an open merit table. The proposed percent increase for all eligible employees shall average 3.27% for merit increases and merit payments delivered in 2018.	The proposed percent increase for all eligible employees shall average 3.3% for merit increases and merit payments delivered in 2019.	13-32 B.	Merit increase is adjusted from 3.27% to a proposed 3.3% and year adjusted from 2018 to 2019.
Outdated Merit Table	New Merit Table	13-32 C. 1 Appendix 13.A	Revises the merit table for 2019 to reflect a proposed average 3.3% merit increase and allows employees with a “Successful” rating to receive a lump sum payment. Updates the appendix of the Pay for Performance rule to reflect the 2018 processing deadlines.

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

13-32 Merit Increases and Merit Payments
(Revised October 20, 2017; Rule Revision Memo 31D)

- A. The funding for merit increases and merit payments is provided in the annual appropriation ordinance. The pay increase associated with a particular performance rating shall be reviewed annually and adjusted as necessary to reflect prevailing practices in the community. The award of merit increases and merit payments is contingent upon this annual appropriation being approved by City Council and the Mayor. In case of a conflict between ordinance and these rules, the ordinance will prevail.
- B.
 - 1. Departments and agencies are responsible for determining the percentage increase associated with each employee rating. The percent increase for all eligible employees shall average ~~3.327%~~ **3.27%** for merit increases and merit payments delivered in 2018~~8~~**9**. (Revised October 20, 2017; Rule Revision Memo 31D)
 - 2. When there is a change to an employee's pay rate on the same effective date as the merit increase, the merit increase will be applied before any other pay rate change(s).
- C. Merit Table:
 - 1. Eligibility for merit increases and merit payments is based on an eligible employee's overall annual performance rating as measured by a performance review.

<u>20178 Performance Rating</u>	<u>20188 Merit Increase Percent</u>	<u>20188 Lump Sum Merit Payment Percent</u>
5: Exceptional		
4: Exceeds Expectations	2. 260 26 % - 5.00 5.00 4.60%	1. 380 38 % - 3. 520 52 %
3: Successful		
2: Below Expectations		
1: Unacceptable	0%	0%

- 2. An eligible employee whose current pay rate is within the pay range of the pay grade assigned to the employee's job classification shall receive a merit increase in accordance with the above table.

3. An eligible employee whose current pay rate is at or above the pay range maximum of the pay grade assigned to the employee's job classification shall receive a lump sum merit payment in accordance with the above table.
 4. No eligible employee shall receive a merit increase that exceeds the range maximum of the pay grade assigned to the employee's job classification. If the application of this sub-paragraph results in an employee receiving a merit increase that is less than the percentage increase awarded to the employee, the employee shall receive the difference between the merit increase awarded and the merit increase received in the form of an additional merit payment.
- D. In the case of a declared fiscal emergency by the Mayor, and upon the request of the Mayor, there will be no merit increases or merit payments awarded for increments of at least one year. During the declared fiscal emergency appointing authorities, managers and supervisors shall complete performance reviews for eligible employees, but no merit increases or merit payments will be awarded during this time.

13-33 Pro-ration for New Hires

Employees hired after January 1st and on or before September 30th will have their merit increase pro-rated to the employee's start date.

13-34 Effective Date of Merit Increase

- A. Merit increases and merit payments will be calculated from an employee's annual base salary as of the Saturday before the first Sunday of the calendar year and be effective on the first Sunday of the calendar year for eligible employees who were employed in the Career Service on December 31st of the previous year.
- B. An employee's merit increase shall not be included as part of another pay change (such as a promotional increase), and must be applied as a separate merit increase.

13-35 Performance Review Schedule

Departments and agencies shall submit proposed merit increases and merit payments to the Office of Human Resources ("OHR") as provided in the schedule attached as Appendix A.

13-36 Review of Performance with Employee

Each employee's written performance review shall be reviewed with the employee as provided in the schedule attached as Appendix A.

13-37 Official Records

The annual performance review and any supporting documentation shall be made a permanent part of the employee's official personnel record.

13-38 Discipline

The written performance review and/or PIP(s) may be used as a basis for disciplinary action under Rule 16 **CODE OF CONDUCT AND DISCIPLINE**, up to and including dismissal, if an employee's performance fails to comport with the standards set forth in any of these documents.

13-39 Grievances and Appeals Relating to Performance Reviews

- A. An eligible employee may grieve any performance rating pursuant to Rule 18 **DISPUTE RESOLUTION**.
- B. An eligible employee may appeal a grievance of an "Unacceptable" rating in accordance with Rule 19 **APPEALS**. Appeals of grievances of other ratings are not permitted.
- C. An eligible employee may not grieve or appeal any other aspect of the performance review program.

APPENDIX 13.A

2017~~8~~ PERFORMANCE REVIEW SCHEDULE

DUE DATE	TASK
December 21², 2018⁷	Deadline for performance evaluations for the 201 8 ⁷ calendar year to be completed by supervisors, second level managers, and agency approvers.
January 18, 2019²⁶, 2018⁸	Deadline for appointing authorities to submit merit increase and merit payment recommendations to the OHR. All eligible employees must be accounted for in these recommendations. The percent increase for all eligible employees in a department or agency should average 3. 3 ²⁷ % for merit increases and merit payments delivered in 201 9 ⁸ .
February 22, 2019²³, 2018⁸	Merit increases and merit payments appear on employee paychecks, as well as retroactive merit increases and merit payments for the period from January 6 ⁷ th until February 23 rd .

This Appendix is provided for informational purposes and is not considered a part of the Rules.