

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. 594

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, FEBRUARY 7, 2019 at 4:30 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:

Lauren Locklear  
HR Compliance Officer  
Office of Human Resources  
201 West Colfax, 4<sup>th</sup> Floor  
Department 412  
Denver, Colorado 80202  
(720) 913-5618  
[lauren.locklear@denvergov.org](mailto:lauren.locklear@denvergov.org)

Comments regarding this notice should be submitted no later than **12:00 P.M. on Monday, February 4, 2019**.

If anyone wishes to address the Board regarding this notice please contact George Branchaud at (720) 913-5650 or at [george.branchaud@denvergov.org](mailto:george.branchaud@denvergov.org) no later than **12:00 P.M. on Monday, February 4, 2019** 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 479B**

**TO:** Appointing Authorities, Managers, and Employees  
**FROM:** Karen Niparko, OHR Executive Director  
**DATE:** January 24, 2019  
**SUBJECT:** Proposed revisions to Career Service Rule 9

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

**THURSDAY, February 7, 2019, at 4:30 P.M.**  
**Webb Municipal Building Room 4.G.2**

Please refer to the following table for additional information on the former rule description, the revised rule description, and the intended impact of the revisions to Rule 9:

<b>Rule 9-39 Pay adjustment within the salary range</b>			
<b>CURRENT RULE</b>	<b>REVISED RULE</b>	<b>RULE NUMBER</b>	<b>REVISION INTENTION &amp; IMPACT</b>
An appointing authority may adjust pay to eliminate a pay disparity using a comparator employee	The comparator employee must be in the same department or agency	9-39 A.	The OHR (“Office of Human Resources”) Classification & Compensation team (“Class & Comp”) will always attempt to use a comparator employee in the same department or agency as the first step in a pay equity adjustment
Formerly 9-39 E; Class & Comp may use comparator employees across departments and agencies	If a comparator employee doesn’t exist in the same department or agency, Class & Comp may use comparator employees across departments or agencies	9-39 B.	Reordered for better comprehension; clarifies that Class & Comp will only look at comparators across departments or agencies if a comparator doesn’t exist within that employee’s department or agency
Combining former Rule 9-39 C and F; Appointing authorities are encouraged to submit pay equity requests as soon as a qualifying event has been identified	Appointing authorities <b>must</b> submit pay equity or pay adjustment requests as soon as a qualifying event has been identified	9-39 D.	Requiring pay equity requests to be submitted as soon as a qualifying pay event has been identified will make it easier for Class & Comp to investigate the request

If a pay disparity is based on a protected class OHR will forward the request to the City Attorney's Office to review for a legal recommendation	Deleted	Formerly 9-39 D. (deleted)	This provision is redundant as this type of allegation should be addressed through Rule 16's provisions on discrimination, harassment, and retaliation or through a standard pay equity request
<b>Rule 9-62 Protective service stipend</b>			
<b>CURRENT RULE</b>	<b>REVISED RULE</b>	<b>RULE NUMBER</b>	<b>REVISION INTENTION &amp; IMPACT</b>
State law requires the Department of Human Services (DHS) to have staff available twenty-four hours a day to receive reports of abuse and neglect, conduct initial assessments, and investigate those reports that are appropriate for child and adult protective services.	No substantive changes; Employees may receive a different stipend depending on the type of work assigned	9-62 A.	Specifies provisions of state law that mandate 24-hour Adult Protective Services (APS) and Child Welfare (CW) coverage; employees may receive a different stipend (Child or Adult) because the work required differs for the different roles
The Manager reserves the right to refuse to schedule an employee to respond to emergency calls. The employee's supervisor may allow the employee to use paid or unpaid leave in order to catch up on missed sleep, as appropriate.	Removed these provisions	9-62 B	Deleted previous 9-62 B for redundancy and irrelevance; both CW & APS have internal procedures governing how protective service shifts are assigned; paid and unpaid leave is governed by Rules 10 and 11; new rule 9-62 B clarifies eligibility requirements
Describes shift times and stipend amounts for After-hours Administrator	Details responsibilities and stipend amounts for After-hours Administrator	9-62 C 1	Shift times may change and should be maintained within internal DHS guidelines, not the Career Service Rules
N/A	Details responsibilities and stipend amounts for After-hours Supervisor for CW & APS	9-62 C 2	New category of after-hours duties; duties differ for CW and APS which necessitates different stipend amounts

Describes shift times and stipend amounts for After-hours Responder	Details responsibilities and stipend amounts for After-hours Caseworker	9-62 C 3	Neither CW nor APS uses the "Responder" category; The new category of after-hours duties for "Caseworkers" is more accurate
N/A	Details responsibilities and stipend amounts for After-hours Placement Navigator	9-62 C 4	New category of after-hours duties
Describes shift times and stipend amounts for After-hours Call Taker	Details responsibilities and stipend amounts for After-hours Call Taker for CW & APS	9-62 C 5	Revised Call Taker duties; duties differ for CW and APS which necessitates different stipend amounts
<b>Rule 9-63 <u>Bilingual stipend</u></b>			
An appointing authority may pay a bilingual services stipend if they determine that the employee must use bilingual skills 35% or more of the time	An appointing authority may pay a bilingual services stipend if the supervisor determines that the employee uses bilingual skills regularly to perform their work	9-63 A	Regularly using bilingual skills is a better indicator that the employee is eligible for a bilingual stipend when compared to a percentage that is difficult to measure
The effective date of the bilingual services stipend is the beginning of the work week following receipt of the request to determine bilingual proficiency or following the employee's demonstration of proficiency, whichever date is later	The effective date of the bilingual services stipend shall be the beginning of the work week following the employee's demonstration of proficiency in a second language	9-63 B	An employee demonstrates proficiency when they are certified by the testing provider selected by OHR's Talent Acquisition team
Employees eligible for a bilingual stipend get \$50 for basic skills; \$75 for proficiency in speaking and writing or reading; and \$100 for expert proficiency which includes translation	Employees currently receiving a stipend will receive that same stipend amount; moving forward employees will receive a stipend of \$50	9-63 C	A stipend of \$50 aligns with market bilingual compensation

Employees in part-time positions will have their bilingual stipend pro-rated based on amount of hours worked	N/A	9-63 D	Removing this provision as part-time employees will receive the same stipend as full-time employees
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**ATTACHED BELOW YOU WILL FIND A STRIKETHROUGH VERSION OF THE PROPOSED REVISIONS TO RULE 9 PAY ADMINISTRATION.**

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

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

9-39 Pay adjustment within the salary range  
(Revised September 21, 2017; Rule Revision Memo 30D)

- A. An appointing authority may adjust pay for an employee, within that employee's current salary range, if the purpose is to eliminate a pay disparity, ~~including a pay inequity that is alleged or could be perceived to be based on a protected class,~~ so long as that employee's pay is being compared with the pay of another employee **in the same department or agency** who is:
1. In the same classification; or
  2. In the same classification series; or
  3. In a classification in the same occupational group within the same career path performing comparable types of duties; or
  4. Subordinate to the existing employee in that employee's chain of command.

**B. If such a comparator employee does not exist within the same department or agency, OHR Classification and Compensation may review employees' pay across departments or agencies within the same classification(s), within the same classification series, or within the classification(s) with the same career path with comparable duties.**

**B.C.** A pay adjustment within the salary range requires the approval of the OHR Executive Director. The effective date of any such pay adjustment shall be the beginning of the work week following approval by the OHR Executive Director. In the case of extraordinary circumstances and with the approval of the OHR Executive Director, the effective date of the pay adjustment may be for a retroactive date at the beginning of a work week. However, no retroactive pay adjustment shall extend into the prior fiscal year.

**C.D.** ~~For pay adjustments other than those described in paragraph D of this Rule 9-39,~~ **Appointing authorities must** ~~are encouraged~~ **to submit pay adjustment requests to the OHR as soon as possible after a qualifying pay event has been identified.** The appointing authority's request for approval shall explain:

1. The reason the pay inequity exists, including information about how pay factors (as listed in Rule 9-5.F and/or Appendix 7.A) have contributed to the pay inequity; and
2. If applicable, why employees in the same classification in the same work group are not being considered in the request. This explanation should

include information about how the excluded employees are not affected by the pay factors (as listed in Rule 9-5.F and/or Appendix 7.A).

~~D. When the OHR Executive Director receives a request for a pay equity adjustment within the salary range to rectify a pay disparity that is alleged, or could be perceived to be, based on a protected class, the OHR Executive Director shall forward the request to the City Attorney's Office for review. For these pay equity adjustments, the appointing authority's request for approval shall:~~

- ~~1. Identify the employee's protected class (e.g., race, sex, etc.); and~~
- ~~2. Explain why the employee's protected class is alleged to be, or could be perceived to be, the reason for the inequity.~~

~~Once the City Attorney's Office completes its review, it shall provide the OHR Executive Director with its legal recommendations regarding the request. A pay equity adjustment pursuant to this paragraph D does not constitute an admission that the City, or any department or agency, discriminated against any employee.~~

~~E. The OHR Classification and Compensation Division may review employees' pay across departments or agencies within the same classification(s), within the same classification series, or within the classification(s) with the same career path with comparable duties in order to make recommendations on pay actions to be submitted to appointing authorities for consideration of pay action.~~

~~F. Appointing authorities are encouraged to submit pay equity or pay adjustment requests to the OHR as soon as possible after a qualifying pay event has been identified. Requests must be made using the current OHR Classification and Compensation Pay Equity Adjustment Request form.~~

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#### 9-62 Protective Service Stipend

(Revised January 11, 2016; Rule Revision Memo 16D)

A. State law **Volumes 7 and 30 of the Code of Colorado Regulations** requires the Department of Human Services (DHS) to have staff available twenty-four hours a day to receive reports of abuse and neglect, conduct initial assessments of such reports that are deemed emergencies, and investigate those reports that are appropriate for child and adult protective services. In order to meet this requirement, the Manager of Human Services (Manager) **for the Department of Human Services** may schedule eligible employees to be available to respond to emergency calls at night, **and on** weekends, mandated furlough days, and holidays. Employees so scheduled will be entitled to receive a Child **or Adult** Protective Service Stipend **(together referred to as "Protective Service Stipend" or "Stipend") depending on the type of work assigned.** ~~as provided below.~~ An employee who is scheduled to respond to emergency calls is expected to:

1. Be available by telephone;

2. Be in a non-impaired condition that allows the employee to safely perform job duty assignments; and
3. Respond to a call and perform work within time frames established by the DHS.

Employees who are scheduled to respond to emergency calls and fail to meet these expectations may be subject to disciplinary action, up to and including dismissal.

~~B.~~ The Manager reserves the right to refuse to schedule an employee to respond to emergency calls. The employee's supervisor may allow the employee to use paid or unpaid leave in order to catch up on missed sleep, as appropriate.

~~G.~~ **B.** To be eligible for a the Protective Service Stipend, the employee must 4. ~~B~~**b** be exempt from overtime under Federal law and the Career Service Rules (employees who are eligible for overtime may receive standby pay as provided in the Career Service Rules) **and meet other eligibility requirements as stated below.** ; and

2. ~~Be at least at the type and level of Social Case Worker Supervisor in order to be eligible to be assigned After hours Administrator duties.~~

**D.C. Protective Service Stipend Eligibility and Amounts**

~~After hours emergency response duties for will be assigned and paid as follows:~~

1. After-hours Administrator.
  - a. ~~Supervises the After hours Call Taker, and the After hours Responder.~~
  - a. **An employee must be at the type and level of Administrator II to be assigned After-hours Administrator duties.**
  - b. **An After-hours Administrator supervises the After-hours Supervisor, the After-hours Caseworker, the After-hours Placement Navigator, the After-hours Call Taker, and directly supervises any egregious and fatal or near fatal allegations needing response during nights, weekends or holidays.**
  - c. **Stipend: \$40 per shift worked; \$60 per shift worked on paid City holidays and mandated furlough days.**
    - i. ~~After hours Administrator shifts on weekend days, paid City holidays, and mandated furlough days begin at 7:00 a.m. and end at 7:00 a.m. on the following day.~~
    - ii. ~~After hours Administrator shifts on work days begin at 4:30 p.m. and end at 7:00 a.m. on the following day.~~



- ~~c. i. Employees whose After hours Administrator shift begins on a paid City holiday or mandated furlough day will receive a \$50 Protective Service Stipend for that shift.~~
- ~~ii. Employees whose After hours Administrator shift begins on any other day will receive a \$40 Protective Service Stipend per shift.~~

2. **After-hours Supervisor.**

a. **Child Welfare**

**i. An After-hours Supervisor supervises the After-hours Caseworker through monitoring of call logs and being available by phone to staff critical decisions and determine if immediate response is warranted.**

**ii. Stipend: \$75 per shift worked; \$100 per shift worked on paid City holidays and mandated furlough days.**

b. **Adult Protective Services (“APS”)**

**i. Available by phone to APS After-hours Call Takers to make critical decisions and determine what level of response is warranted.**

**ii. Stipend: \$30 per shift worked; \$50 per shift worked on paid City holidays and mandated furlough days.**

3. **After-hours Caseworker.**

**a. An After-hours Caseworker answers after-hours hotline calls, generates referrals and determines an appropriate response after consulting with the After-hours Supervisor. If an immediate or in-person response is required, the Caseworker will respond in the field to gather additional information and assess for safety.**

**b. Stipend: \$200 per shift worked on a weekday; \$300 per shift worked on a weekend day; \$350 per shift worked on paid City holidays and mandated furlough days.**

~~3. **After hours Responder.**~~

~~a. Responds to emergency after hours calls at the direction of the After hours Administrator.~~

~~b. After hours Responder duties will be assigned a shift at a time.~~

- ~~i. After hours Call Responder shifts on weekend days, paid City holidays, and mandated furlough days begin at 7:00 a.m. on the weekend day, holiday, or furlough and run between 7:00 a.m. and 7:00 p.m.; 7:00 p.m. and 7:00 a.m.; and end at 7:00 a.m. on the following day.~~
- ~~ii. After hours Call Responder shifts on work days begin at 4:30 p.m. and end at 7:00 a.m. on the following day.~~
- ~~c. i. Employees whose After hours Call Responder shift begins on a paid City holiday or mandated furlough day will receive a \$50 Protective Service Stipend for that shift. If the employee responds to one emergency call during that shift at the direction of the After hours Call Administrator, the employee will be paid a \$150 stipend. If the employee responds to two or more emergency calls during that shift at the direction of the After hours Call Administrator, the employee will be paid a \$195 stipend.~~
- ~~ii. Employees whose After hours Call Responder shift begins on any other day will receive a \$40 Protective Service Stipend per shift. If the employee responds to one emergency call during that shift at the direction of the After hours Call Administrator, the employee will be paid a \$115 stipend. If the employee responds to two or more emergency calls during that shift at the direction of the After hours Call Administrator, the employee will be paid a \$160 stipend.~~

**4. After-hours Placement Navigator**

- a. An After-hours Placement Navigator manages the placement of children in DHS custody or on a safety plan, including but not limited to, documenting placement efforts and ensuring requisite background checks are completed in a timely fashion.**
- b. Stipend: \$75 per shift worked; \$ 95 per shift worked on paid City holidays and mandated furlough days.**

**5. After-hours Call Taker (non-responder).**

- a. Child Welfare**
  - i. An After-hours Call Taker is scheduled as needed to support increased hotline call volume in order to answer after-hours hotline calls, generate referrals, and determine an appropriate response after consulting with the After-hours Supervisor.**
  - ii. Stipend: \$130 per standard shift worked; \$150 stipend**

per shift worked on paid City holidays and mandated furlough days.

**b. Adult Protective Services**

**i. An After-hours Call Taker answers after-hours hotline calls, generates referrals, and acts as first point of contact for after-hours incidents and emergencies related to County wards. Responses can include additional information gathering via phone or coordinating with the APS After-hours Supervisor to determine if emergency medical or other decision-making is required.**

**ii. Stipend: \$70 per weekday shift worked; \$100 per weekend shift worked; \$120 per shift worked on paid City holidays and mandated furlough days.**

~~a. Answers after hours hotline calls and determines an appropriate response after consulting with the After hours Administrator.~~

~~b. After hours Call Taker duties will be assigned a shift at a time.~~

~~i. After hours Call Taker shifts on weekend days begin at 7:00 a.m. on Saturday and run between 7:00 a.m. and 3:00 p.m.; 3:00 p.m. and 11:00 p.m.; 11:00 p.m. and 7:00 a.m.; and end at 7:00 a.m. on Monday.~~

~~ii. After hours Call Taker shifts on paid City holidays and mandated furlough days begin at 7:00 a.m. on the holiday or furlough and run between 7:00 a.m. and 7:00 p.m; 7:00 p.m. and 7:00 a.m.; and end at 7:00 a.m. on the following day.~~

~~iii. After hours Call Taker shifts on work days begin at 8:00 p.m. and end at 7:00 a.m. on the following day.~~

~~c. i. Employees whose After hours Call Taker shift begins on a paid City holiday or mandated furlough day will receive a \$150 Protective Service Stipend for that shift.~~

~~ii. Employees whose After hours Call Taker shift begins on any other day will receive a \$130 Protective Service Stipend per shift.~~

**D.E** The City is required by Federal law to treat exempt employees like non-exempt employees during a week in which the exempt employee takes an unpaid furlough. If an exempt employee is assigned after-hours emergency response duties during a week in which a mandated furlough is scheduled to occur, the employee shall be required to work on the mandated furlough day, and take an

unpaid furlough day during another week that year in which the employee has not been assigned after-hours emergency response duties. If an exempt employee does take a furlough day during a week in which the employee has been assigned after-hours emergency response duties, the employee will be paid for all time spent performing emergency response duties in addition to the stipend provided by this rule.

9-63 Bilingual Services Stipend

(Revised December 21, 2012; Rule Revision Memo 66C)

- A. An appointing authority may pay an employee bilingual services stipend if the following conditions have been met:
  - 1. The **employee's supervisor** appointing authority has determined that the employee's position requires that the employee use bilingual skills **regularly to perform their work** thirty-five percent (35%) or more of the time; **and**
  - 2. The classification specification for the employee's classification does not require bilingual skills for all incumbents of that classification; and
  - 3. The employee demonstrates a proficiency in the second language, according to procedures established by the OHR Executive Director.
- B. The effective date of the bilingual services stipend shall be **the beginning of the work week following the employee's demonstration of proficiency in a second language**. ~~the beginning of the first work week following receipt of an appointing authority's request to determine bilingual proficiency by the OHR, or following the employee's demonstration of proficiency in a second language, whichever date is later.~~
- C. Employees who are **become** eligible for bilingual services stipend **after February 11, 2019** shall receive a stipend **of fifty dollars (\$50) per pay period**. **Employees who were receiving a bilingual stipend prior to February 11, 2019 shall retain that stipend amount. However, if an employee receiving a bilingual stipend prior to February 11, 2019 loses eligibility for the stipend, upon regaining eligibility they will receive a stipend of fifty dollars (\$50) per pay period.** ~~based on the level of proficiency demonstrated by that employee:~~
  - 1. ~~Fifty dollars (\$50) per pay period for basic conversational skills;~~
  - 2. ~~Seventy five dollars (\$75) per pay period for proficiency in the language in both speaking and writing or reading; and~~
  - 3. ~~One hundred dollars (\$100) per pay period for expert proficiency in the language which includes translation skills.~~
- D. ~~Employees in part time positions shall have bilingual stipend pro-rated as follows, based on the amount of hours actually worked in a pay period:~~

	<b><u>BASIC</u></b>	<b><u>MID-LEVEL</u></b>	<b><u>EXPERT</u></b>
80 hours or more	\$50.00	\$75.00	\$100.00
60-79 hours	\$37.50	\$56.25	\$ 75.00

<del>40-59 hours</del>	<del>\$25.00</del>	<del>\$37.50</del>	<del>\$ 50.00</del>
<del>20-39 hours</del>	<del>\$12.50</del>	<del>\$18.75</del>	<del>\$ 25.00</del>
<del>Less than 20 hours</del>	<del>\$ 5.00</del>	<del>\$10.00</del>	<del>\$ 15.00</del>

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