Public Hearing Notice - No. 655

A Career Service Board Public Hearing has been scheduled regarding the proposed adoption of a revision to Career Service Rule 9-65 - Work Assignment Outside of Job Classification.

The scheduled time for the public hearing is Thursday, October 21, 2020 at 9:00 A.M., in the Career Service Hearings Office, First Floor, Webb Municipal Building, 201 West Colfax Avenue, Denver.

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

George Branchaud
Administrator
Office of Human Resources
(720) 913-5650
george.branchaud@denvergov.org

Comments regarding this notice should be submitted no later than 12:00 P.M. on Monday, October 18, 2021.

If anyone wishes to address the Board regarding this notice, please contact George Branchaud at (720) 913-5650 or george.branchaud@denvergov.org no later than 12:00 P.M. on Wednesday, October 20, 2021 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.
RULE REVISION PROPOSAL 74D

TO: Appointing Authorities, Managers, and Employees
FROM: Rory McLuster & Cindy Bishop, Co-Interim OHR Executive Directors
DATE: Friday, October 8, 2021
SUBJECT: Proposed adoption of a revision to Career Service Rule 9-65 - Work Assignment Outside of Job Classification

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

October 21, 2021, at 9:00 A.M.

<table>
<thead>
<tr>
<th>CURRENT RULE</th>
<th>REVISED RULE</th>
<th>RULE NUMBER</th>
<th>REVISION INTENTION &amp; IMPACT</th>
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<tbody>
<tr>
<td>9-65 Work Assignment Outside of Job Classification</td>
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<td>9-65 A.</td>
<td>Amended the timeframe for working out of classification assignments are from one month to one year to ensure that assignments are not less than one month. Added that the beginning of the workweek is the next available Sunday. Added a 4th section under A, which states that pay shall be set within the range of the assigned classification, meaning that an employee’s working out of classification pay cannot be below the range minimum or higher than the range maximum of the classification in which the employee is assigned to work out of classification.</td>
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A. An appointing authority may temporarily assign the duties of a vacant or temporarily unoccupied position in a higher-level classification to an employee in a lower level classification for a period of up to one year in accordance with the criteria established in this rule. An extension of six months may be considered, with sound business rationale, for approval by the OHR Executive Director.

1. Employees are eligible for additional pay for such assignments when they have been assigned a majority (70% or more) of the duties and responsibilities of the vacant or temporarily unoccupied position in the higher-level classification;

2. Assignments of duties from any vacant or temporarily unoccupied position in a higher classification may be assigned to one employee only; multiple employees may not share a working out-of-classification

A. An appointing authority may temporarily assign the duties of a vacant or temporarily unoccupied position in a higher-level classification to an employee in a lower level classification for a period of no less than one month and up to one year in accordance with the criteria established in this rule. An extension of six months may be considered, with sound business rationale, for approval by the OHR Executive Director.

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<td>3. The additional work and additional pay for work outside of an employee’s job classification shall start at the beginning of a work week; the additional pay shall continue for the duration of the assignment.</td>
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<td>4. <strong>Pay shall be set within the pay range of the assigned classification and cannot be below the range minimum or above the range maximum.</strong></td>
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9-65 Work Assignment Outside of Job Classification

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1. Employees are eligible for additional pay for such assignments when they have been assigned a majority (70% or more) of the duties and responsibilities of the vacant or temporarily unoccupied position in the higher-level classification;

2. Assignments of duties from any vacant or temporarily unoccupied position in a higher classification may be assigned to one employee only; multiple employees may not share a working out-of-classification assignment and qualify for additional pay;

3. The additional work and additional pay for work outside of an employee’s job classification shall start at the beginning of a work week, which is the next available Sunday: the additional pay shall continue for the duration of the assignment.

4. Pay shall be set within the pay range of the assigned classification and cannot be below the range minimum or above the range maximum.

B. Working out-of-classification pay shall be set by the appointing authority with consideration given to the number of grade differences, and the percentage of work being performed of the higher-level classification as follows:

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<th>Working Out-of-Classification Scenario</th>
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<td>The vacant higher-level classification is 1 or 2 pay grades higher</td>
<td>8%</td>
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<tr>
<td>The vacant higher-level classification is more than 2 pay grades higher</td>
<td>12%</td>
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If the employee’s current classification is non-exempt and the employee will perform higher-level duties of an exempt classification, the employee retains their non-exempt pay status for overtime purposes.

If the employee is non-exempt and performing the work of an exempt classification, contact your OHR Classification and Compensation Analyst who will determine the pay grade difference.