

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. 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](mailto: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 at [george.branchaud@denvergov.org](mailto: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.

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

**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.**

CURRENT RULE	REVISED RULE	RULE NUMBER	REVISION INTENTION & IMPACT
<p>9-65 Work Assignment Outside of Job Classification</p> <p>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.</p> <ol style="list-style-type: none"> <li>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;</li> <li>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</li> </ol>	<p>9-65 Work Assignment Outside of Job Classification</p> <p>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 <b><u>no less than one month and</u></b> 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.</p> <ol style="list-style-type: none"> <li>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;</li> <li>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</li> </ol>	<p>9-65 A.</p>	<p>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.</p> <p>Added that the beginning of the workweek is the next available Sunday.</p> <p>Added a 4<sup>th</sup> 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.</p>

CURRENT RULE	REVISED RULE	RULE NUMBER	REVISION INTENTION & IMPACT
<p>assignment and qualify for additional pay;</p> <p>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.</p>	<p>assignment and qualify for additional pay;</p> <p>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, <b><i>which is the next available Sunday</i></b>; the additional pay shall continue for the duration of the assignment.</p> <p>4. <b><i>Pay shall be set within the pay range of the assigned classification and cannot be below the range minimum or above the range maximum.</i></b></p>		

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

### **9-65 Work Assignment Outside of Job 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.
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:

<b>Working Out-of-Classification Scenario</b>	<b>Pay Increase %</b>
The vacant higher-level classification is 1 or 2 pay grades higher	8%
The vacant higher-level classification is more than 2 pay grades higher	12%

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.