



**CITY AND COUNTY OF DENVER  
CAREER SERVICE AUTHORITY**

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**MEMORANDUM**

**REVISION 245, SERIES B**

**TO:** Holders of CSA Rule Books  
**FROM:** CS Board  
**DATE:** December 22, 2003  
**SUBJECT:** Personnel Rule Revisions–  
Revision to Rule 11-51 Military Leave With Pay and  
Rule 11-55 E. Military Pay Differential

The Career Service Board has adopted amendments to Rule 11-51 and Rule 11-55 that were published as Rule Proposal 339, B. The effective date of this revision is December 22, 2003.

	<b><u>Page Number</u></b>	<b><u>Effective Date(s)</u></b>
<b>Remove</b>	11-10 thru 11-11	August 30, 2002
<b>Insert</b>	11-10 thru 11-11	December 22, 2003
<b>Remove</b>	11-12.2	August 30, 2002
<b>Insert</b>	11-12.2	December 22, 2003

**PLEASE INSERT IN YOUR RULE BOOK IMMEDIATELY. THANK YOU.**

## Section 11-40 Administrative Leave

### 11-41 Basis of Granting

- A. Administrative Leave for Grievances or Appeals:  
Appointing authorities shall grant an employee administrative leave with pay to present grievances or appeals to an official of the City and County or to represent an employee presenting a grievance or an appeal. However, if flexibility exists as to the exact date and time, the leave shall be granted at the convenience of the appointing authority.
- B. Administrative Leave for alternative dispute resolution proceedings:  
Appointing authorities shall grant an employee administrative leave with pay to participate in the Career Service Authority alternative dispute resolution program. Administrative leave with pay shall be granted to employees who participate in mediation either as a party or as the mediator and to an employee who attends mediator training.
- C. Administrative Leave for Exemplary Performance:  
An appointing authority may grant an employee one day of administrative leave per year with pay for exemplary performance, such as Employee of the Quarter, Employee of the Year, or if the appointing authority wishes to recognize an employee's outstanding contribution to the agency.
- D. Other Grounds for Administrative Leave:  
Appointing authorities may grant an employee administrative leave with pay for the following purposes:
1. To compete for positions in the Career Service, including all related interviews and examinations.
  2. To serve as a witness in a federal, state or municipal court or in an administrative proceeding, when requested by the appointing authority or other authorized person to represent the City's interest in the legal proceedings, when not eligible for court leave under subsection 11-71.

### 11-42 Effect of Administrative Leave on Eligibility for Merit Increase

Approved administrative leave shall not affect eligibility for a merit increase.

## Section 11-50 Military Leave

(11/1/80, 127A; 10/11/01, 218B, 8/26/02, 227B)

It is the intention and purpose to comply with the provisions of the Uniformed Services Employment and Reemployment Rights Act.

11-51 Military Leave With Pay  
(11/1/80, 127A; 12/22/03, 245B)

All Career Service probationary and career status employees shall be eligible for up to fifteen (15) days, not to exceed one hundred twenty (120) hours, of paid military leave each calendar year. Request for such leave shall be made in advance and in writing.

Military leave with pay shall be subject to the following provisions:

- A. Military Pay  
(1/3/02, 221B)  
Employees shall be placed on leave with pay for those days the employee is engaged in military training or service. The City shall pay the employee his or her full City pay annually for up to fifteen (15) days of military leave.
- B. Effect on eligibility for merit increase:  
(9/1/89, 129B)  
Military leave shall not affect eligibility for a merit increase.
- C. Effect on vacation and sick leave accruals:  
Military leave with pay shall not affect eligibility for vacation or sick leave accrual

11-52 Military Leave Without Pay  
(9/26/72, 78A; 11/1/80, 127A; 2/14/85, 71B)

- A. A career status or probationary employee who continues in military service beyond the time for which leave with pay is allowed shall be placed on military leave without pay. Such request for military leave without pay shall be made in advance, when possible, in writing or by oral notification. In the event of military necessity, if the employee is unable to provide advance notice, the employee may give notice after starting duty.
- B. An employee in military leave without pay status may be eligible for a military pay differential. A military pay differential is for employees who are called to active military duty with written orders for services exceeding one hundred and seventy nine (179) days because of war or national emergency.

11-53 Granting Military Leave Without Pay

Military leave without pay shall be subject to the following provisions:

- A. Duration:  
Military leave without pay shall be granted for the duration of active military service not to exceed five (5) years plus ninety (90) days from the date of discharge, provided that extensions shall be granted where the employee is required to serve a longer period of time involuntarily because of a war or national emergency.
- B. Effect on vacation and sick leave:

employee would have received if he/she had not been called to active duty. The employee shall be responsible for requesting the military pay differential and providing the following:

1. Written request for the military pay differential within thirty (30) days of returning to city employment,
  2. Written documentation of the military pay and benefits to include but not limited to leave and earnings statements and temporary duty payment vouchers, and
  3. Any other documentation required by the CSA Director in accordance with procedures that may be established.
- B. The CSA Director in conjunction with the Auditor's Office shall establish a procedure by which each case will be reviewed for reimbursement. The procedure shall include, but not be limited to, a differential pay request form, a list of written documentation required to be submitted with the request form and a standard calculation method to determine the differential compensation.
- C. Any overpayment of funds to the employee shall be reimbursed to the City in a lump sum or six equal payments once the employee returns to his or her position unless the CSA Director determines that extenuating circumstances exist.
- D. The military pay differential provision of the rule shall be retroactive to September 11, 2001.
- E. The military pay differential provision of the rule shall automatically be repealed as of 11:59 p.m. on December 31, 2004. (12/22/03, 245B)

Section 11-70 Court Leave  
(4/27/56, 15A)

11-71 Policy  
(9/1/82, 41B)

An employee who is required to serve as a juror in a Federal, State, or Municipal Court, or who is subpoenaed to testify concerning matters arising out of performance of his or her duties, shall be granted court leave with full pay to serve in that capacity.

11-72 Procedure

An employee who is called for witness or jury duty shall present to his supervisor the original summons or subpoena from the court and, at the conclusion of such duty, a signed statement from the Clerk of the Court or other evidence showing the actual time of attendance at court.