

**MEMORANDUM**

**REVISION 36 SERIES D**

**TO:** Holders of Career Service Rule Books

**FROM:** Career Service Board

**DATE:** April 9, 2018

**SUBJECT:** Amendment to Career Service Rule Section 5-40 Medical Examinations Following a Conditional Offer of Employment

The amendment to Career Service Rule Section 5-40 was approved by the Career Service Board on April 5, 2018. Please insert the following pages in your rule book as soon as possible. Thank you.

<b><u>Page Numbers to Remove</u></b>	<b><u>Page Numbers to Insert</u></b>
Page 5-10 Page issuance date: November 18, 2015	Page 5-10 Page issuance date: April 9, 2018
Page 5-11 Page issuance date: November 18, 2015	Page 5-11 Page issuance date: April 9, 2018

### 5-36 Senior Command Staff Status

- A. Every employee in a position in a classification in the Deputy Sheriff pay schedule who is appointed to a position in the Deputy Sheriff Major or Deputy Sheriff Division Chief classifications after May 31, 2014 shall hold Senior Command Staff status for the duration of the appointment and shall not serve a probationary period. However, such employee shall retain career status attained in his or her former classification and be entitled to return to a position in that classification when the employee's Senior Command Staff status ends.
- B. An employee in Senior Command Staff status retains the rights, privileges, and benefits the employee had by virtue of his or her status prior to the appointment, except that the employee:
  - 1. May be returned to a position in his or her former classification at any time. Upon returning, the employee shall receive the same rate of pay he or she was receiving prior to his or her appointment to a position in the Deputy Sheriff Major or Deputy Sheriff Division Chief classifications (Senior Command Staff position), after taking into account the effect of any pay changes or classification changes to the employee's former position and classification that occurred during the period between the appointment and the return; and
  - 2. May not grieve or appeal his or her removal from a Senior Command Staff position.

Employees who were appointed to Senior Command Staff positions prior to June 1, 2014 shall retain career status attained in that position and shall not be considered to have Senior Command Staff status.

### Section 5-40 Medical Examinations Following a Conditional Offer of Employment (Revised April 9, 2018; Rule Revision Memo 36D)

#### 5-41 Medical Groups

All classifications in the Career Service shall be allocated to a medical group by the City's Risk Management Office. The medical groups are as follows:

- A. Sedentary (1): Work that involves lifting no more than 10 pounds at a time.
- B. Light (2): Work that involves lifting no more than 20 pounds at a time with frequent lifting or carrying of objects weighing up to 10 pounds.
- C. Medium (3): Work that involves lifting no more than 50 pounds at a time with frequent lifting or carrying of objects weighing up to 25 pounds.

- D. Heavy (4): Work that involves lifting no more than 100 pounds at a time with frequent lifting or carrying of objects weighing up to 50 pounds.
- E. Very Heavy (5): Work that involves lifting objects more than 100 pounds at a time with frequent lifting or carrying of objects weighing 50 pounds or more.

#### 5-42 Adoption of Medical Standards

Medical criteria for each medical group or for individual classifications within a medical group shall be proposed by the Medical Director at the Center for Occupational Safety and Health at Denver Health or by another designated provider (as defined in Chapter 18, Article VII of the Denver Revised Municipal Code – Treatment of Occupational Injury or Disease) and approved by the City’s Risk Management Office. Medical criteria must be job-related and consistent with business necessity. Medical criteria shall be used as a guide in determining an applicant’s ability to perform the essential physical functions of a position either with or without reasonable accommodations.

#### 5-43 Medical Examinations

- A. Whether an applicant is required to submit to a medical examination after receiving an offer of employment is set by the applicable job classification specification. The offer of employment shall be conditioned on the results of the medical examination. The examination shall be administered by the Center for Occupational Safety and Health at Denver Health or by another designated provider (as defined in Chapter 18, Article VII of the Denver Revised Municipal Code – Treatment of Occupational Injury or Disease). The examination shall be completed after the conditional offer of employment has been given to the applicant and before the first day of work.
- B. If it is determined that the applicant is unable to perform the essential functions of the position with or without reasonable accommodations, the offer of employment shall be rescinded.

#### Section 5-50 Dual Incumbency

Subject to approval by the Budget and Management Office, or its designee, an employee may be appointed to occupy a position currently occupied by another employee for a period not to exceed three (3) months. If it is desired to continue such an arrangement for more than three months, it shall be done by the creation of a limited position rather than dual incumbency in a single position.