

MEMORANDUM

REVISION 50 SERIES C

TO: Holders of CSA Rule Books
FROM: Career Service Board
DATE: September 21, 2010
SUBJECT: Revisions to Career Service Rules

Career Service Rule 2-20 B.8. provides that:

The following changes to the Rules may be made by the Personnel Director without following the above-stated procedure: re-numeration; spelling and typographical error corrections; and revision and updating of internal references, appendices, and/or table of contents. Such changes may be published as administrative changes without the approval of the Board.

Listed below is a brief summary of the types of administrative changes that have been made in this revision:

- Standardizing terminology
- Correcting references to Rule titles
- Fixing omissions
- Fixing typographical errors
- Fixing outdated references to the City Charter
- Updating appendices

	<u>Page Number</u>	<u>Issuance Dates</u>
Remove:	6-2 6.A.-3, 4 10-12 14-1 14-2 14-3 14-4, 5 14-5.1 14-6, 7 14-8, 9, 10 19-9	January 22, 2010 January 22, 2010 December 29, 2009 January 23, 2001 May 4, 2007 March 19, 2004 May 4, 2007 June 8, 2007 March 19, 2004 December 29, 2009 January 1, 2006
Replace:	6-2 6.A.-3, 4 10-12 14-1 through 11 19-9	September 21, 2010

PLEASE INSERT IN YOUR RULE BOOK AS SOON AS POSSIBLE. THANK YOU.

- B. Employees appointed to supervisory or managerial positions are required to complete supervisory training prior to the completion of their probationary period that addresses the following topics;
 - 1. The Performance Enhancement Program and Performance Enhancement Program Reports;
 - 2. Counseling and discipline; and
 - 3. Employment laws and Career Service Rules.
- C. Supervisory training is also required for employees promoted to positions with assigned supervisory duties in classifications which provide that supervisory duties may be assigned by position, even if these classifications are not ordinarily considered supervisory or managerial.
- D. Before a request to re-allocate an employee to a supervisory or managerial classification can be accepted, the employee must have completed this supervisory training.
- E. Failure to complete the required training course work shall result in the extension of probation until the course work has been completed, in accordance with Rule 5 **APPOINTMENTS AND STATUS**. City departments and agencies are expected to make sure their employees meet the training requirements of this rule.
- F. Employees who have completed the required training within the three years prior to the effective date of appointment, promotion, or the submittal of a the re-allocation request are not required to take the training again as a condition of passing probation or of having CSA consider a re-allocation request.
- G. Departments or agencies may conduct training to fulfill the requirements established above, with the approval of the Career Service Personnel Director. Departments or agencies that conduct such training shall provide CSA with documentation evidencing the completion of the required training. Such documentation shall include the course title, the names of employees who have completed the training, and the date of completion.

Section 6-30 Training Leave

The use of leave to take training courses is governed by Rule 10 **PAID LEAVE**.

CLASSIFICATION TITLE	SUPERVISORY LEVEL	JOB CODE
Director of Aviation Maintenance	4	CA0794
Director Of Clinical Social Work	4	CO0572
Director of Employee Assistance	6	CA0806
Director of Hospital Housekeeping/Security	4	CA0804
Director of IT Customer Relationships	5	CI2407
Director of Technical Physician Services	8	CD1068
Director Of Nursing	8	CO0573
Director of Pharmacies	4	CO0576
Diversion Officer Supervisor	6	CH0519
Economic Development Supervisor	6	CA2174
Electrical Supervisor	6	CT0112
Electrocardiograph Technician Supervisor	6	CH0524
Electronics Technician Supervisor	6	CT0114
Emergency Service Supervisor	6	CH1901
Engineer/Architect Supervisor	6	CE0403
Environmental Public Health Manager	4	CE2271
Environmental Public Health Program Supervisor	6	CE2270
Executive Manager	8	CA1760
Facilities Superintendent	7	CT1910
Facility and Grounds Maintenance Crew Sup.	6	CJ1912
Field Superintendent	7	CJ1917
Fire Protection Supervisor	6	CE0410
Fleet Maintenance Engineer	6	CE0411
Fleet Superintendent	7	CT1882
Food Production Supervisor	6	CS0468
Food Service Custodial Supervisor	6	CS1733
Forensic Autopsy Technician Supervisor	6	CH1655
Forensic Scientist Supervisor	6	CE2195
GIS Photogrammetry Administrator	6	CI0344
Golf Course Operator	6	CG1927
Golf Professional	6	CG1928
Graphics Supervisor	6	CG2044
Health Information Supervisor	6	CH1624
Heating Ventilating, and Air Conditioning Sup.	6	CT0140
Heavy Equipment Mechanic Line Supervisor	6	CT0131
HIV Grant/Contract Manager	7	CA0875
Hospital Housekeeping Manager	7	CJ1934
Human Resources Supervisor	6	CA0926
Human Resources Technician Supervisor	6	CA2219
Human Service Supervisor	6	CH1936
Imaging Operations Supervisor	7	CH0528
Information Security Manager (By Position)	6	CI1870

CLASSIFICATION TITLE	SUPERVISORY LEVEL	JOB CODE
Information Technology Project Manager (By pos.)	6	CI1677
Information Technology Section Manager	7	CI1564
Information Technology Supervisor	6	CI1563
Information Technology Technician Supervisor	6	CI1661
Inpatient Transportation Supervisor	6	CJ1939
Institution Food Steward Supervisor	6	CS0479
Internal Audit Supervisor	6	CV2241
Investigator Supervisor	6	CN1940
Landscape Architect Supervisor	6	CE0417
Laundry Manager	7	CS0481
Laundry Supervisor	6	CS0482
Legal Administrator	6	CA0895
Maintenance Control Supervisor	6	CS1724
Mammography Technologist Supervisor	6	CH0533
Management Analyst Supervisor	6	CA2255
Manager 1	4	CA1744
	4	CE2168
	4	CI1745
	4	CV1951
Manager 2	5	CA1748
	5	CE1749
	5	CI1750
	5	CV1955
Marketing/Public Relations Administrator	6	CA1977
Materials Laboratory Administrator	6	CE2408
Mechanic Line Supervisor	6	CT0149
Medical Imaging Manager	7	CH0535
Medical Interpreter Supervisor	6	CS1693
Medical Technologist Section Supervisor	6	CO0583
Medical Technologist Unit Supervisor	6	CS0585
Motor Vehicle Supervisor	6	CC2351
Multiple Trades Supervisor	6	CT0152
Nuclear Medicine Technologist Supervisor	6	CH0538
Nursing Clinical Coordinator	6	CO0593
Nursing Operations Manager	5	CO0594
Nursing Program Manager	6	CO0595
Occupational Therapist Supervisor	6	CO0599
Operational Supervisor I	6	CA2313
Operational Supervisor II	7	CA2314
Operations Supervisor	6	CJ1982
Outreach Case Coordinator Supervisor	6	CH2377
Paramedic Dispatch Supervisor	6	CS0490

3. A Career Service employee may donate PTO or sick leave to a non-Career Service City employee provided that the recipient employee's department or agency and any applicable collective bargaining agreement allow employees to receive donations of leave from Career Service employees and provided that the applicable donor requirements have been met.
4. A Career Service employee may donate PTO or sick leave to, or receive donated sick leave from, an employee covered by the Undersheriff pay schedule to the extent permitted by the applicable collective bargaining agreement and provided that the donor and recipient requirements applicable to the non-Undersheriff employee have been met.

B. Recipient requirements:

1. Before an employee can receive donated leave, the employee (or the employee's representative) must provide notice to the Department of Finance that the employee anticipates a need for donated leave. Such notice shall estimate how much donated leave the employee expects to use in the current calendar year. Should the employee need more donated leave beyond the original estimate, the employee shall provide notice of this to the Department of Finance before the employee can receive additional donations.
2. In order to use donated leave, an employee must:
 - a. Have exhausted his or her accumulated compensatory time, sick leave and vacation leave or PTO, be absent from work and;
 - i. Be receiving disability leave, or temporary disability benefits under the provisions of the Workers' Compensation Act. In either of these situations, the employee may only use donated leave to make up the difference between the employee's base salary, and the total of other paid leave received and the temporary disability benefits the employee is receiving;
 - ii. Be receiving FMLA leave;
 - iii. Be receiving interactive process leave; or
 - iv. Have received written notice of a pre-disqualification meeting. The employee may use donated leave until disqualification occurs or until the end of the period in which a decision on disqualification must be issued, whichever occurs first.

or

RULE 14
SEPARATION OTHER THAN DISMISSAL

Section 14-10 Types of Separation Other Than Dismissal
(Eff. 3/1 5/79; Rules Rev. 110A)

The separation of an employee from the Career Service other than dismissal shall be designated one of the following:

- A. Disqualification;
- B. Termination during employment probationary status;
- C. Lay-off;
- D. Resignation;
- E. Retirement;
- F. Death;

The personnel action form shall show the reason for the separation and last day worked. The effective date shall be the last day on which the employee is on duty.

Section 14-20 Disqualification

14-21 General

An employee shall be separated without fault, hereinafter called a disqualification, if a legal, physical, mental or emotional impairment or incapacity, occurring or discovered after appointment, prevents satisfactory performance of the essential functions of the position.

Prior to disqualification because of physical or mental impairment or incapacity, if it is determined pursuant to the rule on reasonable accommodations for individuals with disabilities that an employee is disabled within the meaning of the Americans with Disabilities Act of 1990 (ADA), the agency or department must have attempted to make a reasonable accommodation pursuant to that rule. If a reasonable accommodation cannot be provided or the employee rejects a reasonable accommodation, disqualification may be initiated.

If it is determined that an employee is not disabled within the meaning of the ADA, the agency or department need not attempt to make a reasonable accommodation and disqualification may be initiated.

14-22 Grounds for Disqualification
(Effective 3/2/82; Rules Rev. 30B)

An employee shall be deemed to be disqualified if any of the following conditions occur:

- A. Pre-employment physical examination: When an applicant is appointed before the final report of a pre-employment health examination is received, and the final report shows that the employee is not physically qualified to perform the duties of the position;
- B. Physical or mental impairment or incapacity: When an employee becomes unable to perform the essential functions of the position because of mental or physical impairment or incapacity;
- C. Licensure, certification and other legal requirements: When laws require a license, certification, or other authorization by a federal, state or local governmental entity to perform the duties of a position and the employee does not have the required authorization.

14-23 Procedure

The appointing authority shall follow the procedures for pre-disciplinary meetings before taking any action on the disqualification. The final notice of disqualification shall contain the same statement of the reason for the disqualification as contained in the pre-disqualification letter.

Substantial amendments or additions are permitted only by repeating the pre-disqualification notice and meeting procedure. The final notice shall also contain a notice that the employee may appeal the disqualification.

However, an employee shall be relieved immediately of any duties requiring a license, certification, or other legal authorization if the employee lacks such license, certification, or other legal authorization. This change in duties shall in no way affect the employee's pay or classification prior to the completion of the disqualification proceedings.

14-24 Re-employment
(Effective May 4, 2007, Rule Revision Memo 18C)

Employees who have been separated as a result of a disqualification may be eligible for re-employment according to the provisions of Rule 3 **SELECTION**.

Section 14-30 Termination During Employment Probationary Status
(Effective November 1, 1980; Rules Revision Memo 127A)

14-31 Basis

An employee holding employment probationary status may be terminated at any time in accordance with Rule 5 **APPOINTMENTS AND STATUS**.

14-32 Notice requirements

The employee being terminated shall receive or be sent a written notice of separation in accordance with Rule 16 **DISCIPLINE AND DISMISSAL**. (Effective January 26, 1984; Rules Revision Memo 52B)

Section 14-40 Lay-off

(Effective August 1, 1980, Rule Revision Memo124A; Revised March 19, 2004, Rule Revision Memo 247B)

14-41 Definition

The separation of a Career Status, unlimited employee or a limited employee appointed prior to January 16, 2004 from the Career Service resulting from the abolishment of a position. (Revised Eff. 3/19/04, Rule Rev. 247 B)

14-42 Order of Lay-off

- A. Lay-off unit: Layoffs shall be determined by layoff unit. Lay-off units are appropriation accounts, appropriation sub-accounts, combinations of appropriation sub-accounts, or combinations of appropriation accounts which have been consolidated or de-consolidated in accordance with paragraph 14-42 B Consolidation of appropriation accounts. (Revised Eff. 3/19/04, Rule Rev. 247B)
- B. Consolidation of appropriation accounts:
1. The Career Service Board ("Board") may consolidate appropriation accounts or appropriation sub-accounts within a department into one lay-off unit if it can be shown that there is a high correlation between the activities of one unit of the department and others proposed to be consolidated. (Revised Eff. 3/19/04, Rule Rev. 247B)
 2. The Board may reverse the consolidation of appropriation accounts or appropriation sub-accounts making up one lay-off unit, or break a lay-off unit consisting of one appropriation account into sub-accounts or combinations of sub-accounts, based on business functions demonstrated by the department or upon a showing that circumstances giving rise to the consolidation are no longer applicable. (Rev'd Eff. 3/19/04, Rule Rev. 247B)
 3. A request for such consolidation or de-consolidation of appropriation accounts may be initiated by appointing authorities, employees, or the Career Service Personnel Director ("Personnel Director") and shall be determined by the Board only after interested parties have been given an opportunity to be heard in accordance with Rule 2 **CAREER SERVICE AUTHORITY**.
 4. Changes to lay-off units must be approved a minimum of forty-five (45) days prior to the effective date of the lay-off. (Eff. 3/19/04, Rule Rev. 247B)

- C. Appointing authority designates positions: The appointing authority shall determine the number of positions by class which are to be abolished within the lay-off unit.
- D. Relation of positions to incumbents in layoff: When lay-off is involved, there is no relation between the positions which are abolished and the incumbents of those positions. The order of layoff is according to this Rule 9.
- E. Establishment of layoff groups: After separating all non-Career status employees and abolishing all vacant positions in the class, the appointing authority shall divide the employees in the class where positions are being abolished into the following groups:

Group A - Employees whose total length of service is up to five years;

Group B - Employees whose total length of service is five years and up to ten years;

Group C - Employees whose total length of service is ten years and up to fifteen years;

Group D - Employees whose total length of service is fifteen (15) years and above. (Revised Eff. 3/19/04, Rule Rev. 247B)

These lay-off groups are for the purpose of determining proficiency adjustments as covered in paragraph 14-44 C Effect of proficiency.

- F. Effect of special qualification on lay-off group: When an employee possesses a significant and unique skill which cannot readily be learned by another employee and which is essential for the performance of the duties of the position, the Personnel Director, after thorough review and investigation, may determine that the possession of such a skill shall constitute an exception for lay-off purposes only; provided, however, that should another employee possess such a skill, such employee scheduled to be laid off shall displace the incumbent.

14-43 Length of Service

- A. General rule: For lay-off purposes, length of service shall mean the total number of years, months, and days of continuous service in any class under career service. This computation shall include time on leave, including unpaid leave, but shall not include service in any on-call position.

- B. Additional length of service credits from military service: Pursuant to the Colorado Constitution, Article XII, Section 15 (See Appendix), military service shall be added to the length of service for lay-off purposes under the following conditions: (Effective May 4, 2007, Rule Revision Memo 18C)
1. General provision on military service credits eligibility: The amount of military service credited shall be the total number of years, months, and days served in the following situations, other than for training purposes:
 - a. Service in any branch of the armed forces of the United States during any period of any declared war or any undeclared war or other armed hostilities against an armed foreign enemy, or
 - b. Service on active duty in any such branch in any campaign or expedition for which a campaign badge is authorized. (Revised Eff. 3/19/04, Rule Rev. 247B)
 2. Other provisions regarding military service credits:
 - a. For employees who have completed twenty (20) or more years of active military service, no military service shall be counted in determining length of service for lay-off purposes;
 - b. For employees who have completed less than twenty (20) years of active military service, eligible military service credits shall not exceed ten (10) years.
 - c. Employees who were granted leave of absence without pay for the purpose of serving on active military duty as defined in paragraph 14-43 B Additional length of service credits from military service shall not be credited with military service time, but shall have the leave of absence without pay included in determining their length of service.
 - d. To be eligible for military service credits, employees must have been separated from such service under honorable conditions. (Revised Eff. 3/19/04, Rule Rev. 247B)
 - e. Employees whose spouse died while serving or as a result of a service-connected cause are also eligible for military service credits as defined and limited above. (Revised Eff. 3/19/04, Rule Rev. 247B)
 3. Proof of eligibility for military service credits: Proof of eligibility for military service credits shall be established in accordance with the provisions of Article XII, Section 15 (2) of the Colorado Constitution. (Effective May 4, 2007, Rule Revision Memo 18C)

- C. Former Merit System employees: Employees transitioned from the merit system to Career Service under the Human Services Department transition charter amendment effective January 1, 1999 shall be given credit for continuous service as follows:
1. At the time of the layoff, employees who are assigned to the Department of Human Services and have been continuously assigned to said department since January 1, 1999 shall have their length of service calculated from the date the employee was employed with the merit system.
 2. After January 1, 1999, employees who voluntarily transfer to another department in the city shall have their length of service calculated from the date of continuous service with the City and County of Denver, provided that employees who involuntarily transfer to another department shall have their length of service calculated pursuant to the previous subparagraph. (Eff. 3/19/04, Rule Rev. 247B)
- D. Election Commission transition: Election Commission employees who are appointed to Career Service Election Commission positions pursuant to the charter amendment effective July 16, 2007 shall be given credit for continuous service as follows:
1. At the time of the layoff, employees who hold positions in the Election Commission and have been continuously employed in this agency since July 16, 2007 shall have their length of service calculated from the date the employee's continuous service in a full or part-time position with the City began.
 2. After July 16, 2007, Election Commission employees who voluntarily accept an appointment to a position in another department in the City shall have their length of service calculated from the date of continuous service with the Career Service, provided that employees who are involuntarily moved to another department shall have their length of service calculated pursuant to the previous subparagraph. (Effective June 8, 2007; Rules Revision Memo 19C)

14-44 Sequence of Lay-offs

- A. General: Unlimited employees and limited employees appointed to their positions before January 16, 2004 in Group A shall be laid off before employees in Group B, employees in Group B before employees in Group C, etc.
- B. Effect of military service credits: Employees eligible for military service credits, who have the same or greater length of service, shall be placed higher in rank order than employees who are not eligible for military service credits.

C. Effect of proficiency:

1. Employees eligible for military service credits shall have their rank order determined solely on the basis of seniority.
2. Within layoff groups, the appointing authority may choose to rank employees on their knowledge, skills, abilities, expertise and/or documented performance ("proficiency") and place employees with greater proficiency above employees with longer length of service who are not eligible for military service credits. In no event may a more proficient employee be placed higher than an employee with longer length of service who is eligible for military service credits. Career Service Authority ("CSA") must review and approve the criteria and procedures used to determine proficiency as part of its responsibility to audit and approve the lay-off plan as set forth in paragraph 14-46 B. (Revised Eff. 3/19/04, Rule Rev. 247B)
3. Within layoff groups, the appointing authority may place below employees with the lesser length of service the less proficient employee. In no event, however, shall an employee eligible for military service credits be placed lower than an employee with lesser length of service.

14-45 Actions In Lieu of Lay-off

A. Reassignment or transfer appointment: An employee selected to be laid off shall be given a transfer appointment to any vacancy for which qualified within the lay-off unit, subject to paragraphs 14-45 C, D and E. (Rev Eff. 3/19/04, Rule Rev. 247B)

B. Demotional Appointment

1. General: An employee selected to be laid off shall be entitled to a demotional appointment to an existing position in the same layoff unit in a class below the employee's present class which is the highest ranking class meeting each of the following conditions:
 - a. The employee possesses the knowledge, skills, ability, and expertise to perform the essential duties of the position;
 - b. The class is in the same class series as the employee's present class, or the employee previously held a position in such class; and
 - c. The employee's total length of service as defined in subsection 14-43 Length of Service must be greater than that of at least one (1) of the incumbents in the class; or there must be a vacancy in the class.(Revised Eff. 3/19/04, Rule Rev. 247B)

2. Effect on incumbent of position to which demotional appointment is made: When it has been determined that a demotional appointment to a filled position in the layoff unit which meets the criteria in subparagraph 14-45 B.1 General, should take place, the person in the class of such position who has the shortest length of service as defined in subsection 14-43 Length of Service shall be the employee who is laid off. The employee in the lower class shall be entitled to actions in lieu of lay-off pursuant to this subsection 14-45.
- C. Effect of special qualifications: If a vacancy in a position in a pay grade with the same job rate, or if the position in the class to which such employee is to be given a demotional appointment, is one which requires a special skill as defined in paragraph 14-42 F Effect of special qualification on lay-off group, the Personnel Director, after thorough review and investigation, may designate the possession of such skill as a qualification for a demotional appointment to that position.
- D. Effect of position type: If the person designated to be laid off holds a full-time unlimited position, and the position which meets the provisions of paragraphs 14-45 A or B.1 is a part-time, on call, or limited position, the employee shall be offered a choice of the part-time, on call, or limited position, or the highest available full-time unlimited position meeting the qualifications of paragraph 14-45 B.1, for which qualified.
- E. Reassignment to limited position: If there are limited positions in the same class in the layoff unit, an employee selected to be laid-off shall be given the choice of being reassigned to a limited position in lieu of lay-off, even though it is necessary to separate another employee from that position. This offer shall be made regardless of the length of service of the employee in the limited position, if appointed after January 16, 2004. This reassignment shall not result in removal of the employee from the reinstatement list or lists. (Revised Eff. 3/19/04, Rule Rev. 247B)
- F. Voluntary action in lieu of lay-off: Employees who demote to a position other than the one described in paragraph 14-45 B or who resign during a period of agency lay-offs, and these actions occur prior to the actual lay-off date, may retain their reinstatement rights pursuant to the following procedure:
 1. All demotions and separations during periods of lay-off will be examined to determine the causes of the transaction. Appointing authorities are asked to aid this process by entering an appropriate statement in the Remarks Section of the Personnel Action when a voluntary demotion or separation is the direct result of current lay-off proceedings.
 2. If the CSA determines that the demotion or separation is in lieu of layoff, it will place the employee's name on the appropriate reinstatement list.
 3. Such actions in lieu of lay-off shall be considered to be voluntary actions and pay shall be set in accordance with the provisions of Rule 9 **PAY ADMINISTRATION** governing voluntary demotions. (Revised Eff. 3/19/04, Rule Rev. 247B; Eff. 4/1/06; Rule Rev. 7C)

14-46 Notice of Lay-Off

- A. Layoff planning: Layoff planning, including actions in lieu of layoff, is the responsibility of the appointing authority. However, the CSA is available for procedural assistance and consultation as soon as the appointing authority has decided the number of positions by class to be abolished.
- B. Audit and approval of lay-off plan: Before an official notice of layoff is given in accordance with paragraph 14-46 C Thirty-day notices, a written lay-off plan for the lay-off unit shall be submitted to CSA and shall have been audited and approved in writing by the Personnel Director for conformance to Section 14-40 Lay-Off of the Career Service Rules, including all subsections thereof. (Revised Eff. 3/19/04, Rule Rev. 247B)
- C. Thirty-day notices: The appointing authority shall give final notice of lay-off to affected employees a minimum of thirty (30) calendar days before the effective date of the lay-off. A copy of each such notice shall be sent to the CSA. The period of time shall be computed in accordance with Rule 19 **APPEALS**. (Effective April 1, 1982; Rules Revision Memo 348; Revised Eff. 3/19/04, Rule Rev. 247B)

14-47 Effect on Leave

(Revised effective January 1, 2010; Rules Revision Memo 42C)

- A. Compensatory time and vacation leave: An employee shall be paid for all eligible leave and compensatory time credits in accordance with Rule 9 **PAY ADMINISTRATION** and Rule 10 **PAID LEAVE**.
- B. Sick leave: Pay for eligible sick leave credits and restoration of the balance of sick leave credits upon re-instatement shall be in accordance with Rule 10 **PAID LEAVE**.

14-48 Re-employment, Re-instatement, and Promotional Re-instatement Rights

(Effective May 4, 2007, Rule Revision Memo 18C)

- A. Re-employment or re-instatement appointments: The ability of a former unlimited employee, or limited employee appointed to their position before January 16, 2004, who was laid off, to be re-employed or re-instated are set forth in Rule 3 **SELECTION**.

14-49 Appeal

An employee who is laid off or who is demoted in lieu of layoff may appeal the action in accordance with Rule 19 **APPEALS**.

Section 14-50 Resignation

14-51 Voluntary Resignation

A. Notice to supervisor: It is the responsibility of an employee who plans to resign in good standing from the career service to notify his immediate supervisor in advance as follows:

1. At least ten (10) calendar days for employees in full-time or part-time unlimited positions.
2. At least four (4) calendar days for employees in full time or part-time limited positions.
3. At least one (1) calendar day for employees in on call positions.

The appointing authority may waive this requirement for good and sufficient reasons.

B. Payment for Accrued Vacation Leave and Compensatory Time:
(Revised effective January 1, 2010; Rules Revision Memo 42C)

Employees who resign shall receive payment for all accrued paid time off, vacation leave and compensatory time for which they are eligible according to the provisions of Rule 9 **PAY ADMINISTRATION** and Rule 10 **PAID LEAVE**.

C. Acts Comprising Resignation of Incumbents in On Call Positions:

The following acts of incumbents in on-call positions shall be interpreted as resignations:

1. Failure to inform a supervisor within two (2) calendar weeks of the date of a change of an address or a telephone number.
2. Failure to respond within ten (10) calendar days of a date of mailing of an official communication requiring a response.
3. Failure to respond to three (3) consecutive requests to work, provided that at least three (3) calendar weeks have elapsed between the first request and the last request.

If any of the grounds specified in the preceding paragraphs is found to exist, the employee shall be deemed to have resigned, and the supervisor shall advise the CSA in writing of the resignation, specifying the grounds.

- D. Abandonment of position: An employee shall be deemed to have abandoned his or her position if the employee fails to report for his or her assigned shift and fails to notify his or her immediate supervisor of the absence prior to the start of his or her shift for three (3) consecutive work days. This situation shall be termed "job abandonment." The required signature of the employee on the resignation shall be waived. Instead, the appointing authority shall file a statement indicating that the conditions of this paragraph have been met.

14-52 Re-employment
(Effective May 4, 2007, Rule Revision Memo 18C)

Employees who resign may be eligible for re-employment according to the provisions of Rule 3 **SELECTION**.

Section 14-60 Retirement
(Effective May 4, 2007, Rule Revision Memo 18C)

Any employee in the Career Service may retire, at his own or her request, when he or she meets the eligibility requirements of the Denver Employees Retirement Plan.

Section 14-70 Change in Type of Separation

When additional facts are revealed that substantially alter the basis for the original decision as to type of separation, the type of separation may be changed. The Personnel Director, upon receipt of a written request together with documentation of the reasons for the change, will approve or disapprove the requested change in writing. Only the appointing authority who signed the personnel action form separating the employee, or his successor shall be authorized to request a change in the type of separation. A copy of the Personnel Director's written approval shall be attached to the personnel action form which shall show under remarks the type of change and the reason for the change.

19-62 Filing of Petition for Review

A petition for review shall be filed with the Board at the Career Service Personnel Director's ("Personnel Director's") office in the Career Service Authority ("CSA") within fifteen (15) calendar days after the date of the mailing of the Hearing Officer's decision. If the due date falls on a day that the CSA is not open for business, the due date shall be construed as the next business day. The request shall be in writing, and shall contain the following:

- A. The name and number of the appeal;
- B. The names and addresses of all parties to the appeal and of their attorneys or representatives;
- C. The date of the Hearing Officer's decision;
- D. A brief statement of the grounds for the petition for review from subsection 19-61, including the factual or legal basis which the party asserts exist to support each ground of the petition. If the party is asserting "new evidence," the party shall include an affidavit stating the nature of the new evidence and the reason(s) for its unavailability at hearing;
- E. The action the petitioner wants the Board to take;
- F. A copy of the Hearing Officer's decision; and
- G. Proof of service on all parties. Copies of the petition for review and all other documents filed with the Board shall be served on the Hearing Office, and all parties, or their representatives, if any.

19-63 Response to Petition for Review by the Board

- A. The other party to the appeal may file a cross-petition for review which shall comply with subsection 19-62, except that it shall be filed within ten (10) calendar days after service of the petition for review.
- B. If the other party does not file a cross-petition for review, no response is required until the answer brief is due.
- C. If both parties file a petition for review by the Board, the employee shall be deemed the "petitioner" and the department or agency shall be deemed the "cross-petitioner."