

MEMORANDUM

REVISION 50 SERIES D

TO: Holders of Career Service Rule Books

FROM: Career Service Board

DATE: February 11, 2019

SUBJECT: Amendments to Career Service Rule 9 – Pay Equity and Stipends

The amendments to Career Service Rule 9 were approved by the Career Service Board on February 7, 2019 and are effective February 11, 2019. Please insert the following pages in your rule book as soon as possible. Thank you.

<u>Page Numbers to Remove</u>	<u>Page Numbers to Insert</u>
Page 9-7 Page issuance date: September 21, 2017	Page 9-7 Page issuance date: February 11, 2019
Page 9-7.1 Page issuance date: September 21, 2017	Page 9-7.1 Page issuance date: February 11, 2019
Page 9-13 Page issuance date: January 11, 2016	Page 9-13 Page issuance date: February 11, 2019
Page 9-14 Page issuance date: January 11, 2016	Page 9-14 Page issuance date: February 11, 2019
Page 9-14.1 Page issuance date: January 11, 2016	Page 9-14.1 Page issuance date: February 11, 2019
Page 9-15 Page issuance date: January 11, 2016	Page 9-15 Page issuance date: February 11, 2019
Page 9-16 Page issuance date: July 31, 2015	Page 9-16 Page issuance date: February 11, 2019

9-38 Interim market adjustments

(Re-numbered December 21, 2012; Rule Revision Memo 66C)

- A. The Board, following a public hearing, may make a market adjustment in a pay practice, or create a temporary pay practice, if the Board finds that all of the following conditions exist:
 - 1. Numerous vacancies exist in the classification(s) that will be affected by the proposed pay practice;
 - 2. Recruitment has not been effective;
 - 3. Retention rate is low; and
 - 4. Market driven personnel shortages in the classification(s) are causing difficulty in fulfilling an essential mission of the City.
- B. An interim market adjustment shall remain in effect for up to one (1) year. Nothing in this subparagraph prevents a new market adjustment from being established for the same classification(s), provided that all of the requirements of the previous subparagraph are met.

9-39 Pay adjustment within the salary range

(Revised February 11, 2019; Rule Revision Memo 50D)

- A. An appointing authority may adjust pay for an employee, within that employee's current salary range, if the purpose is to eliminate a pay disparity, so long as that employee's pay is being compared with the pay of another employee in the same department or agency who is:
 - 1. In the same classification; or
 - 2. In the same classification series; or
 - 3. In a classification in the same occupational group within the same career path performing comparable types of duties; or
 - 4. Subordinate to the existing employee in that employee's chain of command.
- B. If such a comparator employee does not exist within the same department or agency, OHR Classification and Compensation may review employees' pay across departments or agencies within the same classification(s), within the same classification series, or within the classification(s) with the same career path with comparable duties.
- C. A pay adjustment within the salary range requires the approval of the OHR Executive Director. The effective date of any such pay adjustment shall be the beginning of the work week following approval by the OHR Executive Director. In the case of extraordinary circumstances and with the approval of the OHR

Executive Director, the effective date of the pay adjustment may be for a retroactive date at the beginning of a work week. However, no retroactive pay adjustment shall extend into the prior fiscal year.

- D. Appointing authorities must submit pay adjustment requests to OHR as soon as a qualifying pay event has been identified. The appointing authority's request for approval shall explain:
1. The reason the pay inequity exists, including information about how pay factors (as listed in Rule 9-5.F and/or Appendix 7.A) have contributed to the pay inequity; and
 2. If applicable, why employees in the same classification in the same work group are not being considered in the request. This explanation should include information about how the excluded employees are not affected by the pay factors (as listed in Rule 9-5.F and/or Appendix 7.A).

2. Non-exempt employees:
 - a. Non-exempt employees will receive their normal hourly rate of pay for time spent conducting lessons in addition to the Golf Lesson Stipend.
 - b. The City shall retain forty-five percent (45%) of the fee charged.
 - c. Fifty-five percent (55%) of the fee will be paid to the employee as a Golf Lesson Stipend.
3. The City portion of the fee will include the cost of golf balls.
4. Stipends will be paid on collected revenue only.

9-62 Protective Service Stipend

(Revised February 11, 2019; Rule Revision Memo 50D)

A. Volumes 7 and 30 of the Code of Colorado Regulations require the Department of Human Services (DHS) to have staff available twenty-four hours a day to receive reports of abuse and neglect, conduct initial assessments of such reports that are deemed emergencies, and investigate those reports that are appropriate for child and adult protective services. In order to meet this requirement, the Manager of Human Services (Manager) for the Department of Human Services may schedule eligible employees to be available to respond to emergency calls at night and on weekends, mandated furlough days, and holidays. Employees so scheduled will be entitled to receive a Child or Adult Protective Service Stipend (together referred to as "Protective Service Stipend" or "Stipend") depending on the type of work assigned. An employee who is scheduled to respond to emergency calls is expected to:

1. Be available by telephone;
2. Be in a non-impaired condition that allows the employee to safely perform job duty assignments; and
3. Respond to a call and perform work within time frames established by the DHS.

Employees who are scheduled to respond to emergency calls and fail to meet these expectations may be subject to disciplinary action, up to and including dismissal.

B. To be eligible for the Protective Service Stipend, the employee must be exempt from overtime under Federal law and the Career Service Rules (employees who are eligible for overtime may receive standby pay as provided in the Career Service Rules) and meet other eligibility requirements as stated below.

C. Protective Service Stipend Eligibility and Amounts

1. After-hours Administrator.

- a. An employee must be at the type and level of Administrator II to be assigned After-hours Administrator duties.
- b. An After-hours Administrator supervises the After-hours Supervisor, the After-hours Caseworker, the After-hours Placement Navigator, the After-hours Call Taker, and directly supervises any egregious and fatal or near fatal allegations needing response during nights, weekends or holidays.
- c. Stipend: \$40 per shift worked; \$60 per shift worked on paid City holidays and mandated furlough days.

2. After-hours Supervisor.

- a. Child Welfare
 - i. An After-hours Supervisor supervises the After-hours Caseworker through monitoring of call logs and being available by phone to staff critical decisions and determine if immediate response is warranted.
 - ii. Stipend: \$75 per shift worked; \$100 per shift worked on paid City holidays and mandated furlough days.
- b. Adult Protective Services ("APS")
 - i. Available by phone to APS After-hours Call Takers to make critical decisions and determine what level of response is warranted.
 - ii. Stipend: \$30 per shift worked; \$50 per shift worked on paid City holidays and mandated furlough days.

3. After-hours Caseworker.

- a. An After-hours Caseworker answers after-hours hotline calls, generates referrals and determines an appropriate response after consulting with the After-hours Supervisor. If an immediate or in-person response is required, the Caseworker will respond in the field to gather additional information and assess for safety.
- b. Stipend: \$200 per shift worked on a weekday; \$300 per shift worked on a weekend day; \$350 per shift worked on paid City holidays and mandated furlough days.

4. After-hours Placement Navigator.

- a. An After-hours Placement Navigator manages the placement of children in DHS custody or on a safety plan, including but not limited to, documenting placement efforts and ensuring requisite background checks are completed in a timely fashion.
- b. Stipend: \$75 per shift worked; \$ 95 per shift worked on paid City holidays and mandated furlough days.

5. After-hours Call Taker (non-responder).

a. Child Welfare

- i. An After-hours Call Taker is scheduled as needed to support increased hotline call volume in order to answer after-hours hotline calls, generate referrals, and determine an appropriate response after consulting with the After-hours Supervisor.
- ii. Stipend: \$130 per standard shift worked; \$150 stipend per shift worked on paid City holidays and mandated furlough days.

b. Adult Protective Services

- i. An After-hours Call Taker answers after-hours hotline calls, generates referrals, and acts as first point of contact for after-hours incidents and emergencies related to County wards. Responses can include additional information gathering via phone or coordinating with the APS After-hours Supervisor to determine if emergency medical or other decision-making is required.
- ii. Stipend: \$70 per weekday shift worked; \$100 per weekend shift worked; \$120 per shift worked on paid City holidays and mandated furlough days.

- D. The City is required by Federal law to treat exempt employees like non-exempt employees during a week in which the exempt employee takes an unpaid furlough. If an exempt employee is assigned after-hours emergency response duties during a week in which a mandated furlough is scheduled to occur, the employee shall be required to work on the mandated furlough day, and take an unpaid furlough day during another week that year in which the employee has not been assigned after-hours emergency response duties. If an exempt employee does take a furlough day during a week in which the employee has been assigned after-hours emergency response duties, the employee will be paid for all time spent performing emergency response duties in addition to the stipend provided by this rule.

9-63 Bilingual Services Stipend

(Revised February 11, 2019; Rule Revision Memo 50D)

- A. An appointing authority may pay an employee bilingual services stipend if the following conditions have been met:
 - 1. The employee's supervisor has determined that the employee's position requires that the employee use bilingual skills regularly to perform their work; and
 - 2. The classification specification for the employee's classification does not require bilingual skills for all incumbents of that classification; and
 - 3. The employee demonstrates a proficiency in the second language, according to procedures established by the OHR Executive Director.
- B. The effective date of the bilingual services stipend shall be the beginning of the work week following the employee's demonstration of proficiency in a second language.
- C. Employees who become eligible for bilingual services stipend after February 11, 2019 shall receive a stipend of fifty dollars (\$50) per pay period. Employees who were receiving a bilingual stipend prior to February 11, 2019 shall retain that stipend amount. However, if an employee receiving a bilingual stipend prior to February 11, 2019 loses eligibility for the stipend, upon regaining eligibility they will receive a stipend of fifty dollars (\$50) per pay period.
- D. When an employee changes positions and the language skills are not a requirement of the new position, the bilingual services stipend shall cease.

9-64 Forensic Pathology Fellow Program Director Stipend

(Revised December 21, 2012; Rule Revision Memo 67C)

- A. The City and County of Denver's Office of the Medical Examiner operates a teaching fellowship program in which recent graduates of an accredited pathology program receive training in forensic pathology.
- B. The Chief Medical Examiner has the authority to assume the responsibility of directing this program or to assign this responsibility to any Forensic Pathologist who meets the criteria for program director established by the University of Colorado and the Accreditation Council for Graduate Medical Education (ACGME).
- C. As compensation for the additional duties required to direct this program, the Chief Medical Examiner may pay the Forensic Pathologist who is assigned and performing all of the duties of directing the Forensic Pathology Fellow Program additional pay equal to eight percent (8.0%) above his or her regular base pay.
(Revised July 31, 2015; Rule Revision Memo 12D)

- D. The duties of the Forensic Pathology Fellow Program Director include:
1. Ensuring that the Fellowship Program complies with University of Colorado and ACGME accreditation requirements;
 2. Recruiting Forensic Pathology Fellows for the program;
 3. Maintaining the program's educational curriculum; and
 4. Mentoring and supervising the Forensic Pathologist Fellow(s).