

MEMORANDUM

RULE REVISION 94D

TO: Interested Parties - Career Service Rules
FROM: Career Service Board
DATE: September 19, 2025
SUBJECT: Revisions to Career Service Rules 1, 3-52, 5-11, 5-12, 5-35, 9-5, 9-30, 9-33, 9-36, 10-47, 10-48, 14-10 and 14-53

The following revisions to Career Service Rules 1, 3-52, 5-11, 5-12, 5-35, 9-5, 9-30, 9-33, 9-36, 10-47, 10-48, 14-10 and 14-53 were approved on August 21, 2025.

RULE 1 DEFINITIONS

Purpose:

The purpose of this rule is to provide meaning to terms that are used throughout these Career Service Rules.

Agency:

A unit of government identified by a "fund organization" number in an appropriation ordinance.

Appointing authority:

A municipal official appointed or elected to serve as the head of a department or agency; hence, and except as otherwise provided herein, the official authorized to appoint, supervise, manage, discipline and terminate employees of such department or agency.

In accordance with § 2.6.4 of the Denver Charter, the Director of Safety is the appointing authority for purposes of hiring, disciplining and terminating deputy sheriffs and other employees of the Sheriff Department.

Such an official may designate another official or employee within the department or agency to act as an appointing authority.

Appropriation:

An authorization by the City Council to a specified agency to expend a specified sum of money from a specified fund during a specified period for a specified purpose.

Benefits:

Paid time off, vacation leave, holiday leave, sick leave, payments for injuries or sickness received in the line of duty, health insurance, life insurance, pensions, uniform and equipment allowances, dependents' benefits, and any other financial or economic benefits as determined by the Office of Human Resources.

Break in service:

Any lapse of working time between the official separation of an employee and his subsequent re-hiring.

Career Service:

All employees of the City and their positions subject to the exceptions in the Denver City Charter.

Career Service Board:

The board created by the Denver City Charter to direct the Career Service. See Rule 2 **OFFICE OF HUMAN RESOURCES** for additional information about the Board's responsibilities.

Career Service employee:

The incumbent of a position in the Career Service.

Classification series:

The arrangement in sequence of classes that are alike in kind but not in level. For the purposes of market adjustments, a classification series shall include first line supervisors and lead workers, if so designated for the class.

Continuous service date:

For purposes of leave and layoffs, the continuous service date is the effective date of an employment appointment or a re-employment appointment in the career service, whichever is later; or the effective date of appointment from a re-instatement list plus credits for service prior to lay-off. This definition does not affect employee rights to paid time off, sick leave and vacation leave as established in the Revised Municipal Code or the Career Service Rules.

Demotion:

An appointment of an employee to a position in a classification in which the range minimum of the pay grade of the new classification is lower than the range minimum of the classification previously held.

Effective date:

The date when a personnel action takes effect.

Incumbent:

The current occupant of a position.

Lay-off:

The involuntary separation of a career service status employee resulting from the abolishment of a filled position.

Lay-off unit:

A division within an agency or department as set forth in the City's Human Resource Information System, except the Fire, Police, and Sheriff departments shall each be one lay-off unit. If an agency or department is not organized by division, or an individual is not a member of a division, the next highest organizational unit will define the lay-off unit.

Length of Service:

Total number of years, months and days of continuous service, including time an employee is on unpaid leave, but exclusive of service in on-call status positions.

Month of service:

The period of time between a given date in one month and the preceding day in the following month (e.g., April 16 through May 15).

Office of Human Resources:

The agency created by the Denver Revised Municipal Code to administer the Career Service.

Promotional appointment:

An appointment of an employee to a position in a classification in which the range minimum of the pay range for the new classification is higher than the range minimum of the pay range for the employee's previous classification.

Transfer appointment:

An appointment of an employee from a position in one classification to a different position in the same classification or a classification with the same range minimum for which the employee meets the minimum qualifications.

**RULE 3
RECRUITMENT AND SELECTION**

3-52 Reinstatement After Layoff

Employees or former employees who have been laid off within the past twelve (12) months and are eligible to do so shall be reinstated to the job classification within the layoff unit from which they were terminated in accordance with Rule 14 **SEPARATION OTHER THAN DISMISSAL**.

RULE 5
APPOINTMENTS AND STATUS

5-11 Appointments of Applicants Who Are Not in the Career Service

The following is a list of the types of appointments of applicants who are not in the Career Service as defined in Career Service Rule 1 **DEFINITIONS**:

- A. Employment appointment: An appointment made as a result of referral of an employment list in accordance with Rule 3 **RECRUITMENT AND SELECTION**.
- B. Reinstatement appointment: An appointment of a former employee who had been laid off that is made as a result of referral from a reinstatement list in accordance with Rule 3-52 **Reinstatement After Layoff** and Rule 14-58 **Reinstatement**.
- C. Re-employment appointment: An appointment of a former employee to a position in the classification in which the employee was previously employed within the preceding five (5) years, or to a successor classification; or to any classification for which the employee is qualified, with the same or lower range minimum than the former classification, subject to the following conditions:
 - 1. Former employees whose separation was the result of a dismissal are not eligible for re-employment;
 - 2. An appointment that is a reinstatement is not a re-employment appointment;
 - 3. In order to determine eligibility for re-employment into a successor classification, the OHR Executive Director may, on a case-by-case basis, review the duties previously performed as well as classification and pay; and
 - 4. A former employee who is re-employed shall serve in an employment probationary status.

5-12 Appointments of Employees Who Are in the Career Service

The following is a list of the types of appointments of employees who are in the Career Service as defined in Career Service Rule 1 **DEFINITIONS**:

- A. Promotional appointment
- B. Transfer appointment:
 - 1. An employee may be given a transfer appointment between departments or agencies provided that the employee and the receiving appointing authority consent.
 - 2. Unless otherwise agreed upon, a transfer appointment between departments or agencies becomes effective thirty (30) calendar days after the releasing department or agency is notified that the employee and the

receiving department or agency have both consented to the transfer. However, the time may be shortened if the effective date is set jointly by the releasing appointing authority and the receiving appointing authority.

C. Demotion appointment:

1. Reasons for demotion: An appointing authority may give a demotion appointment in the following instances:
 - a. Voluntary:
 - i. When an employee requests the demotion; or
 - ii. When an employee accepts the offer of a position with lower pay and benefits as a reasonable accommodation in the ADA Interactive Process.
 - b. Involuntary:
 - i. Through disciplinary action in accordance with Rule 16 **DISCIPLINE AND DISMISSAL**; or
 - ii. In lieu of separation during employment probation in accordance with this Rule 5.
2. Notice to employee: Before a demotion appointment is effective, the following documentation shall be provided to the employee and submitted to the OHR:
 - a. Written consent of the employee to a voluntary demotion; or
 - b. A written notice of disciplinary demotion as required by Rule 16 **DISCIPLINE AND DISMISSAL**; or
 - c. A written notice of demotion in lieu of separation during employment probation, or during paid trainee or paid intern status.

5-31 Career Status

- A. Employees attain career status through:
 1. Successful completion of-the employment probationary period, and the training programs required by this Rule 5; or
 2. Reinstatement after lay-off.
- B. An employee in career status:
 1. May only be disciplined or dismissed for cause, in accordance with Rule 16 **DISCIPLINE AND DISMISSAL**;

2. Is entitled to lay-off protection specified in Rule 14 **SEPARATION OTHER THAN DISMISSAL**; and
3. May have continuous service credits earned prior to layoff restored if such employee is reinstated or re-employed while still on the reinstatement list.

RULE 9

Pay Administration

Section 9-5 Definitions

- A. Classification series: The arrangement in sequence of classes that are alike in kind but not in level. For the purposes of a market adjustment within the salary range, a classification series shall include first line supervisors and lead workers.
- B. Demotion: An appointment of an employee to a position in a lower classification as defined in Career Service Rule1 **DEFINITIONS**.
- C. Emergency: An emergency shall include the following events: fire, flood, catastrophe, severe weather conditions that impact public safety or essential services; other unforeseeable emergency where a station must be staffed and another employee is not available for work; or an occurrence affecting the general public which requires immediate action. A declared emergency shall mean an emergency declared by the Mayor or an appointing authority that complies with the definition of emergency stated above.
- D. Essential city services: The determination of what constitutes an essential City service shall be made at the discretion of appointing authorities.
- E. Market Conditions: Factors and trends in the market as determined by a compensation analysis that may affect compensation rates such as the supply and demand of workers.
- F. Pay Factors: When setting pay, appointing authorities shall base their decision on the following pay factors, which are not listed in any particular rank order: (Revised August 19, 2021; Rule Revision Memo 69D)
 1. Related experience.
 2. Previous work record.
 3. Education and/or certification.
 4. Internal equity.
 5. Level of responsibility of accepted; and
 6. Merit system.
- G. Promotion: An appointment of an employee to a position in a higher classification as defined

in Career Service Rule 1 **DEFINITIONS**.

- H. Re-allocation: The formal process of assigning an existing position to its proper classification on the basis of the duties performed and the responsibilities exercised.
- I. Reinstatement: An appointment of a laid off employee resulting from referral from a reinstatement list as defined in Career Service Rule 1 **DEFINITIONS**.
- J. Transfer: An appointment of an employee to a position in a lateral classification as defined in Career Service Rule 1 **DEFINITIONS**.

Section 9-30 Changes in Classification and Pay

- A. A change in an employee's classification may occur through promotion, transfer, demotion, or re-allocation.

9-31 Demotion

(Revised August 6, 2018; Rule Revision Memo 44D)

A. Voluntary demotion:

1. A voluntary demotion is a demotion initiated through the requestor application of an employee.
2. When an employee voluntarily demotes, pay shall be set by the appointing authority in accordance with the pay factors defined in this Rule 9, and shall not be lower or decreased by more than the range minimum, or greater than the range maximum of the pay range for the new classification.

Before the pay can be set at a rate lower than the employee's current pay rate, the employee must agree to the reduction. If the parties cannot agree on the amount of the reduction, the voluntary demotion will not occur.

B. Involuntary demotion:

1. An involuntary demotion is a demotion initiated:
 - a. Through disciplinary action in accordance with Rule 16 **DISCIPLINE AND DISMISSAL**; or
 - b. In lieu of separation during employment probation in accordance with Rule 5 **APPOINTMENTS AND STATUS**.
2. When an employee is involuntarily demoted, pay shall be set by the appointing authority. At least an eight percent (8.0%) reduction shall be required, however pay shall not be lower than the range minimum or greater than the range maximum of the pay range for the new classification.

9-36 Reinstatement Appointment

Upon reinstatement after layoff, an employee's pay shall be set at the rate of pay the

employee received immediately prior to such layoff.

**RULE 10
Paid Leave**

10-41 Effect of Reinstatement and Re-employment Following Layoff on Choice of Leave Plans and Leave Balances

The following shall apply to employees reinstated after layoff or re-employed while their name is on a reinstatement list:

- A. Employees who were receiving paid sick and vacation leave benefits at the time of their layoff will be enrolled in the PTO plan unless they elect in writing to continue in the paid sick and vacation plan within thirty (30) days of the effective date of their reinstatement.
- B. Employees who timely elect to continue in the paid sick and vacation plan shall have all sick leave they lost at the time of layoff restored to their sick leave bank.
- C. Employees who do not timely elect to continue in the paid sick and vacation plan may be able to convert sick leave that was lost at the time of layoff to a special PTO bank. The amount that may be converted is based on their accumulated sick leave at the time of separation. Up to one-half of this accumulated amount may be converted to the special PTO bank, subject to the following:
 - 1. The amount converted may not exceed four hundred (400) hours; and
 - 2. The amount of sick leave the employee was paid for at the time of separation must be deducted.

**RULE 14
Separation Other Than Dismissal**

Section 14-10 Types of Separation Other Than Dismissal

- A. The separation of an employee from the Career Service other than by dismissal shall be designated one of the following:
 - 1. Resignation;
 - 2. Retirement;
 - 3. Death;
 - 4. Disqualification;
 - 5. Separation of employees holding at-will, trainee or intern probationary, or employment probationary status;

6. Layoff.
- B. Written notices required under this Rule 14 shall be served on the employee by one or more of the following:
1. In person with a certificate of hand delivery;
 2. By first class U.S. mail, with a certificate of mailing to the employee's last known address; or
 3. By e-mail, delivery receipt requested, to the employee's City email address or the employee's personal email address. This rule does not require that a delivery receipt be received in order to effect service. (Revised retroactively to August 15, 2025)

14-53 Length of Service

- A. General rule: For purposes of this rule, 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.