

Career Service Rule Section 2-20 B. - Adoption, Amendment or Repeal of Career Service Rules ("Rules"). When the Board or the OHR Executive Director determines that a change in the Rules is necessary or desirable, the procedure shall be as follows: ...

2) The proposed rule change shall be posted on the same bulletin boards as the local, state, and federal-mandated posters, as well as the Career Service Board's internet page, and made available to appointing authorities, employees, and the general public for comments and suggestions. A short summary of the proposed rule change and the reason(s) for the proposed change shall be posted with the proposed rule change...

4) A public hearing on the proposed rule change shall be held by the Board.

PLEASE POST ON ALL BULLETIN BOARDS AS SOON AS POSSIBLE

Public Hearing Notice - No. 692

A Career Service Board Public Hearing has been scheduled regarding the proposed adoption of revisions to **Career Service Rule 9 Pay Administration**.

A Career Service Board Meeting regarding Public Hearing Notice No. 692 is scheduled for **Thursday, November 16, 2023, at 9:00 AM**, in the Webb Municipal Building, located at 201 West Colfax Avenue, Denver, CO, in the Career Service Hearings Office on the 1st floor.

If anyone wishes to submit written comments or talk to OHR staff regarding this notice, please contact:

Kristin Rozansky
Compliance Director
Office of Human Resources
720-913-5710
careerserviceboard@denvergov.org

Comments regarding this notice should be submitted **no later than 12:00 PM on Monday, November 13, 2023.**

If anyone wishes to address the Board regarding this notice, please contact Kristin Rozansky at 720-913-5710 or at careerserviceboard@denvergov.org **no later than 12:00 PM on Monday, November 13, 2023**, to get on the agenda. You are encouraged to submit written comments regarding the subject matter of your testimony at this time so that the Board has time to adequately consider your input.

9-38 Interim pay practices

(Revised April 9, 2021; Rule Revision Memo 66D)

A. The OHR Executive Director Board may, on a temporary basis, create or ~~temporarily~~ adjust a pay practice for any type of employee (e.g. career service, on-call, etc.), if anyall of the following conditions exist:

1. Recruitment and Retention Difficulties: If the following factors apply to one or more classifications within an agency or division of an agency:

1.a. Numerous vacancies exist in the classification(s) that will be affected by the proposed pay practice.

2.b. Recruitment has not been effective.

3.c. Retention rate is low; and

4.d. Market driven personnel shortages in the classification(s) are causing difficulty in fulfilling an essential mission of the City.

2. City-wide Emergency: The Mayor has declared a city-wide emergency and the employees' regular or temporarily assigned duties are critical to address the emergency; or

3. Mayoral Request: The Mayor requests the OHR Executive Director to create or adjust the pay practice on the basis of exigent circumstances or compelling operational needs.

B. At the next regular Board meeting the OHR Executive Director must inform the Board of the interim pay practice and the basis for the interim pay practice. If the Board does not agree with the interim pay practice then, upon a majority vote of a quorum of the Board members attending the meeting, the interim pay practice shall be suspended immediately or within a specified time period designated by the Board.

B-C. An interim pay practice shall remain in effect for the time period specified by the OHR Executive Director or the Board or for a period of up to six (6) months, whichever is shorter, and may be extended by the per approval of OHR Executive Director for increments of time not to exceed an additional six (6) months. The OHR Executive Director shall follow the process set forth in subparagraph B, above, with respect to each approved extension.

Section 9-101 Retention Bonus

(Revised June 16, 2022; Rule Revision Memo 78D)

~~A — This rule is intended to temporarily assist agencies with staffing shortages occurring as a result of the COVID-19 pandemic and the "Great Resignation" which may cause a decline in the provision of essential city services and, as such, will only remain in effect until December 31, 2023.~~

BA In order to retain a highly qualified employee(s) whose skills, knowledge and/or abilities are deemed essential to the mission and operations of the City, a department or agency may, upon approval of the OHR Executive Director, pay a retention bonus to a current employee(s)

at the end of a specified period of time, ~~but in no event shall the specified retention period extend past December 31, 2023.~~

CB. The payment of any retention bonus must be justified in writing and submitted by the appointing authority to the OHR Executive Director for approval.

DC. The following standards shall apply to an appointing authority's request for approval to pay a retention bonus:

1. The success (or lack thereof) of recent efforts to recruit external candidates for the same positions, using indicators such as job offer acceptance rates, the length of time required to fill similar positions, turnover rates, and the probable cost of additional recruitment efforts if the current employee(s) resigns;
2. Employment trends and competition in the local labor market that make it difficult to recruit candidates for the same positions or that entice current employees to resign from the city;
3. The degree to which essential services have been disrupted;
4. Special qualifications or competencies (i.e., knowledge, skills, abilities, education, etc.) required for the position. These competencies must be applicable to a vast majority of the duties and responsibilities of the job and/or be of critical importance to the job;
5. The desirability of the duties, work, or organizational environment of the position;
6. The employee's work history, including length of employment with the city, performance ratings, and disciplinary record; and
 - a) A retention bonus will not be considered for any employee that has been formally disciplined in the 12 months preceding the appointing authority's request for approval to pay a retention bonus;
 - b) A retention bonus will not be given to any employee that received a Development Needed or Unacceptable performance rating in the prior year performance evaluation period.
 - c) To receive a retention bonus, an employee must have been employed with the Agency in the same classification for a minimum of 12 months prior to the start of the retention period. Exceptions may be made for on-call employees.

- d) A retention bonus will not be given to any employee who received a recruitment bonus for the same classification.
- e) A retention bonus will not be given to an employee working out of class.

7. Any other supporting factors.

ED. No retention bonus may exceed \$5,000 to any employee in single or multiple payments and the amount of any payment should be scaled in proportion to the position, the level of need, and the length of the retention period. The amount of the bonus will not be grossed-up to cover taxes and other deductions on behalf of the employee.

FE. No retention bonus shall be offered to an employee prior to final approval by the OHR Executive Director. The appointing authority's request for approval to pay a retention bonus indicates sufficient existing budget funds to cover the expense.

GF. If payment of a retention bonus is approved, the agency or department will enter into an agreement with the employee(s) in which the employee(s) agrees to continue to be employed in their current position for a specified period of time in exchange for receiving the retention bonus at the end of that specified period of time, ~~but in no event shall the specified retention period extend past December 31, 2023.~~ Payment of a retention bonus and the employee's acceptance of these terms shall not constitute an employment contract. The terms of the agreement must include the following:

1. The agreement does not prohibit the agency or department from applying and enforcing the Career Service Rules, including Rule 16, during the retention period.
2. If the employee receives a suspension, a temporary reduction in pay, or is terminated or involuntarily demoted pursuant to Rule 16 prior to the end of the specified retention period, the employee shall forfeit the bonus.
3. If the employee takes leave without pay for two or more weeks (consecutively and/or intermittently), resigns, retires, promotes, transfers, works out of class, or voluntarily demotes during the retention period, the employee will forfeit their right to the retention payment.