

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. 696

A Career Service Board Public Hearing has been scheduled regarding the proposed adoption of 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.**

A Career Service Board Meeting regarding Public Hearing Notice No. 697 is scheduled for Thursday, August 21, 2025. The public hearing starts at 9:00 a.m. and will be held at the Career Service Hearings Office, located on the 1st floor in the Wellington Webb Municipal Building at 201 W. Colfax Ave., Denver, Colorado.

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

**Career Service Board**  
c/o Lori Smith  
Phone: 720.337.6185  
[csbrulemaking@denvergov.org](mailto:csbrulemaking@denvergov.org)

Employees are strongly encouraged to submit written comments regarding these rule changes. This provides members of the Career Service Board an opportunity to review your comments prior to the rulemaking hearing on August 21, 2025. Comments regarding this notice should be submitted **no later than 12:00 p.m. on Friday, August 15, 2025.**

If anyone wishes to address the Board during the hearing regarding this notice please contact the Career Service Board at [CareerServiceBoard@denvergov.org](mailto:CareerServiceBoard@denvergov.org), **no later than 12:00 p.m. on Friday, August 15, 2025** to get on the Board’s agenda. Please note that 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.

**PLEASE POST ON ALL BULLETIN BOARDS AS SOON  
AS POSSIBLE**

**RULE REVISION PROPOSAL 94D**

**TO:** Appointing Authorities, Managers, and Employees  
**FROM:** Kathy Nesbitt, OHR Executive Director  
**DATE:** Thursday, August 7, 2025  
**SUBJECT:** Proposed adoption of the 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

**THIS PROPOSED REVISION TO THE CAREER SERVICE RULES IS BEING POSTED FOR PUBLIC COMMENT AND HEARING TO BE HELD ON THURSDAY, AUGUST 21, 2025, AT 9:00 A.M IN THE HEARING OFFICE, FIRST FLOOR, WEBB MUNICIPAL BUILDING, 201 WEST COLFAX AVENUE.**

DELETIONS ARE INDICATED BY ~~strike through~~ AND ADDITIONS ARE INDICATED BY underline.

**Rule 1  
DEFINITIONS**

~~(Revised November 19, 2020; Rule Revision Memo 59D)~~

Classification series:

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

Lay-off:

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

~~Promotional re-instatement appointment:~~

~~An appointment of an employee who has been demoted in lieu of lay-off which is made as a result of referral from a re-instatement list.~~

**Rule 3  
RECRUITMENT AND SELECTION**

~~(Revised January 3, 2017; Rule Revision Memo 23D)~~

3-52 Re-instatement 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 re-instated 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**

~~(Revised May 9, 2016; Rule Revision Memo 19D)~~

5-11 Appointments of Applicants Who Are Not in the Career Service  
~~(Revised February 21, 2017; Rule Revision Memo 25D)~~

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. Re-instatement appointment: An appointment of a former employee who had been laid off ~~or who resigned in lieu of a lay-off, which~~ that is made as a result of referral from a re-instatement list in accordance with ~~Rule 3 RECRUITMENT AND SELECTION~~ 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 re-instatement 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  
~~(Revised August 19, 2021; Rule Revision Memo 69D)~~

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. Promotional re-instatement appointment:~~

G.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.

D.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 accepts a voluntary demotion in lieu of lay-off as defined in Rule 14 SEPARATION OTHER THAN DISMISSAL;~~ 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. In lieu of lay-off: When a position is to be abolished, in accordance with Rule 14 SEPARATION OTHER THAN DISMISSAL.~~
  - e.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 demotion in lieu of lay-off as required by Rule 14 SEPARATION OTHER THAN DISMISSAL; or~~
  - e.b. A written notice of disciplinary demotion as required by Rule 16 **DISCIPLINE AND DISMISSAL;** or
  - d.c. A written notice of demotion in lieu of separation during employment probation, or during paid trainee or paid intern status.

## 5-35 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. Re=instatement 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**, ~~except for employees in limited positions~~; and
  3. May have continuous service credits earned prior to lay-off restored if such employee is re=instated or re-employed while still on the re=instatement list.

## **RULE 9 PAY ADMINISTRATION**

### Section 9-5 Definitions

~~(Revised August 19, 2021; Rule Revision Memo 69D)~~

- A. Classification series: The arrangement in sequence of classes that are alike in ~~the~~ 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. Promotional re-instatement: A promotion of an employee resulting from referral from a re-instatement list as further defined in Career Service Rule 1 DEFINITIONS.~~
- ~~J. Re-instatement: An appointment of a laid off employee resulting from referral from a re-instatement list as defined in Career Service Rule 1 DEFINITIONS.~~
- ~~K. 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  
~~(Revised October 17, 2010; Rule Revision Memo 47C)~~

- A. A change in an employee's classification may occur through promotion, transfer, demotion, or re-allocation, ~~or promotional re-instatement.~~ ~~(Revised November 18, 2015; Rule Revision Memo 15D)~~

9-33 Demotion:

- A. Voluntary demotion:

1. A voluntary demotion is a demotion initiated through the request or application of an employee. 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.
2. 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. Demotion in lieu of lay-off: Upon a demotion in lieu of lay-off, the employee shall continue to receive the pay rate he or she earned before the demotion unless this exceeds the range maximum of the pay range of the new classification, in which case the employee shall receive the range maximum of the pay range of the new classification.~~

~~C.B.~~ Involuntary demotion:

An involuntary demotion is a demotion initiated:

1. Through disciplinary action in accordance with Rule 16 **DISCIPLINE AND DISMISSAL**; or
2. In lieu of separation during employment probation in accordance with Rule 5 **APPOINTMENTS AND STATUS**. 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 Re-instatement ~~or Promotional Re-instatement~~ Appointment

~~Upon re-instatement or promotional re-instatement, either after lay-off or after demotion in lieu of lay-off, an employee's pay shall be set at the rate of pay the employee received immediately prior to such lay-off or demotion in lieu of lay-off. If payment at this rate would result in a decrease in pay for a current City employee, the pay rate shall be set at the employee's present rate of pay. In no event shall the pay rate be lower than the range minimum of the pay range.~~

**RULE 10  
PAID LEAVE**

10-47 Effect of Re-instatement and Re-employment Following Lay-off on [Choice of Leave Plans](#) [PTO](#) and [Sick Leave Balance](#)  
(~~Revised December 17, 20205; Rule Revision 65D~~)

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

- A. Employees who were ~~laid off while~~ receiving paid sick and vacation leave benefits at the time of their layoff, and are re-instated under the Career Service Rules after December 31, 2009, will be enrolled in the PTO plan unless they elect in writing to continue in the paid sick and vacation plan. ~~Such election must be made~~ within thirty (30) days of the effective date of their re-instatement.
- 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.

~~10-48 Effect of Re-instatement and Re-employment on PTO and Sick Leave Balance  
(Revised August 27, 2019; Rule Revision 55D)~~

~~An employee who is re-instated after a lay-off shall have sick leave that the employee was not paid for at the time of separation restored as follows:-~~

- A. ~~Employees who are enrolled in the PTO plan upon re-instatement may be able to convert sick leave that was lost at the time of lay-off to the special PTO bank. The amount that may be converted is based on the employee's accumulated sick leave at the time of separation. Up to one-half of this amount may be converted to the special PTO bank;~~
  - 1. ~~So long as the amount converted does not exceed four hundred (400) hours; and~~
  - 2. ~~After the sick leave the employee was paid for at the time of separation is deducted from this amount.~~
- B. ~~Employees who elect to receive sick and vacation leave after re-instatement shall have all sick leave that the employee was not paid for at the time of separation restored to the employee's sick leave bank.~~

~~C. An employee who is re-employed while their name is on a re-instatement list shall also be entitled to restoration of eligible sick leave under the terms of this subsection.~~

## 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; ~~(Revised September 16, 2016; Rule Revision Memo 20D)~~
  6. Lay-off.
- B. ~~1. Written notices required under this Rule 14 shall be served on the employee either in person, or by courier with a certificate or proof of delivery; by first class U.S. mail or other commercial delivery service, with a certificate of mailing to the employee's last known address; or by e-mail if the employee requests service by e-mail in writing.~~
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 email, 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.
- ~~2. If documents are delivered by email, the party sending the email shall retain both an electronic and a hard copy of the email including the sender, date, subject, and the address to which the email was sent.~~

## 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 ~~or limited~~ position.

### **REVISION INTENTION and IMPACT**

The intention of these revisions is to make conforming revisions to Rules 1, 3-52, 5-11, 5-12, 5-35, 9-5, 9-30, 9-33, 9-36, 10-47, and 10-48 necessitated by recent revisions to Rule 14. In addition, the intention is to revise Rule 14-10 to make the requirements for service of written notices of layoffs consistent with the requirements for service of notices under Rule 16, and to revise Rule 14-53 to ensure that service in limited positions is included in the computation of length of service.