

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. 669

A Career Service Board Public Hearing has been scheduled regarding the proposed adoption of revisions to **Career Service Rules 7-34 – Audits, 7-73 – Implementation of Market Analysis, and Career Service Rules 9-39 - Pay Adjustments, and 9-66 Recruitment Bonus.**

The scheduled time for the public hearing is **Thursday, July 21, 2022 at 9:00AM** in the Webb Municipal Building, located at 201 West Colfax Avenue, Denver, CO, in the Career Service Hearings Office on the 1st floor.

Participation in the meeting will also be available through a provided conference call number and digital link noted on the public notice of the agenda, released no later than two days prior to the scheduled meeting.

If anyone wishes to submit a written comment or speak to OHR regarding this notice, please contact:

George Branchaud
Administrator
Office of Human Resources
(720) 913-5650
george.branchaud@denvergov.org

Comments regarding this notice should be submitted no later than **12:00PM on Monday, July 18, 2022.**

If anyone wishes to address the Board regarding this notice, please contact Frances Trujillo at (720) 913-5168 or at frances.trujillo@denvergov.org no later than **12:00PM on Wednesday, July 20, 2022** 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.

PLEASE POST ON ALL BULLETIN BOARDS
AS SOON AS POSSIBLE

RULE REVISION PROPOSAL 79D

TO: Appointing Authorities, Managers, and Employees
FROM: Kathy Nesbitt, OHR Executive Director
DATE: July 8, 2022
SUBJECT: Proposed adoption of revisions to Career Service Rules 7-34-Audits, 7-73 – Implementation of Market Analysis, and Career Service Rules 9-39 - Pay Adjustments, and 9-66 Recruitment Bonus.

THIS PROPOSED PROVISIONAL REVISION TO THE CAREER SERVICE RULES IS BEING POSTED FOR PUBLIC COMMENT AND HEARING TO BE HELD ON

Thursday, July 21, 2022 at 9:00AM

CURRENT RULE	REVISED RULE	RULE NUMBER	REVISION INTENTION & IMPACT
<p>7-34 Audits</p> <p>B. Requests for individual position audits will only be accepted by OHR between March 1 through October 31 of each year and must be made using the OHR Individual Position Audit Request Form. Appointing authorities may request an exception outside of this period if there are extraordinary or compelling operational needs. Exceptions require the approval of the OHR Executive Director.</p>	<p>7-34 Audits</p> <p>B. Requests for individual position audits <u>must be made using the OHR Individual Position Audit Request Form and cannot be implemented after the last Sunday of November nor before the first Sunday of March.</u>will only be accepted by OHR between March 1 through October 31 of each year and must be made using the OHR Individual Position Audit Request Form. Appointing authorities may request an exception outside of this period if there are extraordinary or compelling operational needs. Exceptions require the approval of the OHR Executive Director.</p>	<p>7-34 B</p>	<p>These revisions amend the rule to provide guidance to managers as to when position audits can be effective. The ability to request an exception was removed because they will impact the implementation of new ranges, increases to minimum, market adjustments, and merit on January 1st of each year.</p>

CURRENT RULE	REVISED RULE	RULE NUMBER	REVISION INTENTION & IMPACT
<p>7-73 Implementation of Market Analysis Recommendations</p> <p>D. The OHR shall implement the market analysis adjustments as approved or modified by the City Council and the Mayor in accordance with the following:</p> <p>1. Pay table adjustments: When an adjustment is applied to the pay tables, the range minimum and range maximum shall be modified by a consistent percentage increment. Each employee in the pay table's adjusted pay grades shall maintain their current rate of pay and classification, except that no such employee shall receive less than the range minimum of the adjusted pay grade. These adjustments shall take effect on January 1 of the immediate year following the year in which the recommendation is made.</p> <p>2. Market adjustments: When the adjustment is applied to the pay of employees in a particular classification, the pay of those employees shall be increased based upon the calculated degree of market lag and the employee's pay range quartile position. This subsection shall only apply to employees who are in the affected classification on the effective date of the change. In no event shall such employees be paid in excess of the range maximum. Employees who received an "Unacceptable" rating in the year preceding the effective date of the market adjustment are not eligible for a market adjustment. These adjustments shall take effect on January 1 following the year in which the recommendation is made.</p>	<p>7-73 Implementation of Market Analysis Recommendations</p> <p>D. The OHR shall implement the market analysis pay table adjustments as approved or modified by the City Council and the Mayor in accordance with the following:</p> <p>1. Pay table adjustments: When an adjustment is applied to the pay tables, the range minimum and range maximum shall be modified by a consistent percentage increment. Each employee in the pay table's adjusted pay grades shall maintain their current rate of pay and classification, except that no such employee shall receive less than the range minimum of the adjusted pay grade. These adjustments shall take effect on January 1 of the immediate year following the year in which the recommendation is made.</p> <p>2. Market adjustments: When the adjustment is applied to the pay of employees in a particular classification, the pay of those employees shall be increased based upon the calculated degree of market lag and the employee's pay range quartile position. This subsection shall only apply to employees who are in the affected classification on the effective date of the change. In no event shall such employees be paid in excess of the range maximum. Employees who received an "Unacceptable" rating in the year preceding the effective date of the market adjustment are not eligible for a market adjustment. These adjustments shall take effect on January 1 following the year in which the recommendation is made.</p>	<p>7-73 D.</p>	<p>These revisions amend the rule to delete references to market increase adjustments.</p>

CURRENT RULE	REVISED RULE	RULE NUMBER	REVISION INTENTION & IMPACT
<p>9-39 Pay Adjustments within the Salary Range</p> <p>D. Pay adjustment requests will only be accepted by OHR from March 1 through October 31 of each year. Exceptions require the approval of the OHR Executive Director. The appointing authority's request for approval shall explain: (Revised April 9, 2021; Rule Revision Memo 66D)</p> <p>1. The reason the pay inequity exists, including information about how pay factors (as listed in Rule 9-5F and/or Appendix 7.A) have contributed to the pay inequity; and</p> <p>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 9-5F and/or Appendix 7.A).</p>	<p>9-39 Pay Adjustments within the Salary Range</p> <p>D. Pay adjustment requests cannot be implemented after the last Sunday of November nor before the first Sunday of March. will only be accepted by OHR from March 1 through October 31 of each year. Exceptions require the approval of the OHR Executive Director. The appointing authority's request for approval shall explain: (Revised April 9, 2021; Rule Revision Memo 66D) 1. The reason the pay inequity exists, including information about how pay factors (as listed in Rule 9-5F 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 9-5F and/or Appendix 7.A).</p> <p>E. Pay adjustment requests will only be accepted by OHR from March 1 through October 31 of each year. Exceptions require the approval of the OHR Executive Director. 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 9-5F 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 9-5F and/or Appendix 7.A).</p>	<p>9-39 D</p>	<p>These revisions amend the rule to provide guidance to managers as to when pay equity adjustments can be effective. The ability to request an exception was removed because they will impact the implementation of numerous 1/1 changes, e.g., new ranges, increases to range minimums, merit, etc.</p> <p>The deletion of the last section is being added below as subsection E because it is not related to D.</p>

CURRENT RULE	REVISED RULE	RULE NUMBER	REVISION INTENTION & IMPACT
<p>9-66 Recruitment Bonus</p> <p>A. A department or agency may pay a one-time recruitment bonus of up to \$10,000 according to the below schedule to attract a highly qualified external candidate whose skills, knowledge and/or abilities are deemed essential to the mission and operations of the City.</p>	<p>9-66 Recruitment Bonus</p> <p>A. A department or agency may pay a one-time recruitment bonus of up to \$10,000 according to the below schedule to attract a highly qualified external candidate whose skills, knowledge and/or abilities are deemed essential to the mission and operations of the City.</p> <p><u>1. City and County of Denver paid interns and on-call employees may be eligible for a recruitment bonus upon conversion to unlimited employment status.</u></p>	<p>9-65A.1</p>	<p>This addition amends the rule to enable a leader to provide a recruitment bonus to a paid intern or on-call employee who converts to unlimited employment status.</p>

DELETIONS ARE INDICATED BY ~~strike through~~ AND ADDITIONS ARE INDICATED BY bold, italics, and underline.

7-34 Audits

- A. An appointing authority may submit a request for, or the OHR may initiate, an audit of a filled position to determine if it is correctly classified, when there has been:
1. A significant change in the type or level of duties and responsibilities.
 2. A re-organization affecting a number of employees, which may involve significant additions of new equipment, or substantial changes in methods or procedures; or
 3. A classification study resulting in changes to classification specifications.
- B. Requests for individual position audits *must be made using the OHR Individual Position Audit Request Form and cannot be implemented after the last Sunday of November nor before the first Sunday of March.* will only be accepted by OHR between March 1 through October 31 of each year and must be made using the OHR Individual Position Audit Request Form.**
- ~~Appointing authorities may request an exception outside of this period if there are extraordinary or compelling operational needs. Exceptions require the approval of the OHR Executive Director.~~
- C. When an appointing authority requests re-allocation of a position to a supervisory or managerial classification from a classification that is not a supervisory or managerial classification the request shall include a list of the position numbers, classification titles, and names of subordinate staff.
- D. Audit requests will not be granted in the following situations:
1. For limited positions that are not budgeted or not anticipated to be budgeted past the fiscal year in which the audit was requested;
 2. For on-call positions;
 3. When there is a vacant position in the incumbent's work unit which is in the classification to which the audit request seeks to re-allocate the incumbent's position;
 4. For any positions currently included in a classification study; however, an exception may be granted upon OHR Executive Director approval based on the circumstances surrounding the audit request;
 5. As an alternative to promotion;
 6. As a substitute for disciplinary procedure;
 7. The incumbent has not passed the applicable assessment or test for the proposed classification; or
 8. The incumbent has not completed the required training for the proposed classification.
- E. An employee may petition an appointing authority to reconsider a decision not to request an audit of the employee's position and may send a copy of the petition to the OHR Executive Director. The OHR may choose to initiate an audit or classification study if warranted under this Rule 7.

7-73 Implementation of Market Analysis Recommendations

- A. In accordance with Rule 2, the Career Service Board (“Board”) shall hold a public hearing to determine whether to accept, reject, or modify the market analysis recommendations.
- B. The Board provides their recommendations to the Mayor and the City Council as required by ordinance.
- C. The City Council and the Mayor may accept, reject, or modify the recommendations.
- D. The OHR shall implement the market analysis *pay table* adjustments as approved or modified by the City Council and the Mayor ~~in accordance with the following:~~

~~1. Pay table adjustments: W~~hen an adjustment is applied to the pay tables, the range minimum and range maximum shall be modified by a consistent percentage increment.

Each employee in the pay table’s adjusted pay grades shall maintain their current rate of pay and classification, except that no such employee shall receive less than the range minimum of the adjusted pay grade.

These adjustments shall take effect on January 1 of the immediate year following the year in which the recommendation is made.

~~2. Market adjustments: When the adjustment is applied to the pay of employees in a particular classification, the pay of those employees shall be increased based upon the calculated degree of market lag and the employee’s pay range quartile position.~~

~~This subsection shall only apply to employees who are in the affected classification on the effective date of the change. In no event shall such employees be paid in excess of the range maximum.~~

~~Employees who received an “Unacceptable” rating in the year preceding the effective date of the market adjustment are not eligible for a market adjustment. These adjustments shall take effect on January 1 following the year in which the recommendation is made.~~

9-39 Pay adjustment within the salary range

- 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 who is:
 - 1. In the same classification; or
 - 2. In the same classification series; or
 - 3. In a classification within the same job family performing comparable types of duties; or
 - 4. Subordinate to the existing employee in that employee’s chain of command.
- B. OHR Classification and Compensation will 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 and 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. Pay adjustment requests *cannot be implemented after the last Sunday of November nor before the first Sunday of March.*

E. **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 9-5F 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 9-5F and/or Appendix 7.A).

9-66 Recruitment bonus (Revised September 21, 2017; Rule Revision Memo 30D)

A. A department or agency may pay a one-time recruitment bonus of up to \$10,000 according to the below schedule to attract a highly qualified external candidate whose skills, knowledge and/or abilities are deemed essential to the mission and operations of the City.

1. **City and County of Denver paid interns and on-call employees may be eligible for a recruitment bonus upon conversion to unlimited employment status.**

B. The amount of the recruitment bonus must be justified in writing and submitted by the department or agency to the appointing authority and the OHR Executive Director for approval. The justification must clearly demonstrate that the position is difficult to fill in the absence of a recruitment bonus.