

**RULE 1 <sup>1</sup>**

**DEFINITIONS**

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<sup>1</sup> **Editor’s Note:** All Rule number designations have been converted from Roman to Arabic numerals.

<sup>2</sup> **Editor’s Note:** The Table of Contents was added in the annotations of June 30, 2005.

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**The following words and phrases when they appear in these Rules shall have these meanings unless otherwise clearly indicated in the text:**

**ACTIVE DUTY** - The actual performance of work or duties prescribed by ordinance, or work or duties recognized by law, or the actual performance of work or duties assigned by the superior or department head, or time spent in the armed services and required by law to be recognized as active duty.

**APPEAL** - A request (or petition) in writing by a member within the classified service and filed with the Civil Service Commission, in the manner and within the time provided by the Charter and these Rules, seeking a review of disciplinary actions taken against that member that involves the loss of time or money or a review of a disqualification of a member from the classified service.

*(Amended October 13, 1995; November 20, 1998)*

**APPLICANT** - A person who has filed an application for examination, for an original or promotional appointment to a classification in the classified service.<sup>3</sup>

*(Amended October 13, 1995)*

**APPOINTEE** - A member of the classified service.

**APPOINTING AUTHORITY** - The Manager of Safety.

**APPOINTMENT** - The designation of a person by the Manager of Safety to a position within the classified service.

*(Amended October 13, 1995)*

**ASCERTAINED MERIT** - A test phase of a promotional examination that awards points to candidates based on their departmental performance evaluation ratings and/or based on an evaluation of their qualifications, background, education, training, work history, experience, documented performance, disciplinary record, commendation history, or any combination of these.

*(Adopted March 27, 1998; Amended October 27, 2000)*

**CADET ELIGIBLE REGISTER** - A public record of the names, in rank order, of those persons who have qualified, by successfully completing the public safety cadet program and the entry-level examination process administered by the Civil Service Commission, for original appointment to the classified service. The term eligible list shall be synonymous with eligible register.

*(Adopted August 15, 1989) (Amended October 13, 1995; October 27, 2000)*

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<sup>3</sup> **Editor's Note:** Commencing with amendments to Commission Rule 5, effective 9-01-04, the word "applicant" distinguishes an individual who is participating in the application, examination, screening, approval, requisition, certification and/or appointment process for original appointment. This new meaning has been utilized in the subsequent amendments to Rule 6, Rule 7, and Rule 15, and will be used in all future amendments to Commission Rules. The word "candidate" distinguishes an individual in the promotional appointment process.

**RULE 1 (Annotated 6-30-05)**

**CANDIDATE** - A person who has filed an entry-level or promotional application for an appointment in the classified service and who is currently being processed, or who is eligible to be processed through the examination process.<sup>4</sup>

*(Adopted October 13, 1995)*

**CERTIFICATION** - A written statement by the Commission certified by its Executive Director, advising the Manager of Safety that the persons named therein are the highest ranking individuals on current eligible registers for appointment to or promotion within the classified service.

*(Amended October 13, 1995)*

**CERTIFICATION REGISTER** - A record or register that is arranged and composed of the rank ordered names of candidates from a corresponding Eligible Register. It is used to document the date(s) upon which individual eligible candidates are certified to the Manager of Safety for consideration for an original or promotional appointment, and the date of appointment, as applicable.

*(Adopted October 27, 2000)*

**CHARTER** - Charter of the City and County of Denver, as amended.

**CLASSIFICATION** - The rank, title, and/or grade of an individual member's position in the classified service; also the rank, title, and/or grade of an individual member in the Service.

*(Amended October 13, 1995)*

**CLASSIFIED (POSITION - SERVICE)** - All positions and their classifications which have been created by the Charter and are under the jurisdiction of the Civil Service Commission.

*(Amended October 13, 1995)*

**COMMISSION** - The Civil Service Commission of the City and County of Denver.

**DAYS** - Unless specified otherwise, the term days shall mean calendar days.

*(Amended October 13, 1995)*

**DEMOTION** - A change in the employment status of a member of the classified service to a position of less responsibility or lower classification.

*(Amended October 13, 1995)*

**DISCHARGE** - Act of terminating the services of or dismissing a member of the classified service.

*(Amended October 13, 1995)*

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<sup>4</sup> **Editor's Note:** Commencing with amendments to Commission Rule 5, effective 9-01-04, the word "candidate" distinguishes an individual who is participating in the application, examination, screening, approval, requisition, certification and/or appointment process for promotional appointment. This new meaning has been utilized in the subsequent amendments to Rule 6, Rule 7, and Rule 15, and will be used in all future amendments to Commission Rules. The word "applicant" distinguishes an individual in the original appointment process.

**DISCIPLINARY ACTION** - A penalty imposed upon a member of the classified service by the Manager of Safety that involves the loss of time or money.

*(Amended October 13, 1995)*

**DRUG, HARD** - Any Schedule 1 or 2 controlled substance, as defined by and listed in CRS § 18-18-203 and 204, respectively, as amended from time to time, the use of which would be classified as a felony under CRS § 18-18-404, as amended from time to time; except for marijuana and marijuana concentrate, and except when the controlled substance is used pursuant to being dispensed by or under the direction of a person licensed or authorized by law to prescribe, administer, or dispense such controlled substance for bona fide medical needs.

*(Adopted October 27, 2000)*

**DRUG, PRESCRIPTION** - A controlled substance or drug dispensed by or under the direction of a person licensed or authorized by law to prescribe, administer, or dispense such controlled substance for bona fide medical or research needs.

*(Adopted October 27, 2000)*

**DRUG, SOFT** - Marijuana and marijuana concentrate, and any Schedule 3, 4 or 5 controlled substance, as defined by and listed in CRS § 18-18-205, 206, and 207, respectively, as amended from time to time; except when the drug or substance is used pursuant to being dispensed by or under the direction of a person licensed or authorized by law to prescribe, administer, or dispense such drug or substance for bona fide medical needs; the use of which would be classified as a misdemeanor under CRS § 18-18-404, as amended from time to time; and for marijuana or marijuana concentrate, the use of which would be classified as a petty offense or misdemeanor under CRS § 18-18-406, as amended from time to time.

*(Adopted October 27, 2000)*

**DUI** - “Driving while under the influence” of alcohol and/or drugs as defined under CRS § 42-4-1301(f), as it may be amended from time to time. A conviction of, or deferred judgment for a DUI offense, as it relates to any presumption based on the amount of alcohol in the blood or breath, shall be as defined by the jurisdiction in which the conviction or deferred judgment occurred.

*(Adopted October 27, 2000)*

**DWAI** - “Driving while ability impaired” by alcohol and/or drugs as defined under CRS § 42-4-1301(g), as it may be amended from time to time. A conviction of, or deferred judgment for a DWAI offense, as it relates to any presumption based on the amount of alcohol in the blood or breath, shall be as defined by the jurisdiction in which the conviction or deferred judgment occurred.

*(Adopted October 27, 2000)*

**EFFICIENCY RATING** - A rating given to classified members by their supervisors through consideration and evaluation of a member’s job performance in accordance with a uniform rating system utilized by that member’s department for the classification in question. Any such rating system must include a departmental internal appeal process.

*(Adopted March 27, 1998) (Amended October 27, 2000)*

**RULE 1 (Annotated 6-30-05)**

**ELIGIBLE** - One whose name is or should be placed upon an eligible register for appointment, reappointment, or promotion to a position in the classified service.

*(Amended October 13, 1995) (Amended October 27, 2000)*

**ELIGIBLE REGISTER FOR ORIGINAL APPOINTMENT** - A public record or register composed of those persons from the examination list who have successfully passed all phases of the examination process required for original appointment, arranged in accordance with the ranking system as specified in the examination announcement. The term eligible list shall be synonymous with eligible register.

*(Amended October 13, 1995; October 27, 2000)*

**ELIGIBLE REGISTER FOR PROMOTIONAL APPOINTMENT** - A public record or register of the names of those classified members who have qualified through examination for a specific rank in the classified service, arranged in order of their eligibility for appointment based on the examination scoring system as specified in the examination announcement. The term eligible list shall be synonymous with eligible register.

*(Amended October 13, 1995; October 27, 2000)*

**EMERGENCY OR TEMPORARY EMPLOYEE** - Any employee within the jurisdiction of the Civil Service Commission whose services are required for an emergency purpose or for an urgent need for a period not to exceed sixty consecutive (60) days.

*(Amended October 13, 1995)*

**EXAMINATION** - A series of test phases, taken collectively, that determines the qualification and suitability of an applicant for a particular classification within the classified service.

*(Amended October 13, 1995; October 27, 2000)*

**EXAMINATION LIST** - A confidential working document listing and ranking those candidates for original or promotional appointment who have obtained a passing grade on initial test phases utilized for ranking in the examination, and which reflects the award of any other points, such as veterans points or points awarded as a result of any special supplemental examination. The document tracks candidates as they complete the various test phases in the examination process.

*(Amended October 27, 2000)*

**EXAMINATION REGULATIONS** - The Rules of the Civil Service Commission, the Examination Announcement, examination instructions, anything incorporated therein, or any other rule established by the Commission regarding the examination, so long as proper notice was given.

*(Adopted October 13, 1995)*

**EXAMINER** - The Commissioner, staff person, or consultant in charge of an examination.

**EXECUTIVE DIRECTOR** - The Executive Director of the Civil Service Commission of the City and County of Denver who may also serve as its Chief Examiner.

**FACSIMILE COPY** - A copy generated by a system that encodes a document into electrical signals, transmits these electrical signals over a telephone/data line, then reconstructs the signals to print an exact duplicate of the original document at the receiving end.

*(Adopted October 13, 1995)*

**GRADE** - The Charter arrangement of distinct and separate classes which typically distinguish individuals with the rank of Firefighter or Police Officer by the length of service in that rank. The grades of the rank of Firefighter are Fourth Grade, Third Grade, Second Grade and First Grade. The grades of the rank of Police Officer are Recruit, Fourth Grade, Third Grade, Second Grade and First Grade.

*(Adopted October 13, 1995)*

**LATERAL ENTRY** - The process by which an individual with at least three (3) years of prior law enforcement experience can apply for Original Appointment to the Police Department as outlined in the Charter and these Rules.

*(Adopted October 13, 1995)*

**LAYOFF** - The separation of a member of the classified service because of reduction in force.

*(Amended October 13, 1995)*

**MAY and SHALL** - "May" is permissive and "Shall" is mandatory.

**MEMBER** - All regularly appointed members of the classified service of the Fire and Police Departments, except the Chief of the Police and the Chief of the Fire Department.

*(Amended November 15, 1989)*

**MONTH** - Unless otherwise specified, a period of consecutive days running from a particular date in one calendar month through and including the same date in the following, or in the preceding, calendar month.

*(Adopted October 27, 2000)*

**NOTICE** - When the word "notice" is used, it shall mean, unless otherwise provided in these Rules, the giving of notice personally to the member or applicant (orally or in writing, depending upon the requirement of the Rule) or upon the mailing of notice by United States mail to the last known address of record which was furnished to the Civil Service Commission by the member or applicant. Notice shall also mean constructive notice, as defined by law. Any of the above methods shall constitute "notice" and the receipt of notice.

*(Amended October 13, 1995)*

**ORIGINAL APPOINTMENT** - The date an entry-level, lateral or reserve candidate is initially appointed to begin working in the classified service.

*(Amended October 13, 1995)*

**PERMANENT MEMBER** - An original appointee who has satisfactorily completed the probationary period.

*(Amended October 13, 1995)*

**RULE 1 (Annotated 6-30-05)**

**PROBATIONARY MEMBER** - One who has not completed the probationary period following original appointment.

**PROBATIONARY PERIOD** - A specified length of time expressed in the Charter and Rule 9 of these Rules during which a member is further evaluated as to his/her fitness for a permanent position in the classified service.

*(Amended October 13, 1995)*

**PROMOTION** - A change in the status of a member of the classified service to a position of higher classification.

*(Amended October 13, 1995)*

**PROVISIONAL APPOINTEE** - One who, in the absence of an appropriate eligible register, may be appointed to a position on the condition that said provisional appointee shall be required to pass a competitive examination and meet other requirements before becoming eligible for original appointment.

*(Amended October 13, 1995)*

**RANK** - The Charter arrangement of separate and distinct classes which contain those positions which involve similar duties, responsibilities, and qualification requirements. The ranks in the Fire Department are Assistant Chief, Master Mechanic, Superintendent of Fire Alarm, Assistant Superintendent of Fire Alarm, Assistant Master Mechanic, Captain, Lineman, Mechanic, Lieutenant, Engineer and Firefighter. The ranks in the Police Department are Captain, Superintendent of Radio Engineers, Lieutenant, Radio Engineer, Sergeant, and Police Officer. The grades of the rank of Firefighter are Fourth Grade, Third Grade, Second Grade and First Grade. The grades of the rank of Police Officer are Recruit, Fourth Grade, Third Grade, Second Grade and First Grade.

*(Amended October 13, 1995)*

**REDUCTION IN GRADE** - A lowering in the grade of a member of the classified service to a position of lower classification.

*(Adopted October 13, 1995)*

**REEMPLOYMENT** - The reappointment of an individual who was previously employed as a member of the classified service in that department.

*(Adopted October 13, 1995)*

**REGISTRATION** - The process of enrolling qualified classified members to participate in a promotional examination.

*(Adopted October 13, 1995)*

**REINSTATEMENT** - The restoration to a position in the classified service.

**REINSTATEMENT REGISTER** - A register of inactive classified members comprising those who have been laid-off in accordance with Rule 11, arranged in the order prescribed by these Rules.

*(Adopted October 13, 1995)*

**RESERVE POLICE OFFICER ENTRY** - The process by which a current Denver Reserve Police Officer, who has met all of the qualifications and requirements of the Denver Police Reserve Officer Training Program, can apply for original appointment to the Denver Police Department as outlined in the Charter.

*(Adopted October 13, 1995)*

**RESIGNATION** - The voluntary separation of a member from a position in the classified service.

*(Amended October 13, 1995)*

**SHALL and MAY** - "Shall" is mandatory and "may" is permissive.

**SINGULAR** - Use of the singular shall be held to include the plural and conversely.

**SERIOUS HEALTH CONDITION** - A physical or mental illness, injury, impairment, or condition, including pre-natal care, which involves inpatient care in a medical care facility or continuing treatment by a health care provider, or which prevents a classified member from performing the essential functions of the position held, as defined by the 1993 Family Medical Leave Act.

*(Adopted October 13, 1995)*

**SUBPOENA DUCES TECUM** - A legal document legally served which commands the recipient to appear with certain documents, items, and/or materials, at a certain time, and place to give testimony concerning those documents and facts therein.

*(Adopted October 13, 1995)*

**SUSPENSION** - The temporary separation of a member from assigned duties as a disciplinary measure.

**TITLE** - Separate and distinct classifications which are not determined by Civil Service examination. Examples include Division Chief, Technician, and Detective.

*(Adopted October 13, 1995)*

**TOTAL SCORE** - The final score of achievement attained by a candidate in an examination as computed from the relative value earned in each test phase of an examination, as determined by the examination announcement.

*(Adopted October 13, 1995) (Amended October 27, 2000)*

**RULE 1 (Annotated 6-30-05)**

**WEIGHT** - The fixed numerical value given to each part of an examination designating the relative point value thereof and used in computing a total score as set forth in the official announcement of the examination

*(Amended October 13, 1995)*

**YEAR** - Unless otherwise specified, the term year refers to a period of twelve (12) consecutive months.

*(Adopted October 13, 1995)*

**END**  
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