

**MEMORANDUM**

**REVISION 11, SERIES C**

**TO:** Holders of CSA Rule Books

**FROM:** Career Service Board

**DATE:** July 25, 2006

**SUBJECT:** Revision of Career Service Rule 9-64 Standby Pay

The Career Service Board has revised Career Service Rule 9-64 Standby Pay. The effective date of this revision is July 25, 2006.

	<b><u>Page Number</u></b>	<b><u>Issuance Dates</u></b>
<b>Remove</b>	9-11 9-15	April 1, 2006
<b>Replace</b>	9-11 9-15	July 25, 2006

**PLEASE INSERT IN YOUR RULE BOOK AS SOON AS POSSIBLE. THANK YOU.**

#### 9-63 Health Care Differential

- A. Career Service employees who are employed by Denver Health and Hospital Authority (“DHHA”) in classifications in the Health Technical and Related Support, Health Professional, and Doctors occupational groups are eligible for health care differentials paid to comparable classifications at DHHA.
- B. The differentials, eligibility criteria and rates shall be established by DHHA.

#### 9-64 Standby Pay

(Revised effective July 25, 2006; Rules Revision Memo 11C)

- A. Appointing authorities may schedule employees to be on standby duty only when there is a reasonable anticipation that the employee will have to respond and perform work immediately. Eligible employees shall receive an amount equal to one and one half (1 1/2) hours of work at the employee’s straight time hourly rate for each eight hours the employee is on standby duty.
- B. To be eligible for standby pay, the employee must be:
  - 1. Eligible for overtime under the Fair Labor Standards Act (“FLSA”) or under subsections A, B or D of Rule 9-93 Overtime Exceptions;
  - 2. Scheduled to be available by pager, cellular phone, or telephone;
  - 3. Required to respond to a call and perform work within a designated amount of time not to exceed two hours;
  - 4. In a non-impaired condition that allows the employee to safely perform job duty assignments; and
  - 5. Subject to disciplinary action if he or she does not respond to the call within the designated amount of time.
- C. When an eligible employee on standby is required to perform work, standby pay will be suspended and the employee will be paid basic pay or overtime pay, as appropriate, for the period the employee actually performs work.
- D. An employee who merely carries a cellular telephone or pager as a routine part of his or her job duties is not eligible for standby pay unless all of the conditions set forth in subsection B of this rule are met.

#### 9-65 Call Back Pay

- A. Overtime eligible employees required by the appointing authority to report back to the work site shall be paid a minimum amount equal to two (2) hours of work at the employee’s scheduled rate of pay from the time the employee begins work.
- B. Employees who work more than two hours shall be paid for the actual time worked.

G. Telecommuting:

1. Telecommuting is the practice of working at home or from a site other than a department or agency's central workplace. It is a work alternative which appointing authorities may offer to or require of employees.
2. Telecommuting is not an employee benefit but an alternative method of meeting the City's needs. Telecommuting is a privilege and an appointing authority has the right to refuse to make telecommuting available to an employee and to terminate a telecommuting arrangement at any time.
3. Employees may express a desire not to telecommute and appointing authorities should consider employees' wishes along with the needs of the City in making a final determination.
4. Permission to telecommute shall be conditioned on compliance with the telecommuting guidelines established by the Personnel Director (see Appendix).

Section 9-90 Overtime

9-91 Policy

- A. In accordance with the FLSA, all work performed in excess of forty (40) hours per week by non-exempt employees shall be designated overtime work for the purposes of compensation, subject to the following exceptions:
  1. Non-career employees working for seasonal recreational establishments that do not operate for more than seven months in any calendar year shall be exempt from overtime pay and shall be paid the straight time hourly rate for all hours worked in a work week, including all hours worked in excess of forty (40) hours per week.
  2. Non-career employees whose rates of pay are set by the community rate schedule established by ordinance shall be paid overtime according to that schedule. If the community rate schedule makes no provisions for overtime, such employees shall be paid overtime in accordance with Subsection 9-100.
- B. If a paid holiday, a period of paid leave, or discharge of compensatory time occurs during a work week, such time shall be counted as time worked when determining whether an employee has worked overtime. Time spent taking courses outside of the normal work day shall not be counted as time worked, even if the employee receives paid training leave to take the courses, unless the City has required the employee to take the course.
- C. Leave without pay shall not count as time worked.