



**CITY AND COUNTY OF DENVER
CAREER SERVICE AUTHORITY**

201 West Colfax • Dept. 412 • Denver CO 80202
phone: (720) 913-5751 • TTY: (720) 913-5545 • jobline: (720) 913-JOBS • fax: (720) 913-5993
fax applications: (720) 913-5989 • fax administration: (720) 913-5720 • www.denvergov.org/csa/

MEMORANDUM

REVISION 249, SERIES B

TO: Holders of CSA Rule Books
FROM: CS Board
DATE: June 3, 2004
SUBJECT: Rule Revision – Rule 9-22, Rule 10 and related CS Rules

The Career Service Board has adopted an amendment, revisions and renumbering to existing Rule 9-22, Rule 10, Rule 11 and Rule 1 that was published as part of Rule Proposal 342B. The effective date of this revision is June 1, 2004.

	<u>Page Number</u>	<u>Issuance Date</u>
Remove	1-7 through 1-15	March 19, 2004
Insert	1-7 through 1-15	June 1, 2004
Remove	9-1 through 9-2	November 9, 1995, November 14, 1994 October 3, 2003
Insert	9-1 through 9-2	June 1, 2004
Remove	Rule 10 in its entirety	
Insert	Rule 10 (10-1 to 10-9)	June 1, 2004
Remove	11-12.2 through 11-13	December 22, 2003 August 30, 2002
Insert	11- 12.2 through 11-13	June 1, 2004

	<u>Page Number</u>	<u>Issuance Date</u>
Remove	11-15 through 11-18	November 25, 2003 January 20, 1993 November 3, 1980 April 13, 1995
Insert	11-15 through 11-18	June 1, 2004
Remove	11-23	December 15, 1993
Insert	11-23 through 11-25	June 1, 2004

PLEASE INSERT IN YOUR RULE BOOK IMMEDIATELY. THANK YOU.

The Career Service Board approved a change to Career Service Rule 9-22, Rule 10 Overtime and related Career Service Rules. Please insert the revised pages in your rule book and post on bulletin boards. If you have any questions regarding this email, contact 720-913-5718. The rule change is located at http://www.denvergov.org/Employee_Relations/

Exempt employee:

An employee, except as otherwise provided, who is not entitled to receive overtime pursuant to these Rules. (Effective August 16, 1985; Rules Revision Memo 74B).

Exempt pay schedules:

Schedules of pay grades in the pay plan applicable to those executive, administrative, professional and supervisory classes which are exempt from overtime under standards of the Fair Labor Standards Act, regardless of whether or not overtime is paid because of prevailing practice in the Denver Metropolitan area. (Effective September 1, 1989; Rules Revision Memo 129B).

Fringe benefits:

Vacation, holidays, sick leave, payments for injuries or sickness received in the line of duty, health insurance, life insurance, pensions, termination pay, uniform and equipment allowances, dependents' benefits, longevity pay, and any other financial or economic benefits which are found by the Career Service to be the prevailing practice in the Denver metropolitan area. (Effective September 22, 1978; Denver City Charter, Section C5.26-1).

Full-time position:

One in which the employee is scheduled to work forty (40) hours per week or is scheduled to work eighty (80) hours in two (2) weeks under an authorized special work schedule. (Effective September 18, 1980; Rules Revision No. 127A).

General Reinstatement List:

Employees shall be placed on the general Reinstatement List for the classification they have been laid off from, demoted in lieu of lay-off from, or have voluntarily resigned or voluntarily demoted in lieu of lay-off from. The General Reinstatement List shall be used City-wide. (Effective March 19, 2004, Rule Revision Memo 247B)

Hourly Rate:

The hourly rate is the pre-determined rate of pay the employee is eligible to receive for one hour of work. (Effective June 1, 2004, 249B)

Immediate family:

Husband, wife, son, daughter, mother, father, grandmother, grandfather, grandchildren, brother, sister, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, domestic partner, and the mother, father, son, daughter, brother, or sister of the domestic partner, as well as minor children for whom the employee or the employee's domestic partner provide day-to-day care and financial support. (Effective March 16, 1995; Rules Revision No. 178, Series B).

Incumbent:

The current occupant of a position in the Career Service. (Effective May 16, 1956; Rules Revision No. 16A)

Lay-off:

The involuntary separation of a career status unlimited employee, or a limited employee appointed prior to January 16, 2004, resulting from the abolishment of a position. (Eff. 9/18/1980, Rules Rev. 127A; Revised 3/19/2004, Rule Rev. 247B).

Lay-off unit:

An appropriation account, appropriation sub-account, combinations of appropriation sub-accounts, or combinations of appropriation accounts for the purposes of lay-off. (Eff. 11/01/1979, Rules Rev.115A; Revised 3/19/2004, Rule Rev. 247B).

Lay-off Unit Reinstatement List:

Employees shall be placed on the Lay-off Unit Reinstatement List for the classification they have been laid off from, demoted in lieu of lay-off from, or have voluntarily resigned or voluntarily demoted in lieu of lay-off from. The Lay-off Unit Reinstatement List shall only be used within the Lay-off Unit the employee was in when the lay-off took place. (Effective March 19, 2004, Rule Revision Memo 247B)

Leave:

An authorized absence from regularly scheduled work hours which has been approved by proper authority. (Effective May 16, 1956; Rules Revision No. 16A).

Length of Service:

Total number of years, months and days of continuous service, (for examination purposes) including time an employee is on authorized leave of absence without pay, but exclusive of service in non-career status positions. (Effective December 15, 1988; Rules Revision No. 118B; Revised March 19, 2004, Rule Revision Memo 247B).

Limited position:

One which has a specified ending date. (Effective September 18, 1980; Rules Revision No. 127A).

Marijuana Metabolite:

Delta-9-Tetrahydrocannabinol-9-Carboxylic Acid. (Effective December 31, 1994; Rules Revision Memo 177).

Merit increase:

An increase in pay resulting from specified ratings on Performance Enhancement Program Reports, not to exceed the top of the pay range for the class. (Effective September 1, 1989; Rules Revision No. 129B).

Minimum qualifications:

The qualifications contained in the class specification which a person must possess in order to qualify or compete for a given class of positions in the Career Service. (Effective November 1, 1979; Rules Revision No. 115A).

Page Issuance Date: June 1, 2004

Month of service:

The period of time between a given date in one month and the preceding day in the following month (e.g., April 16 through May 15). (Effective October 12, 1981; Rules Revision Memo 19B).

Non-career status:

The status of an employee who works as needed and who serves no probationary period. (Effective September 18, 1980; Rules Revision Memo 127A; Rev. 3/19/2004, Rule Rev. 247B).

Non-exempt employee:

An employee who is entitled to overtime pursuant to these Rules. (Effective August 16, 1985; Rules Revision Memo 74B).

Non-exempt pay schedules:

Schedules of pay grades in the pay plan applicable to those classes which receive overtime because of standards of the Fair Labor Standards Act. (Effective September 1, 1989; Rules Revision Memo 129B).

Occupational group:

One or more classes so nearly alike in the essential character of their duties and responsibilities that the same pay adjustments can be applied. (Effective November 2, 1989; Rules Revision Memo 134B).

On-call position:

A position which may have routine or variable work patterns and is normally only filled to accommodate seasonal or short term activities in various city agencies. (Effective May 1, 1991; Rules Revision Memo 148B).

Organizational title:

The title of a position, which may differ from the class title, used in a given agency for operating purposes. (Effective May 16, 1956; Rules Revision Memo 16A).

Overtime Rate:

The overtime rate is the regular rate multiplied by 1.5. (Effective June 1, 2004, 249B)

Overtime work:

Work performed by eligible employees in part-time or full-time positions in excess of eight (8) hours a day, or forty (40) hours a week, or in excess of the number of hours specified for a given period of time in a special work schedule adopted pursuant to Subsection 10-35 Special Work Schedules; or work performed by eligible employees in on-call positions in excess of forty (40) hours per week. (Effective February 14, 1985; Rules Revision Memo 71B).

Part-time position:

One in which an employee is scheduled to work less than forty (40) hours per week. (Effective September 18, 1980; Rules Revision Memo 127A).

Pay grade:

The identifying number of a range of pay rates established by the classification and pay ordinance. (Effective May 1, 1991; Rules Revision Memo 148B).

Pay indicator class:

A class for which pay data is collected in a pay survey. (Effective September 1, 1989; Rules Revision Memo 129B).

Pay period:

The semi-monthly work period for which earnings of employees are computed. (Effective May 16, 1956; Rules Revision Memo 16A).

Pay plan:

The listing of pay rates for all pay ranges assigned by ordinance to each class of positions in the classification plan. (Effective May 1, 1991; Rules Revision Memo 148B).

Pay range:

The entry rate to the maximum rate of the pay grade established for a class by the classification and pay ordinance. (Effective September 1, 1989; Rules Revision Memo 129B).

Pay step:

A rate of pay within a pay range. (Effective September 1, 1989; Rules Revision Memo 129B).

Performance Enhancement Program:

A program identifying for each employee the job responsibilities of his or her position, expected accomplishments, and action plans for the specified time period. (Effective January 1, 1988; Rules Revision Memo 102B).

Performance Enhancement Program Report:

A written evaluation of the performance of an employee designed to inform the employee of the manner in which he or she is meeting expected accomplishments established by the Performance Enhancement Program. (Effective January 1, 1988; Rules Revision Memo 102B).

Position:

The aggregate of duties and responsibilities performed by one person. (Effective September 18, 1980; Rules Revision Memo 127A).

Position and personnel requisition form:

The form used by appointing authorities to create positions and to request certification of eligibles in order to make an appointment to a position. (Effective September 1, 1989; Rules Revision Memo 129B).

Position number:

The number assigned by an agency to each position within that agency. (Effective May 16, 1956; Rules Revision Memo 16A).

Prevailing practice (fringe benefits):

The level of fringe benefits predominant among employers in the Denver Metropolitan area, as measured by the total value of such fringe benefits. (Effective September 1, 1989; Rules Revision Memo 129B).

Probationary period:

A period of time following employment appointment, promotional appointment, or re-employment which is a work-test period for the employee, and during which the employee is on a trial basis. (Effective September 18, 1980; Rules Revision Memo 127A).

Professional class:

A class in which the duties and responsibilities meet the following criteria:

- a) Primary duties consist of the performance of:
 - 1) Work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes, or
 - 2) Work that is original and creative in character in a recognized field of artistic endeavor (as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training), and the result of which depends primarily on the invention, imagination, or talent of the employee, or (Effective March 2, 1982; Rules Revision Memo 30B)
 - 3) Teaching, tutoring, instructing, or lecturing in the activity or imparting knowledge, as a teacher in the school system or educational establishment or institution, and
- b) Work requires the consistent exercise of discretion and judgment in its performance, and
- c) Work is predominantly intellectual and varied in character (as opposed to routine mental, manual, mechanical, or physical work) and is of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time, and

- d) No more than 20% of hours worked in the work week is devoted to activities which are not an essential part of and necessarily incident to work described in paragraphs a) through c) above.
(Effective May 1, 1974; Rules Revision Memo 83A).

Promotion:

The change of an employee from a position in one class to a different position in another class if (1) the second class is in the same pay schedule, and the first three digits of the identification number of the pay grade of the second class are higher than the first three digits of the first class; or (2) in a different pay schedule with a higher entry rate.
(Effective September 1, 1989; Rules Revision Memo 1 29B).

Promotional appointment:

One which moves an employee from a position in one class to a position in another class meeting the criteria for a promotion (Effective September 1, 1989; Rules Revision Memo 129B).

Promotional probationary status:

The initial status of an employee receiving a promotional appointment. (Effective September 18, 1980; Rules Revision Memo 127A).

Promotional reinstatement appointment:

An appointment which is made of an employee who has demoted in lieu of lay-off and who has been certified from a reinstatement list. (Effective September 1, 1989, Rules Revision Memo 129B; Rev. March 19, 2004, Revision Memo 247B).

Provisional class:

A class of positions established by the Career Service Board, subject to approval by the City Council within three months from the effective date of the action. (Effective May 16, 1956; Rules Revision Memo 116A).

Reallocation:

The formal process of assigning a filled position to its proper class on the basis of the duties performed and the responsibilities exercised. (Effective December 18, 1978; Rules Revision Memo 107A).

Reassignment:

The change of duties of an employee in a position in a class or the movement of an employee from a position in the same class within the same agency or within consolidated appropriation accounts.

Re-employment appointment:

One which is made of a former employee who has separated, other than by a dismissal, from the Career Service within the last five (5) years prior to the date of re-employment. (Effective September 18, 1980; Rules Revision Memo 127A).

Regular Rate:

An employee's regular rate of pay cannot be less than the minimum wage. The regular rate includes all remuneration for employment except certain payments excluded by the Fair Labor Standards Act itself. Payments which are not part of the regular rate include pay for expenses incurred on the employer's behalf, premium payments for overtime work or the true premiums paid for work on Saturdays, Sundays, and holidays, discretionary bonuses, gifts and payments in the nature of gifts on special occasions, and payments for occasional periods when no work is performed due to vacation, holidays, or illness.
(Effective June 1, 2004, 249B)

Reinstatement appointment:

An appointment which is made of an employee who is not in the Career Service who has been certified from a reinstatement list. (Effective September 18, 1980; Rules Revision Memo 127A; Rev. March 19, 2004, Revision Memo 247B).

Reinstatement List:

The Reinstatement List shall be maintained in two forms: Lay-off Unit Reinstatement List and General Reinstatement list. (Eff. 3/19/04, Rule Rev. Memo 247B)

Re-promotion appointment:

One in which an employee is appointed to a different position (1) in a higher class in which such employee was previously employed, or a successor class; or (2) in any class for which qualified with the same entry rate or an intervening entry rate. A re-promotion appointment shall meet the following two requirements: (1) the re-promotion is not a reinstatement, and (2) the previous reemployment was within five (5) years preceding the re-promotional appointment. (Effective September 1, 1989; Rules Revision Memo 129B).

Return from promotional probation:

Change of a career status employee serving promotional probation to a position in the class from which promoted within the agency from which promoted. (Effective December 3, 1981; Rules Revision Memo 25B).

Resignation:

The voluntary separation of an employee from the Career Service. (Effective May 16, 1956; Rules Revision Memo 16A).

Retirement:

The separation of an employee from the Career Service who is required to retire because of mandatory retirement age or who is eligible to retire under the provisions of the Denver Employees' Retirement Plan. (Effective November 1, 1965; Rules Revision Memo 47A).

Separation:

The termination of employment by reason of probation, disqualification, lay-off, resignation, retirement, dismissal, or death. (Effective September 18, 1980; Rules Revision Memo 127A).

Serious health condition:

A physical or mental illness, injury, impairment or condition, including prenatal care, which involves inpatient care in a medical care facility or continuing treatment by a health care provider, or which prevents the employee from performing the functions of the position held. (Effective December 2, 1993; Rules Revision 167B).

Sexual harassment:

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:

- a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment. (Effective March 22, 1984; Rules Revision 60B).

Short range pay schedule:

A schedule of pay grades in the pay plan applicable to those classes which are utilized to determine pay for "seasonal" or "on-call" positions. (Effective May 1, 1991; Rules Revision 148B).

Staggered work schedule:

The assignment of differing reporting times to individual employees. (Effective November 14, 1978; Rules Revision 104A).

Standard work week:

The five-day, forty-hour work week. (Effective May 16, 1956; Rules Revision 16A).

Subject to the effects of an illegal drug or drug metabolite:

Having the presence of an illegal drug or an illegal drug metabolite in an individual's system, as determined by appropriate testing of urine specimen that is equal to or greater than the levels specified below for the confirmation test.

- a) Marijuana metabolite 15 NG/ML
- b) Cocaine metabolite(s) 150 NG/ML.
- c) Morphine and/or Codeine 300 NG/ML
- d) Phencyclidine (PCP) (and/or metabolites) 25 NG/ML
- e) Amphetamine and/or methamphetamine 500 NG/ML

(Effective December 31, 1994; Rules Revision Memo 177).

Page Issuance Date: June 1, 2004

Suspension:

An involuntary absence without pay imposed on an employee as a disciplinary action. (Effective March 15, 1979; Rules Revision 110A).

Trainee:

A student, apprentice or intern in the Career Training Service. (Effective January 1, 1988; Rules Revision 101B).

Transfer appointment:

One which moves an employee from a position in one class to a different position:

- a) in the same class in a different agency; or
- b) in a different class in the same pay schedule where the first three digits of the identification number of the pay grade are the same; or
- c) in a different class in a different pay schedule where the entry rates are the same. (Effective September 1, 1989; Rules Revision 129B).

Unlimited position:

One which has no specified ending date. (Effective September 18, 1980; 127A).

Verbal warning:

An oral statement telling an employee about a violation or failure to perform and advising of consequences of repeated acts or omissions. A verbal warning does not become a written reprimand merely because the supervisor makes a note of the event. (Effective March 15, 1979; Rules Revision 110A).

Weekly Rate:

The weekly rate is the predetermined rate of pay the employee is eligible to receive for one forty (40) hour week of work. (Effective June 1, 2004, 249B)

Work days:

The established or scheduled days an employee shall work. (Effective May 16, 1956; Rules Revision 16A).

Work week:

The total of scheduled work days in a seven (7) day period starting at 12:01 A.M. on Monday and ending on Sunday evening at 12:00 Midnight, unless a different period has been established in accordance with these rules. (Effective September 19, 1985; 75B).

Workmen's compensation:

Benefits received by an employee who is injured while carrying out his work assignment as determined by the Workmen's Compensation Act of Colorado. (Effective May 16, 1956; Rules Revision 16A).

Written reprimand:

A written statement of specific charges of violation or failure to perform, of the acts upon which such charges are based, and a warning of the consequences of repetition. To be a written reprimand under these Rules, the written statement shall be sent to the Career Service Authority for inclusion in the employee's personnel file. (Effective January 1, 1980; Rules Revision 114A).

RULE 9
PAY ADMINISTRATION
(Effective September 1, 1989; Rules Revision Memo 129B)

Section 9-10 Policy

The policy of the Career Service Board in recommending pay for employees in the Career Service is:

- (a) To provide like pay for like work.
- (b) To compensate employees at rates equal to generally-prevailing rates in the Denver Metropolitan Area.
- (c) To compensate on the basis of identified levels of performance.

Section 9-20 Pay Schedules

The following pay schedules are established:

- a) Non-exempt salary schedules: applicable to those classes not exempt from overtime pursuant to the provisions of Subsection 10-33 - Eligibility for Overtime.
- b) Exempt salary schedules: applicable to those classes exempted from overtime under paragraph 10-33 b) - Employees in executive, administrative, professional or supervisory classes, and those classes which are given overtime only because of pay practices in the Denver Metropolitan Area and not because of the requirements of the Fair Labor Standards Act (subparagraphs 10-33 b) 1) and 2).
- c) Community rate schedules: applicable to classes in the entertainment field.
- d) Short-range schedules: applicable to certain classes comprised solely of on- call positions and other classification, which from time-to-time may be added to this pay schedule. (Effective November 2, 1995, Rules Revision Memo 185).
- e) Trainee schedules: applicable to classes under Rule 6 - THE TRAINING PROGRAM.
- f) Deputy Sheriffs: none of the provisions of Rule 9 shall apply to Deputy Sheriff's pay or fringe benefits. (Effective Jan. 1, 1992; Rules Revision 153B).

Section 9-22 (Reserved)
(Effective June 1, 2004; Rule Revision 249B)

Page Issuance Date: June 1, 2004

Section 9-30 Pay Adjustments

9-31 Definition

A pay adjustment is a change in pay resulting from a comparison with the pay prevailing in the Denver Metropolitan Area.

9-32 How Implemented

- A. The annual pay survey adjustment shall be implemented on July 1 of each year following completion of the annual pay survey. (9/12/02, 228B)
- B. Computation: A pay adjustment shall be computed by:
 1. Establishing entry rate: Multiplying the entry rate in a pay range by the percentage of increase, if any, for that occupation in the appropriate schedule as determined by the pay Survey, in accordance with Rule 8 Compensation Rates; and
 2. Establishing pay steps: Adjustments shall be made by increasing each pay step in the exempt and nonexempt pay ranges by an amount equal to two and one-quarter percent (2.25%) of the preceding pay step. Adjustments to the short-range pay schedule shall be the same except that the pay differential between each step shall be equal to four and one-half percent (4.5%). (5/1/91, 148B)
- C. Effect of pay adjustment on personnel transactions: When a personnel transaction, such as promotion, demotion, or transfer has occurred between July 1 and the effective date of City Council approval of the classification and pay plan ordinance, such personnel transaction shall retain its original identity at the time it was processed. The employee's pay shall be adjusted by the change in rate of the pay step in the classes involved. (9/12/02, 228B)

Section 9-40 Merit Increases

9-41 Policy

Nothing in this Section 9-40 or any subsection thereof, shall apply to Deputy Sheriffs. Eligibility for merit increases is based on employee performance as measured by the Performance Enhancement Program Reports. (Effective September 26, 2003, Rule Revision memo 242B)

9-42 Establishing Eligibility for Merit Increase

- a) Performance Enhancement Program Report
(Effective January 4, 1990; Rules Revision 137b)
 - 1) Anniversary date of appointment: A completed Performance Enhancement Program shall be filed with the Career Service Authority on or before the annual anniversary date of the initial appointment to the class. (This report does not replace the report due on or before the completion of probation as provided in Subsection 5-53 Performance Enhancement Program Reports During Probation). This provision also applies to reinstatement appointments, reemployment appointments, repromotions, and promotional reinstatement appointments, as provided in Rule 5 APPOINTMENTS AND STATUS.

RULE 10
HOURS OF WORK AND OVERTIME

Section 10-10 Hours of Work

(Effective April 27, 1956; Rules Revision Memo 15A)

10-11 Standard Work Week

(Effective August 1, 1978; Rules Revision Memo 104A; Revised 06/01/04; Memo 249B)

- A) The five (5) day forty (40) hour week shall be the standard work week for employees of the Career Service. The work week shall begin on Monday and end on Sunday unless otherwise designated by the appointing authority or designee. Standard work hours shall be eight (8) hours per day, excluding the meal period. Appointing authorities shall be responsible for establishing daily work schedules.
- B) Deviations from the standard workweek, eight (8) hour-work-day or designation of special work schedules must be made in accordance with the provisions of subsection 10-20 Special Work Schedules. The appointing authority must provide written notification to the Personnel Director of any change to the standard workweek or the designation of special work schedules for employees.

10-12 Meal Periods

(Revised June 1, 2004; Rules Revision Memo 249B)

Meal periods may be established for one (1) hour or one-half (1/2) hour. In certain cases, because of the character of the work, it may be necessary for an employee to be required to eat a meal while working. If the meal period is spent predominantly for the benefit of the City, the employee shall be paid for the entire meal period.

10-13 Posting of Changes In Work Schedules

(Revised June 1, 2004; Rules Revision Memo 249B)

- A) If work schedules are changed, such schedules shall be posted sufficiently in advance of rotation so that the employees concerned are fully informed; except that, without such notice, appointing authorities may require an employee to arrive early or stay beyond his or her regular work schedule or return to work to provide essential city services. The determination of an essential city service shall be at the sole discretion of the appointing authority or designee.
- B) Employees are permitted to request a temporary change in daily work schedules in order to accommodate personal needs. Appointing authorities have the discretion to grant this request based on the business needs of the agency.

10-14 Interruption of Work

An employee who is excused from work for the day or any part of the day when the work program is interrupted (e.g., because of weather) shall be considered to have worked the number of hours included in his regular daily schedule. An on-call employee who is called to work and not assigned because of an interruption or change in the work program shall be considered to have worked two (2) hours on that day.

Section 10-20 Special Work Schedules

(Revised and renumbered June 1, 2004; Rules Revision Memo 249B)

- A) 10-hour plan:
- 1) When the work program of an agency is such that the interests of the City as well as the efficiency of the organization can better be served by such a schedule, the appointing authority may set up a ten (10) hour day, four (4) days per week work schedule for specified units, individual employees, or the entire agency. The workweek shall begin on Monday and end on Sunday unless otherwise designated by the appointing authority or designee. Days off shall be scheduled consecutively wherever possible, provided, however, that one of the three (3) days off may be scheduled on any day during the work week in order to prevent staff shortage on any workday.
 - 2) Employees affected by the proposed schedule shall be consulted concerning his or her preferences prior to the establishment of the special work schedule, and his or her wishes shall be recognized wherever possible. The final determination shall be within the sole discretion of the appointing authority or designee.
 - 3) When an appointing authority determines that the ten (10) hour, four (4) day schedule has not served the best interests of the City, the appointing authority may at his or her discretion discontinue the ten (10) hour work schedule and shall provide written notification to the Personnel Director.
- B) Special weekly work schedules: When an agency's program is such that, in order to provide necessary services, employees must be scheduled for a forty (40) hour workweek in more than five (5) work days per week, the appointing authority shall designate such a special weekly work schedule.
- C) Special work week: Any appointing authority who needs a work week other than that established by Rule 1 DEFINITIONS and Subsection 10-11 Standard Work Week may establish a different work week. The notification to the Personnel Director shall include the beginning and ending days and times of the work week.
- D) Holiday pay: In a week in which a holiday occurs, the workweek is forty (40) hours, eight of which shall be holiday. If the holiday falls on an employee's regularly scheduled work day and the work day is more than eight hours, one of the following choices for normal work hours exceeding eight shall be selected by the employee, subject to approval by management.
- 1) Hours may be debited to the employee's accrued vacation leave to complete the thirty-two (32) hour work schedule for the week. Employees serving a probationary period after employment appointment shall be entitled to use accrued vacation leave for this purpose only, upon completion of one (1) calendar month of service.
 - 2) The employee may work additional hours within the workweek to complete the thirty-two (32) hour work schedule for the week.
 - 3) The employee may use hours of compensatory time to complete the thirty-two (32) hours for the work week.

- 4) The employee may take the hours as leave without pay to complete the thirty-two (32) hours for the workweek.

Section 10-30 Overtime

(Effective April 27, 1956; Rules Revision Memo 15A; Revised 06/01/04; 249B)

10-31 Policy

(Effective April 12, 1990; Rules Revision Memo 142B; Revised 06/01/04; 249B)

- A) GENERAL: In accordance with the Fair Labor Standards Act (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 10-34 (B).
- B) Time spent in taking courses outside of the normal work day shall not be considered work time unless the City has required the employee to take the course.
- C) If a paid holiday, a period of paid leave, or discharge of compensatory time occurs during a workweek, such time shall be counted as working time when determining whether an employee has worked overtime. Leave without pay shall not count as time worked.
- D) Overtime exception for election judges:
(7/25/02, 225B; Rev'd 06/01/04, 249B)

Any employee may request to take accrued vacation leave, compensatory time, or leave without pay from the employee's regular position to work occasionally or sporadically on a part-time basis as an election judge. The hours worked as an election judge by an employee shall not be included for the purposes of determining overtime eligibility. The employee shall be eligible to receive any approved stipend.

10-32 Criteria for Authorizing Overtime Work:

- A) Overtime work shall be authorized only to provide essential City services when such services cannot otherwise be provided by regular or alternative work schedules. Except in cases of emergency, overtime work shall be authorized and assigned in advance by an employee's supervisor or other designated

individual. Working unauthorized overtime may be grounds for discipline, up to and including dismissal.

- B) When an employee has been assigned work outside of his or her normal work schedule, such overtime shall be subject to the same reporting requirements as regular work hours. Failure to report for such work may be cause for disciplinary action, up to and including dismissal.
- C) Emergency: For the purposes of this rule, 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 be 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 as stated above.

10-33 Eligibility for overtime:

(Effective retroactive to May 15, 1996, Rules Revision 188B; Revised 06/01/04; 249B)

Employees in overtime exempt classes as defined by the FLSA shall not receive overtime pay with the following exceptions:

- A) Based on community practice, the Personnel Director may recommend an exception to the overtime exclusion for a designated class or classes to the Career Service Board for approval.
- B) Upon the request of an appointing authority, the Personnel Director may grant an exception to overtime exclusion for a specified period of time when the employee will provide services for the City during declared emergency conditions. Such exception shall apply to a position or group of positions within a class where the working conditions are distinctly different than working conditions of other positions in the same class and shall apply to the hours attributed to the emergency condition.
- C) Based on community practice, overtime shall be paid only under the circumstances outlined below to incumbents in the FLSA overtime exempt, first level supervisory classes approved by the Career Service Board.
 - 1) Scheduled overtime occurring in a holiday week;
 - 2) Overtime related to after-hour emergency response duties; (Effective May 16, 1996; Rules Revision Memo 186B)
 - 3) Publicly scheduled events requiring infrastructure support; and
 - 4) For snow removal activities only.

10-34 Payment for Overtime

(Effective December 19, 1985; Rules Revision Memo 83, Series B; Revised 06/01/04, 249B)

A) Employees in salaried positions: Employees in positions in which monthly salaries are established who are eligible to receive overtime pay and who work overtime shall receive overtime compensation as follows:

1) Non-exempt employees: The overtime rate shall be at the rate of one and one-half (1 ½) times the regular rate of pay applicable to that position.

a) The regular rate of pay shall be computed as follows:

(i) Determine the weekly rate of pay in accordance with the FLSA by multiplying the semi-monthly salary by 24 then dividing by 52; then

(ii) Total the weekly rate of pay plus all payments for differentials, standby, and any other compensation required by FLSA to be included in the regular rate of pay for the work week, and divide by the number of hours the employee is regularly scheduled to work during a non-holiday week.

b) How paid:

(i) Overtime compensation may be paid either in cash or in compensatory time off, at the discretion of the appointing authority. Compensatory time off shall be at the rate of one and one-half (1-1/2) times the overtime hours worked. An employee who has accumulated forty-eight (48) hours of compensatory time and is required to work overtime, shall be paid at the employee's regular rate for such overtime in cash. All compensatory time credits shall be used by September 30 of each calendar year or will be paid out in cash.

(ii) Payment for accrued compensatory time on separation: An eligible non-exempt employee who has accrued compensatory time credits in accordance with this section shall receive payment for the unused portion of such credits when the employee is separated from the Career Service. The rate of compensation for such payment shall be the larger of the following:

1) The average regular rate received by such employee during the last three years of the employee's employment, or

2) The final regular rate received by such employee.

B) Exempt employees eligible to receive overtime: The overtime rate shall be:

1) a) At the rate defined in 10-34 (a) (1) if eligible under 10-33 (a).

b) At the straight time hourly rate of pay applicable to that position if eligible under 10-33 (b), where the hourly rate is computed by

multiplying the semi-monthly salary by 24 then dividing by 52 and then dividing by the regular hours of the position; and

c) At the rate of one and one-half (1 ½) times the hourly rate of pay applicable to that position if eligible under 10-33 (c), where the hourly rate is computed by multiplying the semi-monthly salary by 24 then dividing by 52 and then dividing by the regular hours of the position.

2) How paid: Overtime compensation for eligible exempt employees shall be paid in cash. Exempt employees shall not accrue or use compensatory time, except for Holiday Compensatory Time as defined in this Rule 10.

C) Employees in Hourly positions: Non-exempt employees in positions that receive an hourly rate and work overtime shall receive compensation at the rate of one and one-half (1 ½) times the regular rate of pay applicable to the position.

1) The regular rate of pay shall be computed as follows:

a) Multiply the hourly rate by the employee's actual hours of work in the workweek to determine the weekly salary equivalent.

b) Total the weekly salary equivalent plus all payments for differentials, standby, and any other compensation required by FLSA to be included in the regular rate of pay for the work week, and divide by the number of hours the employee actually worked during that week.

2) How paid: Earned overtime compensation for employees in hourly positions shall be paid in cash.

10-35 Holiday Compensatory Time for Overtime Exempt Employees:
(Renumbered and Revised Effective June 1, 2004, Rules Revision Memo 249B)

An employee who is exempt from overtime and who is 1) scheduled to work on a holiday, or 2) scheduled to work on his or her regularly scheduled day off in a week when a holiday occurs shall be given straight time holiday compensatory time off for the holiday in addition to pay for the time worked. At the discretion of the appointing authority, straight time pay may be substituted for the holiday compensatory time. Holiday compensatory time may be taken at any time mutually convenient to the employee and the appointing authority. However, all holiday compensatory time credits shall be discharged or paid in cash by September 30 of each calendar year.

Section 10-40 Record Keeping
(Effective August 16, 1985; Rules Revision Memo 74B)

10-41 Content of Records

The following information shall be kept on time and compensation records for all employees, to the extent applicable:

- a) name in full (same as shown on social security card);
- b) the employee's identifying symbol or number;
- c) home address, including the zip code;
- d) date of birth, if under 19;
- e) sex;
- f) class;
- g) time of day and day of the week on which the employees work week begins. If the employee is part of a work force all of whose workers have a work week beginning at the same time on the same day of the work week, a single notation of the time of the day and beginning day of the work week for the whole work force of the agency or unit will suffice. If, however, any employees or group of employees has a work week beginning or ending at a different time, a separate notation shall then be kept for that employee or group of employees;
- h) hourly rate of pay for part-time, on-call, and non-exempt employees;
- i) the payroll period (i.e. semi-monthly);
- j) the amount and nature of each payment, such as tool and mileage allowances, excluded from the overtime rate of pay for non-exempt employees (as that term is described in paragraph 10-34 c) Non-exempt employees);
- k) hours worked each work day and total hours worked each work week (for purposes of this clause, a "work day" shall be any consecutive 24 hours);
- l) total daily or weekly straight-time earnings (including salaries, differentials, and standby);
- m) total of daily and weekly-overtime payments;
- n) total additions to or deductions from wages paid during each pay period; additionally, a record of the dates, amounts, and nature of the items which make up the total additions and deductions shall be maintained in individual employee accounts;
- o) the total wages paid each pay period;
- p) date of payment and the pay period covered by the payment; and
- q) the basis on which wages are paid in sufficient detail to permit calculation for each pay period of the employees total remuneration for employment, including fringe benefits.

10-42 Responsibility for Maintaining Records

Responsibility for maintaining the records required in this Section 10-40 Record Keeping may be vested in the Auditor, the Career Service Authority, or the agencies, as may be agreed among them from time to time.

10-43 Records Retention

(Revised June 1, 2004, Rules Revision Memo 249B)

All of the foregoing records shall be retained for a minimum of six (6) calendar years, in a location where they would be available for inspection within seventy-two (72) hours from the date when requested by the Wages and Hours Administrator or designees.

Section 10-50 Telecommuting

10-51 Policy:

Telecommuting is the practice of working at home or from a site other than an agency's central workplace. It is a work alternative which City agencies may offer to employees.

Telecommuting is not an employee benefit but is an alternative method of meeting the City's needs. Telecommuting is a privilege and an appointing authority, manager or supervisor has the right to refuse to make telecommuting available to an employee and to terminate a telecommuting arrangement at any time.

Employees are not required to telecommute unless it is deemed in the best interest of the City. Employees may express a desire not to telecommute and managers shall take the employees' wishes under consideration along with the needs of the City in making a final determination. Employees who choose to telecommute have the right to cease telecommuting and return to their former in-office work pattern at any time upon the approval of their appointing authority.

10-52 Procedures:

- A. Before any employee telecommutes, he or she must request it in writing and receive prior written approval from his/her appointing authority, or a designee of the appointing authority, in writing.
- B. The position for which telecommuting is proposed shall be suitable for such an assignment, with high quality service to clients being the most significant determining factor.
- C. There shall not be any disruption of service or decline in the quality of services provided by the agency or department to the clients serviced.
- D. No employee may telecommute unless his or her performance rating is "meets expectations" or higher during the evaluation year in which the request is made.
- E. If an employee's performance rating during the period he/she is telecommuting is "below expectations", the employee's authorization to telecommute shall cease.
- F. Employees understand and agree that telecommuting is a privilege and not a right, and that this privilege may be revoked by the appointing authority, manager or

- supervisor, at any time for business reasons when it is in the best interest of the City.
- G. An employee's status, benefits, compensation, and work responsibilities shall not change due to telecommuting.
 - H. The employee shall agree not to engage in employment activities other than for the agency or department during telecommuting hours.
 - I. The employee must designate a primary workspace at home that is maintained in safe condition, free from hazards. As an extension of the City's work site, the same insurance and workers' compensation coverage applies.
 - J. When the employee uses his or her own equipment, the employee is responsible for maintenance and repair of that equipment.
 - K. The employee will take all necessary precautions to secure department or agency information and equipment in his or her home and to prevent unauthorized access to any department or agency system or information.
 - L. Representatives from the City's ITD, CSA, and Workers' Compensation sections, a designated City supervisor or the individual appointed by the employee's appointing authority for such purpose may inspect an employee's home for a business purpose related to this program upon giving reasonable notice to the employee.
 - M. The employee must at all times be accessible to the workplace via cellular phone, email, or other means of direct communication and be able to report to work when notified or to respond to communications from other staff, supervisors, managers or clients.
 - N. An employee who is granted telecommuting privileges must demonstrate that his or her productivity has been equal to or greater than his/her productivity before telecommuting was authorized.
 - O. A telecommuting employee's home address and telephone number shall remain confidential and will not be released by the agency or department.
 - P. The amount of time the employee is expected to work per day or pay period will not change as a result of telecommuting.
 - Q. Training will be available from the Career Service Authority for all employees, supervisors and managers interested in telecommuting.
 - R. Any abuse of the telecommuting privileges will be investigated and may result in corrective action, up to and including dismissal.
 - S. Equipment provided by the City to the employee shall be immediately returned when telecommuting is stopped or the employee separates.
 - T. Employees may not grieve or appeal a decision to allow or not allow telecommuting unless there is alleged discrimination.

employee would have received if he/she had not been called to active duty. The employee shall be responsible for requesting the military pay differential and providing the following:

1. Written request for the military pay differential within thirty (30) days of returning to city employment,
 2. Written documentation of the military pay and benefits to include but not limited to leave and earnings statements and temporary duty payment vouchers, and
 3. Any other documentation required by the CSA Director in accordance with procedures that may be established.
- B. The CSA Director in conjunction with the Auditor's Office shall establish a procedure by which each case will be reviewed for reimbursement. The procedure shall include, but not be limited to, a differential pay request form, a list of written documentation required to be submitted with the request form and a standard calculation method to determine the differential compensation.
- C. Any overpayment of funds to the employee shall be reimbursed to the City in a lump sum or six equal payments once the employee returns to his or her position unless the CSA Director determines that extenuating circumstances exist.
- D. The military pay differential provision of the rule shall be retroactive to September 11, 2001.
- E. The military pay differential provision of the rule shall automatically be repealed as of 11:59 p.m. on December 31, 2004. (12/22/03, 245B).

Section 11-60 Election Leave

(Effective November 1, 1980; Rules Revision Memo 127A, renumbered and revised effective June 1, 2004, 249B)

Employees are urged to vote outside of working hours. If the employee's work schedule does not allow for two consecutive hours between either the opening of the polls and the start of work or after the end of work and the closing of the polls, employees shall be granted paid leave not to exceed two (2) hours in order to vote. Employees must apply for and receive approval for the leave prior to the election day.

Section 11-70 Court Leave

(4/27/56, 15A)

11-71 Policy

(9/1/82, 41B)

An employee who is required to serve as a juror in a Federal, State, or Municipal Court, or who is subpoenaed to testify concerning matters arising out of performance of his or her duties, shall be granted court leave with full pay to serve in that capacity.

11-72 Procedure

An employee who is called for witness or jury duty shall present to his supervisor the original summons or subpoena from the court and, at the conclusion of such duty, a signed statement from the Clerk of the Court or other evidence showing the actual time of attendance at court.

11-73 Fees
(9/1/82, 41B)

Fees received for jury service in a Federal, State, or Municipal court shall be in addition to, and irrespective of, an employee's regular salary.

11-74 Working When Excused
(9/1/82, 41B)

- a. Principle:
Court leave is intended only to apply to those time periods when the employee is needed for court service. It is not to be considered as paid leave during those periods when the employee has been excused from court service.

- h) Mandatory furlough or voluntary furlough shall not constitute a break in service. Failure to report promptly back to work after the expiration of a mandatory furlough or voluntary furlough may be grounds for discipline, up to and including dismissal from employment (11/25/2003, 244B).
- i) During the period of time in which there are mandatory furloughs, the first forty-five (45) days of unpaid FMLA or ADA Interactive Process Leave shall be treated as voluntary furlough days (11/25/2003, 244B).
- j) Nothing herein precludes the mayor from designating specific furlough days or otherwise determining how to implement mandatory furloughs (11/25/2003, 244B)

Section 11-90 Unauthorized Absence for Non-exempt Employees

(Effective August 16, 1985; Rules Revision Memo 74B; Revised June 1, 2004; 249B)

- A) Non-exempt employees: A non-exempt employee who is absent from duty without approval shall receive no pay for the duration of the absence. Such denial of pay shall not affect the right of the City or any of its agencies to invoke any form of disciplinary action which it deems appropriate, up to and including dismissal.
- B) Exempt employees: Subject to the exceptions provided below, an employee need not be paid for any work week in which he or she performs no work.
 - 1) The pay of exempt employees shall be reduced, on an hourly basis, for absences of less than a day when the absence is due to sickness or personal reasons, and
 - a) the employee did not request leave; or
 - b) a request for leave was denied; or
 - c) the employee has no available leave; or
 - d) the employee requested, and was granted, leave without pay.
(Effective April 6, 1995; 180B)
 - 2) Exempt employees may be allowed occasional time off with pay to attend to personal affairs, at the discretion of the appointing authority.

Section 11-100 Procedure for Requesting Leave

(Effective November 1, 1980; Rules Revision Memo 127A)

For all leaves except sick leave, a written request indicating the kind of leave, duration, and dates of departure and return shall be approved prior to the taking of the leave. In the case of sick leave, the written request shall be completed and submitted for approval immediately upon the employee's return to duty. Unless an absence is substantiated by a written request approved by the supervisor in accordance with this section, an employee shall not be paid for any absence from scheduled work hours.

Section 11-110 Training Leave

(Effective January 1, 1968; Rules Revision Memo 55A)

Appointing authorities may grant training leave with pay for the purpose of attending institutes, seminars, or educational courses related to an employee's work for a maximum of thirty (30) calendar days at any one time. Any training leave in excess of thirty (30) calendar days shall be approved by the Mayor.

Section 11-120 Disability Leave

(Effective September 1, 1968; Rules Revision Memo 59A)

11-121 Revised Municipal Code Provisions

(Effective 1974; Revised Municipal Code, 1982 codification, Section 18-287)

- a) The Revised Municipal Code provides that under certain conditions and after compliance with certain requirements "...eligible employees shall be granted disability leave with pay for a period not to exceed ninety (90) calendar days."
- b) Compensation during disability leave shall be eighty percent (80%) of gross salary. (Effective January 1, 1981; Revised Municipal Code, 1982 codification, Section 16-286).

11-122 Policy

(Eff. 11/1/80; Rules Rev. 127A)

All Career Service employees, except employees holding on-call positions, shall be granted disability leave with pay for each occupational injury or occupational disease incurred in the course of employment, provided that the period of disability exceeds three (3) calendar days.

11-123 Eligibility for Disability Leave

(Eff. 1/1/93; Rules Rev. 160B)

An employee shall be considered eligible for disability leave if such employee:

- a) Type of Position: Holds a full-time or part-time position but not an on-call position. (Eff. 11/1/80; Rules Rev. 127A)
- b) Compliance with Ordinance: Has complied with the provisions of Sec. 18-287 of the Revised Municipal Code, 1982 codification, relating to reporting requirements and to examination and emergency treatment by the Employee's Medical clinic. (Eff. 12/15/83; Rules Rev. 51B)
- c) Disability: Is physically or mentally unable to perform the duties of the employee's position or any other position within the City and County of Denver due to injury, occupational disease or accident experienced in the course of employment.

11-124 Granting of Disability Leave
(Eff. 12/16/74; Rules Rev. 88A)

Appointing authorities shall grant disability leave to eligible employees in accordance with the following provisions:

- a) Authority for disability leave pay: For absence in excess of three (3) calendar days, allowance of a claim for temporary disability benefits under the provisions of the Workmen's Compensation Act or the Occupational Disease Disability Act shall constitute authority for disability leave pay for a period of ninety (90) calendar days retroactive to the first day of disability.
- b) Notification of injury: Every employee who sustains an injury in the course of his employment shall notify his supervisor within two (2) days of its occurrence, unless:
 - 1) the employee is physically or mentally unable to do so; or
 - 2) someone else reports the accident within the specified time limit; or
 - 3) the supervisor or person in charge has actual notice of the injury.

If an employee fails to report an injury, he shall lose one (1) day's disability leave for each day's failure to do so; the number of penalty days established by the representative of the State Compensation Insurance Fund or Division of Labor shall constitute the number of disability leave days lost for late reporting.

For absences of three (3) calendar days or less and for penalty days deducted from disability leave because of late reporting, the provisions of Section 11-30 Sick Leave or Section 11-80 Leave Without Pay shall apply.

- c) Reimbursement to city for advances on benefits: Temporary disability benefits due the employee from the Workers Compensation Fund for the duration of the disability leave shall be deposited to the credit of the city.
- d) Required physical examination: Any employee on disability leave may be required to report to Denver General Hospital for periodic physical examinations. Compliance with such requirements shall be a condition for the continuation of an approved disability leave with pay. An employee shall report to Denver General Hospital for a physical examination prior to being returned to work from disability leave.
- e) Effect of reduced or disallowed claims: No disability leave with pay shall be granted if the employee's claim for temporary workers compensation benefits has been disallowed or reduced under the terms of the state laws cited above, except as provided in paragraph 11-123 b) Notification of Injury. In the instance listed above, an employee absent from duty may be granted accrued sick leave or leave without pay in accordance with Section 11-30 Sick Leave or 11-80 Leave Without Pay.

11-125 Expiration of Disability Leave

An employee who continues to be disabled beyond the maximum disability leave of ninety (90) calendar days may use his accrued sick leave and vacation leave at full benefits. In addition to the temporary disability compensation he receives from the Workmen's Compensation Fund.

Disability leave shall not be granted beyond the date of mandatory retirement of an employee.

11-126 Vacation and Sick Leave During Disability Leave

Employees who are granted disability leave shall continue to accrue vacation and sick leave credits for the duration of the disability leave.

11-127 Procedure for Disability Leave

A personnel action placing the employee on disability leave and its estimated duration shall be submitted to the Career Service Authority immediately upon notification of allowance of a claim for temporary disability benefits under the laws cited above. Upon return of the employee to work or expiration of the disability leave, a personnel action returning the employee from leave shall be submitted.

- e) When an employee returning from family medical leave is not able to perform the essential functions of the position to which the employee is returned, the appointing authority may disqualify the employee.

11-161 Record Keeping

The following information shall be kept on the use of family medical leave:

- a) Name in full
- b) Social security number
- c) Title or position
- d) Rate of pay
- e) Hours worked per pay period
- f) Dates, or hours, family medical leave was taken
- g) Schedule and amount of premium payments made by the agency to the employee's health benefit plan
- h) Posting of appropriate notice

Section 11-170 Holidays

(Effective April 27, 1956, 15A; Revised and Renumbered June 1, 2004, 249B)

11-171 Granting of Holidays

(Effective August 30, 1982; Rules Revision Memo 42B)

The following holidays are observed by the City as provided by ordinance. They shall be granted to all employees regularly scheduled to work on such days, except employees in the short range pay schedule classes and employees in on-call positions, provided that an employee may be required to work on a holiday if necessary to maintain essential services to the public; (Effective May 1, 1991; Rules Revision Memo 148B)

- 1) New Year's Day (January 1)
- 2) Martin Luther King Day (Third Monday in January)
(Effective December 19, 1985; Rules Revision Memo 82B)
- 3) President's Day (Third Monday in February)
- 4) Cesar Chavez Day (Last Monday in March)
(1/3/02, 222B)
- 5) Memorial Day (Last Monday in May)
- 6) Independence Day (July 4)
- 7) Labor Day (First Monday in September)
- 8) Veteran's Day (November 11)
- 9) Thanksgiving Day (Fourth Thursday in November)

10) Christmas Day (December 25)

11) Personal Holiday: Appointing authorities shall grant this holiday on the basis of the work requirements of the agency after conferring with each employee and recognizing his/her wish where possible. This personal holiday shall not be carried forward past December 31 of each year. (Effective January 1, 1988; Rules Revision Memo 98B)

If any of these holidays falls on a Sunday, then the Monday following shall be considered as the holiday. If any of these holidays falls on a Saturday, the preceding Friday shall be considered as the holiday. (Effective March 15, 1990; Rules Revision Memo 139B)

11-172 Holiday Pay

(Effective August 30, 1982; Rules Revision Memo 42B; Renumbered 06/01/04, 249B)

A) For Employees in Full Time or Apprenticeship Positions: An eligible full time employee shall receive eight (8) hours of holiday pay in a week in which a holiday occurs.

B) For Employees in Part Time Positions: In a week in which a holiday occurs, the number of hours of holiday pay which an employee shall receive shall be determined as follows:

- 1) An employee who is regularly scheduled to work less than twenty (20) hours shall receive no holiday pay.
- 2) An employee who is regularly scheduled to work from twenty (20) to twenty-nine (29) hours shall receive four (4) hours of holiday pay.
- 3) An employee who is regularly scheduled to work from thirty (30) to thirty-nine (39) hours shall receive six (6) hours of holiday pay.

11-173 Holiday on Days off

(Effective August 15, 1980; Rules Revision Memo 126A; Renumbered 06/01/04, 249B)

When a holiday falls on an employee's regular day off, it shall be observed as follows:

- a) if the holiday falls on the first day off, it shall be observed on the preceding workday;
- b) if the holiday falls on the second or third regular day off, it shall be observed on the next workday.

11-174 Holidays During Leave:

(Effective June 1, 2004; Rules Revision Memo 249B).

Unless otherwise provided in this Rule 11, to receive holiday pay an eligible employee must be at work or on an authorized, paid leave on the scheduled workdays immediately preceding and immediately following the day on which the holiday is observed.

11-175 Other Holidays:

(Renumbered effective June 1, 2004, 249B)

Religious or other holidays not observed by the City may be granted in accordance with the rules governing leave.

11-176 Appointment or Separation on a Holiday:

(Renumbered effective June 1, 2004, 249B)

The appointment or separation of an employee shall not be effective on a holiday unless it is a scheduled workday for the employee.