

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**.

All fields must be completed.
Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: **August 5, 2016**

Please mark one: **Bill Request** or **Resolution Request**

1. Has your agency submitted this request in the last 12 months?

Yes **No**

If yes, please explain:

2. Title: **Approve classification notice #1526 – FLSA Exemption Status Changes**

3. Requesting Agency: Office of Human Resources

4. Contact Person: *(with actual knowledge of proposed ordinance)*

- Name: John Hoffman
- Phone: 720-913-5296
- Email: john.hoffman@denvergov.org

5. Contact Person: *(with actual knowledge of proposed ordinance who will present the item at Mayor-Council and who will be available for first and second reading, if necessary)*

- Name: Nicole de Gioia-Keane
- Phone: 720-913-5643
- Email: Nicole de Gioia-Keane@denvergov.org

6. General description of proposed ordinance including contract scope of work if applicable:

The proposed change amends the Classification and Pay Plan by changing multiple pay grades and titles as a result of the Fair Labor Standards Act's exemption salary threshold. The Office of Human Resources is also abolishing classes and pay grades.

7. Is there any controversy surrounding this ordinance? (groups or individuals who may have concerns about it?)
Please explain.

None known

8. Budget Impact:

The annual cost of implementing these recommendations is \$229,384.76. Of the 652 employees impacted by the study, 136 were identified as being below the range minimum of the proposed pay grade for which they will be reallocated.

POSTING IS REQUIRED

Classification Notice No. 1526

To: Agency Heads and Employees
From: Karen Niparko, Executive Director of Human Resources
Date: July 21, 2016
Subject: Proposed Change to the Classification and Pay Plan

The proposed change amends the Classification and Pay Plan by changing multiple pay grades and titles as a result of the Fair Labor Standards Act's exemption salary threshold. The Office of Human Resources is also abolishing classes and pay grades.

The Department of Labor (DOL) revised the Fair Labor Standards Act's (FLSA) exemption salary threshold, which requires the City to examine current exempt classifications and make recommendations to either change their designation to non-exempt or increase the range of pay for selected classifications in order to comply with the new regulation and maintain their exemption designation.

As a result of this study, 66 exempt pay grades and 10 exempt classifications will be abolished, 23 exempt classifications will be reallocated to non-exempt pay grades, and 15 exempt classifications will have their pay grades increased in order to maintain their exemption designation. This study impacted 24 agencies, departments, and independent organizations and 652 employees.

Employees in any of the classifications that are being abolished will be reallocated to new or other existing classifications.

Pay Grade Changes

<u>Current Title</u>	<u>Current Grade</u>	<u>Proposed Pay Grade</u>
Assistant Golf Professional	803-A (\$36,943-\$59,109)	614-A (\$39,494-\$57,661)
Human Services Supervisor	803-A (\$36,943-\$59,109)	614-A (\$39,494-\$57,661)
Special Education Teaching Assistant Supv	804-A (\$39,492-\$63,187)	615-A (\$41,291-\$60,285)
Staff Assistant	805-A (\$42,217-\$67,547)	617-A (\$45,134-\$65,896)
Business Development Associate II	806-A (\$45,130-\$72,208)	618-A (\$47,188-\$68,894)
Community Development Associate	806-A (\$45,130-\$72,208)	618-A (\$47,188-\$68,894)
Contract Compliance Coordinator	806-A (\$45,130-\$72,208)	618-A (\$47,188-\$68,894)
Program Coordinator	806-A (\$45,130-\$72,208)	618-A (\$47,188-\$68,894)
Motor Vehicle Supervisor	806-C (\$42,247-\$67,595)	618-C (\$44,176-\$64,497)
Supervisor of Administrative Support I	806-C (\$42,247-\$67,595)	618-C (\$44,176-\$64,497)
Aviation Customer Service Supervisor	807-C (\$45,162-\$72,259)	619-C (\$46,186-\$67,432)
Custodial Supervisor	801-J (\$30,114-\$48,182)	611-J (\$32,193-\$47,002)
Custodial Services Supervisor	803-J (\$34,413-\$55,061)	614-J (\$36,790-\$53,713)
Building and Grounds Supervisor	804-J (\$36,787-\$58,859)	615-J (\$38,464-\$56,157)
Central Supply Supervisor	804-J (\$36,787-\$58,859)	615-J (\$38,464-\$56,157)
Food Production Supervisor	805-J (\$39,325-\$62,920)	617-J (\$42,044-\$61,384)
Hospital Housekeeping Manager	805-J (\$39,325-\$62,920)	617-J (\$42,044-\$61,384)
Stockroom Supervisor	807-J (\$44,939-\$71,902)	620-J (\$48,048-\$70,150)
Security Supervisor	803-N (\$34,892-\$55,827)	614-N (\$37,303-\$54,462)
Underground Utility Investigator Supervisor	806-N (\$42,625-\$68,200)	618-N (\$44,570-\$65,072)
Animal Control Investigator Supervisor	807-N (\$45,566-\$72,906)	620-N (\$48,718-\$71,128)
Landside Services Supervisor	807-N (\$45,566-\$72,906)	620-N (\$48,718-\$71,128)
Animal Care Supervisor	801-O (\$35,243-\$56,389)	611-O (\$37,676-\$55,007)
Graphics Designer	805-A (\$42,217-\$67,547)	807-A (\$48,244-\$77,190)
Therapist – Master's Level	805-A (\$42,217-\$67,547)	807-A (\$48,244-\$77,190)
Zoo Area Supervisor	806-A (\$45,130-\$72,208)	807-A (\$48,244-\$77,190)
Senior Clinical Social Worker	805-O (\$46,025-\$73,640)	806-O (\$49,201-\$78,722)
Social Case Worker	805-A (\$42,217-\$67,547)	807-A (\$48,244-\$77,190)
Senior Social Case Worker	806-A (\$45,130-\$72,208)	808-A (\$51,573-\$82,517)
Lead Social Case Worker	807-A (\$48,244-\$77,190)	809-A (\$55,132-\$88,211)
Social Case Worker Supervisor	810-A (\$58,936-\$94,298)	811-A (\$63,003-\$100,805)
Catalog Librarian	805-A (\$42,217-\$67,547)	807-A (\$48,244-\$77,190)
Collection Specialist	807-A (\$48,244-\$77,190)	808-A (\$51,573-\$82,517)
Senior Catalog Librarian	807-A (\$48,244-\$77,190)	809-A (\$55,132-\$88,211)
Special Collection Librarian	807-A (\$48,244-\$77,190)	808-A (\$51,573-\$82,517)

Revised Class Specifications Including Title & Pay Grade Changes

<u>Current Title</u>	<u>Proposed Title</u>	<u>Current Pay Grade</u>	<u>Proposed Pay Grade</u>
Children's Librarian	Librarian	805-A (\$42,217-\$67,547)	807-A (\$48,244-\$77,190)
Outreach Specialist	Library Outreach Specialist	807-A (\$48,244-\$77,190)	808-A (\$51,573-\$82,517)
Senior Branch Librarian	Senior Librarian	807-A (\$48,244-\$77,190)	809-A (\$55,132-\$88,211)

Classifications to Abolish

<u>Current Title</u>	<u>Current Pay Grade</u>
Administrative Assistant	804-A (\$39,492-\$63,187)
Executive Secretary to the Mayor	805-A (\$42,217-\$67,547)
Selection Librarian	805-A (\$42,217-\$67,547)
Reference Librarian	805-A (\$42,217-\$67,547)
Systems Librarian	806-A (\$45,130-\$72,208)
Outreach Librarian	806-A (\$45,130-\$72,208)
Senior Reference Librarian	807-A (\$48,244-\$77,190)
Staff Assistant (Hourly)	805-A (\$42,217-\$67,547)
Program Coordinator (Hourly)	806-A (\$45,130-\$72,208)
Business Development Associate II (Hourly)	806-A (\$45,130-\$72,208)

Pay Grades to Abolish

800-A	through	806-A
800-L	through	806-L
800-C	through	807-C
800-N	through	807-N
800-E	through	807-E
800-O	through	805-O
800-I	through	807-I
800-V	through	805-V
800-J	through	807-J

Current & Proposed Exemption Status

<u>Classification</u>	<u>Current FLSA Designation</u>	<u>Proposed FLSA Designation</u>
Assistant Golf Professional	Exempt	Non-Exempt
Human Services Supervisor	Exempt	Non-Exempt
Special Education Teaching Assistant Supv	Exempt	Non-Exempt
Staff Assistant	Exempt	Non-Exempt
Business Development Associate II	Exempt	Non-Exempt
Community Development Associate	Exempt	Non-Exempt
Contract Compliance Coordinator	Exempt	Non-Exempt
Program Coordinator	Exempt	Non-Exempt
Motor Vehicle Supervisor	Exempt	Non-Exempt
Supervisor of Administrative Support I	Exempt	Non-Exempt
Aviation Customer Service Supervisor	Exempt	Non-Exempt
Custodial Supervisor	Exempt	Non-Exempt
Custodial Services Supervisor	Exempt	Non-Exempt
Building and Grounds Supervisor	Exempt	Non-Exempt
Central Supply Supervisor	Exempt	Non-Exempt
Food Production Supervisor	Exempt	Non-Exempt
Hospital Housekeeping Manager	Exempt	Non-Exempt
Stockroom Supervisor	Exempt	Non-Exempt
Security Supervisor	Exempt	Non-Exempt
Underground Utility Investigator Supervisor	Exempt	Non-Exempt
Animal Control Investigator Supervisor	Exempt	Non-Exempt
Landside Services Supervisor	Exempt	Non-Exempt
Animal Care Supervisor	Exempt	Non-Exempt
Graphics Designer	Exempt	No Change

Therapist – Master’s Level	Exempt	No Change
Zoo Area Supervisor	Exempt	No Change
Senior Clinical Social Worker	Exempt	No Change
Social Case Worker	Exempt	No Change
Senior Social Case Worker	Exempt	No Change
Lead Social Case Worker	Exempt	No Change
Social Case Worker Supervisor	Exempt	No Change
Catalog Librarian	Exempt	No Change
Librarian	Exempt	No Change
Library Outreach Specialist	Exempt	No Change
Special Collection Librarian	Exempt	No Change
Senior Librarian	Exempt	No Change

Per Career Service Rule 7-37 A – “If it is determined, as a result of an audit or maintenance study, that changes to the classification and pay plan are necessary, the effective date of any resulting changes to the classification and pay plan shall be the beginning of the first work week following approval by the Mayor or by the City Council over the Mayor’s veto.”

The Career Service Executive Personnel Director shall provide those appointing authorities who are affected with a draft of proposed changes in the plan, and notice shall be posted on appropriate bulletin boards at least thirteen calendar days from the date of this notice.

Public Notice of Changes:

The scheduled time for the public hearing is **Thursday August 4, 2016 at 5:00 p.m.** in the OHR Board Room, Room 4.G.2, Webb Municipal Building, 201 West Colfax Avenue.

Note: Please submit any questions or comments on this proposal in writing to Nicole de Gio-Keane Nicole.deGioia-Keane@denvergov.org Office of Human Resources, in care of Alena Duran alena.duran@denvergov.org by 8:00 a.m. on **Thursday, August 4, 2016**. Please include a contact name and phone number so that we may respond directly.

If anyone wishes to be heard by the Board on this item, please call Alisha Gronniger alisha.gronniger@denvergov.org at (720) 913-5650 no later than noon on **Tuesday, August 2, 2016**.

OFFICE OF HUMAN RESOURCE CHANGES IN THE CLASSIFICATION AND PAY PLAN (Fair Labor Standards Act Exemption Study)

Synopsis

The Department of Labor (DOL) revised the Fair Labor Standards Act's (FLSA) exemption salary threshold, which requires the City to examine current exempt classifications and make recommendations to either change their designation to non-exempt or increase the range of pay for selected classifications in order to comply with the new regulation and maintain their exemption designation.

As a result of this study, 66 exempt pay grades and 10 exempt classifications will be abolished, 23 exempt classifications will be reallocated to non-exempt pay grades, and 15 exempt classifications will have their pay grades increased in order to maintain their exemption designation. This study impacted 24 agencies, departments, and independent organizations and 652 employees.

Employees in any of the classifications that are being abolished will be reallocated to new or other existing classifications.

Pay Rationale

The methodologies used throughout this study included: the revised federal regulation from the DOL, a salary range midpoint-to-midpoint analysis in order to reallocate exempt classifications to non-exempt, a salary range minimum analysis in order to keep selected exempt classifications exempt based on the revised exemption test threshold, and a feasibility cost analysis to justify overall recommendations. Internal equity was also a consideration in order to create parity within classification series in order to align classification recommendations with the City's compensation and pay plan.

The DOL revised the FLSA exemption salary threshold from \$23,660 annually (\$455 per week) to \$47,476 annually (\$913 per week); this was the guiding salary threshold for determining which classifications and pay grades were impacted by the revised federal regulation.

For classifications being reallocated from exempt to non-exempt pay grades, a midpoint-to-midpoint analysis was performed in order to determine the appropriate non-exempt pay grade, which is in keeping with current classification and compensation practices in order to preserve the market based foundation of the classification and pay plan.

For classifications maintaining their exemption designation, a salary range minimum analysis was used to ensure these classifications would be over the DOL's revised salary threshold of \$47,476 annually.

Internal equity was a consideration within both the Librarian and Social Workers classification series, where pay grades of classifications are currently above the DOL's threshold were increased in order to establish equitable internal pay relationships within those series.

Employee Impact

Currently, 652 employees are impacted by the revised FLSA exemption regulations. These employees will be reallocated into a new pay grade.

Employee pay will not change as a result of this study, unless an employee's pay is less than the range minimum of the proposed pay grade. Identified employees will be moved to the range minimum of the proposed pay grade in accordance with Career Service Rule 9-35 (A), Reallocation.

Budget Impact

The annual cost of implementing these recommendations is \$229,384.76. Of the 652 employees impacted by the study, 136 were identified as being below the range minimum of the proposed pay grade for which they will be reallocated. The budget impact by organization is as follows:

- Denver Public Library	= \$162,622.80	75 Employees
- Denver Human Services	= \$51,296.90	50 Employees
- Mayor's Office of Children's Affairs	= \$4,600.48	01 Employee
- Parks & Recreation	= \$3,985.26	04 Employees
- Denver International Airport	= \$2,521.52	03 Employees
- Technology Services	= \$1,785.58	01 Employee
- Office of the Independent Monitor	= \$1,324.57	01 Employee
- Public Works	= \$1,247.65	01 Employee

Organizational Data

There are no significant organizational structure changes that impact supervisory relationships.

Effective Date Rule

The DOL has mandated an effective date of December 1, 2016 in order to be compliant with the FLSA regulations; for this reason, OHR is requesting these recommendations to be effective on November 13, 2016, which is the beginning of a pay period.

Classification and Pay Grade Recommendations

Revised Pay Grade Changes

<u>Job Code</u>	<u>Current Title</u>	<u>Current Grade</u>	
<u>Proposed Pay Grade</u>			
CA2475 (\$39,494-\$57,661)	Assistant Golf Professional	803-A (\$36,943-\$59,109)	614-A
CA2685 (\$39,494-\$57,661)	Human Services Supervisor	803-A (\$36,943-\$59,109)	614-A
CA2687 (\$41,291-\$60,285)	Special Education Teaching Assistant Supervisor	804-A (\$39,492-\$63,187)	615-A
CA1002, FA2332 (\$45,134-\$65,896)	Staff Assistant	805-A (\$42,217-\$67,547)	617-A
LA1317, YA1151 EA2961, MA2875 CA2371 (\$47,188-\$68,894)	Business Development Associate II	806-A (\$45,130-\$72,208)	618-A
CA2197 (\$47,188-\$68,894)	Community Development Associate	806-A (\$45,130-\$72,208)	618-A
CA0752 (\$47,188-\$68,894)	Contract Compliance Coordinator	806-A (\$45,130-\$72,208)	618-A
CA1715, LA2430 (\$47,188-\$68,894)	Program Coordinator	806-A (\$45,130-\$72,208)	618-A
MA2427 CC2351 (\$44,176-\$64,497)	Motor Vehicle Supervisor	806-C (\$42,247-\$67,595)	618-C
AC1543, (\$44,176-\$64,497)	Supervisor of Administrative Support I	806-C (\$42,247-\$67,595)	618-C
BC1544, CC1508, LC1510, VC1512, YC1545 CC2484 (\$46,186-\$67,432)	Aviation Customer Service Supervisor	807-C (\$45,162-\$72,259)	619-C
CJ1874, LJ1875 (\$32,193-\$47,002)	Custodial Supervisor	801-J (\$30,114-\$48,182)	611-J
CJ1872, LJ1873 (\$36,790-\$53,713)	Custodial Services Supervisor	803-J (\$34,413-\$55,061)	614-J
CJ2808 (\$38,464-\$56,157)	Building and Grounds Supervisor	804-J (\$36,787-\$58,859)	615-J

CJ2496 (\$38,464-\$56,157)	Central Supply Supervisor	804-J (\$36,787-\$58,859)	615-J
CJ2524 (\$42,044-\$61,384)	Food Production Supervisor	805-J (\$39,325-\$62,920)	617-J
CJ1934 (\$42,044-\$61,384)	Hospital Housekeeping Manager	805-J (\$39,325-\$62,920)	617-J
CJ2604 (\$48,048-\$70,150)	Stockroom Supervisor	807-J (\$44,939-\$71,902)	620-J
CN2018, LN2019 (\$37,303-\$54,462)	Security Supervisor	803-N (\$34,892-\$55,827)	614-N
CN2082 (\$44,570-\$65,072)	Underground Utility Investigator Supervisor	806-N (\$42,625-\$68,200)	618-N
CN1808 (\$48,718-\$71,128)	Animal Control Investigator Supervisor	807-N (\$45,566-\$72,906)	620-N
CN1944 (\$48,718-\$71,128)	Landside Services Supervisor	807-N (\$45,566-\$72,906)	620-N
CO2829 (\$37,676-\$55,007)	Animal Care Supervisor	801-O (\$35,243-\$56,389)	611-O
CA2530, LA2531, (\$48,244-\$77,190)	Graphics Designer	805-A (\$42,217-\$67,547)	807-A
CA2945 CA2688 (\$48,244-\$77,190)	Therapist – Master’s Level	805-A (\$42,217-\$67,547)	807-A
CA2102 (\$48,244-\$77,190)	Zoo Area Supervisor	806-A (\$45,130-\$72,208)	807-A
CO0617 (\$49,201-\$78,722)	Senior Clinical Social Worker	805-O (\$46,025-\$73,640)	806-O
CA2686, CA2904 (\$48,244-\$77,190)	Social Case Worker	805-A (\$42,217-\$67,547)	807-A
CA2690, LA2935 (\$51,573-\$82,517)	Senior Social Case Worker	806-A (\$45,130-\$72,208)	808-A
CA2694 (\$55,132-\$88,211)	Lead Social Case Worker	807-A (\$48,244-\$77,190)	809-A
CA2700 (\$63,003-\$100,805)	Social Case Worker Supervisor	810-A (\$58,936-\$94,298)	811-A

<u>Job Code</u>	<u>Current Title</u>	<u>Current Grade</u>	
	<u>Proposed Pay Grade</u>		
LA1276, LA2450 (\$48,244-\$77,190)	Catalog Librarian	805-A (\$42,217-\$67,547)	807-A
LA1278 (\$51,573-\$82,517)	Collection Specialist	807-A (\$48,244-\$77,190)	808-A
LA1312 (\$55,132-\$88,211)	Senior Catalog Librarian	807-A (\$48,244-\$77,190)	809-A
LA1315, LA2452 (\$51,573-\$82,517)	Special Collection Librarian	807-A (\$48,244-\$77,190)	808-A

Revised Class Specifications, Title, & Pay Grade Changes

<u>Job Code</u>	<u>Current Title</u>	<u>Proposed Title</u>	<u>Current Grade</u>	
	<u>Proposed Pay Grade</u>			
LA1280, LA2451 \$67,547)	Children’s Librarian 807-A (\$48,244-\$77,190)	Librarian	805-A	(\$42,217-
LA1305 \$77,190)	Outreach Specialist 808-A (\$51,573-\$82,517)	Library Outreach Specialist	807-A	(\$48,244-
LA1310 \$77,190)	Senior Branch Librarian 809-A (\$55,132-\$88,211)	Senior Librarian	807-A	(\$48,244-

Classifications to Abolish

<u>Job Code</u>	<u>Current Title</u>	<u>Current Grade</u>
YA1144, YA1731, MA0645	Administrative Assistant	804-A (\$39,492-\$63,187)
MA0061	Executive Secretary to the Mayor	805-A (\$42,217-\$67,547)
LA1283	Selection Librarian	805-A (\$42,217-\$67,547)
LA1308, LA2128	Reference Librarian	805-A (\$42,217-\$67,547)
LA2230	Systems Librarian	806-A (\$45,130-\$72,208)

LA1304	Outreach Librarian	806-A (\$45,130-\$72,208)
LA1314	Senior Reference Librarian	807-A (\$48,244-\$77,190)
EA1735, YA2406	Staff Assistant (Hourly)	805-A (\$42,217-\$67,547)
CA2860, LA2941	Program Coordinator (Hourly)	806-A (\$45,130-\$72,208)
CA2634	Business Development Associate II (Hourly)	806-A (\$45,130-\$72,208)

Pay Grades to Abolish

800-A through	806-A	800-L through	806-L
800-C through	807-C	800-N through	807-N
800-E through	807-E	800-O through	805-O
800-I through	807-I	800-V through	805-V
800-J through	807-J		

Current & Proposed Exemption Status

<u>Classification</u>	<u>Current FLSA Designation</u>	<u>Proposed FLSA</u>
<u>Designation</u>		
Assistant Golf Professional	Exempt	Non-Exempt
Human Services Supervisor	Exempt	Non-Exempt
Special Education Teaching Assistant Supervisor	Exempt	Non-Exempt
Staff Assistant	Exempt	Non-Exempt
Business Development Associate II	Exempt	Non-Exempt
Community Development Associate	Exempt	Non-Exempt
Contract Compliance Coordinator	Exempt	Non-Exempt
Program Coordinator	Exempt	Non-Exempt
Motor Vehicle Supervisor	Exempt	Non-Exempt
Supervisor of Administrative Support I	Exempt	Non-Exempt
Aviation Customer Service Supervisor	Exempt	Non-Exempt
Custodial Supervisor	Exempt	Non-Exempt
Custodial Services Supervisor	Exempt	Non-Exempt
Building and Grounds Supervisor	Exempt	Non-Exempt
Central Supply Supervisor	Exempt	Non-Exempt
Food Production Supervisor	Exempt	Non-Exempt
Hospital Housekeeping Manager	Exempt	Non-Exempt
Stockroom Supervisor	Exempt	Non-Exempt
Security Supervisor	Exempt	Non-Exempt
Underground Utility Investigator Supervisor	Exempt	Non-Exempt
Animal Control Investigator Supervisor	Exempt	Non-Exempt
Landside Services Supervisor	Exempt	Non-Exempt
Animal Care Supervisor	Exempt	Non-Exempt
Graphics Designer	Exempt	No Change
Therapist – Master's Level	Exempt	No Change
Zoo Area Supervisor	Exempt	No Change
Senior Clinical Social Worker	Exempt	No Change
Social Case Worker	Exempt	No Change
Senior Social Case Worker	Exempt	No Change
Lead Social Case Worker	Exempt	No Change
Social Case Worker Supervisor	Exempt	No Change
Catalog Librarian	Exempt	No Change
Librarian	Exempt	No Change
Library Outreach Specialist	Exempt	No Change
Special Collection Librarian	Exempt	No Change
Senior Librarian	Exempt	No Change