

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2022

COUNCIL BILL NO. CB22-_____
COMMITTEE OF REFERENCE:

A BILL

For an Ordinance creating Division 6 (CARE Hours) of Chapter 18, Article V of the Denver Revised Municipal Code to create and implement the Care Hours program for officers and employees of the city as an alternative to the Colorado “Paid Family and Medical Leave Insurance Act” pursuant to C.R.S. § 8-13.3-522(1).

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That Division 6, of Chapter 18, Article V is hereby created as follows:

Division 6 – CARE Hours Program

Sec. 18-169. – Care Hours Program. The care hours program shall begin January 1, 2023, and shall be used so long as the city continues to opt out of the State of Colorado’s “Paid Family and Medical Leave Insurance Act” pursuant to C.R.S. § 8-13.3-522(1).

(a) **Employees Eligible to Receive Care Hours.** All officers and employees, as defined in this Division, are eligible to receive care hours as provided for in this Division.

(1) *Employee* means any employee of the city and county of Denver within the meaning of section 1.2.11 of the Charter, including employees in the career service and employees not in the career service.

(2) *Officer* means any of the following:

a. Elected charter officers; mayor, auditor; clerk and recorder; and members of the city council.

b. Appointed Charter officers; manager of the department of public health and environment, manager of the department of transportation and infrastructure, city attorney, manager of the department of safety, manager of the department of finance, manager of the department of parks and recreation, manager of the department of general services, manager of the department of human services, manager of the department of aviation, manager of the department of community planning and development, and director of excise and licenses.

(3) The following employees shall not be eligible for care hours:

a. Part-time employees regularly scheduled to work less than twenty (20) hours per week;

- 1 b. Members of the classified service of the police and fire departments;
- 2 c. Employees in the deputy sheriff classifications;
- 3 d. A person occupying or employed in an on-call, temporary, seasonal, or contract
- 4 position, or position in which the incumbent is paid according to the community rate schedule.
- 5 e. Employees who have individually opted into the State of Colorado's FAMLI
- 6 benefits program pursuant to 8-13.3-514 C.R.S.

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8 **(b) Care Hours Hours Granted.** Eligible employees may receive a maximum of three-

9 hundred twenty (320) hours of care hours during any rolling twelve-calendar month period.

10 **(c) Continued Accrual of time off.** Employees and officers who use care hours shall

11 continue to accrue time off pursuant to Division 1 (Paid Time Off) and Division 2 (Sick and Vacation

12 Leave) under this article as if the care hours used were normal hours worked.

13 **(d) Career Service Rules.** The career service rules shall include provisions implementing

14 this division relating to care hours that shall apply to all officers and employees covered by this

15 division.

16 **Sec. 18-170. – Reserved.**

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18 **Section 2. Effective date.** This bill takes effect January 1, 2023.

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1 COMMITTEE APPROVAL DATE: TBD by Consent

2 MAYOR-COUNCIL DATE: TBD

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

10 PREPARED BY: Robert A. McDermott, Assistant City Attorney DATE: TBD

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.

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16 Kerry Tipper, Denver City Attorney

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18 BY: _____, Assistant City Attorney DATE: _____

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