

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2010

COUNCIL BILL NO. 10-0877
COMMITTEE OF REFERENCE:
Government Affairs and Finance

4
5 **A BILL**

6
7 **For an Ordinance amending language to remove references to “steps” within the**
8 **classification and pay plan as it relates to the annual implementation of pay plan**
9 **adjustments and the salary of County Court Judges and Magistrates.**
10

11 **WHEREAS**, City Council has determined that simplified pay ranges are necessary to
12 ensure that the city's total compensation package is fair, competitive with the market, and
13 sustainable.

14 **WHEREAS**, City Council has determined that simplified pay ranges will provide the city
15 with the ability to adjust ranges based on market and to eliminate force fitting of adjustments to
16 2.25% increments.

17 **WHEREAS**, City Council has determined that simplified pay ranges will provide
18 flexibility with merit (performance) increases by eliminating the constraint of allocating merit in
19 2.25% increments.

20 **WHEREAS**, a simplified pay range is a pay range without fixed steps.

21 **WHEREAS**, “compa-ratio,” a standard compensation term, shall be used to identify
22 where a salary lies within a pay range.

23 **WHEREAS**, the formula to determine the “compa-ratio” will be the salary divided by the
24 range mid-point.

25 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
26 **DENVER:**

27 **Section 1.** That Section 18-5, D.R.M.C., shall be amended by deleting the language stricken,
28 to read as follows:

29 **Sec. 18-5. - Annual setting of classifications, pay plans and benefits.**

30
31 (a) Pay plan adjustments; exceptions. On or before May 1 of each year, the career service
32 board shall recommend classification and pay plan adjustments to the mayor and city
33 council for all job classifications in the career service and for job classifications not in the
34 career service based upon the duties of the job classifications except: those to which the
35 provisions of section 9.2.1 of the Charter apply; the ranks in the classified service of the fire

1 and police departments; deputy sheriffs, deputy sheriff majors, and deputy sheriff division
2 chiefs. Any pay rate recommended by the board shall be equal to generally prevailing rates
3 in the Denver metropolitan area as reflected in the annual survey of generally prevailing
4 rates and shall provide like pay for like work. If it is determined, pursuant to criteria
5 proposed by the career service board and approved by the council, that the generally
6 prevailing rates in the Denver metropolitan area are inadequate to attract qualified
7 candidates for certain classifications, or that there are no comparable positions in the
8 Denver metropolitan area, then the pay rate for those classifications may be equal to the
9 generally prevailing pay rates in either the region or the nation.

10
11 (b) Annual implementation of pay plan adjustments. The mayor and the city council may
12 accept, reject or modify any pay recommendation made by the board or the director
13 pursuant to this section. The recommendation required under subsection (a) of this section
14 shall be implemented in the following manner to the extent justified by the annual survey of
15 generally prevailing pay rates:

16
17 (1) When the recommendation is to increase the ~~entry rate~~ range minimum of a pay
18 grade, the ~~entry rate~~ range minimum shall be increased to reflect market data in
19 ~~increments of two and one quarter (2.25) percent, with and the range maximum pay~~
20 ~~rate in each subsequent step~~ in the pay grade shall be modified by the percentage
21 increments as necessary to maintain the structure and integrity of the current pay
22 grade.

23
24 Each employee in the adjusted pay grade shall ~~be moved to a step in the pay grade~~
25 ~~that most closely matches~~ maintain his or her current rate of pay and classification.
26 In no event shall the employee receive less than the ~~entry rate~~ range minimum of the
27 pay grade assigned to his or her classification or less than his or her current rate of
28 pay. These adjustments shall occur no later than July 1 of the year in which the
29 recommendation is made.

30
31 (2) When the recommendation is to change a classification to a higher pay grade, the
32 pay for employees in that classification shall be increased by increments of four and
33 fifty-five hundredths (4.55) percent per pay grade increase on January 1 of the year
34 following the recommendation. This subsection shall only apply to employees who

1 are in the affected classification on the effective date of the change. In no event shall
2 the employee be paid in excess of the range maximum ~~top step~~ of the range. These
3 adjustments shall occur no later than January 1 in the year following the year in
4 which the recommendation is made.

5
6 (c) Benefits. Upon the request of the mayor or the city council, the career service personnel
7 director shall survey and recommend changes to employee benefits as necessary to attract
8 and retain a qualified and competent workforce and to maintain the city's policy to provide
9 generally prevailing compensation to employees in the classifications set forth in subsection
10 (a) of this section. The director shall consult with and obtain a recommendation from the
11 employee health insurance committee as provided in division 2 of article VI of this chapter
12 prior to recommending any change to health insurance benefits. The mayor and the city
13 council may accept, reject or modify any benefit recommendation made by the director
14 pursuant to this section.

15
16 (d) Audit of survey methodologies and recommendations. In 2006 and not less than once every
17 four years thereafter, the mayor shall commission an independent audit of survey
18 methodologies, determinations regarding generally prevailing rates and prevailing practices,
19 and recommendations regarding pay rates and benefits made by the career service board
20 or the career service personnel director in the preceding year. Results of the independent
21 audit shall be provided by the mayor to the city council, the career service board and the
22 career service personnel director.

23
24 **Section 2.** That Section 18-41 D.R.M.C., shall be amended by deleting the language stricken, to
25 read as follows:

26
27 **Sec. 18-41. - Present incumbents.**

28 Employees whose rates of pay immediately prior to the effective date of the latest pay plan
29 exceeded the maximum rates of pay provided for the classes in which their positions are allocated
30 shall continue to receive such rates until the range maximum ~~last step~~ of the pay range resulting
31 from annual pay survey increases exceeds their rates of pay or until they leave their positions with
32 the exception of deputy sheriff classifications.

33
34 **Section 3 .** That Section 18-55 D.R.M.C., shall be amended by deleting the language stricken, to

1 read as follows:

2

3 **Sec. 18-55. - Pay administration.**

4

5 Career service rules relating to the pay rate ~~step~~ at which an employee may be hired, movement
6 of employees through the pay ranges ~~step~~, and pay differentials shall be applicable to employees
7 and positions not in the career service in the implementation and administration of the
8 classification and pay plans. When the career service rules permit a waiver or exception or require
9 the approval of the career service authority, career service personnel director, or career service
10 board, the waiver, exception, or approval shall be the sole responsibility of the employee's
11 appointing authority, and the approval of the career service authority, career service personnel
12 director, or career service board shall not be required

13

14 **Section 4.** That Section 14-2, D.R.M.C. shall be amended by deleting the language stricken,
15 to read as follows:

16

17 **Sec. 14-2. - Number and salary of judges.**

18

19 (a) The county court shall be presided over by seventeen (17) county judges.

20

21 (b) Each county judge shall be paid a salary equal to a compa-ratio of 1.076 ~~the rate of pay~~
22 ~~provided for step sixteen~~ of pay grade 821-L applicable to the legal occupational group in
23 the classification and pay plan adopted and maintained in accordance with chapter 18,
24 division 2 of article II; provided, however, in no event shall any judge's salary be reduced
25 during the judge's term of office.

26

27 (c) As provided in section 18-11, the city is authorized to implement a lag payroll system for
28 county court judges in the county court. Except as otherwise provided in section 18-11 and
29 in this section, every such employee shall be paid biweekly at a biweekly rate arrived at by
30 dividing the annual rate set forth in part (b) of this section by the biweekly periods for the
31 calendar year.

32

33 **Section 5.** That Section 14-109 D.R.M.C., shall be amended by deleting the language stricken, to

1 read as follows:

2

3 **Sec. 14-109. - Salary and benefits of county court magistrates.**

4

5 ~~(a) Effective retroactively to September 1, 2006, the salary of each full time county court~~
6 ~~magistrate below step seventeen of pay grade 816-L applicable to the legal occupational~~
7 ~~group in the classification and pay plan adopted and maintained in accordance with chapter~~
8 ~~18, division 2 of article II shall be equal to the rate of pay provided for by step seventeen of~~
9 ~~pay grade 816-L. The salary of each full time county court magistrate whose salary is equal~~
10 ~~to step eighteen of pay grade 816-L shall be equal to the rate of pay provided by step~~
11 ~~nineteen of pay grade 816-L. The salary of each full time county court magistrate whose~~
12 ~~salary is equal to step nineteen of pay grade 816-L shall remain at step nineteen of pay~~
13 ~~grade 816-L.~~

14

15 ~~(b) Effective on and after July 1, 2007, the salary of each full time county court magistrate shall~~
16 ~~be equal to step nineteen of pay grade 816-L applicable to the legal occupational group in~~
17 ~~the 2007 classification and pay plan adopted and maintained in accordance with chapter~~
18 ~~18, division 2 of article II.~~

19

20 (c) ~~Effective on and after July 1, 2008, the salary of~~ Each full time county court magistrate shall
21 be paid a salary equal to a compa-ratio of 1.076 ~~step sixteen~~ of pay grade 818-L applicable
22 to the legal occupational group in the then current classification and pay plan adopted and
23 maintained in accordance with chapter 18, division 2 of article II.

24

25 (d) ~~Effective on and after July 1, 2007,~~ Each part time county court magistrate shall be paid an
26 hourly rate equal to a compa-ratio of 0.921 ~~step nine~~ of pay grade 818-L applicable to the
27 legal occupational group in the classification and pay plan adopted and maintained in
28 accordance with chapter 18, division 2 of article II.

29

30 (e) Except as otherwise provided in this subsection (e), full time county court magistrates shall
31 receive benefits paid to or on behalf of employees by the city, in an amount not to exceed
32 the amount established by this chapter for career service employees. In lieu of receiving
33 paid sick leave and paid vacation leave, full time county court magistrates may receive paid
34 time-off in an amount not to exceed twenty-five (25) days per year, but shall not be entitled

1 to carry over such time-off from year to year or to receive payment for accrued time-off
2 upon termination or retirement from employment with the city. The presiding judge of the
3 county court shall administer the paid time-off program for county court magistrates and
4 may promulgate additional rules for the administration of the program.

5
6 (f) Part time county court magistrates shall not be eligible to receive any benefits paid to or on
7 behalf of employees by the city, as established by this chapter for career service
8 employees.

9
10 (g) As provided in section 18-11, the city is authorized to implement a lag payroll system for
11 county court magistrates in the county court. Except as otherwise provided in section 18-11
12 and in this section, every such employee shall be paid biweekly at a biweekly rate arrived at
13 by dividing the annual rate set forth in part (b) of this section by the biweekly periods for the
14 calendar year.

15
16 **Section 6:** This ordinance shall become effective October 17, 2010
17

18 COMMITTEE APPROVAL: October 6, 2010

19 MAYOR-COUNCIL DATE: October 12, 2010

20 PASSED BY THE COUNCIL: _____, 2010

21 _____ - PRESIDENT

22 APPROVED: _____ - MAYOR _____, 2010

23 ATTEST: _____ - CLERK AND RECORDER,
24 EX-OFFICIO CLERK OF THE
25 CITY AND COUNTY OF DENVER

26 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2010; _____, 2010

27 PREPARED BY: Roberta Monaco, Career Service Authority DATE: October 7, 2010

28 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
29 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
30 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
31 §3.2.6 of the Charter.

32 David Fine, City Attorney

33 By: _____, Assistant City Attorney DATE: _____, 2010