

1 **BY AUTHORITY**

2 CB18-0319
3 SERIES OF 2018

COMMITTEE OF REFERENCE:
Finance & Governance

4 **A BILL**

5
6 **for an ordinance to correct two typographical errors found in Section 18-42(d) of the**
7 **Revised Municipal Code.**

8
9 **WHEREAS**, pursuant to section 9.1.1 (C) and (D) of the Charter and Article I of Chapter 18,
10 D.R.M.C., the Office of Human Resources has recommended to the City Council an amendment
11 correcting two typographical errors in Ordinance section 18-42(d).

12
13 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
14 **DENVER:**

15
16 **Section 1.** That effective **beginning of the first work week following approval by the**
17 **Mayor or by the City Council over the Mayor’s veto**, the classification and pay plan is hereby
18 amended as follows:

19
20 **Sec. 18-42. - Classification plans and pay schedules.**

21
22 (a) Classification plans and pay schedules, and any amendments thereto, shall be
23 approved by the city council by ordinance, subject to the exceptions for interim adjustments set
24 forth in subsection (d) of this section. Current classification plans and pay schedules for all
25 employees in the career service and for those employees not in the career service as set forth
26 in division 3 of this article II shall be kept and maintained on record in the office of the clerk and
27 recorder and the Office of Human Resources at all times, and shall be available for public
28 inspection both in person and on-line. Each class title set forth in the classification plans shall
29 be assigned a pay grade corresponding to the pay schedules.

30
31 (b) Pay schedules shall be provided for all class titles and pay grades identified in the
32 classification plans. The term "pay schedule" is deemed to be synonymous with "pay plan" within
33 the meaning of the charter and this code. Separate pay schedules shall be provided for exempt
34 and non-exempt classes. For purposes of this section, the term "exempt" refers to classes which
35 are exempt from overtime requirements of the federal Fair Labor Standards Act, whether or not
36 such classes are authorized to be paid overtime because of community standards. For purposes
37 of this section, the term "non-exempt" refers to classes which are entitled to receive overtime
38 payments under the requirements of the Fair Labor Standards Act.

39
40 (c) The classification plans and pay schedules shall also include:

- 41
42 (1) Training pay schedules.

1 (2) A community rate schedule of hourly pay rates applicable to classes that are used
2 on an on-call or part-time basis.
3

4 (d) After any annual setting of classifications and pay plans as required in section 18-5,
5 and before the next annual setting of classifications and pay plans, the Executive Director of the
6 Office of Human Resources may make interim adjustments to classifications and pay schedules
7 without the need for city council approval to the extent allowed by this subsection. Any such
8 interim adjustments shall be subject to ratification by the city council in the ordinance approving
9 the next annual setting of classifications and pay plans as provided in section 18-5(b)(3), or at
10 such earlier time as approval may be requested by the Executive Director. To the extent any
11 interim adjustment is not expressly approved in the next annual ordinance or such earlier time
12 as approval has been requested, the adjustment shall be deemed to be rescinded. Subject to
13 the exceptions provided in section ~~18-4542~~18-42(d)(6)(a)-(d), the interim adjustments that the
14 Executive Director is authorized to make to classifications and pay schedules under the authority
15 of this subsection are limited to the following:
16

- 17 (1) Abolishment of any existing classification;
- 18 (2) Creation of any new classification or classifications;
- 19 (3) Classification title changes;
- 20 (4) Classification changes for purposes of overtime eligibility; and
- 21 (5) Individual classification pay grade increases.
- 22 (6) Provided, however, that interim adjustments to the classification and pay plan
23 changes shall not be authorized and shall remain subject to council approval by
24 ordinance if the proposed changes:
 - 25 (a) Involve twenty-five (25) or more employees;
 - 26 (b) Involve the creation of five (5) or more classifications at one time;
 - 27 (c) Involve employees in three (3) or more city departments or agencies; or
 - 28 (d) Involve a projected annual cost of fifty thousand dollars (\$50,000.00) or
29 more to the city in the first full year of implementation.

30
31
32
33
34
35
36
37
38
39
40 **Section 2.** That the foregoing amendments shall be reflected in the full classification and pay
41 plan kept and maintained in the office of the Clerk and Recorder, as reflected at Clerk Filing No.
42 _____, and at the Office of Human Resources, and shall be available for public
43 inspection both in person and on-line.
44

45 COMMITTEE APPROVAL DATE: _____

46 MAYOR-COUNCIL DATE: _____

47 PASSED BY THE COUNCIL _____

1 _____ - PRESIDENT PRO-TEM
2 APPROVED: _____ - MAYOR _____
3 ATTEST: _____ - CLERK AND RECORDER,
4 EX-OFFICIO CLERK OF THE
5 CITY AND COUNTY OF DENVER
6

7 NOTICE PUBLISHED IN THE DAILY JOURNAL _____

8
9 PREPARED BY: Kristen A. Merrick, City Attorney's Office DATE: _____

10
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the 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.

15
16 Kristin M. Bronson, City Attorney for the City and County of Denver

17
18 BY: _____, Assistant City Attorney DATE: _____