



DENVER
THE MILE HIGH CITY

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CITY AND COUNTY OF DENVER

CIVIL SERVICE COMMISSION

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PLEASE POST: 10/16/06 – 10/13/06

NOTICE

PUBLIC HEARING RE-OPENED

CONTINUED from October 13, 2006 to October 27, 2006 at 8:30 a.m.

Proposed Changes To Commission Rules

Rule 12 § 7: Retention of Hearing Officers, and

Rule 14: Reserved

On **Monday, October 16, 2006**, the Commission voted to **re-open the Public Hearing on Rule 14** held on October 13, 2006 and to continue that Hearing to **Friday, October 27, 2006 at 8:30 a.m.** The continued hearing will be held in the Commission conference room at **1570 Grove St., Denver, CO** for the purpose of receiving additional public comment on **amendments to the proposed Commission Rule 14 § 1(A), Hearing Officer Contracts.**

The **full text** of the proposed changes to Rule 14 are **posted at the Commission's office and on the Commission's web site** at: www.denvergov.org/civilservice. Click on the link "Commission Rule Changes". Copies are also available by email or fax. A summary of proposed changes is attached.

Additional written comment or questions regarding may proposed Rule 14 § 1(A) be submitted by mail, fax, email or in-person to Earl Peterson, Executive Director, Civil Service Commission, 1570 Grove St., Denver, CO 80204-1930. Submissions must be received by the **deadline of Wednesday, October 25, 2006, at 12:00 noon.** Fax: 720-913-3373; Email: earl.peterson@ci.denver.co.us.

Oral comment, limited to ten (10) minutes, may be scheduled for the public hearing by contacting Brian Kellogg, Personnel Analyst, by the **deadline of Thursday, October 26, 2006, at 12:00 noon.** Phone: 720-913-3369; Fax: 720-913-3373; Email: Brian.Kellogg@ci.denver.co.us.

Authority for rule making is provided by City and County of Denver Charter § 9.3.4 and Commission Rule 2 § 4(A).

**City and County of Denver
 CIVIL SERVICE COMMISSION**

Summary of Proposed Rule Changes

(Approved on September 22, 2006, for Posting)

Rule 12 § 7: Retention of Hearing Officers

Existing Rule 12 By Section		Nature and Summary of Proposed Changes to Current Rule (Comments listed in numerical order.)	
Entire Section 7	Existing Provisions	1	Delete Rule 12 § 7, in its entirety.
		2	Re-enact Rule 12 § 7, with amendments, as Rule 14 § 1.
		3	Change Title of Rule 12 § 7 to “Reserved.”

Rule 14: Reserved

Existing Rule 14 By Section		Nature and Summary of Proposed Changes to Current Rule (Comments listed in numerical order.)	
Rule	Title	1	Change title of Rule 14 from <i>Reserved</i> to <i>Hearing Officer Selection and Qualifications</i>
New Section 1	Title	1	Incorporates the title of existing Rule 12 § 7 with a change from <i>Retention of Hearing Officers</i> to <i>Selection of Hearing Officers</i> .
	New Subsection A.	2	Adds new sub-section (A), incorporating some language from the introductory paragraph of current Rule 12 § 7. Clarifies that Hearing Officer selection must occur at least once every 3 years; that a Hearing Officer is retained as an independent contractor; that the Hearing Officer may not only hear appeals but also otherwise assist the Commission in its disciplinary and disqualification review function. Deletes the reference to qualifications contained in existing Rule 12 § 7(A).
	New Subsection B	3	Adds new sub-section (B), incorporating language from current Rule 12 § 7(B), with amendments. Adds a new provision to require that the Commission make reasonable efforts to obtain a diverse pool of applicants for Hearing Officer.
	New Sub-section C	4	Adds new sub-section (C), incorporating language from current Rule 12 § 7(B), with amendments. Adds a reference to the required Commission approval of a background investigation.

Attachment A - September 22, 2006
 Notice of Public Hearing – Rule Making
 Rule 12 § 7 and Rule 14

New Section 1 - Continued	New Subsection D	5	Adds new sub-section (D), incorporating language from current Rule 12 § 7(E), with amendments. Clarifies Charter restrictions regarding confidentiality of applicant lists.
	New Subsection E	6	Adds new sub-section (E) defining the designated representatives of the Firefighters and Police Officers.
	Existing Rule 12 § 7(A)	7	The provisions of existing Rule 12 § 7(A), <i>Qualifications</i> , are not re-enacted. The qualifications for Hearing Officer were deleted from the Charter provisions. A new Rule 14 § 2, <i>Hearing Officer Qualifications</i> , is being proposed.
	Existing Rule 12 § 7(D)	8	The provisions of existing Rule 12 § 7(D), <i>Composition</i> , are not re-enacted. A new provision regarding efforts to achieve diversity through the Hearing Officer recruiting process is added in Rule 14 § 1(B).
New Section 2	In General		Section 2 adds to rule those substantive qualification provisions utilized in the 2003 Hearing Officer selection process, with a reorganization of the stated qualifications. (Charter § 9.7.3 stipulates that Hearing Officer qualifications be established by Commission rule.)
	Title	1	Adds new Section 2 with title of <i>Hearing Officer Qualifications</i> .
	Subsection A	2	Requires a license to practice law, although the license need not be currently active.
	Subsection B	3	Outlines the four alternatives for meeting an experience requirement (as utilized in the 2003 selection process). In subsection 2(B)(4), adds clarification that the acceptance and approval of alternate, unspecified experience consider the quality, level and length of that experience.
	Subsection C	4	Requires that a background investigation be completed, then reviewed and approved by the Commission, before an applicant can receive a contract as Hearing Officer.