

**RULE 17**

**ORIGINAL APPOINTMENT – SPECIAL CATEGORIES** <sup>1 2 3</sup>

*(Adopted March 27, 1998; Title Amended May 24, 2005)*

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<sup>1</sup> **Editor’s Note:** Commencing in 2004, as each Rule is amended the number designations are being converted from Roman to Arabic numerals.

<sup>2</sup> **Editor’s Note:** The amendments of May 24, 2005 newly adopted Section 3 and amended the title of the Rule. Original appointments to the Fire Department pursuant to a duly approved intergovernmental agreement were authorized by Charter § 9.3.11(E)(iii) that was adopted in the election of May 3, 2005.

<sup>3</sup> **Editor’s Note:** The amendments of May 24, 2005 did not include any revisions or updates to Sections 1 and 2 due to the focus on changes related to hiring in the Fire Dept. pursuant to a duly approved intergovernmental agreement. Sections 1 and 2 were adopted March 27, 1998, and were effective April 23, 1998.

**Section 1. Appointment of Certified Peace Officers (Lateral Entry)**

*(Adopted March 27, 1998)*

- A. An applicant to the classified service of the Denver Police Department, who is currently certified as a peace officer and who has a minimum of three (3) years of experience as a law enforcement officer, may receive an original appointment in the Police Department, provided that each of the following is met:
1. written approval by the Chief of the Police Department;
  2. written approval by the Manager of Safety;
  3. written approval of a majority of the members of the Civil Service Commission;
  4. any other examination or qualification requirement as determined by the Civil Service Commission Rules, statutory requirements, and requirements of the Department of Safety.
- B. In the event that the approval of the Chief of the Police Department, the Manager of Safety, or the Civil Service Commission is not granted, the applicant shall have no right to seek review of the decision before the Civil Service Commission, the Chief of the Police Department, or the Manager of Safety.
- C. Applicants employed under the terms of this section shall be appointed to Police Officer Recruit until such time as that member has successfully completed the Police Academy at which time the Manager of Safety, at his/her discretion, may appoint the member as a Police Officer, Fourth Grade or may appoint the member based upon merit, experience, or record to:
1. the rank of Police Officer, Third Grade, if that member has less than five (5) years of prior experience;
  2. the rank of Police Officer, Second Grade, if that member has more than five (5) years of prior experience but less than eight (8) years of prior experience; or
  3. the rank of Police Officer, First Grade, if that member has eight (8) or more years of prior experience.

The police officer retained or appointed to a grade as described in this section shall have no right to seek review of that decision before the Civil Service Commission, Chief of Police, or the Manager of Safety. Appointments made pursuant to this section shall be considered original appointments as provided in Section C5.68 and Section C5.69 of the Charter and shall require the completion of a full nine (9) month probationary period after having successfully completed the police academy. <sup>4</sup>

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<sup>4</sup> **Charter Note:** Charter § C5.68 (Service during probation) was recompiled in 2002 as § 9.4.7. Charter & C5.69 (Probationary Period; Permanent appointment) was recompiled as § 9.4.6, and it was further amended in the election of May 6, 2003 giving the Manager of Safety full authority to dismiss during the probationary period.

- D. No more than twenty-five (25) percent of the applicants selected for original appointment into the classified service of the Police Department in any calendar year may come from appointments made under the provisions of this section of these Rules or Section C5.65-2 of the Charter.<sup>5</sup>
- E. In addition to the requirements set forth in this section, the qualifications for applicants under this section shall conform to Rule III, Qualifications for Original Appointment; and the examination of applicants under this section shall conform to Rule V, Examinations for Original Appointment. The nature of the examination for applicants under this section shall conform to Rule V, Section 3, except that the publication and announcement requirements of the rules shall not apply to the examination of applicants under this section.<sup>6</sup>

**Section 2. Appointment of Reserve Police Officers (Reserve Police Officer Entry).**

*(Adopted March 27, 1998)*

- A. An applicant for original appointment to the classified service of the Denver Police Department who has met all of the qualifications and requirements of the Denver Police Reserve Officer training program and has been designated a reserve officer may receive an original appointment upon meeting each of the following:
  - 1. written approval of the Chief of Police;
  - 2. written approval by the Manager of Safety;
  - 3. written approval of a majority of the members of the Civil Service Commission; and
  - 4. any other examination requirements as determined by the Civil Service Commission Rules, statutory requirements, and requirements of the Department of Safety.
- B. In the event that the approval of the Chief of Police, the Manager of Safety, or the Civil Service Commission is not granted, the applicant shall have no right to seek review of that decision before the Civil Service Commission, the Chief of Police, or the Manager of Safety.

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<sup>5</sup> **Charter Note:** Charter § 5.65-2 (Appointment of a Certified Peace Officer) was recompiled as § 9.6.9 in 2002. In the election of May 6, 2003, § 9.6.9 was repealed and was re-enacted in part in § 9.3.11(E)(i) and § 9.6.6(D). Charter & 5.65-2(1) provided for the 25% limitation on appointments in a calendar year. This provision was included in recompiled § 9.6.9(C)(v). However, when § 9.6.9 was repealed in the election of May 6, 2003, this provision was not re-enacted in § 9.3.11 or § 9.6.6.

<sup>6</sup> **Rule Note:** In the amendments to Commission Rule 5 (formerly Rule V) effective Sept. 1, 2004, Rule 5 § 3 was renumbered as Rule 5 § 4, with amendments.

- C. Applicants employed under this section shall be appointed to the rank of Police Officer Recruit. Such appointment shall be considered an original appointment as provided for in Section C5.68 and C5.69 and shall require completion of a full nine (9) month probationary period after having successfully completed the police academy.<sup>7</sup>
- D. No more than ten (10) percent of the applicants selected for original appointment into the classified service of the Denver Police Department in any calendar year may come from appointments made under the provisions of Section C5.65-3 of the Charter and this section of these Rules.<sup>8</sup>
- E. In addition to the requirements set forth in this section, the qualifications for applicants under this section shall conform to Rule III, Qualifications for Original Appointment; and the examination of applicants under this section shall conform to Rule V, Examinations for Original Appointment. The nature of the examination for applicants under this section shall conform to Rule V, Section 3, except that the publication and announcement requirements of the rules shall not apply to the examination of applicants under this section.<sup>9</sup>

**Section 3. Appointment of a Firefighter pursuant to an Intergovernmental Agreement.**  
(Adopted May 24, 2005)

- A. An applicant to the Classified Service of the Denver Fire Department, who is applying pursuant to a duly approved intergovernmental agreement, which provides for the transition of fire department services from a governmental or quasi-governmental agency to the City and County of Denver, may receive an original appointment in the Fire Department contingent upon the following:
  - 1. Meeting any and all qualifications and requirements established by the Department of Safety, by statute, and by Commission Rule, to include the qualifications for original appointment as provided by Commission Rule 3;
  - 2. Meeting any additional qualifications and requirements established by the intergovernmental agreement;

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<sup>7</sup> **Charter Note:** Charter § C5.68 (Service during probation) was recompiled in 2002 as § 9.4.7. Charter & C5.69 (Probationary Period; Permanent appointment) was recompiled as § 9.4.6, and it was further amended in the election of May 6, 2003 giving the Manager of Safety full authority to dismiss during the probationary period.

<sup>8</sup> **Charter Note:** In 2002, Charter § C5.65-3 was recompiled as § 9.6.10. In the election of May 6, 2003, § 9.6.10 was repealed and re-enacted in part with amendments in § 9.3.11(E)(ii). The 10% limitation on appointments in any calendar year, previously contained in § C6.65-3(1), and then 9.6.10(C), were repealed and not re-enacted in the election of May 6, 2003.

<sup>9</sup> **Rule Note:** In the amendments to Commission Rule 5 (formerly Rule V) effective Sept. 1, 2004, Rule 5 § 3 was renumbered as Rule 5 § 4, with amendments.

3. Successful completion of the examination, screening and other requirements for original appointment specifically approved by the Commission, as provided in the particular intergovernmental agreement, including but not limited to the Commission's approval for placement on a separate eligible register established from those applying pursuant to the particular intergovernmental agreement;
  4. Requisition by the Manager of Safety of the names of applicants under the intergovernmental agreement and certification to the Manager of Safety, as provided by Commission Rule 8;
  5. Written approval by the Chief of the Fire Department; and
  6. Written approval by the Manager of Safety.
- B. In the event that the approval for placement on the eligible register is not granted by the Commission, and/or written approval is not granted by the Chief of the Fire Department and/or the Manager of Safety, the applicant shall have no right to seek review of the decision before the Civil Service Commission, the Chief of the Fire Department, or the Manager of Safety.
- C. Appointments made pursuant to this Rule 17 § 3 shall be considered original appointments as provided in Charter § 9.3.11(E)(iii). Pursuant to the provisions of Charter § 9.4.6, such appointments made under any specific intergovernmental agreement shall include a probationary period to be determined by the Manager of Safety, and to be established by the Manager of Safety prior to the first such appointment, as provided in Commission Rule 9.
- D. Under Charter § 9.5.5(B), applicants employed under this Rule 17 § 3 may be appointed to any grade at the rank of Firefighter, however, in no case shall such applicant receive original appointment at a rank and grade higher than Firefighter 1<sup>st</sup> Grade. Unless otherwise provided by the terms of an intergovernmental agreement duly approved by the Commission, applicants employed under this Rule 17 § 3 shall receive original appointment to a rank and grade as provided under Commission Rule 10.

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