



JOHN W. HICKENLOOPER
Mayor

CITY AND COUNTY OF DENVER

CIVIL SERVICE COMMISSION

POLICE AND FIRE DEPARTMENTS

1570 GROVE STREET
DENVER, COLORADO 80204-1930

PHONE: 720-913-3370

FAX: 720-913-3373

COMMISSIONERS

Anna Flores
Elizabeth I. Kiovsy
Cecilia E. Mascarenas
Christopher H. Olson
Samuel Williams

EXECUTIVE DIRECTOR

Earl E. Peterson

PLEASE POST: September 3 – September 24, 2004

PROPOSED CHANGES RULE X


PLEASE NOTE:

Deleted Text: Marked by ~~strikethrough~~ and in red type.

New Text: Marked by double underline and in blue type.

Existing Text: May be from the current paragraph or section or, if moved from another existing paragraph or section, it will usually be so noted in a footnote and/or a comment box.

Bookmarks: Click on the “**Bookmarks**” tab on the left side of screen to view an outline of the contents. Click on any item to “jump” to that item.

Annotations: Pass your cursor over the  box to read an explanatory note. (These notes are generally from the footnotes.)

Posted: September 3, 2004

Public Hearing: September 24, 2004 at 8:30 a.m.



RULE **10** ~~RULE X~~¹



~~2~~ ~~PROVISIONAL AND EMERGENCY APPOINTMENTS~~



3 CLASSIFIED SERVICE RANKS AND GRADES
AND APPOINTED OR ASSIGNED POSITIONS
IN THE FIRE AND POLICE DEPARTMENTS

Section 1. ~~Provisional Appointments~~ Fire Department – Classified Service Ranks and Grades.

~~The Commission may authorize the appointment of qualified persons to positions in the classified service whenever the needs of a department cannot be met through the regular process of certification from the eligible register, provided such persons are appointed on a provisional basis in accordance with the following conditions:~~

~~A. The person seeking a provisional appointment must file an application and must meet such requirements and be subject to such examinations as the Commission may deem necessary.~~

~~B. A provisional appointment shall continue only until such time as a certification and appointment can be made by competitive examination. In no event shall a provisional appointment exceed thirty (30) days from the date a suitable eligible register is established.~~

~~C. The time served under a provisional appointment shall not be credited toward the probationary time required for regular appointment.~~

By Charter § 9.5.4, the Classified Service of the Fire Department shall only consist of the following ranks and grades:

A. Ranks: Assistant Chief, Captain, Lieutenant, Engineer, Firefighter; Superintendent of Fire Alarm, Assistant Superintendent of Fire Alarm, Fire Systems Technical Specialist; Master Mechanic, Assistant Master Mechanic, and Mechanic.

B. Grades of Firefighter: 1st Grade, 2nd Grade, 3rd Grade, 4th Grade.

¹ All Rules are being re-numbered from Roman numerals to Arabic numerals.

² The provisions of current Rule X, Section 1-2 (Provisional and Emergency Appointments) are being deleted in their entirety due to the repeal of the respective Charter sections 9.4.4 (formerly C5.66) and 9.4.5 (formerly C5.71).

³ The provisions of proposed Rule 10, Sections 1-7 (Ranks and Grades...) are new. They reflect the variously cited provisions in Parts 5 and 6 of Article IX of the Charter and are provided in rule primarily for information and ease of reference.

C. Grades of Fire Systems Technical Specialist and Mechanic: I, II, III, IV, V.

Section 2. ~~Emergency or Temporary Appointments~~Fire Department – Progression in Grades Following Original Appointment to the Classified Service.

~~The Manager of Safety may select and appoint persons without regard to the Rules governing other appointments in the event of an emergency. Approval by the Commission shall not be required, but each such appointment shall be reported to the Commission within three days, with the reasons therefor and the time for which an emergency appointment is necessary, not to exceed sixty days. No reappointment or employment to the same position at the end of such period shall be allowed, except for an appointment to a probationary position under Rules XIII and IX herein.~~

A. Appointment to Rank of Firefighter:

1. Firefighter 4th Grade: A member of the Fire Department shall be a Firefighter 4th Grade from the date of original appointment and until such time as the member has served nine (9) months after completion of the Fire Academy.
2. Firefighter 3rd Grade: A member of the Fire Department shall be a Firefighter 3rd Grade if that member has served for more than nine (9) months after completion of the Fire Academy and less than twenty-one (21) months after the completion of the Fire Academy.
3. Firefighter 2nd Grade: A member of the Fire Department shall be a Firefighter 2nd Grade if that member has served for twenty-one (21) months or more after completion of the Fire Academy and less than thirty-three (33) months after the completion of the Fire Academy.
4. Firefighter 1st Grade: A member of the Fire Department shall be a Firefighter 1st Grade if that member has served for thirty-three (33) months or more after completion of the Fire Academy.

B. Appointment to Rank of Fire Systems Technical Specialist or Mechanic:

Individuals receiving original appointment to the rank of Fire Systems Technical Specialist or Mechanic shall progress through from grade V to grade I as follows:

1. Grade V: A member shall be a grade V from date of original appointment and until such time as the member has served twelve (12) months after original appointment.
2. Grade IV: A member shall be grade IV if that member has served twelve (12) months or more after original appointment and less than twenty-four (24) months.
3. Grade III: A member shall be grade III if that member has served twenty-four (24) months or more after original appointment and less than thirty-six (36) months.

4. Grade II: A member shall be a grade II if that member has served thirty-six (36) months or more after original appointment and less than forty-eight (48) months.

5. Grade I: A member shall be a grade I if that member has served forty-eight (48) months or more after original appointment.

Section 3. Fire Department –Appointed or Assigned Positions not within the Classified Service.

A. The City Charter provides for the following additional appointed or assigned positions in the Fire Department:

1. Chief of the Fire Department: By Charter § 9.5.1, the Chief is appointed by the Mayor from the rank of Assistant Chief.

2. Deputy Chief and Division Chief: By Charter § 9.5.2, the Chief of the Fire Department, with approval of the Manager of Safety, may assign from the rank of Assistant Chief not more than one (1) member to perform the duties of Deputy Chief and not more than six (6) members to perform the duties of Division Chief.

3. Technician: By Charter § 9.5.4(B), the Chief of the Fire Department may assign Firefighters 1st Grade to perform the duties of Technician.



B. For the purpose of computing time served in a Classified Service rank and/or grade, any time served in the above noted assignments shall be considered as time served in the Classified Service rank and/or grade concurrently held by the member.

Section 4. Police Department – Classified Service Ranks and Grades.

By Charter § 9.6.6, the Classified Service of the Police Department shall only consist of the following ranks and grades.

A. Ranks: Captain, Lieutenant, Sergeant, Police Officer.

B. Grades of Police Officer: 1st Grade, 2nd Grade, 3rd Grade, 4th Grade, Recruit.

Section 5. Police Department – Progression in Grades Upon Original Appointment to the Rank of Police Officer.

An individual receiving original appointment to the Rank of Police Officer shall progress through from the grade of Recruit to the grade of 1st Grade as follows, except as may be provided herein in Section 6 for those appointed from a Certified Peace Officer eligible register.

RULE X: Proposed changes as posted 09-03-04

- A. Police Officer Recruit: A member of the Police Department shall be a Police Officer Recruit from the date of original appointment and until such time as the member has completed the Police Academy and has been certified as a peace officer by the State of Colorado.
- B. Police Officer 4th Grade: A member of the Police Department shall be a Police Officer 4th Grade after completion of the Police Academy and certification as a peace officer by the State of Colorado have occurred and until the member has served nine (9) months thereafter.
- C. Police Officer 3rd Grade: A member of the Police Department shall be a Police Officer 3rd Grade if that member has served for more than nine months after completion of the Police Academy and less than twenty-one months after the completion of the Police Academy.
- D. Police Officer 2nd Grade: A member of the Police Department shall be a Police Officer 2nd Grade if that member has served for twenty-one months or more after completion of the Police Academy and less than thirty-three months after the completion of the Police Academy.
- E. Police Officer 1st Grade: A member of the Police Department shall be a Police Officer 1st Grade if that member has served for thirty-three months or more after completion of the Police Academy.


Section 6. Police Department - Certified Peace Officers Appointed to the Rank of Police Officer under Charter § 9.3.11(E)(i) (“Lateral Hire”).

- A. Applicants who receive original appointment from a respective eligible register for a Certified Peace Officer under the terms of Charter § 9.3.11(E)(i) shall be appointed to Police Officer Recruit until such time as that member has successfully completed the Police Academy and is certified as a peace officer by the State of Colorado, at which time the Manager of Safety, at his or her discretion, may appoint the member as a Police Officer 4th Grade or may appoint the member, based upon merit, experience, or record, to one of the following ranks:
 - 1. The rank of Police Officer at 3rd Grade, if that member has less than five years of prior experience;
 - 2. The rank of Police Officer at 2nd Grade, if that member has more than five years of prior experience but less than eight years of prior experience; or
 - 3. The rank of Police Officer at 1st Grade, if that member has eight or more years of prior experience.

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- B. If upon completion of the Police Academy the member serves as a Police Officer at 3rd Grade or a Police Officer at 2nd Grade, the member shall serve a full year at such grade before advancement to the next grade.
- C. The Police Officer retained or appointed to a grade as described herein shall have no right to seek review of that decision before the Civil Service Commission, Chief of the Police Department, or the Manager of Safety.
- D. Appointments made pursuant to Charter § 9.3.11(E)(i) and this sub-section shall be considered original appointments and shall require completion of a full nine month probationary period after having successfully completed the Police Academy.

Section 7. Police Department –Appointed or Assigned Positions Not Within the Classified Service.

- A. The City Charter provides for the following additional appointed or assigned positions in the Police Department:
 - 1. Chief of the Police Department: By Charter § 9.6.1, the Chief shall be appointed from within the Classified Service or shall be hired from outside of the Classified Service, by the Mayor.
 - 2. Deputy Chief: By Charter § 9.6.3, the Chief of the Police Department, with approval of the Manager of Safety, may assign from the rank of Captain not more than two (2) members to perform the duties of Deputy Chief.
 - 3. Division Chief and Commander: By Charter § 9.6.3, the Chief of the Police Department, with approval of the Manager of Safety, may assign from the rank of Captain or Lieutenant and not more than five (5) members to perform the duties of Division Chief, and not more than twelve (12) members to perform the duties of Commander.
 - 4. Detective, Technician and Corporal: By Charter § 9.6.5, the Chief of Police may assign a Police Officer 1st Grade to perform the duties of Detective, Technician, or Corporal.
-  B. For the purpose of computing time served in a Classified Service rank and/or grade, any time served in the above noted assignments shall be considered as time served in the Classified Service rank and/or grade concurrently held by the member.