

## STATE CLASSIFIED vs. EXEMPT FROM THE STATE PERSONNEL SYSTEM

Topics	Classified	Exempt from the State Personnel System
<i>Governing Rules and Policies</i>	Classified positions are governed by <a href="#">State of Colorado Personnel Board Rules and Administrative Procedures</a> . These rules and procedures cover all aspects of classified service.	OEP positions are not governed by the State of Colorado Personnel Rules and Procedures as these positions are exempt from the state classified system.
	Both employment groups are established by the State of Colorado Constitution and are subject to applicable federal and state law and regulations, laws and policies set forth by the University of Colorado Board of Regents, University System Administrative Policy Statements and Denver campus policies.	
<i>Position Management</i>	Colorado Department of Personnel and Administration (DPA) determines position titles, pay ranges, and minimum qualifications for classified positions.	Position titles and requirements are determined by the University of Colorado. Positions must meet statutory exemption criteria to be created as exempt professional.
<i>Hiring Practices</i>	Hiring in the Classified System is governed by State of Colorado Personnel Board Rules and Administrative Procedures. Applicants must be residents of the State of Colorado. State requirement to refer “top 3” candidates based on competitive assessment of merit and fitness. Temporary employment can not exceed 6 months in a rolling 12 month period.	Hiring for OEP positions is governed by University of Colorado Regent Law and Policies. Applicants are not required to be residents of the State of Colorado.
<i>Employment Relationship/ Reinstatement/ Transfer</i>	<p>12 month probationary period. Certified after one year of service. Retention Rights. If certified, may bump into vacant or encumbered Classified position or be displaced by a certified Classified employee during layoff per State personnel rules (chapter 7.) Due process for corrective and disciplinary actions. Formal grievance/appeal process.</p> <p>Discretionary appointment of a former or current employee to a class in which the person was certified and either resigned or voluntarily demoted in good standing. May also be considered for search waiver for positions that are exempt from the state personnel system</p> <p>Transfer privileges to classified positions at same class or with the same grade maximum.</p>	<p>OEP employees are employees-at-will and employment may be terminated at any time by either the employee or the University.</p> <p>Cannot displace or be displaced by other employee during layoff. Personnel actions are subject to compliance with State and Federal employment laws and the Vice Chancellor's approval</p> <p>Former OEP employees may be hired via a search waiver.</p> <p>Eligible for transfer to other CU positions that are exempt from the State Personnel System.</p>
<i>Compensation</i>	Compensation adjustments are based on legislative decision – performance considered.	Compensation for OEP employees, including salary increases, is governed by Regent laws and policies.

<p><i>Performance Management</i></p>	<p>All regular (non-temporary) classified employees must have a performance plan, at least one coaching session and an evaluation for each performance cycle. The performance cycle runs from April 1<sup>st</sup> through March 31<sup>st</sup> of each year.</p>	<p>All OEP employees must have an annual performance evaluation.</p>
	<p>Performance evaluation ratings impact salary increases for both employment groups.</p>	
<p><i>Health Care Benefits</i></p>	<p>Classified employees who are paid on the university’s monthly pay cycle and are appointed to a regular (non-temporary) 50 percent or greater benefits-eligible position are eligible for either the university or the State of Colorado group benefits plans. Classified employees who are paid on the university’s monthly pay cycle with a regular (non-temporary) appointment of less than 50 percent are eligible for the State of Colorado plans only.</p>	<p>OEP employees who are paid on the university’s monthly pay cycle and appointed to a regular (non-temporary) 50 percent or greater benefits-eligible position are eligible for the university’s group benefits plans.</p>
	<p>To determine what benefits an employee is eligible for, review the detailed benefits eligibility matrix specific to the job title/code which is available on the PBS website under the “Tools and Resources Links” on the home page. The university’s group benefits plan year runs from July 1 through June 30<sup>th</sup>. All benefits-eligible employees must enroll within the designated deadlines as follows: <b>New Employees</b>—Must enroll within 31 days following date of hire. <b>Employees experiencing a Qualifying Life Event</b>—PBS must receive a Benefits Enrollment/Change Form with the proper supporting documentation within 31 days following the date of the qualifying life event. <b>Open Enrollment</b>—As specified each year - refer to the PBS office. <b>Transferring positions from one classification to another (i.e., classified to exempt)</b> – Must make any <i>eligible</i> changes to benefits within 31 days of transfer. Employee who are considering transferring, are encouraged to make an appointment with a benefits counselor to review benefit options.</p> <p>To review University contribution rates please go to: <a href="https://www.cusys.edu/pbs/">https://www.cusys.edu/pbs/</a></p> <p>If no action is taken to enroll/waive or change benefits, the employee may be defaulted into a plan or forfeit the right to change coverage for the remainder of the benefit year. The employee may sign up for benefits during the next open enrollment period with benefit coverage beginning with the start of the new benefit plan year.</p> <p>The employee health benefit plan contribution for each group is different. Current rates and other plan information are available on the <a href="#">PBS website</a>.</p>	

<p><i>Life Insurance Benefits</i></p>	<p>Basic Life Insurance - The university provides an employer-paid Basic Term Life Insurance Plan which also includes an AD&amp;D benefit in the same amount. The Basic Term Life plan pays a benefit to your beneficiary/ies if you die while covered under the policy. The AD&amp;D provision provides a benefit of up to and in addition to the amount of the Basic Term Life if you die as a result of an accident.</p> <p>PERA MEMBERS ONLY: Additional PERA life insurance may be purchased through Public Employees Retirement Association (PERA). Information about the PERA life insurance program including application deadlines is available on the <a href="#">PERA website</a>.</p>	
	<p>Eligible Classified employees are automatically enrolled in a \$50,000 basic term life and \$50,000 AD&amp;D insurance policy.</p>	<p>Eligible OEP employees are automatically enrolled in a \$57,000 basic term life and \$57,000 AD&amp;D insurance policy.</p>
	<p>Optional Life Insurance: Employees in both groups, who have appointments greater than 50%, may purchase limited additional coverage at the time of hire or during open enrollment periods without evidence of insurability (EOI). There are EOI provisions, with Standard Insurance Company, for employees wanting to apply outside the allowed period or over the guaranteed issue amounts.</p>	
<p><i>Disability Insurance</i></p>	<p>Short Term Disability (University Paid) - Classified employees are automatically covered by Standard Insurance for Short Term Disability on the date of hire.</p> <p>Long Term Disability (Employee Paid) - Classified employees who work 30 or more hours per week may purchase Long Term Disability coverage from Standard Insurance. They are required to complete Evidence of Insurability (EOI) and be approved by Standard before enrollment can begin.</p>	<p>Short-Term Disability (Employee paid) - OEP employees have the option to purchase Option 1 or Option 2 Short Term Disability insurance within 31 days of hire. Note: If employees apply to purchase Short Term Disability insurance at any time outside of the allowed enrollment period they are subject to a late enrollment penalty (LEP).</p> <p>Long- Term Disability (University Paid) - OEP employees with appointments of at least 50% are automatically covered for Long Term Disability after one calendar year from the first day of the first full month after the date of hire into the OEP position.</p> <p><b>NOTE:</b> If a classified employee, who has purchased Long Term Disability coverage, moves to an OEP position, the purchased policy is cancelled.</p>
<p>PERA MEMBERS ONLY - PERA provides a Short-Term Disability Plan and disability retirement for vested employees (those with five or more years of PERA service.)</p>		

<p><i>Retirement Plans</i></p>	<p>Classified employees are required to be enrolled in PERA at the time of hire.</p>	<p>OEP employees are eligible for the University of Colorado’s 401(a) Optional Retirement Plan (ORP).</p> <p>Review the Benefits Eligibility Matrix which outlines eligibility. Non-resident alien, certain restrictions apply.</p> <ul style="list-style-type: none"> <li>• Immediate Participation – enrollment begins automatically on the first day of the month following your date of eligibility.</li> <li>• One Year Wait – enrollment begins automatically on the first day of the month following one year of employment in an ORP-eligible position.</li> </ul> <p>Exception: if you participated in a mandatory institutional retirement plan through a previous "eligible employer<sup>1</sup>", you will begin participation in the ORP on the first day of the month following the later of a) the date of your eligibility or b) the date you provide the university with proof of your participation in a mandatory institutional retirement plan through a previous "eligible employer". No retroactive enrollment is allowed. NOTE: Previous participation in the university's ORP or Student Retirement Plan, or with PERA while employed at the university, requires immediate participation in the ORP.</p> <p>PERA MEMBERS ONLY – Members appointed into a position which is eligible for the University of Colorado 401(a) Optional Retirement Plan and/or the University of Colorado 403(b) plans (collectively, the University Pension/Savings Plans) are required to make a one-time, irrevocable election to either participate in PERA or the University Pension/Savings Plans. Except in certain cases where you are no longer a PERA member upon being rehired by the university, this election will remain in effect throughout your career with the University of Colorado as long as you are employed or rehired in a Faculty, Officer, or Exempt Professional appointment. If you elect to participate in PERA, you may still participate in the university's voluntary 403(b) plan. PBS will send you an election form with your deadline for election clearly stated. If your election form is not received by the deadline shown, you will be</p>
--------------------------------	--	---

	<p>Tax Deferred Annuity Eligibility – PERA 401k, University 403(b), 457</p>	<p>deemed to have irrevocably elected to participate with PERA.</p> <p>Tax Deferred Annuity Eligibility – University 403(b), 457 and PERA 401(k) (if PERA member)</p>															
<p><i>Leave Accrual Rates, Maximums, and payout</i></p>	<p>Classified employees earn annual leave based on total whole months of state service in or out of the state personnel system (excluding temporary assignments).</p> <table border="1" data-bbox="323 435 1129 625"> <thead> <tr> <th>Years of Service</th> <th>Hours/Month</th> <th>Max Accrual</th> </tr> </thead> <tbody> <tr> <td>1-5</td> <td>8</td> <td>192</td> </tr> <tr> <td>6-10</td> <td>10</td> <td>240</td> </tr> <tr> <td>11-15</td> <td>12</td> <td>288</td> </tr> <tr> <td>16+</td> <td>14</td> <td>336</td> </tr> </tbody> </table> <p>All classified employees earn sick leave at a rate of 6.66 hours per month, up to a maximum accrual of 360 hours.</p> <p>Vacation leave payout at retirement/termination - Full balance (not to exceed max balance)</p> <p>Sick leave payout at retirement - 1/4 of actual balance not to exceed the max</p> <p>Sick leave payout at termination - No payout - Unless eligible for retirement (not required to retire) If eligible for retirement, 1/4 of balance not to exceed maximum.</p>	Years of Service	Hours/Month	Max Accrual	1-5	8	192	6-10	10	240	11-15	12	288	16+	14	336	<p>OEP employees earn 14.67 hours of annual leave per month (22 days per year), up to a maximum accrual of 44 days.</p> <p>OEP employees earn 10 hours of sick leave per month (15 days per year), and there is no maximum accrual.</p> <p>Vacation leave payout at retirement/termination - Up to 44 days.</p> <p>Sick leave payout at retirement - 1/4 of unused sick leave accrual up to a max of 1/4 of 120 days accrual</p> <p>Sick leave payout at termination - No payout - Unless eligible for retirement (not required to retire) If eligible for retirement, 1/4 of balance not to exceed maximum.</p>
Years of Service	Hours/Month	Max Accrual															
1-5	8	192															
6-10	10	240															
11-15	12	288															
16+	14	336															
<p><i>Other Leaves</i></p>	<ul style="list-style-type: none"> <li>• Bereavement Leave - Up to 40 hours at the discretion of the appointing authority.</li> <li>• Jury Leave – Regular (non-temporary) employees receive paid leave for the term of the jury duty.</li> <li>• Military Leave – Up to 15 paid work days in a fiscal year for regular (non-temporary) employees. Unpaid leave is</li> </ul>	<ul style="list-style-type: none"> <li>• Bereavement Leave – Up to five paid working days at the discretion of the supervisor</li> <li>• Jury and Court Leave – Paid leave for the term of the jury duty or when appearing as a witness under subpoena.</li> <li>• Military Leave - Up to 15 paid days per year. Unpaid</li> </ul>															

	<p>granted after the exhaustion of the 15 paid work days up to the maximum allowed by law.</p> <ul style="list-style-type: none"> <li>• Administrative Leave – Must be granted in certain situations per state personnel board rules and may be granted at the discretion of the appointing authority in other situations.</li> <li>• Holiday Leave – 10 paid holidays per the University calendar prorated for part time employees.</li> <li>• Victim Protection Leave – Up to 24 hours of unpaid leave (LWOP) per fiscal year for victims of stalking, sexual assault, domestic abuse, or violence.</li> <li>• On-the-Job Injury (OJI) Leave – Up to 90 occurrences of paid leave for an employee who suffers an injury or illness compensable under the Workers’ Compensation Act. After OJI, the employee uses make whole to the extend of accrued leave.</li> <li>• Unpaid Leave – May be approved at the appointing authorities discretion after the exhaustion of applicable paid leave.</li> <li>• Short Term Disability Leave – Up to six months of unpaid leave for employees with at least one year of service while either state or PERA short term disability benefit payments are being made.</li> </ul>	<p>leave is granted after the exhaustion of the 15 paid calendar days up to the maximum allowed by law.</p> <ul style="list-style-type: none"> <li>• Administrative Leave – may be granted at the discretion of the supervisor in certain situations.</li> <li>• Holiday Leave - 10 holidays per the University calendar prorated for part time employees.</li> <li>• On-the-Job Injury (OJI) Leave – Up to 90 work days of paid leave for an employee who suffers an injury or illness compensable under the Workers’ Compensation Act.</li> <li>• Leave Without Pay – May be granted for valid reasons for a period not to exceed 12 months. All vacation leave must be exhausted first.</li> </ul>
<p><i>Family Medical Leave (FML)</i></p>	<p>Classified employees with at least one year of state service (does not have to be consecutive) are eligible for up to 13 weeks (520 hours) of FML job protection per fiscal year for the following reasons: (1) the birth of a child and care of a newborn child; (2) up to one year from birth including the placement and care of a child for adoption/foster care; (3) a serious health condition of a spouse, child, or parent; (4) an employee’s own serious health condition; (5) active duty family leave for qualifying exigency directly related to, being called to, or on active duty for a contingency operation, or (6) up to 26 weeks (1040 hours) in a single 12-month period for military caregiver leave for service member who is seriously ill or injured in the line of duty while on active duty.</p>	<p>OEP employees with at least one year of University service (does not have to be consecutive) and who have worked at least 1250 hours within the most recent 12 month period are eligible for up to 12 weeks of FML job protection during a rolling 12 month period, measured backward from the date they use FML for the following reasons: (1) the birth of a child and care of a newborn child; (2) up to one year from birth including the placement and care of a child for adoption/foster care; (3) a serious health condition of a spouse, child, or parent; (4) an employee’s own serious health condition; (5) active duty family leave for qualifying exigency directly related to, being called to, or on active duty for a contingency operation, or (6) up to 26 weeks (1040 hours) in a single 12-month period for military caregiver</p>

<i>FML (cont.)</i>		<p>leave for service member who is seriously ill or injured in the line of duty while on active duty.</p> <p>In addition to FML, OEPs are entitled to take up to six months of Parental Leave following the birth or adoption of a child. OEPs can use any accrued sick and vacation leave during this time. Parental Leave must be taken within twelve months of the birth or adoption of child. Parental Leave runs concurrently with Family Medical Leave.</p>
<p>For more information on FML, please visit the <a href="#">Human Resources website</a>.</p>		

8-29-11