

STATE OF COLORADO

OFFICE OF THE GOVERNOR

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John W. Hickenlooper
Governor

D 2013-003

EXECUTIVE ORDER

Establishing policies for non-classified employees in Executive Branch departments

Pursuant to Article IV, Section 2 of the Colorado Constitution and the authority vested in the Office of the Governor, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order giving the Executive Director of the Department of Personnel and Administration authority to establish policies for all non-classified employees in Executive Branch departments, excluding those employees within institutions of higher education or those reporting to an elected official other than the Governor and Lieutenant Governor.

I. Background and Purpose

On November 6, 2012, the citizens of Colorado passed Amendment S. This provision exempted certain positions from the state personnel system. The newly exempt non-classified employees cannot comprise more than 1% of the State's classified workforce. Those positions include Senior Executive Service (SES) employees, Deputy Department Heads, Chief Financial Officers, Human Resource Directors, Legislative Liaisons, Public Information Officers, and Executive Assistants to Executive Directors. In addition, there are other non-classified personnel within the Executive Branch that are not included in the 1% calculation. Those positions are specified in Article XII, Section 13 of the Colorado Constitution. Apart from those positions within institutions of higher education or those positions reporting to an elected official other than the Governor and Lieutenant Governor, the non-classified workforce occupying those positions should have common policies governing the management of non-classified personnel.

II. Directives, Mission, and Scope

The State Personnel Director of the Colorado Department of Personnel and Administration shall be given authority to promulgate policies governing the management of the newly non-classified personnel as well as all Executive Branch non-classified personnel except those personnel within institutions of higher education or those reporting to an elected official other than the Governor and Lieutenant Governor. This will enable the Director to ensure conservation of the State's fiscal resources and proper and consistent management of these employees. Among other things concerning terms and conditions of employment, the Director shall promulgate model policies regarding selection, performance management, pay, access to health benefits, accrual of paid

annual leave and sick time. Notwithstanding the foregoing, persons holding positions, other than Senior Executive Service positions, that are now exempted from the classified personnel system pursuant to Amendment S shall retain their classified status so long as there is no change in the position's classification and the person does not vacate the position.

To reconcile with the changes made through the passing of Amendment S, the State Personnel Director shall develop policies for employees in these newly exempt positions and other exempt Executive Branch non-classified positions, except those within institutions of higher education or those reporting to an elected official other than the Governor and Lieutenant Governor, which will allow for these individuals to maintain compensation that is competitive with the marketplace and reduce inequities in benefits between these employees and those within the state personnel system. This will reduce inconsistency among state departments and allow talent to remain where it is needed.

Through the issuance of this Executive Order, I declare and direct, as follows:

The State Personnel Director of the Colorado Department of Personnel and Administration is hereby given the authority to promulgate policies governing the management of all non-classified staff in the Executive Branch Departments, excluding those personnel within institutions of higher education or those reporting to an elected official other than the Governor and the Lieutenant Governor.

III. Duration

This Executive Order shall remain in effect until modified or rescinded by future Executive Order of the Governor.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this 28th day of
March, 2013.

A handwritten signature in black ink, appearing to read "John W. Hickenlooper".

John W. Hickenlooper
Governor