

Office of Legislative Workplace Relations
Colorado General Assembly



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MEMORANDUM

To: The Executive Committee

From: Ben FitzSimons

Date: April 11, 2025

Subject: Capacity to provide centralized, expanded human resources services to the legislative branch

This document offers an initial examination of the implementation of a central Legislative Human Resources Division (herein referred to as LHRD) offering a full range of human resources services (HR services) to legislators and non-classified staff¹ in the legislative branch of Colorado state government and, to the extent they are covered by General Assembly policies, third parties who engage with the General Assembly and legislative staff.

Providing a full range of HR services is subject to two constraints: The statutory scope of authority and the organizational capacity to provide those services. Assuming that the existing statutory scope of authority for the Office of Legislative Workplace Relations (OLWR) is broadened to allow for the provision of full HR services, this document discusses the capacity of the current OLWR to provide those services, examines what greater organizational capacity may provide, and offers potential processes and general timelines for implementation.

Currently, the OLWR employs two certified HR professionals. This document discusses a number of services that the OLWR or LHRD will begin providing this interim, but it is unknown whether 2.0 FTE will be sufficient to provide these services to their fullest extent. Moreover, the OLWR or LHRD will be implementing a number of new services at

¹ It is assumed that the Office of the State Auditor will continue to have its own internal HR professionals to provide support for its employees, most of whom are classified employees.

once, which will likewise impact how long it will take to roll out these services and the extent to which they can be provided. Only after the office has begun providing the additional services will we really know how much staffing is needed to fully administer the services.

This document uses Table 2 from the memo provided to Speaker McCluskie on December 27, 2024, as its foundational reference. All numbering and terminology comes directly from Table 2, a copy of which is attached to this memo as Addendum A. Items 1 and 2 in the table will not be discussed in this document as the consensus is that these items should not be moved into the OLWR or LHRD.

This graphic offers a simple visual overview of the more detailed discussion below:

HR Services



I. HR services that could be provided based on the OLWR’s current organizational capacity.

The existing OLWR, with two HR professionals, is able to provide an array of services described in Table 2 and will be able to expand the HR services it provides to the legislative branch over time, as workload permits, and, in some cases, if its scope of authority is expanded by bill.

A. Personnel Policies and Handbooks

Section 4 of Table 2 lists the following services related to personnel policies and handbooks:

4. Personnel Policies and Handbooks

- a) Coordinate with the LMT² to ensure branch-wide policies and procedures use consistent language
- b) Ensure agency policies and handbooks are up-to-date and compliant with current law
- c) Work with individual agencies/chambers on their unique needs and associated policies
- d) Develop and recommend branch-wide operational policies to the LMT and/or Executive Committee
- e) Ensure HR-managed policies (e.g. workplace harassment) are up-to-date and compliant with current law; propose updates as needed
- f) Recommend new HR-managed policies to the LMT and/or Executive Committee

These items are expanded services that the OLWR or LHRD could begin providing immediately without legislation and within existing resources. To do this, the OLWR or LHRD would work closely with the LMT and caucus staff leadership to clearly differentiate personnel policies that apply branch-wide from policies that are agency-, chamber-, and caucus-specific and to establish clear procedures regarding the recommendation, creation, and implementation of branch-wide personnel policies. This could be achieved during the upcoming interim period.

The OLWR or LHRD would offer consultation, as requested, on agency-, chamber-, and caucus-specific personnel policies and could begin this consultation during the upcoming interim period.

B. Employee Relations Services

Section 5 of Table 2 lists the following employee relations services:

5. Employee Relations Services

- a) Receive, investigate, and manage complaints under the workplace harassment and expectations policies. Point of contact for complaints filed through the EEOC, CCRD, DOL, or other external agency. Designated repository of discriminatory or unfair employment practices.
- b) Make recommendations about compliance with employment laws using an in-house employment law attorney or outside legal resource
- c) Facilitate nonpartisan agency director evaluations
- d) Coordinate responses to branch-wide HR issues
- e) Provide coordination and support under Title I of the Americans with Disabilities Act

² LMT is the Legislative Management Team.

- f) Consult with and make recommendations to staff and members on personnel questions and issues
- g) Assist supervisors with personnel management, including consulting on performance standards, employee evaluations, and employee engagement
- h) Conduct and document exit interviews for departing employees
- i) Attend personnel-related meetings to provide a neutral, third-party presence

Other than items 5b and 5d, the HR services listed in section 5 do not require any organizational shift and are currently provided by the OLWR. By adding another human resources professional in early 2025, the OLWR has increased its capacity sufficiently to provide all of the services identified in item 5.

Services related to item 5b are currently provided jointly between the Office of Legislative Legal Services (OLLS) and the OLWR, with assistance from Employers Council, a nonprofit organization that provides external, employment-related services, as needed. The OLLS and OLWR will coordinate during the upcoming interim to clarify how this service will be provided moving forward and will communicate any changes in the current process to the Executive Committee and the LMT. Any changes to this service will be a shift in organizational responsibility that does not require a change to the scope of the OLWR's statutory authority. However, any shift in responsibility that includes adding an in-house employment law attorney or outside legal resource would likely require additional resources.

The OLWR is currently able to coordinate responses to branch-wide HR issues, as specified in item 5d, on a limited basis if the issues needing response fall under its current statutory authority, e.g., related to employee relations, training, compliance, or workplace culture, expectations, and harassment. But to coordinate responses on the full range of HR issues, the scope of the OLWR's statutory authority would need to be expanded by bill. The LHRD could provide these services in full immediately upon the effective date of the proposed LHRD bill. The LHRD would work closely with the LMT and caucus staff leadership to create a process by which potential issues would be elevated to the LHRD and a framework that the LHRD would use to inform, recommend, and coordinate responses to branch-wide HR issues. This could be achieved in a matter of weeks during an interim period.

C. Compliance

Section 6 of Table 2 lists the following services related to compliance with applicable laws, policies, and procedures:

- 6. Compliance
 - a) Manage and post all required notices

- b) Provide notice branch-wide of changes to employment laws
- c) Conduct mandatory annual training (currently workplace harassment and expectations)
- d) Manage, maintain, and store medical records related to medical leaves or ADA accommodations
- e) Ensure job postings and job descriptions comply with relevant laws³

These services do not require any adjustment to the OLWR's statutory authority and can be provided by the OLWR or LHRD. By adding another human resources professional in early 2025, the OLWR has the capacity to provide the HR services described in items 6a-6d.

The OLWR or LHRD can implement these services by consulting with the LMT and caucus staff leadership to determine current practices and then taking on the responsibility for providing the services for those agencies and chambers. This can be achieved in a short period of time during the interim.

D. Compensation and Classification

Section 7 of Table 2 lists the following services related to compensation and classification of employees:

7. Compensation and Classification

- a) Perform salary audits to look for gaps or potential inequities
- b) Conduct salary surveys to ensure pay rates are competitive and align with an agency or chamber's compensation philosophy

These services could be provided immediately upon the effective date of an LHRD bill, with the caveat that, with the current organizational capacity, these services would need to be project-based rather than ongoing services, the LHRD could serve one agency, chamber, or caucus at a time, and the ability to offer these services would be contingent on the overall LHRD workload.

E. Hiring and Recruitment

Section 8 of Table 2 lists the following hiring and recruitment services:

8. Hiring and Recruitment

- a) Assist with writing job postings

³ Upon further reflection, the service described in item 6e is better suited to the Hiring and Recruiting category (item 8) and is instead addressed there.

- b) Manage recruitment subscriptions; post openings on state jobs website; advertise on job boards, forums, social media, etc.
- c) Screen applications for minimum qualifications
- d) Redact protected class data from applications
- e) Initial phone screenings
- f) Schedule interviews
- g) Facilitate background checks
- h) Prepare & send offer letters; receive signed letters
- i) Central point of contact for job-related questions
- j) Ensure job postings and job descriptions comply with relevant laws⁴

All of these services would expand the scope of the OLWR's statutory authority and would therefore require enactment of an LHRD bill. Overall, implementing these services would require consultation with the LMT and caucus staff leadership in order to define clear processes and roles.

More specifically, not all elements of item 8 are possible under the current capacity of the OLWR, and some items require access to the NeoGov system, which would require working with the Department of Personnel and Administration (DPA) to determine how or if that access can be granted or if there are any viable alternatives.

Here is the specific breakdown of what can and cannot be provided within existing OLWR capacity:

- a) Assist with writing job postings - YES
- b) Manage recruitment subscriptions, post openings on state jobs website, advertise on job boards, forums, social media, etc. - YES, dependent on access to NeoGov (the State job posting system)
- c) Screen applications for minimum qualifications - NO
- d) Redact protected class data from applications - YES, dependent on HR workload and access to NeoGov
- e) Initial phone screenings - NO
- f) Schedule interviews - YES
- g) Facilitate background checks - YES
- h) Prepare & send offer letters; receive signed letters - YES, dependent on HR workload
- i) Central point of contact for job-related questions - YES, dependent on access to NeoGov
- j) Ensure job postings and job descriptions comply with relevant laws - YES, dependent on HR workload and access to NeoGov

⁴ This is a new provision that is being moved from section 6e in Table 2.

With numerous moving parts and considerations, these services would likely need to be phased in over a period of months, based on the process for the LHRD to gain access to NeoGov and workload in other areas. Items 8a and 8f could begin immediately upon the effective date of an LHRD bill; the other items would require more time.

F. Training and Organizational Development

Section 10 of Table 2 lists the following services related to training and organizational development:

10. Training and Organizational Development

- a) Professional and personal development training opportunities for all agencies and chambers, including leadership development, individual coaching, and manager/supervisor training
- b) Specialized training on Colorado General Assembly policies
- c) Assisting managers and employees in identifying appropriate training to meet job-related needs
- d) Team building
- e) Pulse surveys by team, agency/chamber, or branch
- f) Succession planning

The OLWR currently has the authority to provide these services and does so as workload permits. With its expanded capacity, the OLWR will be able to continue providing these services on a case-by-case basis, contingent upon workload.

G. Other Services Related to Workplace Culture

Section 11 of Table 2 lists other services related to workplace culture.

The OLWR currently has the authority to provide these services and does so upon request as workload permits.

The services described in Section I. of this memo reflect how existing OLWR staff could provide a greater level and breadth of HR service to the General Assembly, with no additional cost, if the scope of the OLWR's statutory authority is expanded. The level of these services would increase, however, if the OLWR or LHRD has additional capacity.

II. HR services that could be provided with 1.0 additional FTE:

With an additional FTE, the OLWR or LHRD would be able to further expand the HR services it provides to include the following services:

A. Benefits Administration

Section 3 of Table 2 lists the following services related to benefits administration:

3. Benefits Administration
 - a) Health benefits enrollment and questions
 - b) Workers compensation claims management
 - c) Short-term disability enrollment and claims mgmt.
 - d) PERA enrollment and retirement benefit questions
 - e) Unemployment insurance claims management
 - f) FAMLI claims management and tracking
 - g) Public Student Loan Forgiveness (PSLF) assistance

Benefits Administration is currently handled by the Accounting section within Legislative Council Staff and would require a statutory change to move these functions to the OLWR or LHRD. The process to transition these services from Accounting into the OLWR or LHRD would require months of transition planning and then implementing a transition plan that itself would likely require months to complete. This transition would also be highly impacted by the open enrollment period, typically during the month of April, and whether that open enrollment is passive or mandatory.

The transition would also require the OLWR or LHRD to gain access to and learn how to navigate and operate multiple software systems and to establish new relationships with multiple external vendors, DPA staff, and Colorado PERA staff. Internal General Assembly processes and procedures would also need to be revised (or created) to reflect this change. With this change, the LHRD would also take over the benefits orientation in the branch-specific new employee orientation discussed in item 9c, below.

Given the complexity of the transition, it is reasonable to estimate that the timeline from initiating transition planning to full hand off would take approximately nine months.

B. New Employee Onboarding

Section 9 of Table 2 lists the following services related to new employee onboarding:

9. New Employee Onboarding
 - a) Complete basic new hire paperwork (I-9, W-4)
 - b) Administrative onboarding: badges; IT access, explaining branch-wide policies
 - c) NEW - New Employee Orientation

Onboarding is related to benefits administration, personnel policies and handbooks, compliance, and hiring and recruiting.

The consensus of the agencies and chambers is that the Accounting section in Legislative Council Staff should continue to provide the services described in item 9a. With an expanded statutory scope of authority, the OLWR or LHRD could, however, take ownership of administrative onboarding tasks like coordinating with IT to provide equipment and network access, attaining state-issued ID badges, and explaining branch-wide policies and procedures.

The LHRD could also offer an additional HR service that was not initially included in Table 2 - New Employee Orientation - which could alleviate that workload for agencies and chambers and ensure consistent compliance with myriad employment laws and General Assembly policies and rules. The LHRD would appreciate the opportunity to establish a branch-specific new employee orientation during which the LHRD could complete the items in 9b, provide the mandatory harassment training, and provide a benefits overview and could include the Accounting section to facilitate the completion of basic new hire paperwork. This would enable new employees to start their employment with the employing agency, chamber, or caucus having completed all basic, branch-wide requirements and ready to focus immediately on the specific and unique onboarding process for their particular agency, chamber, or caucus. This would also ensure that all new hires receive the same information in the same way and would limit any potential issues associated with different agencies, chambers, and caucuses approaching these branch-wide processes differently.

III. HR services that could be provided with additional FTE (in no specific order)

One service that is lacking in the scenarios above is internal HR administrative support. In those scenarios, the human resources professionals providing human resources services would also all share administrative duties like answering the main telephone line, greeting walk-in visitors, managing the main office email address, paying bills, ordering office supplies, filing, scheduling appointments for HR staff, etc.

While an HR division can perform at a high level without administrative support, those administrative tasks reduce the overall bandwidth for providing professional human resources services to the General Assembly. Additional FTE could allow a LHRD to have a dedicated administrative employee, freeing up professional staff to focus more wholly on professional services, like Items 8c and 8e that could not be provided by the existing OLWR staff.

Also, the General Assembly does not currently have an in-house attorney to provide employment law advice. Sometimes it is prudent to seek both a human resources and a

legal perspective on workplace issues, and it is often advantageous if the entities providing those perspectives are very familiar with the organization. The OLWR currently has access to services through Employers Council. While Employers Council is a helpful resource, they are not always able to provide feedback or recommendations in the timeframe in which we need them, and they are not familiar with the legislative environment or some of the unique legal differences between state legislatures and other, more typical, employers. While this would not require a full-time attorney, there are advantages to having someone who is familiar with the uniqueness of the Colorado General Assembly and who has employment-law expertise to provide legal advice in certain employment-related situations.

Finally, if there is ever a demand to build out a more robust training and organizational development library, which could include things like a wide array of training and professional development options for all staff and legislators, internal certificate programs for specific professional development areas, a leadership academy for aspiring staff managers, and full-scale organizational development interventions, this would likely require additional FTE as well.

The OLWR can offer some training and development opportunities, both compliance-based and on-demand, based on its current capacity, but building out this function to be an internal one-stop shop for all (or most) professional training and development needs would require greater organizational capacity.

Addendum A

Table 2 (page 1 of 5)

Staff Consensus for Centralized, Expanded HR Services in the OLWR

Human Resources Service	Current Agency	Consensus Agency	Current OLWR Authority	Change
1. Payroll	LCS acct./OSA	LCS acct./OSA	None	—
2. Time and Leave Administration	Each agency	Each agency	None	—
3. Benefits Administration				
a) Health benefits enrollment and questions	LCS acct.	Central HR	None	Statutory ; Shift
b) Workers compensation claims management	LCS acct.	Central HR	None	Statutory ; Shift
c) Short-term disability enrollment and claims mgmt.	LCS acct.	Central HR	None	Statutory ; Shift
d) PERA enrollment and retirement benefit questions	LCS acct.	Central HR	None	Statutory ; Shift
e) Unemployment insurance claims management	LCS acct.	Central HR	None	Statutory ; Shift
f) FAMI claims management and tracking	LCS acct.	Central HR	None	Statutory ; Shift
g) Public Student Loan Forgiveness (PSLF) assistance	Each agency	Central HR	None	Statutory ; Shift
4. Personnel Policies and Handbooks				
a) Coordinate with LMT to ensure branch-wide policies and procedures use consistent language	LMT with OLWR consult	Central HR	Employee relations	Expanded service
b) Ensure agency policies and handbooks are up-to-date and compliant with current law	Each agency, OLWR consult	Central HR	Compliance	Expanded service
c) Work with individual agencies/chambers on their unique needs and associated policies	Each agency, OLWR consult	Central HR	Employee relations	Expanded service
d) Develop and recommend branch-wide operational policies to the LMT and/or Executive Committee	LMT with OLWR consult	Central HR	Employee relations Compliance	Organizational shift in responsibility
e) Ensure HR-managed policies (e.g. workplace harassment) are up-to-date and compliant with current law; propose updates as needed	OWLR, upon request	Central HR	Workplace culture Workplace harassment	Expanded service
f) Recommend new HR-managed policies to the LMT and/or Executive Committee	LMT with OLWR consult	Central HR	Employee relations	Expanded service

Table 2 (continued, page 2 of 5)
Staff Consensus for Centralized, Expanded HR Services in the OLWR

Human Resources Service	Consensus Agency	Consensus Agency	Current OLWR Authority	Change
5. Employee Relations Services				
a) Receive, investigate, and manage complaints under the workplace harassment and expectations policies. Point of contact for complaints filed through the EEOC, CCRD, DOL, or other external agency. Designated repository of discriminatory or unfair employment practices.	OLWR	Central HR	Employee relations Compliance Workplace harassment Workplace culture	—
b) Make recommendations about compliance with employment laws using an in-house employment law attorney or outside legal resource	OLLS/OLWR, upon request	Central HR	Compliance	Organizational shift in responsibility
c) Facilitate nonpartisan agency director evaluations	OLWR	Central HR	Employee relations	—
d) Coordinate responses to branch-wide HR issues	LMT	Central HR	Employee relations	Expanded service
e) Provide ADA coordination and support under Title I	OLWR	Central HR	Employee relations Compliance Workplace culture	—
f) Consult with and make recommendations to staff and members on personnel questions and issues	OLWR, upon request	Central HR, upon request	Employee relations	—
g) Assist supervisors with personnel management, including consulting on performance standards, employee evaluations, and employee engagement	OLWR, upon request	Central HR, upon request	Employee relations	—
h) Conduct and document exit interviews for departing employees	Each agency, OLWR consult	Each agency, or Central HR, upon request	Employee relations	Expanded service, upon request
i) Attend personnel-related meetings to provide a neutral, third-party presence	OWLR, upon request	Central HR, upon request	Employee relations Workplace culture	—

Table 2 (continued, page 3 of 5)
Staff Consensus for Centralized, Expanded HR Services in the OLWR

Human Resources Service	Current Agency	Consensus Agency	Current OLWR Authority	Change
6. Compliance				
a) Manage and post all required notices	Each agency	Central HR	Compliance	Organizational shift in responsibility
b) Provide notice branch-wide of changes to employment laws	Each agency, OLLS consult	Central HR	Compliance	Organizational shift in responsibility
c) Conduct mandatory annual training (currently workplace harassment and expectations)	OLWR	Central HR	Training Compliance	—
d) Manage, maintain, and store medical records related to medical leaves or ADA accommodations	Each agency	Central HR	Compliance	Organizational shift in responsibility
e) Ensure job postings and job descriptions comply with relevant laws	Each agency	Central HR	Compliance	Expanded service
7. Compensation and Classification				
a) Perform salary audits to look for gaps or potential inequities	Each agency	Each agency, or Central HR upon request	Only when done as part of workplace investigation	Statutory change Expanded service, available upon request
b) Conduct salary surveys to ensure pay rates are competitive and align with an agency or chamber's compensation philosophy	Each agency	Each agency, or Central HR upon request	None	Statutory change Expanded service, available upon request

Table 2 (continued, page 4 of 5)
Staff Consensus for Centralized, Expanded HR Services in the OLWR

Human Resources Service	Current Agency	Consensus Agency	Current OLWR Authority	Change
8. Hiring and Recruitment				
a) Assist with writing job postings	Each agency	Each agency, or Central HR upon request	None	Statutory change Expanded service, available upon request
b) Manage recruitment subscriptions; post openings on state jobs website; advertise on job boards, forums, social media, etc.	Each agency, OLWR consult available	Central HR	None	Statutory change Expanded service, available upon request
c) Screen applications for minimum qualifications	Each agency	Each agency, or Central HR upon request	None	Statutory change Shift in responsibility, if requested
d) Redact protected class data from applications	OLWR, upon request	Central HR, upon request	To the extent it promotes diversity, workplace culture	Expansion of statutory authority; Expanded service, upon request
e) Initial phone screenings	Each agency	Each agency, or Central HR upon request	None	Statutory change Shift in responsibility, if requested
f) Schedule interviews	Each agency	Each agency, or Central HR upon request	None	Statutory change Shift in responsibility, if requested
g) Facilitate background checks	Each agency	Central HR	None	Statutory change Shift in responsibility
h) Prepare & send offer letters; receive signed letters	Each agency	Central HR, upon request	None	Statutory change Shift in responsibility, if requested
i) Central point of contact for job-related questions	Each agency	Each agency, or Central HR upon request	None	Statutory change Shift in responsibility, if requested

Table 2 (continued, page 5 of 5)
Staff Consensus for Centralized, Expanded HR Services in the OLWR

Human Resources Service	Current Agency	Consensus Agency	Current OLWR Authority	Change
9. New Employee Onboarding				
a) Complete basic new hire paperwork (I-9, W-4)	LCS acct.	Central HR	None	Statutory change Shift in responsibility
b) Administrative onboarding: badges; IT access, explaining branch-wide policies	Each agency	Each agency, or Central HR upon request	None	Statutory change Shift in responsibility, upon request
10. Training and Organizational Development				
a) Professional and personal development training opportunities for all agencies and chambers, including leadership development, individual coaching, and manager/supervisor training	Each agency, with OWLR consulting available	Central HR, upon request	Training	Expanded service, available upon request
b) Specialized training on Colorado General Assembly policies	Each agency, or OLWR	Central HR, upon request	Training	Expanded service, available upon request
c) Assisting managers and employees in identifying appropriate training to meet job-related needs	Each agency	Central HR, upon request	Employee relations	Expanded service, available upon request
d) Team building	Each agency	Central HR, upon request	Employee relations Workplace culture	Expanded service, available upon request
e) Pulse surveys by team, agency/chamber, or branch	Each agency, OLWR Consult	Central HR, upon request	Employee relations Workplace culture	Expanded service, available upon req.
f) Succession planning	Each agency	Central HR, upon request	Employee relations	Expanded service, available upon request
11. Other Services Related to Workplace Culture				
As requested, including workplace culture surveys, centralized DEIB efforts, and other related services.	Central HR, upon request	Each agency, OLWR consult	Employee relations Workplace culture	Expanded service, available upon request