

Classification Appeal Decision
Under section 5112 of title 5, United States Code

Appellant: [Appellant]

Agency classification: Building Management Specialist
(Lease Enforcement)
GS-1176-12

Organization: [Name/Organization]
[Name /Location]
Service Centers Division
Northeast and Caribbean Region
Public Buildings Service (PBS)
U.S. General Services Administration
(GSA)
[Location]

OPM decision: (Title at discretion of agency)
GS-1101-11

OPM decision number: C-1101-11-06

_____/s/_____
Ana A. Mazzi
Deputy Associate Director,
Merit System Audit and Compliance

2/23/2010

Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a classification certificate which is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the Government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the *Introduction to the Position Classification Standards (Introduction)*, appendix 4, section G (address provided in appendix 4, section H).

Since this decision lowers the grade of the appealed position, it is to be effective no later than the beginning of the sixth pay period after the date of this decision as permitted by 5 CFR 511.702. The applicable provisions of 5 CFR parts 351, 432, 536, and 752 must be followed in implementing the decision. If the appellant is entitled to grade retention, the two-year retention period begins on the date this decision is implemented. The servicing human resources office must submit a compliance report containing the corrected position description (PD) reflecting the actual work performed by the appellant as described in this certificate and a Standard Form 50 for the appellant showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action to the U.S. Office of Personnel Management (OPM) office which accepted the appeal.

Decision sent to:

[Name]

President, AFGE Local 2431
26 Federal Plaza, Room 19-130B
New York, NY 10278

[Name]

Human Resources and Program Support Division
General Services Administration
26 Federal Plaza, Room 18-110
New York, NY 10278

Director of Human Resources
General Services Administration
1800 Street NW, Room 1100
Washington, DC 20405

Introduction

On July 31, 2009, Philadelphia Oversight, formerly the Philadelphia Oversight and Accountability Group, of OPM accepted a group classification appeal from [Appellant], [Appellant], [Appellant] and [Appellant]. The appellants occupy identical additional positions, hereinafter referred to as position, currently classified as a Building Management Specialist (Lease Enforcement), GS-1176-12, and located in the [Name/Organization], [Organization/Location], Service Centers Division, Northeast and Caribbean Region, PBS, GSA in [Location]. The appellants believe their position should be classified as a Building Management Specialist (Lease Administration), GS-1176-13. We received the complete agency administrative report on September 24, 2009, and have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C).

To help decide this appeal, we conducted on-site interviews with the four appellants and their first-, second-, and third-level supervisors on November 12, 2009. In reaching our classification decision, we have carefully considered all of the information obtained from the interviews, as well as written information requested during the interviews, and information furnished by the appellants and their agency including the PD of record.

Background information

In December 2008, the appellants, through their union representative, filed a group grievance using their local negotiated grievance procedure which stated the PD currently assigned to the appellants did not accurately reflect the major duties and responsibilities they perform. The remedy sought was an accurate PD as agreed to by the union. In January 2009, representatives from labor relations and management met with the union representative and the appellants to discuss the grievance. The supervisor and one of the appellants tried to informally resolve the grievance by reviewing the PD and making any necessary changes to more accurately show the work performed by the appellants. After subsequent discussions between the two, the supervisor submitted a revised PD to the Human Resources Office for classification. The appellants did not agree with the revised PD and pursued the grievance further. In February 2009, the Regional Labor Relations Officer, based on the information submitted to her by the union and the appellants, denied the grievance. The appellants, through their union representative then filed this appeal with OPM.

General issues

The appellants do not agree PD # [Number] accurately describes the duties and responsibilities of their position. The appellants state several duties, such as developing and approving property management policies, programs, and directives; recommending solutions to problems involving operation and maintenance of building systems; and evaluating workload reports pertaining to property management initiatives overstate and generalize their responsibilities exhibiting an inaccurate reflection of actual duties. The supervisor has certified the accuracy of the PD but stated it is generic.

A PD is the official record of the major duties and responsibilities assigned to a position or job by an official with the authority to assign work. A position is the duties and responsibilities which make up the work performed by the employee. Classification appeal regulations permit OPM to investigate or audit a position and decide an appeal on the basis of the actual duties and responsibilities currently assigned by management and performed by the employee. An OPM appeal decision is based on the work currently assigned to and performed by the appellant and sets aside any previous decision.

Position information

GSA's PBS mission is to provide superior workplaces for Federal customer agencies at good economies to the American taxpayer. The landlord for the civilian Federal Government, PBS acquires space on behalf of the Federal Government through new construction and leasing, and acts as a caretaker for Federal properties across the country. PBS owns or leases 8,600 properties, maintains an inventory of more than 354 million square feet of workspace for 1.1 million Federal employees and preserves more than 480 historic properties. PBS is funded primarily through the Federal Buildings Fund, which is supported by rent from Federal customer agencies. PBS initiatives include design and construction; leasing; supporting the development of urban communities; managing Federal property disposal; providing space for more than 100 child care centers; donating or selling real estate for Federal agencies; commissioning artwork for new Federal buildings and conserving a substantial inventory of Work Progress Administration art; supporting sustainable design initiatives; and preserving historically significant buildings for future generations.

GSA's Northeast and Caribbean Region provides GSA products and services in [Location], [Location], [Location], [Location], the [Location], and the [Location]. Federal workers located in approximately 450 Government-owned and leased buildings count on GSA to support them by acquiring and providing: office space, equipment, supplies, telecommunications, information technology, and vehicles.

The appellants' PD states they: (1) evaluate maintenance management procedures and building operational plans to include preventive maintenance; (2) prepare reports of findings and recommend solutions to problems involving the operation and maintenance of building systems and equipment, personnel, materials, workmanship, and various other related concerns; and (3) review and evaluate deficiency or malfunction reports and follow up to ensure that corrective actions are taken. The PD also states the appellants: (1) develop and implement assigned property management initiatives and policies related to safety and environmental issues to include environmental/fire protection, security, and emergency coordination; and (2) analyze workload documents, special requirements, geographical considerations and market conditions to determine the most efficient and effective method of contracting for building services, preparing specifications, independent estimates or other documentation needed to effect desired modifications for building services contracts.

The PD states the appellants administer and approve various types of contracts and can serve as either the Contracting Officer's Representative (COR) or the Contracting Officer's Technical Representative (COTR) on various contracts to include construction projects, building services

(mechanical and custodial), design and construction projects and term contracts. They oversee the contractor's performance; inform the contracting officer of any technical or contractual difficulties encountered; inform the contractor of failures to comply with contract requirements; prepare and approve cost estimates, approve proposed contract changes, and make recommendations to the contracting officer regarding changes in scope or performance standards to meet the customers' needs and to respond to changing work needs.

The PD states the appellants: (1) identify, integrate, and prioritize resources to develop and implement project plans; (2) coordinate and integrate project activities as well as organize work and set priorities such as prioritizing resource requirements; (3) approve short- and long-term goals and strategies for assigned projects; and (4) coordinate with other PBS or contractor organizations to accomplish goals, monitor progress, and evaluate outcomes. They are expected to manage all phases of assigned projects as the work progresses and provide recommendations on contract changes or modifications needed as well as develop, estimate, and negotiate the scope of work.

The PD states that, in collaboration with and in support to other PBS employees, the appellants negotiate as the Government's agent for customer agencies requesting varied workplace solutions including space-related services and supplies offered by GSA and, in so doing, facilitate the full range of customer-agency interactions. They are expected to presents options and solutions based on personal knowledge of customer's current and future requirements and recommend alternatives to meet customer requirements.

The results of our interview with the appellants and other material of record show the appellants do not perform building operations and/or building management program functions as listed in the PD. Instead, the appellants' primary and paramount function is administering leases for their Government clients' leased space in privately owned buildings. They also perform the following functions: documenting inspections of quarterly site visits conducted within assigned lease locations, preparing customer profiles of agency needs within their leased space, and preparing Government estimates for small construction/alteration projects while serving as COR. The PD fails to adequately describe the duties actually being performed by the appellants. As a result, the PD fails to meet the standards of PD accuracy for classification purposes as discussed in section III.E of the *Introduction* and must be corrected as part of the compliance report directed on page ii of this decision.

Series, title, and standard determination

The agency has classified the appellants' position to the Building Management Series, GS-1176, and titled it Building Management Specialist (Lease Enforcement). The appellants disagree with the parenthetical and recommend using Lease Administration. We do not concur with the agency's series determination since the appellants do not manage or assist in managing the operation of buildings or perform the staff building management functions described in the GS-1176 series definition.

Typical of positions in the GS-1100 Group, the primary work performed by the appellants includes advising on and administering programs that require knowledge of business practices,

and the characteristics and use of property, conducting investigations and studies, collecting, analyzing and disseminating information, the providing advisory services, etc. The appellants use this knowledge to administer leases, to advise customer agencies on all issues related to their lease agreement, including building maintenance, and to conduct studies and investigations. The appellants collect, analyze, and distribute related information and administer regulatory provisions and controls concerning Government leases. Therefore, we find the appellants' position is properly placed in the GS-1101 series because it covers other work properly classified in the GS-1100 Group for which no other series has been provided. OPM has prescribed no titles for positions in the GS-1101 series. Therefore, in accordance with Section III.H.2 of the *Introduction* selection of an appropriate title is at the agency's discretion following the titling guidance in the *Introduction*.

There are no published grading criteria for positions classified in the GS-1101 series. Therefore, it is necessary to cross reference to grading criteria in published position classification standards (PCS) covering series which have similar kinds of work processes, functions, or subject-matter, knowledge and skills, and entail a similar level of difficulty and responsibility. To evaluate the appellants' duties we have applied the grading criteria in the classification standard for the Realty Series, GS-1170. While the appellants do not apply the full scope of knowledge and work processes characteristic of positions in this series, their duties covering space allocation and lease administration are sufficiently similar for cross-series comparison. We also do not find use of the Administrative Analysis Grade-Evaluation Guide appropriate given the more subject-matter specific grading criteria in the GS-1170 PCS.

Grade determination

The Realty Series, GS-1170, PCS uses the Factor Evaluation System (FES) under which factor levels and accompanying point values are assigned for each of nine factors, with the total then being converted to a grade level by use of the grade-conversion table provided in the PCS. Under the FES, each factor-level description in a PCS describes the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in a factor-level description in any significant aspect, it must be credited at a lower level unless the deficiency is balanced by an equally important aspect that meets a higher level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. Our evaluation with respect to the nine FES factors follows.

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information or facts that a worker must understand to do acceptable work, such as the steps, procedures, practices, rules, policies, theories, principles, and concepts; and the nature and extent of the skills needed to apply this knowledge.

At Level 1-7, the specialist applies knowledge of a wide range of real estate principles, concepts, and practices as well as a good understanding of the real estate market to perform such duties as acquire property or space; or advise others on acquisition of space; or relocation of employees and tenants in situations involving complicating factors such as unusual and diverse uses; and a wide range of acquisition methods. Work typical of Level 1-7 includes leasing space to

organizations or tenants having special needs, conducting utilization surveys, and developing long- and short- range plans for realty requirements in a large geographic or metropolitan area. The specialist negotiates the terms of complex leases, and applies knowledge of contracting rules and regulations regarding acquisition of goods and services, including construction of new buildings. At this level, specialists involved in acquisition work negotiate leases to house multiple agencies with complex space requirements such as space for extensive computer equipment. Specialists engaged in property management work at this level serve as agents for multiple agencies resolving problems covered within the terms of leases including equipment malfunctions, building maintenance, or unanticipated changes in space needs.

At Level 1-8, the specialist uses a mastery of real estate principles, policies, and methodologies in property acquisition, management, and/or disposal. The specialist performs work involving complex issues within a realty program servicing the space needs of one, but typically several agencies or a major segment thereof. Functioning as technical authorities, realty specialists at this level apply new theories and standards to problems not susceptible to treatment by accepted and established realty practices and procedures. They use knowledge and skills to analyze and resolve conflicts in policy and program objectives and/or problems in very complex or controversial transactions involving complex negotiations. Transactions are typically of a scope that they may require long-term, comprehensive planning; the use of teams of realty specialists to complete the project, and the approval of the head of the agency, or appropriate congressional committees or tribal councils, because they exceed delegated authorities or have program-wide implications. Specialists at Level 1-8 carry out major projects such as acquiring thousands of acres of land for a missile site, a large water resource project, or a civil works project involving the cooperation of several agencies or private entities, etc., complicated by such features as (1) purchasing property and mineral rights from more than a hundred property owners dispersed over several counties or states most of whom are reluctant to sell; (2) extensive coordination and interaction with such diverse groups as State and local governments(s) and numerous local community groups during the course of the multi-year projects; and (3) very complex negotiations to resolve these multi-faceted problems.

The appellants' position is comparable to Level 1-7. Like this level, the appellants administer and serve as either COR or COTR on various types of contracts to include construction projects, building services (mechanical, custodial), and design projects. They oversee the contractor's quality control and performance; inform the contracting officer of any technical or contractual difficulties encountered; inform the contractor of failures to comply with technical requirements of the contract and monitor, and coordinate and/or oversee the work of on-site contractor personnel. This is accomplished through the appellants making recommendations to the CO regarding changes in scope or performance standards to improve service delivery; meeting customer's needs and performing final inspections of work required, with the authority to approve or reject the product in whole or in part. This requires they have knowledge of contracting rules and regulations regarding the technical soundness of contractor-provided supplies/services/processes and decisions to ensure services provided meet contract specifications as well as business and workplace needs of the tenant.

Like specialists at Level 1-7, the appellants conduct leasing management for Federal agencies leasing privately owned space, and represents them in discussions with building owners to define

responsibilities and resolve issues and problems covered within the terms of the lease including equipment malfunctions (e.g., elevators, heating and cooling systems), all aspects of building maintenance (e.g., janitorial, electrical, plumbing, periodic painting, roofing), and deal with unanticipated changes in space needs caused by changes in missions or functions necessitating more or less office space.

The appellants' position does not meet Level 1-8. Unlike this level, the appellants' work does not require exercising a mastery of leasing principles and policies to the extent that they are viewed as a technical authority to deal with the breadth and depth of projects and issues as described in the PCS (to include negotiating and interpreting leases). They do not service the full range of complex property needs of several agencies or a major segment thereof, and are not faced with situations where new theories and standards must be applied to problems not susceptible to resolution by accepted realty practices. Instead, they perform their lease management functions within the program parameters established and controlled by the GSA regional realty and other program staff. Their assignments do not require the level of knowledge and skill needed to resolve complex conflicts in policy or controversial transactions, and do not include the types of extensive real property projects typical of Level 1-8. The scope of such assignments and knowledge to address and resolve them are reserved to and performed at higher organizational levels in the agency.

This factor is evaluated at Level 1-7, and 1250 points are assigned.

Factor 2, Supervisory controls

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the review of completed work.

At Level 2-4, the supervisor sets the overall objectives and resources available. The employee and supervisor, in consultation, develop the deadlines, projects, agencies, or geographic area for which the employee will be responsible. The employee plans and carries out assignments; resolves conflicts that arise; coordinates the work with others; and interprets policy on own initiative in terms of established objectives. The employee keeps the supervisor informed of progress and potentially controversial matters. Overall, the supervisor reviews the work for feasibility, compatibility with other realty or land use projects, and effectiveness in meeting realty program and/or agency goals and requirements.

At Level 2-5, the supervisor provides administrative direction with assignments in terms of broadly defined missions, functions, or sales goals. The employee plans, designs, and carries out major projects and studies, or major portions of realty programs. The supervisor considers the work technically authoritative and normally accepts results without significant change. Recommendations are evaluated in terms of availability of funds and other resources, broad program goals, impact on the real estate market in the area involved, or national priorities. Supervisors review highly controversial and unprecedented leases and contracts for their impact on policies and legal premises, and whether the processes and conclusions set precedents.

The appellants' position meets Level 2-4. Like this level, the supervisor sets the overall objectives and resources available for leasing management programs. The appellants consult with the supervisor to identify the work to be done, the scope of the project and in defining deadlines and projects as necessary. Because many work assignments are received from leasing agencies in the form of requests for assistance, the appellants plan and carry out their duties independently, resolving most conflicts that arise (e.g., those between tenants and building owners), and coordinate their work with other offices as needed. The supervisor is advised of work progress and unusual problems related to matters affecting the operation of the building, contracts, leases, maintenance and custodial services and other areas in which they are involved. Work is reviewed by the supervisor for effectiveness in achieving objectives and compliance with agency policy and the appropriateness of actions taken.

The appellants' position does not meet Level 2-5. Factor 2 is designed to measure not only the degree of independence with which the employee operates, but also the *extent of the responsibility* inherent in the assignment. Within this context, implicit at Level 2-5 is a significant degree of *program management* responsibility; i.e., authority over the use of funds and personnel. The employee is responsible not only for individual performance of certain assigned tasks, but also for the overall conduct of a broader program or function. This program or function must be of sufficient size and scope to permit the implementation of new systems or projects requiring consideration of funding and staffing needs.

Unlike Level 2-5, the supervisor provides more than just administrative direction for assignments. While the appellants independently carry out local studies and their day-to-day assignments, they do not design major program management studies and projects of the type and scope found at Level 2-5. These are developed by higher organizational levels to include implementing instructions. These higher organizational positions are viewed as and function as technical authorities in all matters relating to space and property management. The record also shows the appellants' completed work products are reviewed more closely than described at Level 2-5.

This factor is evaluated at Level 2-4, and 450 points are assigned.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment employees need to apply them.

At Level 3-3, numerous guidelines, including agency policies, practices, precedents, and regulations are available. These include Federal property management and standard real estate regulations and procedures, as well as agency-developed manuals or checklists. The guidelines cover most realty work, but may not be completely applicable or sufficiently comprehensive. Specialists use judgment to make limited changes and adaptations to guidelines, such as modifying standard lease and contract clauses. They analyze the results of adaptations and recommend further changes to guidelines.

At Level 3-4, guidelines typically include agency policies and precedents, accepted real estate principles and practices, and laws that provide a general outline of the concepts, methods, legal

requirements, and goals of real estate programs. They are of limited use; inadequately cover complex, controversial, or unusual problems, transactions, or negotiations; or may conflict with each other or, if new, with existing guidance. The employee uses initiative and ingenuity to deviate from accepted real estate practices; to reconcile or balance conflicting space needs, uses of land and/or facilities; or to comply with various regulatory requirements. The employee devises innovative approaches, for example, to negotiate compensation, or other terms of contracts, leases, and agreements for complex and unique properties, right-of-way or relocation issues; and/or proposes new or revised policies that may impact on the agency's mission.

The appellants' position is comparable to Level 3-3. Like this level, the appellants use numerous guidelines including city building codes (which prescribe construction, recycle, environmental, fire safety, etc., requirements), Federal property management regulations and laws, Federal Acquisition Regulations, Landlord's evacuation action plans, and property management standard operating procedures. They cover real property management procedures, policies, and regulations, but sometimes are not completely applicable to the task at hand. Typical of Level 3-3, the appellants use judgment and initiative to adapt or make limited changes to guidelines as needed. Many of their assignments involve activities covered by a variety of building operation regulations and procedural guidelines. The appellants must research regulations and use judgment in determining the relationships between guidelines and the leases of their tenant agencies.

The appellants' position does not meet Level 3-4. Unlike this level, their guidelines are more specific than just a general outline of concepts and methods, and are mostly applicable to the assignments. They adequately cover building code and property management procedures, and do not require the degree of initiative and ingenuity to deviate from accepted real property practices described at Level 3-4. The authority and responsibility for deviating from accepted program practices, reconcile or balance conflicting program needs is vested in the regional realty staff which is responsible for negotiating leases and interpreting their legal meaning and intent. It is this staff which provides guidance to the appellants who enforce established lease provisions and administer lease support functions by adapting established procedures and guidelines typical of Level 3-3.

This factor is evaluated at Level 3-3, and 275 points are assigned.

Factor 4, Complexity

This factor covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work.

At Level 4-3, the work involves different and unrelated realty processes and methods. Assignments typically include a variety of acquisition, management and/or disposal transactions. At this level, employees acquire or dispose of land, property or space with few complicating characteristics; acquire individual properties with cooperative owners, or small blocks of office and warehouse space for organizations with few special requirements or needs in areas with large markets and/or perform property management duties that involve routine negotiations, perform

property management duties that involve routine negotiations, for stable organizations in standard office space and/or routine leases, licenses, permits or rights of entry.

At Level 4-4, the work involves the use of many different and unrelated realty processes and methods in the acquisition, management, or disposal of a wide variety of properties with unusual combinations of diverse characteristics. Assignments may require negotiations in sensitive or unpredictable situations with reluctant or uncooperative property owners, and Federal, State, and local officials. The employee may have to gain acceptance of or agreement with contracts and leases in an effort to avoid court action. Transactions typically involve five or more of the following complicating characteristics including multiple and/or conflicting uses of land, space, or facilities; limited comparable sales; conflicting legal or environmental concerns; community opposition; relocation issues; complex special agency needs such as high security needs in courtrooms and interrogation rooms; frequently changing program requirements; complex environmental-control systems; complex leases with numerous interrelated clauses or conditions; extensive damages or repeated vandalism to properties; unstable economic conditions, etc.

The appellants' position is comparable to Level 4-3. At this level, the appellants apply different and unrelated processes to manage space in a variety of properties. Within the leased spaces serviced, they have encountered uncooperative property owners, who have questioned or not implemented lease provisions. In such cases they must exercise skill in explaining the provisions of the lease and reaching an agreement in order to avoid further actions by the [Name] Officer. Sometimes the issue cannot be resolved completely by the appellant. For example, a sewer line backup on a Saturday caused flooding and hazardous conditions in leased space occupied by the Social Security Administration. The landlord and his company's emergency contact were notified of the situation by the appellant who services the lease, but the problem was still not resolved on Monday when the tenants arrived to their work site. The designated appellant ensured a licensed plumber corrected the water problem and a maintenance company cleaned and sanitized the rest rooms and adjacent hallways. The [Name] Officer then made the decision to process a one-time rent withholding action against the landlord who was notified in writing. At other times the appellants reach out to other Government agencies such as the Environmental Protection Agency, the city health department, buildings department and police department to help enforce provisions in a lease, e.g., issuing a summons to a building owners as part of legal action to force compliance with law and regulation.

The appellants' position does not meet Level 4-4. Unlike this level, transactions handled by the appellants typically do not involve five or more of the fifteen complicating characteristics described in the PCS. The fifteen characteristics include multiple or conflicting uses of land, space or facilities; limited comparable sales; conflicting legal or environmental concerns; community opposition; relocation issues; frequently changing program requirements; complex environmental control systems; complex leases with numerous interrelated clauses or conditions; high incidence of foreclosure of the assigned area; extensive damages or repeated vandalism to properties; multifamily projects which have not responded to efforts to prevent foreclosure; significant Federal Government risk; unusual types of surplus properties with limited alternate uses or in remote locations; unstable economic conditions and complex special agency needs (such as high-security needs in courtrooms or unusual technological requirements for electronic research equipment). The appellants' ongoing duties and responsibilities do not involve the

originality in planning the scope and direction of projects, the wide variety of properties with unusual combinations of diverse characteristics, and in-depth analysis and evaluation of unique and conflicting combinations of issues and alternatives indicative of work at Level 4-4. Unlike Level 4-4, the appellants are neither required nor permitted to extend existing leasing program methods and practices for application to complex problems. These responsibilities are vested in regional realty and other higher level program staff who must resolve complicated contract or lease disputes.

This factor is evaluated at Level 4-3, and 150 points are assigned.

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work; i.e., the purpose, breadth, and depth of the assignment, and the effect of work products or services both within and outside the organization. Effect measures whether the work output facilitates the work of others, provides timely services of a personal nature, or impacts the adequacy of research conclusions. The concept of effect alone does not provide sufficient information to properly understand and evaluate the impact of the position. The scope of the work completes the picture allowing consistent evaluations, and only the effect of properly performed work is considered.

At Level 5-3, the purpose of the work is to deal with or resolve a variety of conventional problems, questions, or situations within a limited geographic area. The employee manages commonly transferred properties using well-established real-estate practices and approaches. Transactions and property management actions completed (1) affect the efficiency of the client agency operations or the local governments in that area by ensuring that employees have adequate and properly equipped work space, and/or (2) ensure that Federal regulations and requirements are complied with and implemented properly. Transactions and recommendations may affect the economic well-being of individual property owners and purchasers, and the stability of the real-estate market of the limited geographic area involved.

At Level 5-4, the work involves planning and completing complex real estate transactions and property management activities. Employees use a wide range of real estate techniques and methods to manage properties with diverse or unusual characteristics. They investigate and analyze a wide variety of problems and questions to arrive at solutions, and provide guidance on specific real estate principles and practices, and/or recommend new or modified policies. Recommendations and transactions affect a range of agency activities, including the efficient completion of acquisition projects needed to meet program objectives and long-range goals of the agency itself, and the effective management and use of real property. New and modified property management techniques developed and used at Level 5-4 set precedents for future real-estate projects. Results of the work may affect the economic well-being of the agency, client agencies, local community or region, or other entities such as national parks, water projects, State or local governments, etc.

The appellants' position is comparable to Level 5-3. Similar to this level, the appellants are involved with resolving problems encountered with enforcing established leases for Government agencies within the limited geographic area of the boroughs of [location], [location], and

[location], and [location]. At times they encounter unusual situations such as ensuring a building owner took proper measures to eradicate bed bugs found in leased space but the majority of situations have previously been encountered by the appellants and they know how to resolve them. However, pest control is an integral part of space maintenance.

Unlike Level 5-4, the appellants' planning efforts are limited to enforcing leases and ensuring city and state property management requirements are met, and any recommended modifications need to be within established guidelines. As such, they are not precedent setting. The results of their work do not impact on the economic well-being of client agencies, local communities, national parks, wildlife refuges, or any of the other entities to the extent described at Level 5-4. As discussed at Level 5-3, the appellants' leasing functions affect the economic well-being of individual property owners and the day-to-day operations of the client agencies. Typical of Level 5-3, the projects they oversee are limited in scale and under the direction of higher-level officials in the agency. The appellants are encouraged to provide recommendations on improving work processes to their immediate supervisor for consideration. The appellants are permitted to inform a building owner action may be taken against them under the terms of an existing lease. However, only regional realty personnel are permitted to *take* action against the building owner.

This factor is evaluated at Level 5-3, and 150 points are assigned.

Factors 6 and 7, Personal contacts and Purpose of contacts

These factors measure the type of personal contacts that occur in the work and the purpose of those contacts. They include face-to-face contacts and telephone dialogue with persons not in the supervisory chain. These factors are interdependent. One first determines the appropriate level for each factor and then obtains the point value for these factors from the intersection of the two levels as shown in the chart in the standard.

Personal contacts

At 3, the highest level described in the PCS, persons contacted include individuals or groups from outside the employing agency in a moderately unstructured setting (e.g., the contacts are not routine, the purpose and extent of each is different, and they are identified and developed during the course of the contact). Typical contacts include building inspectors, property owners, contractors, appraisers, etc.

The appellants' position meets but does not exceed Level 3. In addition to employees in their agency, like Level 3 they have regular contacts with persons outside GSA including contractors and vendors, and particularly property owners and maintenance personnel. The contacts are not routine and, especially with property owners, the purpose, extent, and identification of issues or concerns are developed during the course of the contact.

Purpose of contacts

At Level C, the highest level described in the PCS, the purpose of contacts is to influence, motivate, or question persons or groups to provide, accept, and abide by terms of complex contracts, leases, other authorizing documents, or agreements relating to such matters as relocation rights or use of surplus property. At this level, the people contacted may be suspicious of the intent of questions or results of the recommendations, skeptical about trusting Government employees, or unwilling to provide information. The employee must have the skill to establish rapport with uncooperative contacts and significant persuasive or negotiating skills to deal with individuals and groups to obtain the desired effect.

The appellants' position meets but does not exceed Level C. Like this level, the purpose of the appellants' contacts are to influence, motivate, or convince persons to abide by the leasing agreement, which includes resolving operating problems, e.g., enforcement of lease, building maintenance, and code requirements as well as properly responding to inspection reports. Those contacted by the appellants may be suspicious, skeptical, or unwilling to provide information concerning real property management concerns and violations, thus the appellants may encounter resistance. They must apply significant persuasive skills with individuals to obtain a desired result.

Factors 6 and 7 are assigned Level 3c and 180 points are assigned.

Factor 8, Physical demands

This factor covers the requirements and physical demands placed on the employee by the work assignment.

At Level 8-1, the only level described in the PCS, the work is primarily performed while sitting. But it may require bending, walking, standing while inspecting buildings and office or storage space, or carrying light objects such as floor plans, leases or contract file folders, computer reports, or city building codes. The appellants' position meets Level 8-1 as work is primarily performed while sitting, although there is some walking and standing required when visiting tenant locations.

This factor is evaluated at Level 8-1 and 5 points are assigned.

Factor 9, Work environment

This factor considers the risks and discomforts in the employee's physical surroundings, or the nature of the work assigned and the safety regulations required.

At Level 9-1, the only level described in the PCS, the work is usually performed in an office-like setting. However, there may be occasional exposure to risks when the appellants make on-site inspections of properties, particularly property under construction. The appellants' position meets Level 9-1 as their work is primarily performed in an office setting, but there is occasional exposure to risks when visiting office or storage space, or building construction sites.

This factor is evaluated at Level 9-1, and 5 points are assigned.

Summary

	<i>Factor</i>	<i>Level</i>	<i>Points</i>
1.	Knowledge required by the position	1-7	1250
2.	Supervisory controls	2-4	450
3.	Guidelines	3-3	275
4.	Complexity	4-3	150
5.	Scope and effect	5-3	150
6.&7.	Personal contacts and Purpose of contacts	3c	180
8.	Physical demands	8-1	5
9.	Work environment	9-1	5
	<i>Total</i>		2465

The total of 2465 points falls within the GS-11 range (2355-2750) on the grade-conversion table in the GS-1170 PCS. Therefore, the appellants' work is properly graded at the GS-11 level.

Decision

The position is properly classified as (Title at discretion of agency), GS-1101-11.