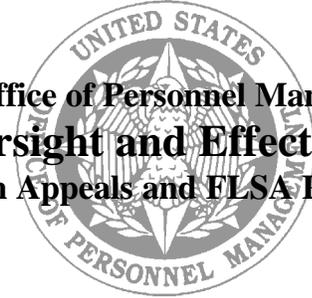


**U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs**



San Francisco Oversight Division
120 Howard Street, Room 760
San Francisco, CA 94105

**Classification Appeal Decision
Under Section 5112 of Title 5, United States Code**

Appellant: [appellant's name]

Agency classification: Command Total Quality Leadership
Coordinator
GS-301-12

Organization: [appellant's organization]
Department of the Navy

OPM decision: GS-301-12
title at agency discretion

OPM decision number: C-0301-12-02

Signed by Denis J. Whitebook
Denis J. Whitebook
Classification Appeals Officer

October 29, 1997
Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that 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, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[appellant's name]
[appellant's address]

[appellant's personnel office]

Director, Plans, Programs, and Diversity
Office of the Deputy Assistant Secretary of
Navy, Civilian Personnel (EEO)
U.S. Department of the Navy
800 North Quincy Street
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Chief, Classification Branch
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Introduction

On May 7, 1997, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant]. His position is currently classified as Command Total Quality Leadership Coordinator, GS-301-12. However, he believes his position should be graded at the GS-13 level. He works in the [appellant's organization,] Department of the Navy. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

The appellant believes his position is undergraded based on comparison to several other positions that he believes have similar duties and responsibilities. The appellant also makes a number of statements about his agency's evaluation of his position. For example, he cites a number of items which he does not believe were considered in his agency's evaluation, such as his chain of command, Navy guidance, and personal qualifications.

In adjudicating this appeal, our only concern is to make our own independent decision on the proper classification of his position. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards and guidelines is the exclusive method for classifying positions, we cannot compare the appellant's position to others as a basis for deciding his appeal. Qualifications and other relevant facts are considered in classifying positions. For instance, qualifications required to perform current duties and responsibilities, not qualifications that appellants possess, are reflected in classification factors. Therefore, we could not consider the appellant's personal qualifications, except insofar as they were needed for this purpose. To the extent qualifications and other facts were needed for this purpose, we carefully considered them along with all other information furnished by the appellant and the agency including his official position description (PD) CS-307.

Position information

The appellant's duties and responsibilities include implementing and coordinating the Department of the Navy's Total Quality Leadership approach to mission accomplishment for [appellant's organization]and its resident and assigned units. The appellant is also responsible for implementing and for the ongoing operation of the Office of Management and Budget (OMB) Commercial Activities studies under OMB Circular A-76, the Department of Defense (DoD) Reinvention Laboratory, Efficiency Reviews as directed by Marine Corps Order 5223.1B, Beneficial Suggestion programs, and the Civilian Drug Free Work Place. For each of the assigned programs, the appellant's responsibilities include planning, forming, and recommending policy.

The appellant's PD and other material of record furnish much more information about his duties and responsibilities and how they are performed.

Series and title determination

Based on our review of the record, we find that the position is properly classified in the Miscellaneous Administration and Program Series, GS-301. As discussed in the Handbook of Occupational Groups and Series, that series includes positions which are to perform, supervise, or manage nonprofessional, two-grade interval work for which no other series is appropriate. The work requires analytical ability, judgement, discretion, and knowledge of a substantial body of administrative or program principles, concepts, policies, and objectives.

Administrative work is defined in section III.C.2 of the Introduction to the Position Classification Standards as work that “involves the exercise of analytical ability, judgement, discretion, and personal responsibility, and the application of a substantial body of knowledge of principles, concepts, and practices applicable to one or more fields of administration or management.” As further described, administrative work may be performed as a part of the principal mission or program of an agency or subcomponent, or it can be performed as a service function which supports the agency’s mission or program. OPM has prescribed no titles for positions in the Miscellaneous Administrative and Program Series, GS-301. Therefore, according to section III.H.2 of the Introduction to the Position Classification Standards, the appellant’s agency may choose the official title for this position. In doing so, his agency should follow the titling guidance in that section.

Guide and grade determination

There are no published grade evaluation criteria for positions classified in the GS-301 series. In such cases the Introduction to the Position Classification Standards explains (section III.H.i) that if there are no specific grade level criteria for the work, an appropriate general classification guide or criteria in a standard or standards for related kinds of work should be used. In using other guides or standards, the criteria selected as the basis for comparison should be for a kind of work as similar as possible to the position to be evaluated with respect to the kind of work processes, functions, or subject matter of work performed; the qualifications required to do the work; the level of difficulty and responsibility; and the combination of classification factors which have the greatest influence on the grade level.

The Administrative Analysis Grade-Evaluation Guide provides grade level criteria for evaluating nonsupervisory staff administrative, analytical, planning and evaluative work. Work covered requires a high degree of qualitative and/or quantitative analytical skills, the ability to research problems and issues, written and oral communication skills, and the application of mature judgement in problem solving. We find that this guide is properly used to evaluate the appellant’s work.

The Administrative Analysis Grade-Evaluation Guide uses the Factor Evaluation System (FES), which employs nine factors. Under the FES, each factor level description in a guide or standard 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. Conversely, the position may exceed those criteria in some aspects and still

not be credited at a higher level. As explained above, because the factor level descriptions of the guide describe *minimum* criteria, positions assigned a certain factor level always meet or exceed the guide's criteria. Thus, it is expected that the appellant's actual duties and responsibilities will often exceed the criteria for the awarded level. The critical issue is whether the appellant's duties and responsibilities *meet or exceed* the criteria for the next 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 required to do acceptable work and the nature and extent of skill necessary to apply this knowledge. To be used as a basis for selecting a level under this factor, a knowledge must be required and applied.

Level 1-7 requires knowledge and skill in applying analytical and evaluative methods and techniques to issues or studies concerning the efficiency and effectiveness of program operations carried out by administrative or professional personnel, or substantive administrative support functions. It requires knowledge of pertinent laws, regulations, policies, and precedents which affect the use of program and related support resources in the area studied. Projects and studies typically require knowledge of the major issues, program goals and objectives, work processes, and administrative operations of the organization. At Level 1-7, the knowledge is used to plan, schedule, and conduct projects and studies to evaluate and recommend ways to improve effectiveness and efficiency of work operations in a program or support setting. Knowledge is applied in developing new or modified work methods, organizational structures, records and files, management processes, staffing patterns, procedures for administering program services, guidelines and procedures, and automating work processes for the conduct of administrative support functions or program operations.

The appellant's work in developing, coordinating, overseeing and implementing of assigned programs for [appellant's organization], including tenant units, requires the broad program knowledges comparable to that described at Level 1-7. As is typical of Level 1-7, the appellant's work requires knowledge of major issues, goals and objectives that his supervisor and the [appellant's organization] Commanding General have for the organization as related to assigned programs and of the work processes and administrative operations of the organizations covered. As is also typical of Level 1-7, the appellant uses his knowledge to plan, schedule, conduct and coordinate projects and studies to evaluate and recommend ways to improve the effectiveness and efficiency of assigned programs primarily for [appellant's organization] operations and functions studied. Similar to the examples described at Level 1-7, his knowledge may applied in development of management improvement efforts, information systems management, work simplification methods, and work measurement standards and in utilization of personnel resources and funds and material resources. We find that the appellant's position meets Level 1-7 criteria.

Level 1-8 criteria are not met. Level 1-8 is of an expert analyst who has mastered the application of a wide range of qualitative and/or quantitative methods for the assessment and improvement of program effectiveness or the improvement of complex management processes and systems. It

requires comprehensive knowledge of the range of administrative laws, policies, regulations, and precedents applicable to the administration of one or more *important public programs*. Such knowledges may be applied to the design and conduct of *comprehensive management studies* where the boundaries of the studies are extremely broad and difficult to determine in advance, i.e., the actual limits of the project are developed as the study proceeds. Study objectives at Level 1-8 include those which identify and propose solutions to management problems which are characterized by their *breadth, importance, and severity*, and for which previous studies and established management techniques are *frequently* inadequate.

The appellant applies his knowledge of analytical methods in a variety of studies and investigations to assess and evaluate program effectiveness and efficiency, but these knowledges are not regularly applied to problems of the magnitude intended at Level 1-8. The intent of Level 1-8 is application of knowledges to complex management processes and systems at the agency level, i.e., at the Department of Navy level. The appellant's principal concern is with implementation of programs and assignments within the [appellant's organization]. His duties require him to plan, promote, and implement efficiency related programs and assure compliance with applicable Executive Orders, laws, Marine Corps Orders, Department of Navy Instructions, and related directives, and in some cases to extend or clarify standard policies or other guidance to cover situations that may not be well described for use within the [appellant's organization]. By contrast, at Level 1-8, the work involves preparing recommendations for legislation to change the way programs are carried out, or to evaluate the content of new or modified legislation for projected impact upon *agency* programs and resources. Level 1-8 may also involve translating basic legislation into program goals, actions and services. Although the appellant is involved with team study and with persuading and negotiating with management to accept and implement recommendations, as at Level 1-8, it with respect to problems within the [appellant's organization] and tenant units, not to those envisioned at Level 1-8, such as proposals or recommendations that involve *substantial agency resources*.

This factor is evaluated at Level 1-7.

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. The agency evaluated this factor at Level 2-5. The factor level descriptions of the guide describe minimum criteria. If Level 2-5 is not fully met, the lower level must be awarded.

The factor relationship table on page 4 of the guide illustrates which FES factor levels are typically assigned at various grade levels for administrative analytical positions. Typically, Level 2-4 is the highest level assigned for administrative analytical positions. In *The Classifier's Handbook* on page 16 there is a factor relationship table for all administrative occupations. Level 2-5 is not assigned until the GS-14 level and only when Level 1-8 is also assigned. As discussed above, the appellant's work does not meet Level 1-8 knowledge requirements primarily because principal [appellant's organization] programs worked with do not approach the scope of the important public programs or

complexity of management problems studied at Level 1-8. A careful reading of the grade level criteria and these tables demonstrates that there is a direct correlation between the scope and importance of the subject studied and the factor levels assigned.

At Level 2-4, the employee works within a framework of priorities, funding, and overall project objectives (e.g., cost reduction, improved effectiveness and efficiency, better workload distribution, or implementation of new work methods), and consults with the supervisor in developing mutually acceptable project plans. The employee is responsible for planning, organizing, and conducting all phases of the studies and coordinating with others as necessary. This frequently involves the definitive interpretation of regulations and study procedures and the initial application of new methods. Completed projects and recommendations are reviewed for compatibility with organizational goals and effectiveness in achieving objectives. Completed work is also reviewed outside the employee's office by staff and line management officials whose programs and employees would be affected by implementation of the recommendations.

The appellant's PD shows that the supervisor provides overall goals and objectives for the total quality efforts. Supervision is provided in terms of broad objectives and plans to be pursued subject to the policy review of the supervisor. The appellant is responsible for devising and carrying out plans and for the directing, assessing and assuring the effectiveness of total quality leadership training, facilitating quality management boards and process action teams, and providing technical advice and support to the Commanding General and the Executive Steering Committee. He has the independence necessary to plan, organize and coordinate the conduct of comprehensive studies associated with [appellant's organization] management improvement efforts, utilization of personnel resources, funds and material resources, work simplification methods, work measurement standards and information systems management development. This is most similar to Level 2-4, where the employee is responsible for planning and organizing the study, estimating costs, coordinating with staff and line management personnel, and conducting or managing all phases of the project. This frequently involves the definitive interpretation of regulations and study procedures, and the initial application of new methods.

The appellant's position does not meet Level 2-5. At that level, the employee is a recognized authority in the analysis and evaluation of programs and issues and is subject only to administrative and policy direction concerning overall project priorities and objectives. The employee is typically delegated complete responsibility and authority to plan, schedule, and carry out *major projects* concerned with the analysis and evaluations of *programs* or organizational effectiveness. Analysis, evaluations, and recommendations developed by the employee are normally reviewed by management officials *only for potential influence on broad agency (Department of Navy) policy objectives and program goals*. Findings and recommendations are normally accepted without significant change.

The appellant's PD has some similarities to Level 2-5. For instance, he is a recognized authority in the analysis and evaluation of programs and issues and is subject only to administrative and policy direction, as at Level 2-5, but it is for studies and projects principally for [appellant's organization]. His work is reviewed for conformance with [appellant's organization] policy for promoting and

implementing programs directed by higher level offices, and the appellant's position is responsible for administering the assigned programs for [appellant's organization]. This does not meet the guide's intent of *major project(s)* from an agency (Department of Navy) perspective. The appellant's assignments are of lesser magnitude than envisioned for Level 2-5; i.e., it is with respect to studies or projects primarily at the [appellant's organization], not the agency (Department of Navy). In addition, there is not sufficient evidence to credit the appellant's completed work as normally *only reviewed for potential influence on broad Department of Navy policy objectives and program goals* as is intended at Level 2-5.

Since the position does not fully meet the overall intent of Level 2-5, this factor is evaluated at the next lower level, Level 2-4.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgement necessary to apply them.

At Level 3-4, guidelines consist of general administrative policies and management and organizational theories which require considerable adaptation and/or interpretation for application to the issues and problems studied. Administrative policies and precedent studies provide a basic outline of the results desired, but do not go into detail as to the methods used to accomplish the project. Administrative guidelines usually cover program goals and objectives of the organization, such as agency controls on size of workforce, productivity targets, and similar objectives. Within the context of broad regulatory guidelines the employee may refine or develop more specific guidelines such as implementing regulations or methods for measurement and improvement of effectiveness and productivity in the administration of operating programs.

Comparable to Level 3-4, the appellant's PD and other information of record shows that there are a number of general guidelines, such as DoD, Department of Navy, and Marine Corps regulations, directives, instructions, policy, and related administrative guidelines. There are also other guidelines that are more general, such in the area of total quality leadership. As at Level 3-4, some of these require considerable adaptation or interpretation for application to issues and problems studied.

The appellant's position does not meet the intent of Level 3-5, the highest level described in the guide. This is because the guidelines and the judgement in applying them for Level 3-5 credit are to programs or problems of greater magnitude than is characteristic of the appellant's assignments. Examples of Level 3-5 guidelines include *basic* administrative policy statements, which may be supplemented by pertinent legislative history, court decisions and applicable laws. Examples of judgement applied at Level 3-5 are review of *proposed* legislation or regulations which would *change the basic character of agency* (Department of the Navy) programs, the way the *agency* conducts its business with the public or with private industry, or which modify important inter-*agency* relationships.

This factor is evaluated at Level 3-4.

Factor 4, Complexity

This factor covers the nature, number, variety, and intricacy of tasks, 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 4-5 the work consists of projects and studies which require analysis of interrelated issues of effectiveness, efficiency, and productivity of substantive mission-oriented programs. Typical assignments require developing detailed plans for the long-range implementation and administration of the program. The work is complicated by such factors as conflicting program goals deriving from changes in legislation or regulatory guidelines or productivity, variations in the demand for program services, and the need to deal with subjective concepts such as value judgements that are not readily susceptible to verification (e.g., assessing the relative advantages and disadvantages). In some instances, the work may be complicated by the need to develop data about workload and program accomplishments which are currently unavailable, and current measurements of program effectiveness may be ambiguous and susceptible to widely varying interpretations.

The appellant's position meets Level 4-5. As is comparable to Level 4-5, the appellant's PD shows a wide spectrum of assignments in the analysis of operations, effectiveness and development of systems or procedures for improvement in operations. As described at Level 4-5, the total quality leadership program involves a long term implementation process. As also described at Level 4-5, analytical assignments involve complications of conflicting goals, such as productivity and resources, and can require consideration of subjective concepts not readily susceptible to verification, such as assessing relative advantages and disadvantages.

The appellant's work does not reach Level 4-6, where the employee plans, organizes, and carries through to completion analytical studies involving the substance of *key agency programs*. In these studies, there is extreme difficulty in identifying the nature of the issues or problems to be studied, and in planning, organizing, and determining the scope and depth of the study. As noted previously, the appellant primarily is involved with programs at the [appellant's organization], and these are not equivalent to the substance or intent of key agency level programs described at this level.

This factor is evaluated at Level 4-5.

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work and the effect of the work products or services.

At Level 5-4, the purpose of the work is to assess the productivity, effectiveness, and efficiency of program operations. Work that involves the evaluation of program effectiveness usually focuses on the delivery of program benefits or services at the operating level. The work contributes to the improvement of productivity, effectiveness, and efficiency in program operations.

As is comparable to Level 5-4, the purpose of the appellant's position is to plan, direct and implement assigned programs that contribute to improving the overall efficiency, effectiveness, and productivity of program operations of the [appellant's organization] and its tenant units. As is also comparable to Level 5-4, the appellant develops policy in assigned program areas.

The scope of the programs does not reach Level 5-5 where the purpose of the work is to analyze and evaluate *major administrative aspects of substantive, mission-oriented programs*. For instance, in the second illustration at Level 5-5, the analyst serves as project officer responsible for the evaluation of the effectiveness and efficiency of major program operations *throughout an agency* (e.g., shipbuilding, aircraft overhaul and repair, or health care Navywide). In addition, the effect of the appellant's work does not reach Level 5-5 or the equivalent, where study reports typically contain findings and recommendations of *major significance* to top management of the *agency*, and *often serve* as the basis for new administrative systems, legislation, regulations, or programs.

This factor is evaluated at Level 5-4.

Factor 6, Personal contacts and Factor 7, Purpose of contacts

Factor 6 includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain. Under Factor 7, the purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

Factor 6 is evaluated at Level 3. The appellant's contacts include local supervisors and managers, and higher level headquarters officials within the Marine Corps, Department of the Navy, and staff of other DOD and external organizations. The appellant's highest level contacts are with agency or program officials several managerial levels removed and with representatives of other Federal agencies, which most closely matches Level 3 where the contacts are with persons outside the agency in moderately unstructured settings. The appellant's contacts do not meet Level d, where contacts are with top congressional staff officials, other agency heads, mayors of major cities or executives of comparable private sector organizations.

Factor 7 is evaluated at Level c. The appellant's PD shows that he exchanges information, resolves operational problems, justifies recommendations, and obtains cooperation among organizational elements. He promotes quality assurance and continuous improvement programs using persuasion. This is comparable to Level c, where the purpose of the contacts is to influence managers or other officials to accept and implement findings and recommendations on program effectiveness. Resistance may be encountered due to such issues as organizational conflict, competing objectives, or resource problems. The purpose of the appellant's contacts does not reach Level d where the purpose is to justify or settle matters involving significant or controversial issues, e.g., recommendations affecting major programs, dealing with substantial expenditures, or significantly changing the nature and scope of organizations.

Factor 6 is evaluated at Level 3 and Factor 7 at Level c. According to the chart in the guide a total of 180 points should be credited to the appellant's position based on this combination of levels.

Factor 8, Physical demands

This factor covers the requirements and physical demands placed on the employee by the work assignment. We find that Level 8-1 criteria are met. As is typical of Level 8-1, the appellant's work is primarily sedentary, although some slight physical effort may be required. Work does not regularly involve long periods of standing, bending, and stooping to observe and study work operations in an industrial, storage, or comparable work area as described at Level 8-2.

Factor 9, Work environment

This factor considers the risks and discomfort in the employee's physical surroundings. We find that Level 9-1 criteria are met. As is typical of Level 9-1, the appellant typically works in an adequately lighted and climate controlled office. Work does not regularly require visits to manufacturing, storage, or other industrial areas which involve moderate risks or discomfort, and require protective clothing and gear, and observance of safety precautions as described at Level 9-2.

Summary

We have evaluated the appellant's position as follows:

Factor	Level	Points
1. Knowledge Required by the Position	1-7	1250
2. Supervisory Controls	2-4	450
3. Guidelines	3-4	450
4. Complexity	4-5	325
5. Scope and Effect	5-4	225
6/7. Personal Contacts/ Purpose of Contacts	6-3 7-c	180
8. Physical Demands	8-1	5
9. Work Environment	9-1	<u>5</u>
Total points:		2890

The appellant's position warrants 2890 total points. Therefore, in accordance with the grade conversion table of the guide, his position is properly graded at GS-12.

Decision

The appellant's position is properly covered by the Miscellaneous Administration and Program Series, GS-301, graded at GS-12, and titled at the agency's discretion.