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

Washington Oversight Division
1900 E Street, N.W.
Washington, D.C. 20415

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

Appellant:	[name]
Agency classification:	Fresh Fruit and Vegetable Marketing Specialist (Standardization) GS-1146-12
Organization:	[section] [branch] Fruit and Vegetable Division Office of the Deputy Administrator for Marketing Programs Agricultural Marketing Service Department of Agriculture Washington, D.C.
OPM decision:	Fresh Fruit and Vegetable Marketing Specialist (Standardization) GS-1146-12
OPM decision number:	C-1146-12-01

Richard Quasney
Classification Appeals Officer

June 17, 1998 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]

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Introduction

On February 10, 1998, the Washington Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a position classification appeal from [appellant], who is employed as a Fresh Fruit and Vegetable Marketing Specialist (Standardization), GS-1146-12, in the [section], [branch], Fruit and Vegetable Division, Office of the Deputy Administrator for Marketing Programs, Agricultural Marketing Service, Department of Agriculture, in Washington, D.C. [Appellant] requested that her position be classified as Fresh Fruit and Vegetable Marketing Specialist (Standardization), GS-1146-13. This appeal was accepted and decided under the provisions of section 5112 of title 5, United States Code.

The appellant had initially appealed the classification of her position to the Department of Agriculture, but the appeal was denied and the current classification sustained by decision dated December 12, 1997.

An on-site position audit was conducted by a Washington Oversight Division representative on June 1, 1998, supplemented by telephone interview with the appellant's first-line supervisor, [name], on June 8, 1998. This appeal was decided by considering the audit findings and all information of record furnished by the appellant and her agency, including her official position description, number 007FP028, classified by the servicing personnel office as Fresh Fruit and Vegetable Marketing Specialist (Standardization), GS-1146-12, on October 10, 1987.

Position Information

The purpose of the [section] is to develop and revise commodity grading standards, inspection instructions, visual grading aids, and related training materials for fresh fruits and vegetables. Within this context, the appellant is assigned primary responsibility for the commodity areas of citrus fruits (oranges, grapefruit, tangerines, tangelos, lemons, and limes), lettuce, onions, avocados, blueberries, sweet corn, and sour cherries.

Series Determination

The appellant's position is properly assigned to the Agricultural Marketing Series, GS-1146, which covers positions involving management, research, analytical, regulatory, or other specialized work concerned with the marketing of one or more agricultural commodities or products. Neither the agency nor the appellant disagrees.

Title Determination

The appellant's position is correctly titled as Fresh Fruit and Vegetable Marketing Specialist (Standardization), which accurately represents both her functional and commodity specializations. Neither the appellant nor the agency disagrees.

Standard Determination

The position was evaluated by application of the grade-level criteria provided in the standard for the Agricultural Marketing Series, GS-1146, dated June 1964.

Grade Determination

Grade-level criteria in this standard are expressed in terms of three factors, Scope and Impact of Assignments, Availability of Guidelines and Originality Required, and Level of Responsibility. Three degree levels are described for each of the three factors, designated as A, C, and E. The intermediate degrees B and D are not described, but may be assigned when a position clearly falls between two described degrees or when a position compares with the lower degree in some respects and the higher degree in others.

Factor 1 - Scope and impact of assignments

This factor reflects the scope and impact of the assignment with respect to the particular function and/or commodity with which it is concerned. The grade-level criteria are expressed largely in terms of the breadth or depth of the assignment, e.g., individual cases, portions of projects, or program formulation and development, and the impact of the assignment on industry.

Degree C covers work of <u>more than average difficulty</u> when it requires the application of a high degree of technical skill, knowledge, and judgment related to the assigned commodities. Most assignments at this level involve the full cycle of work concerned with an assigned program segment (e.g., a commodity subdivision). In regard to scope, assignments are relatively wide in diversity; relate to large quantities of commodities or commodities of some economic significance; relate to industries that are somewhat complex; or cover a relatively wide geographic area. They involve issues that are not clearly discernible or which require study or investigation; varying degrees of controversy; or interrelated elements which require consideration of the effect of the action taken on other firms. They require the ability to recognize marketing situations that may have economic, social, or political implications; to understand significant variations in commodity markets; or to analyze and evaluate marketing conditions to recommend new or revised criteria. The standard provides the following example illustrating the scope of work assignments at this level:

> Marketing specialists are assigned projects to develop and recommend drafts of new or revised standards for a <u>specific commodity</u>, or products thereof, of some economic significance; or for a <u>group of minor commodities</u>. Included are standards for equipment, facilities, and operating procedures, and educational and training aids in connection with proper application of the standards. The marketing specialists gather data, evaluate them, and prepare recommendations for new or revised standards. Projects assigned at this level involve some ramifications, varying degrees of controversy, interrelated elements requiring consideration of the action on marketing

> of the item, judgment and perception to recognize and incorporate significant variations in the particular commodity.

In regard to impact, assignments at Degree C typically have a fairly wide impact, are of a relatively serious nature, or have some economic significance. For example, the actions taken may affect a segment of the public, an industry in a particular community, a marketing agency or operation area or nationwide (e.g., revision of commodity standards regarding the amount of meat in a canned product will affect all manufacturers of the product).

Assignments at Degree E exceed Degree C in breadth of program responsibility. They involve responsibility for broad marketing programs in a functional or commodity area, and require extended specialized knowledge and experience of a substantial variety of marketing activities or commodities. Assignments at this level are characterized by such work as the formulation and development of recommendations for policies, program plans and operations; complex factual or policy issues in the drafting, interpretation, or application of legislation or regulations; or directing and coordinating the execution of approved policies and programs for major commodities on a nationwide basis. At this level, specialists are normally responsible for directing, coordinating, and reviewing the work of a team. An example of an assignment at this level is as follows:

> Marketing specialists are responsible for formulation, development, or revision of criteria, requirements, standards, or specifications controlling the handling, processing, packaging, storing, grading, inspecting, etc., of a major group of agricultural commodities which have important economic significance; also, for interpretation of complex questions relating to the application of the standards and specifications.

In regard to impact, assignments at Degree E typically are extensive in range, influence, or applicability, or have major economic significance. For example, the actions taken have a major impact on the rates, practices, or competitive posture of a major industry where large numbers of producers are involved, and powerful interests of the trade are directly concerned with any program that may become operative and often have competing or differing interests; significantly affect domestic or world markets and international trade relationships; or have an important impact on major private or public interests (such as the development or introduction of new products).

The appellant's position basically meets but does not exceed Degree C. As at that level, she is assigned the full range of work associated with her assigned commodities, to include the development and revision of standards, handbooks, visual aids, and other related material; the preparation and presentation of training materials; and the provision of technical guidance and interpretation to operating-level personnel. In terms of scope, her primary assigned commodity (citrus fruits) is consistent with "commodities of some economic significance" that "cover a relatively wide geographic area," in that they are produced in three major growing regions of the country. Citrus is considered a major commodity covered by 10 U.S. grading standards and 5 handbooks. The appellant reported that the citrus commodity area occupies at least half of her time. Her other

assigned commodities of lettuce and onions, although considered major commodities in terms of their growing seasons and geographic coverage, are not as varied and thus are covered by only 2 standards and 1 handbook each. The remaining commodities (avocados, blueberries, sweet corn, and sour cherries) are seasonal and thus considered minor commodities with a lesser economic impact within the context of the standard. However, taken as a whole, these assigned commodities lend to her position the "relatively wide diversity" otherwise characteristic of Degree C. Consistent with that level, the development or revision of standards often involves issues that have interrelated elements or varying degrees of controversy. For example, a change in a standard may affect the producers of a commodity in its various growing regions differently due to climatic and other environmental conditions that influence the appearance of the product. Thus, the appellant must ensure that the standards take into account these regional differences while providing for uniform quality of the commodity. In terms of impact, the appellant's work affects the producers of her assigned commodities within their respective growing regions, usually encompassing several States, comparable to the "fairly wide impact" typical of Degree C. Overall, the appellant's position is accurately represented by the Degree C assignment example provided above in its description of developing new or revised standards for a specific commodity or group of minor commodities.

The position does not meet Degree E either wholly or in part. That level describes a degree of program management authority that is not present in the appellant's position. She does not, for example, formulate and develop recommendations for <u>overall program policies, plans, and</u> <u>operations</u>, nor is she, at her level in the organization, charged with resolving complex policy issues that arise in the drafting of legislation and regulations governing the program. She is not responsible for a <u>substantial</u> variety of commodities, such that it would be necessary for her to direct and coordinate the efforts of a team. In terms of impact, her work involves the development of voluntary standards used to grade the quality of produce and thus affects pricing in wholesale trading. However, this is not equivalent to Degree E criteria where actions taken have a "<u>major</u> impact on the rates, practices, or competitive posture of a major industry." Because these standards are voluntary, they may affect the negotiating position of individual producers for the assigned commodities, but they do not have a major and definitive impact on a broader industry. Further, the nature of the work is not such that it would otherwise significantly affect domestic or world markets, international trade relationships, or major private or public interests.

The position also is not consistent with a constructed Degree D, in that it does not contain elements of both Degrees C and E, nor does it fall between those degree levels. Basically, Degree C represents the level of the experienced journeyman worker who performs a full range of assignments of more than average difficulty within certain assigned commodity areas. These assignments consist of projects where the employee is responsible for all technical aspects. This accurately characterizes the appellant's position. Degree E represents the level of the full program manager responsible for developing policies and plans related to the formulation of standards for a "major group of agricultural commodities," where the work is of such breadth that it requires the efforts of several marketing specialists. Within the given organizational context, this could be interpreted as referring to such categories as all of the fresh fruits and vegetables or all of the processed fruits and vegetables, considering its references to "a major industry," "large numbers of producers," and disagreement

between "important segments of the trade." Degree D would include some lesser degree of program responsibility (e.g., for a major subdivision of these broader commodity categories or for a major functional segment of the overall program, depending on how the work of the organization is structured), and some corresponding team leader responsibilities. Since the appellant's position has no programmatic or team leader responsibilities, it does not exceed Degree C in any respect.

Degree C (6 points) is assigned.

Factor 2 - Availability of guidelines and originality required

This factor reflects the extent to which the assignments are governed by agency policies and precedent actions, and the degree of judgment and originality required in developing or applying agency policies and procedures in the functional or commodity area assigned.

The appellant's position meets Degree E (the highest level described), in recognition of her responsibility for the development of new and revised guidelines where complex or novel issues are involved or where guidelines are lacking or precedents are not available. (As an example, the appellant has been asked to develop standards for produce involving new types of packaging methods, such as containers with several different types of commodities, where there has been no previous experience as guidance.) Neither the agency nor the appellant disagrees.

Degree E (10 points) is assigned.

Factor 3 - Level of responsibility

This factor reflects the kind of control exercised over the work by the supervisor, the extent to which the employee is authorized to make recommendations or commit his organization on specific cases or to a course of action, and the nature of personal contacts.

At Degree C, positions typically are at the journeyman or full performance level and function under general technical supervision. Work assignments and objectives are prescribed, but methods of accomplishment are seldom reviewed or controlled while work is in progress. Problems arising from controversial situations, obsolete guides, lack of guides, or policy questions are referred to the supervisor for resolution. Upon the assignment of new kinds of work or unusual cases or problems, the employee is given general guidance on objectives and approaches. Completed work is reviewed or spot-checked for technical adequacy, acceptability, and completeness. Recommendations to administrative officials at higher levels are normally made through the supervisor. Contacts are with a variety of officials in both governmental and industry circles, and are for the purpose of providing information, advice, cooperation, or assistance.

At Degree E, positions are those of expert consultants and technical advisors who function under <u>administrative</u> supervision with considerable freedom from supervisory control. As the technical expert the assigned field, the employee resolves most questions or situations that arise. Only technical

matters affecting agency policy or of far-reaching import are referred to higher levels for decision. Work is reviewed primarily for overall effectiveness and compliance with general policies and procedures. There is broad delegated authority to commit the agency to action of a substantive or technical nature within the bounds of the mission of the agency and its administrative policies. This level is characterized by the most responsible personal contacts, with high level personnel in the agency or private industry, in explaining and securing acceptance of new programs or policies or in negotiating conflicts between interested parties.

The appellant's position meets but does not exceed Degree C. As at that level, the initiation of a standards development project is determined by the supervisor, usually in response to an industry request. Upon assignment of the project, typically a standard in need of revision, the supervisor and the appellant review the existing standard together to identify those areas that should be updated, and the supervisor provides general guidance on how to proceed (e.g., what field sites should be visited). Beyond that point, the appellant works largely independently from a technical standpoint, although she is expected to refer issues that may involve changes in agency policy to the supervisor and consults with him on any unusual or confusing aspects of the grading characteristics. The supervisor reported that he reviews completed drafts "very thoroughly" both for presentation and subject matter. Draft standards are also reviewed by the branch chief, Office of the General Counsel, and the Associate Director before they are forwarded to the Administrator for approval. The appellant has occasional contacts with rather high-ranking officials of private firms, usually for the purpose of informing them of proposed revisions to standards and soliciting their comments.

The position does not meet Degree E either wholly or in part. "Administrative" supervision refers to those situations where an employee receives only general policy guidance and budgetary limits from higher-level management, and within those parameters determines and initiates the work projects necessary to accomplish the functional responsibilities of the unit or program. Work products are rarely reviewed at all from a technical standpoint. Rather, review would occur more frequently through discussions where the employee informs superiors of the work being undertaken and any policy or political implications arising. This type of supervision would normally only apply at program management levels. In this case, regardless of the degree of confidence the appellant's supervisor may have in her technical capabilities, her work assignments are still specifically made by the supervisor and all draft products are thoroughly reviewed by him. Although these products may be rarely altered, the supervisor still retains responsibility for their technical content and sufficiency. Thus, it cannot be said that the appellant operates under administrative supervision. The appellant does not have "broad delegated authority" to commit the agency on matters of a substantive nature. Finally, her contacts with high-level industry officials relate to far less difficult and contentious matters and are thus less protracted than would be expected at Degree E.

The position is likewise not consistent with a constructed Degree D under this factor, in that it does not contain elements of both Degrees C and E, nor does it fall between those degree levels. Given that Degree C represents the level of the full journeyman, and Degree E that of the relatively high-level program manager (considering the degree of delegated commitment authority indicated at that level), Degree D would most typically encompass those positions lower in the management echelon,

with considerable technical control over their assigned functions or program segments but lesser commitment authority on policy matters or precedential technical decisions, and less critical and demanding representational responsibilities with outside parties. The appellant, by virtue of her experience and acquired expertise, has earned management's confidence in the reliability of her work products, which are regarded as having a high degree of technical proficiency. However, this has not altered her basic authority level nor conferred on her any greater degree of responsibility and accountability for the work of the unit. She does not operate outside the confines of the Section's management hierarchy in terms of commitment authority. She is not responsible for dealings with industry officials that extend beyond the informational or coordinative. In short, technical proficiency without a corresponding increase in responsibility and authority is not sufficient to exceed Degree C.

Degree C (6 points) is assigned.

Summary

The total of 22 points falls within the GS-12 range (22-24 points) in the grade-conversion table provided on page 15 of the standard.

Decision

The appealed position is properly classified as Fresh Fruit and Vegetable Marketing Specialist (Standardization), GS-1146-12.