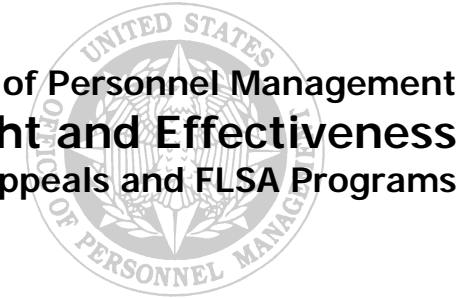


U.S. Office of Personnel Management  
**Office of Merit Systems Oversight and Effectiveness**  
Classification Appeals and FLSA Programs



Atlanta Oversight Division  
75 Spring Street, SW., Room 972  
Atlanta, GA 30303

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

**Appellant:** [Appellant]

**Agency classification:** Criminal Investigator  
GS-1811-12

**Organization:** Immigration and Naturalization Service  
Department of Justice

**OPM decision:** Criminal Investigator  
GS-1811-12

**OPM decision number:** C-1811-12-14

/s/

\_\_\_\_\_  
Kathy Day  
Classification Appeals Officer

8/30/00

\_\_\_\_\_  
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]

[Human Resources Officer]

Assistant Commissioner for  
Office of Human Resources  
and Development  
Immigration and Naturalization Service  
U. S. Department of Justice  
800 K Street, NW., Room 5000  
Washington, DC 20536

Director of Personnel  
U. S. Department of Justice  
JMD Personnel Staff  
1331 Pennsylvania Avenue, NW.  
Suite 1110  
Washington, DC 20530

## **Introduction**

On May 31, 2000, the Atlanta Oversight Division, U.S. Office of Personnel Management (OPM) accepted a classification appeal for the position of Criminal Investigator, GS-1811-12, [organizational location], Immigration and Naturalization Service (INS), U. S. Department of Justice, [geographical location]. The appellant believes the position should be classified as Criminal Investigator, GS-1811-13.

The appeal has been accepted and decided under section 5112 of title 5, United States Code (U.S.C.). This is the final administrative decision on the classification of the position subject to discretionary review only under the limited conditions and time outlined in part 511, subpart F, of title 5, Code of Federal Regulations.

## **General issues**

The appellant maintains that the investigative assignments for which he is primarily responsible are identical to those of GS-13 Criminal Investigators from his agency assigned to the interagency [organization (#####)]. He also believes that the acceptance of three of the four cases he submitted as representative of his assignments by the (#####) for further investigation establishes that he performs GS-13 level work.

The appellant makes various statements regarding his agency's evaluation of his position. 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 make that decision solely by comparing his current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison.

## **Position information**

The appellant is assigned to position description number [#]. The appellant, his supervisor, and the agency have certified the accuracy of the position description.

The appellant functions as a field-level Criminal Investigator. In this capacity, the appellant is responsible for initiating, controlling, coordinating, and conducting a wide range of complex and sensitive investigations of organized criminal activities that are violations of [agency] enforced laws. The investigations in which the appellant is primarily involved focus on foreign nationals, their associates and organizations involved in or conspiring to engage in illegal drug trafficking, money laundering, firearms violations, prostitution, alien smuggling, document fraud, and a variety of other criminal activities. These activities typically result in incarceration, deportation, or both, for the foreign nationals involved. The appellant is currently assigned as the [agency] representative to the [organization] (#####) task force. This task force is comprised of representatives of a variety of local, state, and Federal law enforcement agencies primarily concerned with drug trafficking in the metropolitan [city] area.

The appellant provided case analysis worksheets on four investigations, two which have been completed and two which are continuing, as being representative of the types of cases that have been his primary responsibility for the past five years. He was the lead or case agent on three of these investigations which were moved to the jurisdiction of the [#####]. This task force is primarily concerned with major drug trafficking organizations which finance the importation, manufacture, or distribution of large quantities of controlled substances, and launder the proceeds from such activities. These organizations routinely rely on violence as a means of intimidation, enforcement, and retaliation in carrying out their operations. The task force is made up of prosecutors and law enforcement personnel from a variety of local, state, and Federal agencies. The investigations conducted are usually complex, multiple year undertakings involving multiple defendants, sophisticated electronic and undercover techniques, and requiring significant prosecutorial involvement. Following is a summary of those three cases: [names].

*[name*

[Name], which ran for almost a year, focused on the activities of an organization operating in an area falling under the jurisdiction of the [organization] for the [location]. It centered on a multi-layered criminal organization run by foreign nationals transporting female foreign nationals, some of them minors, between states for the purpose of prostitution. The organization would transport women, generally [group] or [group], who would work out of a number of brothels located throughout the eastern United States. The women would be taken to a state and then rotated each week through the several brothels set up in the geographic area by the organization. After a period of time, they would then be transported to their home base or to another state and the cycle repeated. The wide dispersion of the brothels through such a large area geographically presented considerable jurisdictional problems. Additionally, the clients of this operation were restricted to Mexican and Central American males to prevent penetration by undercover personnel. This resulted in law enforcement organizations having to wait and gather enough probable cause evidence to execute search warrants. When arrests did take place, those arrested would be charged with misdemeanors, then post bond and flee the area to avoid prosecution. Since this activity involved laws for which [agency] has enforcement responsibility, [agency] was the lead agency and the appellant became the case agent.

The appellant coordinated the activities of both local and Federal law enforcement organizations and prosecutors to gather evidence and to execute state and Federal arrest and search warrants. Information from the records of local law enforcement organizations was used to identify those in charge of the organization, establish the existence of conspiracy, and establish a basis for Federal prosecution. Evidence was also gathered through informants and multi-agency surveillance operations. Being fluent in Spanish, the appellant conducted interviews and interrogations of suspects and witnesses following the execution of arrest and search warrants to gather evidence to aid in prosecution on state and/or Federal charges. He was the operation's subject-matter expert on immigration related criminal and administrative matters that arose during the investigation. The appellant was responsible for determining the

alien status and deportability of those arrested, as well as any possible criminal violations of immigration laws, and initiating administrative documents and procedures to start the deportation process. The appellant's work resulted in the first successful prosecution for [name] Act violations in the [geographic location].

*[Name]*

This investigation, initiated prior to 1996, is still in progress and involves a tightly knit, highly organized inner city drug gang. The gang has been associated with distributing drugs, murder, assaults, intimidation of witnesses, police corruption and other illegal activities. Some individuals have also been linked to the distribution of drugs in [states]. The gang's drug supplier has been identified. One goal of the investigation is the identification and investigation of other individuals associated with the activities of the gang. The appellant coordinated the activities of the multiple law enforcement organizations having a role in the investigation. Investigative tactics employed to gather evidence included the use of informants, undercover agents, and organized surveillance.

This investigation has resulted in three suspects being taken into Federal custody, three others being indicted by county authorities for involvement in the shooting of an investigator, and another being charged with Federal firearm violations.

*[Name]*

The focus of this continuing investigation is a number of multi-level [group] youth gangs engaged in drug distribution, document fraud, robbery, murder, aggravated assault, theft, and other criminal activities within the city of Atlanta and four or more of the surrounding counties. The gang members are predominantly foreign-born individuals who are undocumented for entry into the United States. Some have been identified as having been previously affiliated with gangs in states such as [states]. For these reasons, the organizations have proven difficult to penetrate with informants and undercover agents. This investigation also has as a goal the detection and identification of any unknown individuals and organizations having a role in the illegal activities of these gangs. Several co-conspirators who are legitimately employed individuals, business owners, and one representative of a Mexico based drug distribution network have been identified during the course of the investigation. The investigation resulted from a request from the [organization]. Initially an investigation run by the [organization], it was determined that the investigation could be more effectively conducted under the auspices of [#####]. [agency] was the lead agency in this investigation and the appellant became the case agent.

The appellant searched the gang intelligence database maintained by the [organization] to determine if information existed on individuals identified as suspects. Information resulting from the activities of local and state law enforcement organizations is entered into the database. The database is accessible to law enforcement organizations authorized by the [organization] via the Internet. The appellant coordinated the activities of the multi-

jurisdictional local, state, and Federal law enforcement organizations involved in the investigation. He was the principal undercover agent for drug purchases and negotiations with the representative of an international drug cartel, and coordinated two wiretap intercepts and numerous surveillance operations. The investigation has resulted in the execution of numerous state and Federal arrest and search warrants and the initiating of deportation proceedings against a number of individuals.

### **Series and title determination**

The agency classified the position in the Criminal Investigating Series, GS-1811, which includes positions that involve planning and conducting investigations relating to alleged or suspected violations of criminal laws. These positions primarily require a knowledge of investigative techniques and a knowledge of the laws of evidence, the rules of criminal procedure, and precedent court decisions concerning admissibility of evidence, constitutional rights, search and seizure, and skill in applying the techniques of maintaining surveillance and performing undercover work. The appellant does not contest his series determination, and we agree. The title *Criminal Investigator* is authorized for nonsupervisory positions included in the GS-1811 series.

### **Standard determination**

Grade-Level Guides for Classifying Investigator Positions, GS-1810/1811, February 1972.

### **Grade level determination**

The Grade-Level Guides for Classifying Investigator Positions uses two factors to distinguish between grade levels: *Complexity of Assignments* and *Level of Responsibility*. The guide provides for the review of assignments that are typical and representative of the cases for which the investigator has primary responsibility over an extended period of time. It recognizes that an investigator, at any grade level, may work from time to time on particular investigative tasks associated with cases assigned to other investigators. Similarly, an investigator may lead or coordinate the work of other investigators who are temporarily assigned to work on cases for which he or she has primary responsibility, e.g., when additional staff is needed to maintain surveillance in several places on a 24-hour basis, when a large number of separate leads must be tracked down in a short amount of time, when an investigation is centered in one geographic area but involves issues that require inquiries in other geographic areas. These temporary conditions are a normal part of completing investigative assignments and have no particular impact with respect to determining the grade level worth of an investigator's position. Similarly, there is no particular relationship between the grade level of the investigator who has primary responsibility for a case and the grade levels of the positions of the other investigators who are temporarily called upon to help with particular investigative tasks.

### *Complexity of Assignments*

This factor measures the scope, complexity, and sensitivity of investigative assignments in terms of six elements.

*Element 1. This element is concerned with the level of difficulty involved in resolving conflicting facts or evidence.*

At the GS-12 level, cases will typically involve several principals for whom suspicion is initially aroused by circumstantial evidence, e.g., word of mouth, tips, observations, rather than by directly verifiable evidence, e.g., paid bills, licenses, passports, or testimony. The evidence tends to be fragmentary or cold. Improper development and conduct of the case could cause significant repercussions, e.g., cause public embarrassment for the agency involved, the principals under investigation, or discredit the agency's investigative program.

At the GS-13 level, cases are of extreme complexity and scope. For example, the assignments involve investigations of legal or illegal organizations having very complex structures with a large number of primary and secondary activities, e.g., several principals of organized crime or subversive groups that are officially recognized in law enforcement as threats to the nation's peace and stability. Investigations are of major interregional dimensions or are nationwide in origin or coverage with occasional international implications. There are typically actual or potential threats or challenges to major segments of the national welfare or security, e.g., threats to the fabric of society resulting from conspiracies to engage in large scale distribution of drugs or other illegal items, the potential threat of large, multi-cell terrorist or other organizations. The results, effects, or consequences of the investigation, to a major degree, constitute deterrents to crimes or violations and may often directly influence changes in laws or future court actions. The GS-13 investigator must piece together evidence that comes from other investigators stationed throughout several states or the nation. From this evidence, the investigator must recognize the suspect's pattern of operation to anticipate or even influence events as they unfold by instructing separate investigators or units of investigators working on segments of the case. This complicates the case because the investigator must at the same time avoid entrapment of the suspects, as at the lower grade levels of the occupation, who are more prominent and numerous, and engage in more complex and serious activities. The GS-13 investigator must also be more aware of the implications of precedent court decisions over a broader area, i.e., in more judicial and law enforcement jurisdictions.

The appellant's evidence-gathering activities relate to cases that do not fully meet the extreme complexity or scope of investigations as described at the GS-13 level. The groups the appellant penetrates do not have the complex structures with numerous primary and subsidiary activities, e.g., several principals of organized crime or subversive groups that are officially recognized in law enforcement as threats to the nation's peace and stability. The appellant's cases also do not have the major interregional dimensions, nationwide origin, or international

implications envisioned at the GS-13 level. In the appellant's cases, the criminal activities that crossed into other regions were the result of the relationships among the principals who were engaging in identical criminal activities on a territorial basis or the same principals operating in a number of different geographical locations. The primary responsibility of the appellant was to focus on individuals and organizations engaged in criminal activities primarily in Atlanta and the surrounding metropolitan area. The illegal activities associated with the appellant's cases are limited in terms of organizational sophistication, mix of legal and illegal activities, and operational scale and do not meet the intent of activities found at the GS-13 grade level. Accordingly, this element is credited at the GS-12 grade level.

*Element 2. This element is concerned with the difficulty and complexity imposed by the subjects of the investigation.*

At the GS-12 level, difficulties or complexities resulting from the characteristics or prominence of the subjects investigated include (1) suspected or known racketeers, gamblers, smugglers, etc., who are known through associates, behavior, or background as prominent figures in organized crime or subversion; (2) the principal or financial backer in an organization consisting of separate manufacturers, distributors, and transporters of illegal goods, drugs, alcohol, counterfeit money, fraudulent documents, explosives, or weapons (where the separate parties do not normally know each other or the overall backer); (3) a figure with financial interests overlapping several activities both legal and illegal, e.g., funds from a legitimate concern are diverted and used to finance illegal activity; or (4) the head of an organization involved in legitimate business who is suspected of fraudulent use of invoices, operating fraudulent marriage rings, etc., which are carried out under the cover of the legitimate organization, and the suspected violation requires assistance from several accomplices, e.g., attorneys or accountants who are themselves in positions of public trust.

At the GS-13 level, subjects are involved in the range and variety of such interrelated activities as (1) a suspected foreign agent who, with several associates, is planning acts extremely harmful to national security, e.g., theft of national defense documents for benefit of a foreign government, or compromise of persons who have access to highly classified information concerning national defense; or (2) the organization under investigation has an extremely complex structure with diversified interests, e.g., the manufacture, distribution, and sale of legal or illegal goods in a national market involving a complex network of widespread distribution and sales outlets.

The appellant's investigations involved figures suspected or known to have major involvement in organized prostitution or drug trafficking operations. Particularly in Operation Thirteen, some individuals were identified as having a history of affiliations with organizations involved in drug trafficking. These types of activities are typical of the GS-12 level. The guide describes the target of these types of investigations as a prominent figure in organized crime or subversion. The assignments presented as representative of the appellant's work do not entail the range and variety of activities of potential extreme harm to national security, nor do they



involve the extremely complex structure and diversity of interests of organizations found at the GS-13 level. Accordingly, this element is credited at the GS-12 level.

*Element 3. This element is concerned with the nature of separate investigative matters that grow from the original assignment.*

At the GS-12 level, a substantial number of separate investigative matters typically grow from the original assignment. For example, an investigation beginning with the pusher or passer of stolen or illegal goods, e.g., drugs, counterfeit money, or fraudulent documents, is expanded by piecing together bits of evidence, e.g., from interviews, surveillance, documentary examinations, informants, proceeds through the intermediate distributor, and eventually involves the manufacturer, backer, organizer, importer, etc.

In contrast, investigations at the GS-13 level involve suspected violators who are highly organized crime groups whose criminal activities are interwoven with legitimate business activities. For example, seemingly legitimate construction firms may have ostensibly legal contracts with states, and there is suspicion of bribery of state officials or fraud. The GS-13 investigator develops leads from known criminal activities and finds that these leads cross to legitimate businesses, with suspicion finally being cast on seemingly respected legitimate political, business, or professional leaders. Cases at the GS-13 level also often unfold to involve large scale raids and seizures throughout several states, which normally requires the GS-13 investigator to lead and coordinate several units of investigators from his own and other agencies in tracing leads and gathering information.

In Operations [names], the appellant's assignments involved the identification of foreign nationals engaged in activities in violation of Federal laws. His responsibility was to gather evidence to establish that the parties or organizations being investigated actually committed the violations. While some of the casework on these cases is similar to the type of work discussed at the GS-13 level, the majority of work is representative of the type and scope of investigative matters found at the GS-12 grade level. The appellant's cases reflect the piecing together of evidence and information obtained through interviews, informants, surveillance, interrogations of suspects, examination of documents, and wiretaps that allows him to penetrate groups or organizations under investigation. These cases did not involve highly organized groups whose activities were interwoven with legitimate business activities for concealment purposes or result in large-scale raids and seizures throughout several states. The separate investigative matters evolving from the appellant's cases do not meet the greater scope and complexity envisioned at the GS-13 level. Accordingly, this element is credited at the GS-12 level.

*Element 4. This element is concerned with the difficulty involved in establishing the relationship of facts or evidence.*

At the GS-12 level, investigations involve subjects who are suspected of major and complex criminal activity who are separated from the overt violation by a middleman or organization. This requires the use of techniques such as surveillance, radio communication, toll-call checks, and scientific identification and scientific matching of various specimens to establish a direct link between the suspect and other violators. Developing legal or administratively defensible testimony depends upon using techniques such as pitting one violator, criminal, or witness against another; extensively checking the word of one against another; and exercising great care in evaluating information to establish facts and evidence because of the prominence of the subject or the importance of the case.

At the GS-13 level, the interrelationship between fact and evidence is extremely difficult to establish. Subjects use fictitious names or are otherwise clearly separated from each other and from the illegal activities under investigation. They deal exclusively through subsidiaries and holding companies engaging in diversified mixtures of legal and illegal activities throughout wide sections of the country, e.g., legitimate enterprises that are multisite in scope and that obtain business through fraud or bribery. The work of other investigators or teams of investigators coordinated at the GS-13 grade level involve segments of cases that fully equate to cases that are described at the GS-12 level.

The investigations presented by the appellant match the difficulty involved in establishing the relationships of facts or evidence described at the GS-12 level. His cases do not reflect the complex structure of organizations engaged in illegal activities throughout wide sections of the country as found at the GS-13 grade level. Additionally, at the GS-13 level, the principals of the investigations deal exclusively through subsidiaries and holding companies and are clearly separated from the illegal activities under investigation. The appellant's cases did not include the type of holding companies and diversified mixture of legal and illegal activities that are typical of the GS-13 level. Accordingly, this element is credited at the GS-12 level.

*Element 5. This element concerns the degree of sensitivity that the assigned cases involve.*

At the GS-12 level, cases involve subjects so prominent that after the first witness is interviewed, word of the interview precedes the investigator with the result that subsequent witnesses are evasive because of reluctance to or fear of becoming involved in giving information that they view as exploding into an important Federal case. The subject and his or her peers are very often the focus of major news media and, therefore, any investigation is likely to result in publicity and would to some degree cast suspicion on the reputation of the subject, or prejudice the investigator's case in court, or implicate subsequent administrative decisions.

At the GS-13 level, investigations receive sustained and widespread coverage in the major news media because of the prominence of the suspects or victims of the crime or threat if the investigation became public knowledge prematurely. This could severely hamper the speed of the investigator's progress and endanger the lives of victims. For example, news of an investigation of a major organized crime family member must be closely controlled to prevent the elimination of witnesses or to protect victims who are willing to testify. The suspects' financial involvements extend to enterprises that have a significant impact on the national economy, e.g., the transportation or banking industry. The suspects are principals in financial or other enterprises that reach into state and Federal affairs, e.g., through attempted bribery, fraud, collusion, or extortion of public officials.

The magnitude of the appellant's investigations, the prominence of the subjects or their victims, and the activities in which they were involved would not generate or warrant extensive and sustained coverage by major, i.e., regional and/or national level, media organizations. The suspects were typically foreign nationals and members of local gangs engaged in illegal activities that were primarily local in nature and impact. Some degree of caution was required to protect confidential informants and undercover agents penetrating the organizations and to prevent witnesses providing information regarding the suspects' activities from retaliation. However, there are no indications of the need for or use of extreme measures to prevent information regarding the investigations from becoming known for fear of endangering lives or impeding the progress of the investigation. The suspects and organizations being investigated did not have or generate the financial resources necessary to significantly impact the national economy or subvert public officials through bribery, collusion, or extortion. Accordingly, this element is credited at the GS-12 grade level.

*Element 6. This element is concerned with the jurisdictional problems involved in case assignments.*

At the GS-12 level, jurisdictional problems involve subjects engaged in activities that are the concern of several local, county, state, and Federal agencies, e.g., drug use, trafficking and smuggling, forgery, and alleged subversion, etc. The cases involve a web of relationships that require an extensive knowledge of the laws, rules, policies and procedures of each of the various jurisdictions because the investigator often plans and times raids and surveillances that involve use of local law enforcement agencies.

In contrast, cases at the GS-13 level involve extremely difficult planning and coordination because of extensive jurisdictional problems. For example, evidence may warn the investigator that his or her contacts in other jurisdictions are themselves involved in wide-scale criminal conspiracies, which requires the investigator to use such suspects in double or triple capacities, e.g., in getting and exchanging information without permitting such suspects to realize how they are being used.

The appellant was the primary case agent for and coordinated the multi-jurisdictional aspects of his investigations. In the cases forming the basis of the appellant's appeal, the suspects in his investigations engaged in criminal activities of concern to local, county, state, and Federal law enforcement agencies. In his investigations, the appellant used contacts and coordinated activities involving local, state, and Federal law enforcement agencies. This included local police departments, the [organization], the [organization], [organization], the [organization], etc. The types of jurisdictional problems and involvement described in the appellant's appeal approach the GS-13 level. However, there is no information to support there were cases which entailed the use of suspects in double or triple capacities. Although the appellant's cases approach the GS-13 level in terms of jurisdictional issues, they do not meet the breadth and depth of complexity envisioned at that level. In addition, at the GS-13 level, undercover and surveillance work involves serving as a key person or coordinator in assignments with complex, dangerous, or delicate elements, e.g., penetration of closely knit groups where discovery on undercover assignment would not only result in great injury or death to the investigator but would cut off information linking the evidence together and thus jeopardize or destroy a critical case that the Federal government had been developing for months or years. The appellant's work does not meet the intent of the GS-13 level. Accordingly, this element is credited at the GS-12 level.

### *Level of Responsibility*

This factor measures the kind and extent of supervision given to investigators and the resourcefulness required in finding and verifying information pertinent to the cases assigned.

At the GS-12 level, investigators receive or generate their own assignments. They receive few instructions on the technical aspects of the work but are given mostly policy guidance, e.g., information on understandings of jurisdictional problems being worked out among agencies, or the fact that this is one of the first of a particular type of case since a new court decision, or authorization to follow a case into another district or region, if necessary. The GS-12 investigator is responsible for independently planning cases and working out arrangements with other jurisdictions, e.g., Federal, state and local, except in policy areas. For example, in setting up a joint raid involving Federal and local law enforcement, the investigator is responsible for planning and timing, but in coordinating the commitment of resources and staff the investigator must work through superiors.

At the GS-13 level, investigators receive assignments through program discussions, e.g., conferences or written directives that outline broad objectives to stop smuggling of a particular commodity at a given port. After making a preliminary study of the assignment, the GS-13 investigator outlines the objectives and boundaries of the assignment, plans the resources needed, and includes plans for assuring coordination with other jurisdictions. Instructions are more generalized than at the GS-12 level, and review of work is typically in the form of discussions at certain critical points, e.g., suggestions on the commitment of resources in other domestic or foreign offices that are normally approved. Recommendations for extension, modification, or adoption of new lines of inquiry are normally accepted, although the cases are

of such sensitivity and importance, they must be cleared by individuals at the very highest level of the agency. GS-13 investigators are responsible for devising methods, techniques, and approaches to problems that often set patterns for subsequent investigations in similar areas and are often adopted for use by investigators at lower grades. GS-13 investigators are responsible for devising breakthroughs in investigative approaches, techniques, and policies. An extremely high degree of initiative and originality is required at the GS-13 level because investigations involve inquiry into activities occurring in various locations throughout a wide area, e.g., several states; suspected violators typically retain the best legal or accounting advice available; and investigations often establish important precedents, e.g., the first case of a particular type investigated under a new provision of law, the outcome of which may affect pending cases or influence the decision on such cases in the future.

The appellant operates with a high degree of independence and authority under the overall direction of a Supervisory Criminal Investigator. He is responsible for generating his own case assignments through informants, tips, observations, and information received from other law enforcement personnel. The appellant receives minimal instruction from his supervisor and routine contacts with the supervisor are generally to keep that individual informed of the status of investigations that are in progress. He is responsible, as described at the GS-12 level, for making arrangements with other organizations across numerous, e.g., local, state, and Federal, jurisdictions during the course of his investigations. He is typically responsible for the coordination (planning and timing) of surveillance operations, execution of arrest and search warrants, using undercover agents, etc. The appellant is expected to initiate and terminate cases, or recommend such action, based on a comprehensive knowledge and appreciation of technical investigative considerations and knowledge of governing policies, procedures, and practices. However, issues involving the commitment of resources to an investigation must be resolved at levels above the appellant's. The appellant's work is reviewed periodically in terms of effective and efficient accomplishment within guidelines and policies.

The appellant's investigative cases are not of the degree of importance, complexity or sensitivity as to require a level of originality which would set a standard for methods, approaches or techniques for other investigators. His investigations do not involve organizations with the scope of geographical coverage, organizational expertise and structure, and coordination of operations found at the GS-13 level. Although the appellant demonstrates a high degree of initiative in developing, conducting, and coordinating his own investigations, they do not typically generate responsibilities equivalent to the full intent of the GS-13 criteria. Accordingly, this element is credited at the GS-12 level.

### **Summary**

In summary, both *Complexity of Assignments* and *Level of Responsibility* are evaluated at the GS-12 level.

**Decision**

The position is properly classified as Criminal Investigator, GS-1811-12.