

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

Washington Oversight Division
1900 E Street, NW., Room 7675
Washington, DC 20415-6000

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

Appellant: [name]

Agency classification: Contract Surveillance Representative
GS-1101-11

Organization: [section]
[branch]
[division]
Marine Corps Combat Development
Command
Quantico, Virginia

OPM decision: Procurement Technician
GS-1106-6

OPM decision number: C-1106-06-04

/s/

Linda Kazinetz
Classification Appeals Officer

April 19, 2001

Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a classification 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 the conditions and time limits specified in title 5, Code of Federal Regulations, sections 511.605, 511.613, and 511.614, as cited in the *Introduction to the Position Classification Standards*, appendix 4, section G (address provided in appendix 4, section H).

Since this decision changes 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 the decision, as permitted by 5 CFR 511.702. The servicing personnel office must submit a compliance report containing the corrected position description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action.

The personnel office must also determine if the appellant is entitled to grade or pay retention, or both, under 5 U.S.C. 5362 and 5 CFR 536. If the appellant is entitled to grade retention, the two-year retention period begins on the date this decision is implemented.

Decision sent to:

Appellant:

[name]

Agency:

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Introduction

On September 5, 2000, 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 Contract Surveillance Representative, GS-1101-11, in the [section], of the [branch], [division], Marine Corps Combat Development Command, in Quantico, Virginia. [Appellant] requested that her position be classified as Management Analyst, GS-343-12. This appeal was accepted and decided under the provisions of section 5112 of title 5, United States Code.

An on-site position audit was conducted by a Washington Oversight Division representative on February 13, 2001, supplemented by a follow-up telephone interview on March 7, 2001, and subsequent interview with the appellant's supervisor, [name], on March 12, 2001. 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], classified by the servicing personnel office as Contract Surveillance Representative, GS-1101-11, on April 20, 2000.

Position Information

The appellant performs only limited aspects of the duties listed in her position description. Of those duties, the appellant reported that most of her time is spent on the following three: (1) providing guidance to the contracting officer's representatives (COR's) in developing statements of work (SOW's) and scopes of work and reviewing these documents for accuracy and completeness before forwarding them to the Procurement and Contracting Division; (2) coordinating contracts with external contracting organizations (such as the General Services Administration); and (3) reviewing completed contract files for potential contract closure. However, our review did not confirm that the appellant provides any technical or other substantive input to the development of SOW's or to the administration of ongoing contracts, or that her role in the contracting process extends beyond processing and coordination functions. She provided no work samples indicating that she has any substantive role in the development or review of SOW's. We could confirm only that she receives the SOW's from the COR's, reviews them for completeness, consistency, and accuracy of certain administrative aspects (such as funding, dates, etc.), makes copies, and transmits them to Procurement and Contracting. There was no indication that she questions the COR's regarding the technical aspects of these documents, either to clarify requirements or to point out potential problems. If the contract specialists have any questions relating to the actual content of the SOW's, they contact the COR's directly rather than the appellant. Likewise, we could not confirm that the appellant systematically reviews or inspects contract files maintained by the COR's, although she reported that this is to be done semi-annually.

Of the remaining duties listed in the position description, the appellant does not "plan and review contractual requests" or "develop documentation for new work." Rather, work requests are submitted directly to the technical personnel within the organization, who define the requirements and parameters of the work. The only documentation the appellant develops are occasional, brief, sole source justifications (e.g., for office furniture purchases). She does not "investigate contractor claims for payment for services or supplies." The appellant reported that

two such claims were filed this year, but in neither case did she perform the site survey, research the payment history by examining the invoices, or meet with the contractors to discuss the claims. Her role was limited to exchanging information with Procurement and Contracting. Although her position description also refers to processing ratifications, the appellant reported that none have been received during her tenure in this job.

The position description states that the appellant “oversees all [division] COR’s,” providing them guidance as needed and “conducting follow-up inspections on deficient areas,” but this misrepresents the role she occupies in the organization. It would be more accurate to say that she assists and supports the COR’s in their assigned responsibilities, as the appellant acknowledged that the contracting training that new COR’s receive is comprehensive and that she has not issued them any additional written guidance. Although the appellant may request information from the COR’s in response to inquiries from others, such as Procurement and Contracting, this is a coordinative rather than an oversight role. There is no indication that the appellant conducts any follow-up inspections relating to the COR’s work.

The appellant does not perform “quality assurance evaluator duties in support of contract administration and production evaluation” as described in her position description, nor does she document contract quality performance or identify and document deficiencies. Shortly upon entering this position, the appellant developed a simple critique form to be filled out by customers upon completion of contracted work. Since then, she reported that she has received four completed forms, and that since none indicated any problems, she has not performed any follow-up action. She does not have any role in personally inspecting or evaluating contractor performance.

The appellant does not “monitor and coordinate the development, formulation, and execution of Customer Service Agreements (CSA’s),” nor does she “oversee technical liaison between contractors and COR’s” to ensure that the scope of the contract has not changed. This implies that the appellant occupies an oversight or authoritative role over the COR’s, when in effect she is responsible for processing documents, such as CSA’s and contract modifications, that have been developed by others. She has no authority or control over the content of these documents or the scope of the contracted work.

The appellant’s position description also assigns her responsibility for supervising the supply function, including three military personnel. While this appeal was in process, however, this function was reassigned elsewhere, and the appellant no longer has any supervisory responsibilities. However, this does not affect the classification of her position. A position may be evaluated on the basis of its supervisory duties only if those duties comprise at least 25 percent of the position’s time. In the appellant’s case, the supervisory duties were identified in her position description as occupying only 15 percent of her time, and the appellant confirmed that this estimate was accurate. Therefore, the grade of her position could only be based on the performance of her nonsupervisory duties, irrespective of her supervision of the supply function. Conversely, even if the supervisory duties were more time-consuming, the supply function represented one-grade interval clerical/technician work, classifiable at no higher than the GS-7 level (when converted to the civilian General Schedule pay system.) Supervising work at that

grade level would not serve as the basis for supporting the current grade level of the appellant's position.

The appellant provided a number of work samples wherein she developed revised procedures for various [division] contracting/purchasing functions. These work samples were in the form of memos to the record or informal memos to the Director, [division]. The appellant reported that she had presented these proposals to the Director and that he subsequently adopted them by conveying them to his subordinate supervisors at staff meetings. We could not confirm that these proposals had been accepted or formalized by the Director. The latest proposal, regarding travel card procedures, was recently presented to her current immediate supervisor. However, the supervisor indicated that this was neither solicited by him, nor does he regard this type of work as one of her assigned responsibilities.

The appellant's major work activities in the past year have been limited to certain one-time projects, such as developing the critique form referenced above and preparing master listings of [division] contracts and CSA's, in addition to her ongoing coordination functions, such as reviewing and processing SOW's and contract renewals, ensuring that final invoices have been received and coordinating the close-out of contracts with the COR's and Procurement and Contracting, coordinating the submission of contract modifications to Procurement and Contracting, coordinating with Procurement and Contracting on contractor payment problems, preparing requisitions to have work performed, and consolidating COR input on Procurement and Contracting information requests.

Series Determination

The appellant's position should not be classified to the General Business and Industry Series, GS-1101. This series includes positions involving any combination of work characteristic of two or more series in the GS-1100 Business and Industry Occupational Group where no one type of work is predominant, or other work properly classified in this group for which no other series has been provided. This series is not appropriate because the appellant does not perform duties associated with two or more of the established occupations within this group (e.g., such functional specializations as contracting, purchasing, production control, financial analysis, realty, or appraising, or program-intensive fields like agricultural marketing or crop insurance underwriting). In addition, the appellant's work is covered by the Procurement Clerical and Technician Series, GS-1106.

The GS-1106 series covers one-grade interval clerical and technical work that supports the procurement of supplies, services, and/or construction. It includes such work as preparing, controlling, and reviewing procurement documents and reports; verifying or abstracting information contained in documents and reports; contacting vendors to get status of orders and expedite delivery; maintaining various procurement files; resolving a variety of shipment, payment, or other discrepancies; or performing similar work in support of procurement programs or operations. The work in this series requires a practical knowledge of procurement procedures, operations, regulations, and programs.

Within the position classification system, the one-grade interval series such as the GS-1106 series represent clerical or support work. Work of this nature involves general office or program support duties such as preparing, receiving, reviewing, and verifying documents; processing transactions; maintaining office records; locating and compiling data or information from files; and storing or manipulating information in databases. Support work usually involves proficiency in certain limited phases of a specified program. Employees who perform support work follow established methods and procedures. Support work can be performed based on a practical knowledge of the purpose, operation, procedures, techniques, and guidelines of the specific program area or functional assignment.

In contrast, two-grade interval administrative work requires a high order of analytical ability combined with a substantial body of knowledge related to the principles, concepts, and practices applicable to an administrative or management field. It requires comprehensive knowledge of the methods used to gather, analyze, and evaluate information, skill in applying problem solving techniques, and skill in communicating effectively both orally and in writing. Administrative work involves such functions as planning for and developing systems, functions, and services; formulating, developing, recommending, and establishing policies, operating methods, or procedures; and adapting established policy to the unique requirements of a particular program. The primary skill requirements are not the ability to carry out established procedures and processes, but rather to analyze a given issue or case assignment both to ascertain the facts *and* to determine the actions necessary to achieve the required results; to conduct research for the purposes of gathering additional information, identifying options, and determining regulatory requirements; to prepare written products including findings and conclusions; and to explain, defend, or promote the results of the work to others.

There is no indication that the appellant is performing two-grade interval work. Her ongoing duties consist largely of coordinating the submission of various documents to others. She did not provide any work samples wherein she was required to analyze a problem situation or work requirement, conduct research to identify options and determine the best course of action, and develop findings and recommendations. The written work samples she did provide consisted almost entirely of e-mail messages wherein she was conveying information to others (e.g., when serving as a liaison between the COR's and Procurement and Contracting), or coordinating basic procedural requirements (such as requesting invoices, COR appointments, or contract modifications.) This work is one-grade interval in nature and corresponds to work described in the GS-1106 series standard.

Title Determination

The authorized title for nonsupervisory positions in this series at grades GS-5 and above is Procurement Technician.

Grade Determination

The GS-1106 standard is written in the Factor Evaluation System (FES) format, under which factor levels and accompanying point values are to be assigned for each of the following nine factors, with the total then being converted to a grade level by use of the grade conversion table

provided in the standard. The factor point values mark the lower end of the ranges for the indicated factor levels. For a position to warrant a given point value, it must be fully equivalent to the overall intent of the selected factor level description. If the position fails in any significant aspect to meet a particular factor level description, the point value for the next lower factor level must be assigned, unless the deficiency is balanced by an equally important aspect that meets a higher level.

Factor 1, Knowledge Required by the Position

This factor measures the nature and extent of information an employee must understand in order to do the work, and the skills needed to apply that knowledge.

The knowledge required by the appellant's position matches Level 1-3. At that level, the work requires knowledge of standardized procurement regulations, procedures, and operations including, for example, knowledge of the various steps and procedures required to provide a full range of procurement support related to recurring or standardized buys for commonly used supplies or services (e.g., maintaining source lists, assembling simple solicitation packages, responding to recurring questions from vendors, and preparing amendments to solicitations); knowledge of processing procedures for the various modes of procurement, such as imprest fund accounts, bank cards, delivery orders, purchase orders, and simple contracts; knowledge of related functional areas, such as supply or finance, to investigate and resolve discrepancies; and knowledge of automated databases to input information and generate standard reports.

The appellant's work requires a general, basic level of knowledge regarding the procurement process as it relates to the types of services provided by her organization, e.g., the types of documentation that must be submitted to Procurement and Contracting for various types of actions, and understanding of how the procurement function interrelates with the budgetary and accounting functions of the organization.

The position does not meet Level 1-4. At that level, work requires in-depth or broad knowledge of procurement regulations, procedures, and policies including, for example, knowledge of the wide variety of interrelated steps and procedures required to assemble, review, and maintain procurement files related to complex contracts (e.g., large purchases for specialized supplies or large purchases for services and construction); knowledge of what constitutes acceptable delays to monitor contractor performance and coordinate and recommend corrective action; knowledge of the relationship of procurement to other functions such as inventory management, transportation, and supply, to research errors or investigate complaints; knowledge of the requirements of various contract clauses and special laws (e.g., Davis-Bacon, Service Contract, Prompt Payment Acts, progress payments, etc.) to ensure the inclusion of necessary information and supporting documentation in bid and solicitation packages and to monitor contractor compliance with these provisions; and knowledge of automated procurement systems to reconcile errors that require an understanding of nonstandard procedures.

The duties performed by the appellant do not require the depth or breadth of knowledge expressed at this level. She does not assemble complex procurement documentation, nor does she review any such documentation for content. She does not monitor contractor performance

for timeliness, investigate complaints, or monitor the contractual or legal compliance of contractors.

Level 1-3 is credited.

350 points

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 level of responsibility under which the appellant works is comparable to Level 2-3 (the highest level described under this factor), where work is covered by standing instructions and guidance is provided for unusually involved situations, where the employee plans and carries out the work using accepted practices and procedures, and where the supervisor reviews the work for technical soundness, appropriateness, and conformance to policy and requirements.

This basically expresses the degree of supervision under which the appellant operates. Most of her work is coordinative in nature and thus is carried out without direct supervision, in accordance with general instructions regarding points of contact and standard operating procedures. Her work does not have a substantial degree of technical content, but is reviewed from the standpoint of appropriateness and effectiveness of the actions taken.

Level 2-3 is credited.

275 points

Factor 3, Guidelines

This factor covers the nature of the guidelines used and the judgment needed to apply them.

The guidelines used by the appellant match Level 3-3 (the highest level described under this factor), where guidelines include established procedures and other specific guidelines such as specific acquisition regulations, supply manuals, and commercial catalogs, but are not completely applicable to many aspects of the work. For example, in resolving problems encountered in contract closeout, the employee determines relevant information by reviewing and reading various documents in contract files and procurement records. The employee must use judgment to interpret guidelines, adapt procedures, decide approaches, and resolve specific problems.

The appellant must understand and use those provisions of the acquisition regulations that directly pertain to her work. Some of her assignments, such as contract closeouts and modifications, may involve contacting others to reconstruct events in order to determine the required course of action.

Level 3-3 is credited.

275 points

Factor 4, Complexity

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

The complexity of the appellant's work is comparable to Level 4-3 (the highest level described under this factor). At this level, work involves performing various procurement support duties using different and unrelated procedures because the transactions are not completely standardized or are interrelated with other systems (e.g., supply) and require extensive coordination with various personnel. The employee identifies the nature of the problem and determines the need for and obtains additional information through oral or written contacts and by reviewing regulations and manuals. For example, employees at this level perform such duties as processing applications for contracting officer warrants; reviewing and reconciling various documents and records and resolving problems through coordination with personnel in other offices; assembling and reviewing various solicitation packages for incompatible information or administrative discrepancies; and processing amendments and modifications, monitoring the status of deliverables, reconciling invoices, and preparing information for closing out contracts.

The appellant's duties are varied and require considerable coordination in such functions as reviewing SOW's and requisitions for completeness, consistency, and accuracy; coordinating the submission of contract modifications; and obtaining final invoices to close out contracts.

Level 4-3 is credited.

150 points

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 both within and outside the organization.

At Level 5-2, the purpose of the work is to perform a range of procurement support tasks that are covered by well-defined procedures and regulations. Work products, in the form of corrected errors, assembled orders and contracts, or records of contacts and discussions about status or delays, affect the accuracy and reliability of the work of contract specialists and personnel in related functions.

At Level 5-3, the purpose of the work is to apply conventional practices to treat a variety of problems in procurement transactions. Problems might result, for example, from insufficient information in contract files, a need for more efficient processing procedures, requests to expedite urgently needed items, or a contractor's inability to meet delivery schedules. The work results in recommendations, solutions, or reports that directly affect customer or vendor relations or operations.

The appellant's work is more coordinative than problem-solving in nature, and consists of such work as processing documents, correcting administrative errors, and answering questions related to status or contract changes. As such, it affects and facilitates the work of others (such as the

COR's and contract specialists), consistent with Level 5-2. However, since the appellant does not personally investigate and recommend solutions to problems that directly affect contractor relations or operations, Level 5-3 does not apply.

Level 5-2 is credited.

75 points

Factor 6, Personal Contacts

and

Factor 7, Purpose of Contacts

These factors include face-to-face and telephone contacts with persons not in the supervisory chain and the purposes of those contacts. The relationship between Factors 6 and 7 presumes that the same contacts will be evaluated under both factors.

Under *Persons Contacted*, the appellant's contacts match Level 2 (the highest level described under this factor), where contacts are with employees outside the immediate organization and with contractors or sales representatives.

Under *Purpose of Contacts*, the appellant's contacts match Level B (the highest level described under this factor), where the purpose of the contacts is to plan and coordinate actions or to correct or prevent errors.

Level 2B is credited.

75 points

Factor 8, Physical Demands

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

The position matches Level 8-1, which covers sedentary work.

Level 8-1 is credited.

5 points

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.

The position matches Level 9-1, which describes a typical office environment.

Level 9-1 is credited.

5 points

Summary

<u>Factors</u>	<u>Level</u>	<u>Points</u>
Knowledge Required	1-3	350
Supervisory Controls	2-3	275
Guidelines	3-3	275
Complexity	4-3	150
Scope and Effect	5-2	75
Personal Contacts/ Purpose of Contacts	2B	75
Physical Demands	8-1	5
Work Environment	9-1	<u>5</u>
Total		1210

The total of 1210 points falls within the GS-6 range (1105-1350) on the grade conversion table provided in the standard.

Decision

The appealed position is properly classified as Procurement Technician, GS-1106-6.