

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



Philadelphia Oversight Division
600 Arch Street, Room 3400
Philadelphia, PA 19106-1596

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

Appellant: [appellant's name]

Agency classification: Employee Development Assistant
GS-203-7

Organization: Division [name]
Office of [name]
Chief of Operations
Health Care Financing Administration
U.S. Department of Health and Human
Services
[location]

OPM decision: Employee Development Clerk
GS-203-5

OPM decision number: C-0203-05-01

Robert D. Hendler
Classification Appeals Officer

1/29/99

Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), 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]
[address]

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Introduction

On October 1, 1998, the Philadelphia Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant's name]. Her position is classified currently as Employee Development Assistant, GS-203-7, Position Description (PD) #177000. The appellant, however, believes the classification should be Employee Development Specialist, GS-235-9. The position is in the Division of [name], Office of [name], Chief of Operations, Health Care Financing Administration (HCFA), U.S. Department of Health and Human Services, [location]. We have accepted and decided her appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

The appellant's initial appeal letter, mailed on September 24, 1998, included a description of the duties she performed that was consistent with the duties described in her PD. In a letter posted October 6, 1998, the appellant stated that her PD did not recognize functions that she performed that she believed were described in an Employee Development Specialist (EDS) GS-235 PD within the division, namely:

- (1) responsible for developing and implementing component specific learning activities;
- (2) provide comprehensive services to one or more agency components including identifying priority learning needs, recommending appropriate courses of action, and identifying external sources; and,
- (3) responsible for one or more major function areas, such as training policies and practices.

The appellant did not certify to the accuracy of her PD and took issue with the manner in which HCFA's Human Resources Management Group classified her position. The appellant pointed out that her responsibility for an entire component, the Office of [name] had been ignored and "covers all aspects of training, budget, etc. which was clearly only in the GS-235 job description and not at all in my GS-203 description." Further, the appellant expressed concern that there were duties in her PD that she was not performing, and that her supervisor did not add new duties that would prove to him that she could perform higher graded analyst work.

When an employee questions the accuracy of the PD, and cannot resolve the disagreement with the agency, OPM will decide the appeal based on the actual duties and responsibilities assigned by management and performed by the employee. All positions subject to the Classification Law contained in title 5, U.S.C., must be classified in conformance with published position classification standards (PCS's) of OPM. Therefore, other methods or factors of evaluation, such as comparison to other positions that may or may not be classified correctly, such as those cited by the appellant, are not authorized for use in determining the classification of a position. While the appellant believes she could perform higher graded work if it were assigned to her, that issue cannot be considered in

deciding this appeal. The right to assign work is a management decision and is not appealable to OPM.

Our analysis of the position is based on the information provided during a telephone audit with the appellant and a telephone interview with her immediate supervisor, [name], Director, Division of [name] on November 23, 1998, corroborating information obtained during an on-site audit with the appellant and an interview with [name] on December 22, 1998, and on our independent review and analysis of the entire appeal record.

Position information

The appellant's PD describes limited technical support work including: (1) operating the Learning Center so that scheduling, maintenance, and coordination of services meet the needs of instructors and students; (2) assisting the EDS's in the preparation of course announcements, monitoring registration activity and advising EDS's of appropriate action; (3) reviewing and summarizing evaluative information for reporting to specialists; and (4) researching a variety of resources to address learning needs. Our audit found that the appellant does not perform the full range of duties described in her PD of record.

The appellant serves as the point of contact for approximately 120 employees within the [name] at the [location] facility and performs many support duties that assist in the administration of training activities. The appellant answers general questions from [name] employees on how to obtain training and provides catalog information if needed, processes their training requests, submits registrations as appropriate, confirms registration with the employees, and resolves registration problems that may occur. Once training is approved, the appellant enters information for [name] registrants into an information database (IMPACT), and when the workload requires, also inputs the data of other organizations. Training attendance is confirmed through various means so that completion may be certified in IMPACT and entered into the HCFA training history file (HEIRS). The appellant may also purchase training products (books, supplies, videos, etc.) or work on a divisional team, e.g., to administer training delivered by satellite, where she performs a variety of clerical activities that include preparing training announcements and handing out materials. One morning a week, the appellant works at the Learning Center (the classroom facility) where she opens the training center, posts signs to direct participants to classrooms, meets and orients the instructors to the facilities, and obtains supplies needed in the classroom. She also secures the classrooms at the end of the day.

Series, title, and guide determination

The agency determined the title and series of the position is Employee Development Assistant, GS-203 with which the appellant has disagreed. The appellant believes her position is correctly classified as an Employee Development Specialist, GS-235. The Handbook of Occupational Groups and Series of Classes (Handbook) defines the Employee Development GS-235 Series as including positions that involve planning, administering, supervising, or evaluating a program designed to train and develop employees. This series also covers positions that provide guidance, consultation, and staff assistance

to management concerning employee training and development matters. GS-235 positions require as their paramount qualifications an understanding of the relationship of employee development and training to management problems and to personnel management objectives, methods, and procedures; analytical ability; and a knowledge of the principles, practices, and techniques of education or training.

Two-grade interval specialist work within the Personnel Management and Industrial Relations, GS-200 Group involves the exercise of analytical ability, judgment, and application of a substantial body of knowledge of principles, concepts, and practices applicable to one or more areas of personnel management. While specialized education is not required of these positions, they do involve the type of skill (analysis, research, writing, and judgment) typically acquired in a college education or through progressively responsible experience. Employees engaged in this work are concerned with analyzing, evaluating, modifying, and developing the basic programs, policies, and procedures that affect human resource management within an organization. Specifically, GS-235 specialists perform some or all of the following kinds of work:

Analyze and identify the training and developmental needs of employees in light of the organization's mission by analyzing an organization's work, individual positions, performance criteria, and deficiencies.

- Plan for anticipated employee development needs of the organization based on long-range staffing plans.
- Determine priorities among problems that can be solved by training, identifying possible solutions to problems (including non-training solutions and alternative modes of training as solutions, e.g., formal classroom, on-the-job, mentoring, cross-training, etc.).
- Weigh alternative solutions in terms of potential benefits and costs to the organization.
- Develop a plan of implementation when training is the appropriate solution.
- Develop guidelines, instructional methods, course materials, training aids, and newer applications of educational technology.
- Evaluate training given to employees, recommending improvements in the instructional methods, coverage, and organization of programs.
- Review, analyze, and evaluate operating programs to assess their quality and overall effectiveness. This typically involves conducting surveys, commenting on proposed legislation, policies, procedures, and directives affecting the employee development program.

Classification decisions are based on the duties and responsibilities of the position, qualifications required, purpose of the work, and management's intent in designing the position. While the appellant believes her duties are best classified under the GS-235 series, we find that is incorrect for the following reasons.

The appellant, in discussing the duties she performs, provided no evidence of the kinds of work described above and that show the depth of knowledge required to integrate the organization's mission with the theories and principles involved in creating and maintaining an effective employee development program. Instead, the appellant provided many examples of tasks that involve support work such as: processing training requests, inputting data, explaining established training policies and procedures, and resolving factual discrepancies. This work clearly supports that of the specialists and involves practical knowledge gained through experience and/or specific training, but does not require the application of knowledge and skills equivalent to that required for two-grade interval work.

The appellant's work does compare favorably to the kinds of duties and responsibilities described in the Personnel Clerical and Assistance Series, GS-203. This series includes positions that supervise, lead, or perform: (1) clerical work requiring substantial knowledge of civilian personnel terminology, requirements, procedures, and functions to process documents (applications for employment, promotion, Federal benefits and services, training, official personnel actions, etc.), prepare recurring personnel reports, explain personnel procedures, maintain master personnel and organizational records, and provide miscellaneous clerical support in personnel-related unit; and (2) limited technical work requiring substantial practical knowledge of one or more civilian personnel management specialties such as staffing, employee relations, and classification. These positions do not require the broad knowledge of Federal personnel systems or the depth of knowledge about personnel management concepts, principles, and techniques which are characteristic of the recognized personnel management specialist positions.

In our interviews, the appellant's supervisor explained it was his intent that this position register people for classes, perform data entry, back-up the Learning Center operations, and assist specialists on special projects. The record shows that when the division was reorganized in July 1997, the supervisor communicated to the division staff that the appellant was available to process training requests, register employees for courses, support other staff members, and participate in the operation of the Learning Center facility. Most recently (August 1998) the appellant's PD was revised to include all the duties as described herein by the appellant and the supervisor. Therefore, we concur with the agency that the position is properly classified in the GS-203 series. We find, however, that the appellant is not performing the grade controlling duties described in the PD, e.g., conducting full Learning Center operations; monitoring registration activity for effective scheduling of classes; reviewing and summarizing evaluative data; and helping in the identification of resources for specific learning interventions. Since the duties performed by the appellant are essentially clerical in nature, they must be evaluated by Part I of the GS-203 PCS.

Grade determination

The published Personnel Clerical and Assistance Series, GS-203 PCS uses the Factor Evaluation System (FES) that employs nine factors. Under the FES, each factor level description in a standard or guide 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. Our evaluation with respect to the nine FES factors follows.

Factor 1, Knowledge required by the position

The appellant's knowledges meet Level 1-3. At this level, the appellant uses knowledges very similar to that described in the standard for employee development activities, e.g., process training requests (by reviewing requests for completeness, coding and inputting training data for an automated system, coordinating notification of employees approved for training, obtaining course evaluations, and verifying that training was completed), maintain records of costs for various kinds of training, reserve spaces, obtain supplies and equipment, assemble student handouts, distribute information on training courses, and maintain career-development folders on individual employees.

The appellant applies knowledges that fall short of Level 1-4. As noted previously, the appellant's PD describes limited technical support work such as operating the Learning Center; monitoring registration activity for effective scheduling of classes; reviewing and summarizing evaluative data; and helping in the identification of resources for specific learning interventions, but the appellant performs very narrow aspects of this work that are clerical in nature. For example, her activities in the Learning Center comprise less than 10 percent of her time and are limited to standard repetitive tasks. The appellant processes OSP registration information, but does not monitor overall class enrollments for the division to recommend cancelling courses. While she may collect course evaluations, she does not analyze the comments, perform calculations, or summarize the salient points as envisioned in the standard. Similarly, the appellant may refer to training catalogs as resources. Nevertheless, the purpose is to provide general information to the requester, not to search out or weigh and compare various learning alternatives.

Factor 2, Supervisory controls

Supervisory controls over the appellant's position meet Level 2-2. The supervisor provides a continuing assignment, indicating generally what is to be done, deadlines, and priority of work. The appellant uses initiative in carrying out recurring assignments independently without specific instructions. However, the supervisor or EDS provides specific instructions for new projects, including the specific tasks to be done. For example, the appellant receives specific instructions from the EDS team leader regarding tasks to perform and sources to use when she participates in the satellite or Internet training groups. Similarly, the supervisor or EDS identifies training supplies to be purchased and the appellant places orders.

Level 2-3 is not met. At this level, an assistant plans the work, resolves problems, and makes modifications within established policy. Examples in the standard point to a higher level of judgment and initiative than tasked to the appellant. While included in the PD, the appellant does not independently negotiate the instructors' needs so that the classroom facility is properly equipped, assess the need for training supplies and materials and independently order replenishment as needed, nor decide from whom to gather source information for course development. Rather, the appellant refers these decisions to higher graded EDS's or the supervisor.

Factor 3, Guidelines

Level 3-2 is met. This is the highest level described in the standard under Part I and identifies guidelines that are available such as work samples, instructions on personnel forms being processed and local policies. As at this level, the appellant follows clear-cut criteria that include local policies regarding the handling of training documentation, the purchase of materials, and the daily operation of the Learning Center. The guidelines require little interpretation. Examples are on-line menus explaining proper coding for input of data and sample course announcements that help the preparation of others.

Level 3-3 is not met. At this level, work requires considerable judgment in applying generally stated policies to individual situations, as typically found in limited technical assistant work, e.g., comparing student learning needs with lesson plans. While the PD describes opportunities for this to occur (e.g., registration and payment problems that would rely on Comptroller General decisions), the appellant does not perform any of the duties related to collecting fees, tracking monies owed by components, and reconciling reports for use in transferring funds.

Factor 4, Complexity

Level 4-3, the highest level described in either Part I or Part II of the PCS, is met. The appellant's work consists of different and unrelated processes that require decisions regarding what needs to be done. For example, the accurate processing of training requests requires the appellant to identify the source of training, the appropriate means of payment, and the various sources that can certify completion of training. Other processes requiring accuracy include the input of data into two automated information systems and the procurement of training products and supplies.

Factor 5, Scope and effect

Level 5-2, the highest level described in Part I of the PCS, is met. The appellant follows specific procedures as appropriate under various requirements (e.g., training requests, automated information, procurement actions). The work improves the overall efficiency of the unit and the accuracy and reliability of training and billing information.

Level 5-3 is not met. The standard refers to various technical actions that have a direct impact on the adequacy of the training itself, such as adjusting lesson plans and teaching points to fit the students' needs. The record shows the appellant does not perform this kind of work.

Factor 6, Personal contacts

Level 6-2, the highest level described in either Part I or II of the PCS, is met. Personal contacts are generally with all levels of employees, supervisors, union representatives and administrative staffs in the organization served or in the training facility.

Factor 7, Purpose of contacts

Level 7-2, the highest level described in either Part I or II of the PCS, is met. Personal contacts involve providing information, resolving minor problems, and obtaining cooperation.

Factor 8, Physical demands

The appellant's position meets Level 8-1 based on normal office activity typical of the environment.

Factor 9, Work environment

The appellant's work environment consists of the everyday risks and discomforts of offices and similar work sites, warranting evaluation at Level 9-1.

Summary

In summary, we have evaluated the appellant's position as follows:

Factor	Level	Points
1. Knowledge required by the position	1-3	350
2. Supervisory controls	2-2	125
3. Guidelines	3-2	125
4. Complexity	4-3	150
5. Scope and effect	5-2	75
6. Personal contacts and	6-2	25
7. Purpose of contacts	7-2	50
8. Physical demands	8-1	5
9. Work environment	9-1	5
Total points:		910

A total of 910 points falls within the GS-5 range of 855-1100 points on the Grade Conversion Table in the GS-PCS.

Decision

The appellant's position is classified properly as Employee Development Clerk, GS-203-5. Under the provisions of the Classification Law, OPM has the responsibility to determine whether positions are placed properly in classes and grades in conformance and consistent with published PCS's. When misclassifications are found, we have no choice but to direct corrective action.

This decision constitutes a classification certificate under the authority of section 5112(b) of title 5, U.S.C. This certificate is mandatory and binding on all administrative, certifying, payroll, disbursing and accounting officials of the government. In accordance with 5 CFR 511.701, we are suspending implementation of this certificate and the attendant corrective and compliance action. By copy of this decision, we are directing the servicing personnel office to inform us in a compliance report, within 30 days of the date of this decision, what action they have taken to either: (1) correct the misassignment of duties and responsibilities to the appellant and permit her to perform the grade controlling work contained in the PD of record; or, (2) take corrective action regarding both the appellant and her position based on the removal of the grade controlling functions assigned to the position of record that support its classification to the GS-7 level.