

U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA 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: Program Analyst
GS-343-12

Organization: [name] Staff
Division [name]
Office of [name]
[name] Programs
Social Security Administration
Woodlawn, Maryland

OPM decision: Program Analyst
GS-343-12

OPM decision number: C-0343-12-04

/s/ Robert D. Hendler

Robert D. Hendler
Classification Appeals Officer

10/18/01

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* (PCS's), appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[appellant's name]

[address]

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Introduction

On June 21, 2001, the Philadelphia Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant's name]. Her position is currently classified as a Program Analyst, GS-343-12. She believes the classification should be Program Analyst, GS-343-13. The appellant appealed to her agency, which issued its decision on March 8, 2001. She works in the [name] Staff, Division of [name], Office of [name], [name] Programs, Social Security Administration (SSA), Woodlawn, MD. We received the appeal administrative report on July 26, 2001. We accepted and decided this appeal under section 5112(b) of title 5, United States Code (U.S.C.).

General issues

In her June 14, 2001, appeal to OPM, the appellant states that she believes that her agency had penalized her in its appeal decision because she had cited another position evaluated at a higher grade that matches the work that she performs. She believes that her position should be upgraded based on the application of the Administrative Analysis Grade Evaluation Guide (AAGEG). She questions how her agency's first score, by applying the Equipment Development Grade Evaluation Guide (EDGEG), came within 4 points of the GS-13 grade level, but the second score, by applying the AAGEG, missed the GS-13 grade level by 261 points.

OPM is required by law to classify positions on the basis of their duties, responsibilities, and qualification requirements by comparison to the criteria specified in the appropriate PCS or guide (5 U.S.C. 5106, 5107, and 5112). The law does not authorize use of other methods or factors of evaluation, such as comparison to other positions that may or may not have been classified correctly.

Like OPM, the appellant's agency must classify positions based on comparison to OPM's PCS's and guidelines. Agencies are obligated to review their own classification decisions for identical, similar or related positions to insure consistency with OPM appeal certificates (5 CFR 511.612). If the appellant considers the appealed position so similar to others that they warrant the same classification, she may pursue this matter by writing to her agency's human resources management headquarters. She should specify the precise organizational location, classification, duties and responsibilities of the positions in question. If the positions are found to be basically the same as the appealed position, or warrant similar application of the controlling PCS's, the agency must correct their classification to be consistent with this appeal decision. Otherwise, the agency should explain to her the differences between the appealed position and the others.

As part of the agency appeal process, the appellant's position description (PD) of record (PD #[number]) was revised. The appellant and her second level supervisor certified the accuracy of the new PD for the appeal administrative report on July 20, 2001. Our decision sets aside all previous agency decisions regarding the classification of the position in question.

Position information

The appellant's PD coversheet shows that she works in the [name] Branch ([acronym]) in the organization chart provided in the appeal administrative report. It shows that she reports to [name]. However, the Division's October 10, 2001, internal organizational chart faxed to us on October 15 shows that the appellant is assigned to the [name] Staff that reports to the Division and is headed by [name]. While the official organizational chart shows a single [acronym of Branch], the faxed organizational listing shows that [name] heads one of the three [acronym for Branch]'s in the Division. An internal Division functional chart faxed to us on October 17 corroborates that the Division operates as described in the October 10 chart. On October 16, the appellant's second level supervisor [name], Deputy Director, Division [name] said that [Branch chief name] was the appellant's supervisor of record. [Second level supervisor] said that the appellant was officially assigned to [acronym]-3, but that [Branch chief's name] would rely on [Staff chief's name]'s input in appraising the appellant's performance. On October 17, [second level supervisor] advised that the appellant would shortly be officially assigned to [Staff chief's name]'s staff.

The Division conducts studies on the [type of] population and recipients on specific operational and administrative program issues. It designs evaluation systems for and evaluates demonstration projects. The Division develops and maintains databases for statistical activities and program information. For the past three years, the appellant's primary work involved developing the statement of work for, and subsequently overseeing, a contract with [company name] ([acronym]) as the government project officer (GPO). The purpose of the contract, and a follow-on contract signed in September 2001, is to develop recommendations on how quality of data can be improved to determine how and when a [type of] review ([acronym]) should be conducted. The goal is to develop improved profiling and selection processes that will better help determine when a full [type of] review ([acronym]) should be conducted rather than sending a mail inquiry. While a mailer costs \$80 to process, the [acronym] costs approximately \$800.

The initial contract covered four studies evaluating: (1) specific production data files to identify inaccuracies and deficiencies in [acronym] related data; (2) the processes for capturing and reporting [acronym]-related data through on-site reviews of specific SSA operating components that take part in the [acronym] process; (3) the [acronym] identification and selection process to identify barriers to process effectiveness; and, (4) the [acronym] profiling methodology and current profiling regressions. The latter study includes an analysis of existing [acronym] production data comparing outlines and baseline data to determine the effectiveness of [acronym] profiling to predict medical improvement and final cessation of benefits rates. The current contract builds on the results of the previous studies. Profiling models have been developed for four distinct populations; i.e., Title XVI [type of] adults whose benefits are based on need; Title II adults whose benefits are based on earnings; concurrent benefits for adults whose low Title II entitlements are supplemented by Title XVI benefits; and auxiliary benefits for [type of] adult children who were [type of] before the age of [number], never could [function], and whose benefits are derived from adult survivor benefits.

The appellant's PD lists functions that include writing COBOL and FOCUS programs to extract reports from the SSA-[number] and [number/number] flat data files. The [number] file that

contains initial [type of] claims, the [number] file contains Title XVI claims, and the [number] file contains Title II claims. Data for these files is entered directly into the [name] System. The reports typically extract information on specific populations for further program analysis, e.g., the number of [type of] individuals under the age of [number] receiving concurrent benefits in a state. While the appellant spends most of her time on the [acronym] contract, she is expected to maintain her report extract skills and knowledge.

We conducted telephone audits with the appellant on October 12, 15, and 16, 2001. We held telephone interviews with [name], Chief, [name] Staff, on October 15, and on October 16 and 17 with [name], her second level supervisor. The appellant's PD of record, certified as current and accurate by the appellant and her supervisor, furnishes more details about the appellant's duties and responsibilities and how they are performed and is incorporated by reference into the record.

Series and title determination

The agency has placed the appellant's position in the Management and Program Analysis Series, GS-343, for which there is a published PCS, and titled it Program Analyst. The appellant does not disagree with these determinations.

The agency did not address the appellant's COBOL and FOCUS work that is covered by the Information Technology (IT) Management Series, GS-2200. The Job Family PCS for Administrative Work in the IT Group, GS-2200 contains the grading criteria to evaluate that work. Positions containing work belonging to more than one series are classified to the occupation that represents the primary work of the position, the highest level of work performed, and the paramount qualifications required. Typically the grade controlling duties will control the series. A paramount requirement refers to the essential, prerequisite knowledge, skills, and abilities needed to perform the primary duty or responsibility for which the position has been established.

As discussed in the grade level analysis below, the appellant's GS-343 work constitutes the primary and paramount work of the position. The appellant's other assignments are ancillary and integral to the position's primary and paramount functions; i.e., [acronym] program analysis. Therefore, the appealed position is allocated properly as Program Analyst, GS-343.

Standard determination

The agency applied the AAGEG for grade level evaluation. It conducted a limited comparison to Part II of the EDGEG to assess her GPO duties, and selected portions of benchmarks in the Contracting Series, GS-1102 PCS to further verify the grade level determination for her GPO work.

The GS-343 PCS directs that the AAGEG be used to evaluate GS-9 grade level and above nonsupervisory positions. Because the AAGEG contains directly applicable criteria (5 U.S.C. 5107), it is neither necessary nor appropriate to use the EDGEG or GS-1102 PCS as grading tools. The *Introduction to the PCS's* states that when there is no directly applicable PCS, a position should be classified using criteria that are comparable in scope and difficulty, and that

describe similar subject matter and functions. Professional positions should be evaluated by using professional PCS's and administrative positions should be evaluated by criteria for administrative occupations. The EDGEG and GS-1102 PCS cover professional work and, therefore, are not appropriate for evaluating the appellant's administrative work. Therefore, we will not address the appellant's concerns about the application of the EDGEG.

Grade determination

The AAGEG is written in Factor Evaluation System (FES) format. Positions graded under the FES format are compared to nine factors. Levels are assigned for each factor and the points associated with the assigned levels are totaled and converted to a grade level by application of the Grade Conversion Table contained in the PCS. Under the FES, factor level descriptions mark the floor threshold for the indicated factor level. If a position fails in any significant aspect to meet a particular level in the standard, the next lower level and its lower point value must be assigned, unless the deficiency is balanced by an equally important aspect that meets a higher level.

The agency credited Levels 1-7, 2-4, 3-4, 5-4, 6/7-3c, 8-1, and 9-1, and the appellant agrees. After careful analysis of the record, we concur and have so credited the position. The appellant believes that her position should be credited at Level 4-6. Our analysis of Factor 4 follows.

Factor 4, Complexity

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

As at Level 4-5, the appellant's phased [acronym] studies require analysis of interrelated issues of effectiveness, efficiency, and productivity of a substantive mission-oriented programs. Typical of such assignments, the statement of work (SOW) for these contracts involved developing detailed plans, goals, and objectives to address and resolve long-range [acronym] implementation and administration issues. As at this level, the goal of the [acronym] contract is to develop criteria for improving the effectiveness of the [acronym] program.

Typical of Level 4-5, the initial and follow-on contract are for studies that are complicated by conflicting program demands, e.g., assuring that [acronym] reviews are conducted as mandated by Congress within limited program resources. Her assignments are further complicated by the need to deal with subjective concepts such as value judgments, e.g., balancing congressional [acronym] production review objectives with efforts to improve the overall quality and reliability of [acronym] data and program processes. Typical of Level 4-5, the [acronym] profiling is measurable primarily in predictive terms based on intensive analysis of interrelated data, e.g., the relationship among various beneficiary characteristics that are predictive of [issue] and [ending of benefits].

As at Level 4-5, the options, recommendations, and conclusions that she analyzes take into account and give appropriate weight to uncertainties about the data and other variables that affect

long-range program performance, e.g., predictive cost effectiveness of [acronym]'s on specific populations. The appellant's external contacts with the [agency name] and other SSA components are to develop workload and program data pertinent to the [acronym] process, also typical of Level 4-5. Because of the ambiguity in evaluating contractor performance, the appellant must establish and apply criteria to identify and measure [acronym] accomplishments that must change to accommodate each study and contract phase.

The appellant's work does not meet Level 4-6, where the employee plans, organizes, and carries through to completion analytical studies involving the substance of key agency programs. The record shows that [acronym] program policy and process is under the control of the Division of [name] Policy. Therefore, neither the appellant's organization nor her position may be credited with this responsibility. While the appellant must coordinate the work of others, e.g., a Mathematical Statistician who technically analyzes contractor developed models and profiles in assessing contractor performance, the [acronym] study is not of the scope and complexity envisioned at Level 4-6, e.g., proposed changes in basic [type of] legislation or regulations. Unlike Level 4-6, the nature and scope of [acronym] issues leading to the [acronym] study were largely defined. The SOW laid out a course of action to confront those issues identified by the appellant's work leader and other higher level officials with input from the appellant. The [acronym] process does not reflect the administrative, technical, political, economic, fiscal and other components, or the magnitude of their interactions found at Level 4-6, e.g., assignments without precedent that deal with the long-term changes in levels of benefits on the general public. Revising approaches to and methods of dealing with [acronym] reviews falls short of typical Level 4-6 efforts to develop and implement programs based upon legislation that must consider the immediate sequential, and long-range effects, both direct and indirect, or proposed actions on the public, other government programs, and/or private industry, e.g., planning and implementing major legislative changes in [type of] entitlements. Therefore, Level 4-5 (325 points) is assigned.

Summary

In summary, we have credited the position as follows:

Factor	Level	Points
1. Knowledge Required by the Position	1-7	1,250
2. Supervisory Controls	2-4	450
3. Guidelines	3-4	450
4. Complexity	4-5	325
5. Scope and Effect	5-4	225
6. Personal Contacts and 7. Purpose of Contacts	3c	180
8. Physical Demands	8-1	5
9. Work Environment	9-1	<u>5</u>
	Total Points	2,890

A total of 2,890 falls within the GS-12 grade level point range of 2,755-3,150 points in the Grade Conversion Table in the AAGEG.

Our analysis fully considers the appellant's GS-2210 duties that are performed in direct support of her GS-343 functions. They involve extracting management information reports and running queries to extract working files from flat files using established guidelines, methods, and procedures. SSA IT systems structures, methods, and guidelines are developed and controlled by other SSA organizations that control the overall SSA IT system. The appellant's IT and related duties fall short of the difficulty and complexity of the GS-343 support work credited to the position and do not impact the final grade of the position.

Decision

The position is properly classified as Program Analyst, GS-343-12.