

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

San Francisco Oversight Division
120 Howard Street, Room 760
San Francisco, CA 94105-0001

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

Appellant: [The appellant]

Agency classification: Management Analysis Officer
GS-343-14

Organization: [The appellant's organization]
U.S. Department of Navy

OPM decision: Management Analysis Officer
GS-343-14

OPM decision number: C-0343-14-02

Carlos A. Torrico
Classification Appeals Officer

May 31, 2002
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: [The appellant's address]

Agency: [Appellant's servicing personnel office]
U.S. Department of the Navy

Mr. Will Maltbie, Director
Office of Civilian Human Resources (OCHR)
Nebraska Avenue Complex
U.S. Department of the Navy
321 Somer Court, NW, Suite 40101
Washington, DC 20393-5451

Mr. Allan Cohen
Office of Civilian Human Resources (OCHR)
Nebraska Avenue Complex
U.S. Department of the Navy
321 Somer Court, NW, Suite 40101
Washington, DC 20393-5451

Ms. Janice W. Cooper
Chief, Classification Appeals
Adjudication Section
U.S. Department of Defense
Civilian Personnel Management Service
1400 Key Boulevard, Suite B-200
Arlington, VA 22209-5144

Introduction

On October 4, 2001, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [the appellant]. On November 13, 2001, the Division received the agency's administrative report concerning [the appellant's] appeal. His position is currently classified as Management Analysis Officer, GS-343-14. However, he believes his position should be classified as Supervisory Management and Program Analyst, GS-343-15. Prior to appealing to OPM, [the appellant] filed a classification appeal with the Department of Defense. In a letter to him dated May 10, 2001, the agency sustained the current classification. The position is assigned to the [appellant's organization] U.S. Department of the Navy. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

This appeal decision is based on a careful review of all information furnished by the appellant and his agency. In addition, to help decide the appeal an Oversight Division representative conducted separate telephone interviews with the appellant and his supervisor. Both the appellant and his supervisor have certified to the accuracy of the appellant's official position description (PD).

The appellant makes various statements about his agency, and its 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 (5U.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 serves as the Manpower Officer of the [appellant's organization]. He is responsible for effective management and development of programs and plans determining manpower requirements, allocating manpower resources, long term budget planning, economical and effective use of manpower resources and determining the most appropriate and economical mix of command-wide workforce. The appellant manages and directs all administrative and technical functions involved in planning, organizing, and implementing these programs. He reviews all military manpower studies, validates all budget submissions, and provides management expertise and advisory services. His supervisor noted that he has delegated full program responsibility to the appellant in these areas. The record indicates that the appellant also spends a small portion of his time personally performing work in these areas, e.g., conducting special management analysis projects as requested by management officials, coordinating with management on proposed changes of military allowances for [appellant's organization], and development and troubleshooting of budget plans.

The appellant supervises program analysts, supervisory program analysts and administrative personnel. His direct reports include two Supervisory Program Analysts, GS-343-13, several Program Analysts, GS-343-12, Program Analysts, GS-343-13, Administrative Officer GS-341-11, and an Administrative Support Analyst, GS-301-9.

The results of our interviews, the appellant's PD, and other material of record provide more information about his duties and responsibilities and how they are performed.

Series determination

The appellant's agency has classified his position to the Management and Program Analysis Series, GS-343 (standard dated August 1990), and the appellant does not disagree. We concur with this series determination. The GS-343 Management and Program Analysis Series includes positions which primarily serve as analysts and advisors to management on the evaluation of the effectiveness of government programs and operations or the productivity and efficiency of the management of Federal agencies. Such work requires knowledge of the substantive nature of agency programs and activities; agency missions, policies and objectives; management principles and processes; and the analytical and evaluative methods and techniques for assessing program development or execution and improving organizational effectiveness and efficiency.

Title determination

The agency has titled the appellant's position as Management Analysis Officer, but he requested that it be titled Supervisory Management and Program Analyst. Based on our fact-finding we concur with the agency's assignment of title, in that the primary focus of the appellant's work is in the field of management analysis. Titling instructions in the GS-343 standard prescribe that the title *Supervisory* be prefixed to positions which meet the criteria in the General Schedule Supervisory Guide (GSSG). We have determined that the appellant's position fully meets the criteria in the GSSG for titling and evaluation as a supervisor. The GS-343 standard states that the title Management Analysis Officer is appropriate for positions (like the appellant's) which have responsibility for establishing, planning, and directing programs in their respective functional specializations. According to the Introduction to the Position Classification Standards (Section III. H.), the word *Officer* may be substituted for the prefix *Supervisory* to denote a level of responsibility which inherently includes supervision. Therefore, the current title of the position is appropriate.

Guide determination

Evaluation using the General Schedule Supervisory Guide (GSSG) is applicable when supervisory work and related managerial responsibilities require accomplishment of work through combined technical and administrative direction of others; constitute a major duty occupying at least 25 percent of the position's time; and meet at least the lowest Level of Factor 3 in the guide, based on supervising Federal civilian employees, Federal military or uniformed service employees, volunteers, or other noncontractor personnel. The appellant spends up to 80 percent of his time supervising employees in performing their work, managing their programs and exercising delegated supervisory authorities. The appellant's personally performed

management analysis and miscellaneous duties occupy about 20 percent of his time. However, only duties that occupy at least 25 percent of an employee's time can affect the grade of a position (Introduction to the Position Classification Standards, Section III.J). Therefore, we will not evaluate the appellant's nonsupervisory management analysis and miscellaneous duties in this decision. The appellant's position is best graded by application of the General Schedule Supervisory Guide, reissued in HRCD-7, July 1999, which is applied below.

Grade determination

The GSSG employs a factor-point evaluation method that assesses six factors common to all supervisory positions. To grade a position, each factor is evaluated by comparing the position to the factor level definitions for that factor and crediting the points designated for the highest factor level which is met in accordance with the instructions specified to the factor being evaluated. If one level of a factor is exceeded, but the higher level is not met, the lower level is credited. The total points accumulated under all factors are then converted to a grade by using the point-to-grade conversion chart in the GSSG. Each factor is evaluated as follows for the appellant's position.

Factor 1: Program Scope and Effect, Level 1- 3, 550 points

This factor assesses the general complexity, breadth, and impact of the program areas and work directed, including organizational and geographic coverage. It also assesses the impact of the work both within and outside the immediate organization. To credit a particular factor-level, the criteria for both scope and effect must be met. The appellant believes this factor should be credited at Level 1-4.

Scope addresses the general complexity and breadth of the program directed, work directed, products produced, or services delivered. The appellant's position meets Level 1-3. It directs two-grade interval administrative work in programs with coverage comparable to a region wide area, supporting the operations of a major military command headquarters. The scope of the work directed by the appellant does not meet Level 1-4. Unlike that level he does not direct a program which involves the development of major aspects of key *agency* administrative or regulatory policy. These functions are assigned to positions at higher echelons within the agency.

The [appellant's organization] is not an agency, but a major military command. In the Definitions section of the GSSG, an agency is defined as "an executive or military department...a comparable independent agency; or a large agency next below the Department of Defense...." By this definition, the Department of Navy (DON) is the agency. The GSSG defines a *major military command* as a military organization next below the Department of Navy, headed by a flag or general officer who reports directly to agency headquarters and cites the Navy's Naval Sea Systems Command as an example. Like the Naval Sea Systems Command, the [appellant's organization] is organizationally subordinate to the DON.

Effect addresses the impact of the work, products, or programs described under "scope" on the general public or on the mission and programs of organizational entities. The appellant's position

meets Level 1-3. Similar to that level, his activities directly and significantly impact the work of a wide range of the [appellant's organization] staff and command. The appellant directs fleet manpower administrative activities including determining manpower skill requirements and budget planning which support and directly affect the operations of a major military command.

The appellant believes his position meets Level 1-4 for effect. However, it does not meet the conditions described at that level, as noted below:

First, his activities do not impact agency headquarters operations or several bureau wide programs. The activities of the [appellant's unit] impact the manpower requirements and skills of the organization, but they do not affect the accomplishment of the primary functions of bureau wide programs, e.g., logistics, operations. Additionally, the appellant's activities do not affect most of the agency's (Department of Navy) entire field establishment. His manpower program is concerned only with the [appellant's organization].

Second, although important to the *major military command's* primary mission of support to the Command's theater strategy and to providing interoperable, trained and combat-ready naval forces, the work directed does not on its own facilitate accomplishment of the agency's primary mission or programs of national significance. The activities of the [appellant's unit] are limited to responding to staffing requirements, rather than affecting how given organizations carry out the agency's primary mission.

Third, the appellant's activities do not impact large segments of the Nation's population, or segments of one or a few large industries. While the area of responsibility of the [appellant's organization] covers more than 50% of the earth's surface, it does not impact a large portion of the U.S. population.

Fourth, congressional and media attention is not frequent or continuous. Level 1-4 is intended to recognize work that regularly receives *institutional* attention from Congress. While Department of Navy matters such as the appropriations fund committee and the accident involving the [names of ships] received congressional and media focus, the attention was not on the program activities of the appellant.

Both Scope and Effect are evaluated at Level 1-3; therefore, this factor is evaluated at Level 1-3 and 550 points are credited.

Factor 2: Organizational Setting, Level 2-2, 250 points

This factor considers the organizational situation of the supervisory position in relation to higher levels of management. The appellant reports directly to the [appellant's supervisor], who in turn reports to a SES position. This is consistent with Level 2-2 where the position being evaluated is accountable to a position that is one reporting level below the first SES, flag or general officer, or equivalent or higher level position in the direct supervisory chain. The position does not meet Level 2-3. To meet Level 2-3, the position is accountable to a SES level, flag or general officer

military rank, or equivalent or higher level; or to a position which directs a substantial GS-15 or equivalent level workload; or to a position which directs work through GS-15 or equivalent level subordinate supervisors, officers, contractors or others.

Level 2-2 is assigned and 250 points credited.

Factor 3: Supervisory and Managerial Authority Exercised, Level 3-3, 775 points

This factor covers the delegated supervisory and managerial authorities that are exercised on a recurring basis.

The appellant's position meets Factor Level 3-3. In order to meet that level a position must meet either Level 3-3a or Level 3-3b. The appellant meets Level 3-3b in that he exercises all or nearly all of the delegated supervisory authorities and responsibilities described at Level 3-2c of Factor 3 and, in addition, at least eight of those listed under Level 3-3b.

To meet Factor Level 3-4, a position must first meet *both* Levels 3-3a and b of Factor Level 3-3, and meet the criteria in either paragraph a or b of Factor Level 3-4. However, the appellant's position does not meet all of the criteria of Factor Level 3-3 because it does not fully meet Level 3-3a. Level 3-3a entails *close* involvement with high-level program officials (or comparable agency level staff personnel) in the development of overall goals and objectives related to high levels of program management and development or formulation. At this level, a position is involved in making decisions related to broad staffing, budgetary, policy, and regulatory matters affecting the agency's overall program. The appellant's position does not meet this standard given that his contacts are primarily with individuals within the command. He does not on a regular and recurring basis meet with high level agency program officials. Unlike Level 3-3a he is not closely involved with agency-level officials in the development of the overall goals and objectives for the agency's manpower program. Additionally, he has no independent authority to make the types of decisions and perform many of the tasks supporting development of overall program goals addressed at that level. The appellant's activities are limited to the manpower functions prescribed within his unit. The GSSG defines a program as the mission, functions, and activities which an *agency* is authorized and funded by statute to administer and enforce. The intent of Level 3-3a is to credit significant decision-making involvement in agency-wide staffing, budgetary, policy, and regulatory matters.

Even if Level 3-3a was met and Level 3-4 could be considered, Level 3-4 would not be met because neither Level 3-4a nor Level 3-4b can be credited. The intent of Level 3-4a is to credit a position *responsible* for overseeing the overall planning, direction, and execution of a program. As noted above, the appellant is responsible primarily for manpower activities of the [appellant's organization], not for overall program management as that term is intended in the GSSG. Further, responsibility for *agency* programs rests with higher level officials within the *agency*. At the program level, these officials manage the development of policy changes in response to changes in levels of appropriations or other legislated changes. In contrast, the appellant's responsibilities entail implementation of changes in manpower activities mandated by changes in legislative policies or appropriation bills on the Navy.

At Level 3-4b, a position exercises final authority for the full range of personnel actions and organization design proposals recommended by subordinate supervisors. The appellant's position does not meet this level. His personnel authorities do not exceed those described at Level 3-3b. Regarding organizational design proposals, the small size of the workforce, the simple two structure level of the office and the limited geographic dispersion and specialized knowledge required to perform the work, substantially inhibit reorganizing functions, moving personnel, or reassigning duties among positions. The opportunities to do so are limited because the unit's mission and activities are relatively stable. The authority to make significant organizational design changes is found at higher levels beyond the appellant's immediate unit.

This factor is evaluated at Level 3-3 and 775 points are credited.

Factor 4: Personal Contacts, Levels 4A-3 (75 points) & 4B-3 (100 points)

Factor 4 is divided into two parts: Subfactor 4A, Nature of contacts; and Subfactor 4B, Purpose of contacts.

Subfactor 4A: Nature of contacts. Contacts credited under Subfactor 4A cover the organizational relationships, authority or influence level, setting, and difficulty of preparation associated with making personal contacts involved in supervisory and managerial work. To be credited, the level of contacts must contribute to the successful performance of the work, be a recurring requirement, have a demonstrable impact on the difficulty and responsibility of the position, and require direct contact.

The appellant's position meets Level 4A-3 by having regular and recurring contacts with high ranking military, civilian managers, supervisors, and technical staff at the [appellant's organization], Chief of Navy Operations office, major organizations levels of the agency and with agency headquarters administrative support staff. These contacts normally take place in meetings and conferences and often require extensive preparation of briefing materials and up-to-date technical familiarity with complex subject matter.

The position does not meet Level 4A-4, where there are frequent contacts with regional or national officers of public, trade, or professional organizations of national stature; key staff of congressional committees and principal assistants to senators and representatives; elected or appointed representatives of state and local governments; heads of bureaus *and* higher level organizations in other Federal agencies; or journalists of major metropolitan, regional, or national media. The appellant has no contact with most of those listed, and has only infrequent and irregular contact with state and local government managers and congressional staff. Level 4A-4 is the highest level of contacts described in the GSSG and is reserved for employees who regularly engage in the most difficult and demanding contacts required by supervisory and managerial work.

This subfactor is evaluated at Level 4A-3 and 75 points are credited.

Subfactor 4B: Purpose of contacts. Subfactor 4B describes the purpose of the personal contacts credited in Subfactor 4A, including the advisory, representational, negotiating, and commitment making responsibilities related to supervision and management.

The appellant's position meets Level 4B-3. Similar to that level he meets with command staff to resolve controversial findings, provide guidance to subordinate command echelons, and justify, defend, negotiate, or resolve manpower management problems and issues. These contacts involve active participation in meetings and presentations to discuss issues of considerable importance to the manpower program.

The position does not meet Level 4B-4, where the purpose of the contacts is to influence, motivate, or persuade persons or groups to think and act in ways that advance the fundamental goals and objectives of the program or program segments directed or involve the commitment or distribution of major resources, when intense opposition or resistance is encountered due to significant organizational or philosophical conflict, competing objectives, major resource limitations or reductions, or comparable issues. Unlike the appellant's position, at this level the persons contacted are fearful, skeptical, or uncooperative.

This subfactor is evaluated at Level 4B-3 and 100 points are credited.

Factor 5: Difficulty of Typical Work Directed, Level 5-7, 930 points

This factor measures the difficulty and complexity of the basic work most typical of the organization directed. Factor level determination is based on the base level, i.e., highest grade level which reflects this kind of work.

The base level is the highest grade which best characterizes the nature of the basic (mission oriented) nonsupervisory work performed or overseen by the organization directed, and constitutes 25 percent or more of the workload of the organization. In some cases, work above the base level may be credited if it requires at least 50 percent of the duty time of the supervisory position under evaluation. The latter is not the case in the appellant's position. We have determined that the highest graded nonsupervisory, mission oriented work performed in the appellant's organization, constituting at least 25 percent of the workload, is GS-12.

The final base level determination is GS-12. Using the base level to factor level conversion chart in the GSSG, we assign Level 5-7 and credit 930 points.

Factor 6: Other Conditions, Level 6-5, 1225 points

This factor measures the extent to which various conditions contribute to the difficulty and complexity of carrying out supervisory duties, authorities, and responsibilities. If Levels 6-1, 6-2, or 6-3 are selected under this factor, and the position meets three or more of the eight Special Situations described, the original level selected is increased by one level. If Levels 6-4, 6-5, or 6-6 are selected, the Special Situations cannot be considered in determining whether a higher factor level is creditable.

The appellant's position meets Level 6-5a, where supervision requires significant and extensive coordination and integration of a number of important projects or program segments of professional, scientific, technical, or administrative work comparable in difficulty to the GS-12 level (base level). He makes major recommendations in three of the seven areas listed under Factor Level 6-5a.

The appellant's position does not meet Level 6-6 because it does not meet either of the two options listed under that level. It does not meet Level 6-6a because the appellant does not coordinate and integrate programs comparable in difficulty to the GS-13 or higher level. It also does not meet Level 6-6b. While the appellant's subordinate supervisors direct workloads comparable to the GS-12 level, it does not require the level of coordination as that described at Factor Level 6-5a.

This factor is evaluated at Level 6-5 and 1225 points are assigned.

Summary

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

<u>Factor</u>	<u>Levels</u>	<u>Points</u>
1	1-3	550
2	2-2	250
3	3-3	775
4A	4A-3	75
4B	4B-3	100
5	5-7	930
6	6-5	<u>1225</u>
Total		3905

A total of 3905 points falls into the GS-14 range (3605-4050) by reference to the point-to-grade conversion chart in the GSSG. Therefore, the position is graded at the GS-14 level.

Decision

The appellant's position is properly classified as Management Analysis Officer, GS-343-14.