

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

Human Capital Leadership
and Merit System
Accountability Division

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

Appellant: [appellant]

Agency classification: Equal Employment Manager
GS-260-13

Organization: [name] Field Office
Office of Equal Employment
Opportunity
Office of Management
Immigration and Customs Enforcement
Department of Homeland Security
[city and state]

OPM decision: Equal Employment Manager
GS-260-12

OPM decision number: C-0260-12-07

/s/ Kevin E. Mahoney

Kevin E. Mahoney
Deputy Associate Director
Center for Merit System Accountability
Human Capital Leadership
and Merit System Accountability

October 20, 2006

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).

Since this decision lowers 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 this decision, as permitted by 5 CFR 511.702. The applicable provisions of parts 351, 432, 536, and 752 of 5 CFR must be followed in implementing the decision. If the appellant is entitled to grade retention, the two-year retention period begins on the date this decision is implemented. The servicing human resources office must submit a compliance report containing the revised 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 to the OPM office that accepted the appeal.

Decision sent to:

[appellant's name and address]

[name]

Human Resources – Classification
Customs and Border Protection
Department of Homeland Security
1400 L Street
Washington, DC 20005

[name]

Chief Human Capital Officer
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Introduction

The Dallas Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal on February 28, 2006, from [appellant]. The appellant's position is currently classified as an Equal Employment Manager, GS-260-13, and is located at the [name] Field Office, Office of Equal Employment Opportunity, Office of Management, Immigration and Customs Enforcement (ICE), Department of Homeland Security (DHS), in [city and state]. The appellant does not dispute the series of her position, but believes it should be classified at the GS-14 grade level. We received the agency's administrative report on May 1, 2006. We have accepted and decided this appeal under section 5112 of title 5, United States Code.

General issues

The appellant requested a review of her position from the servicing Customs and Border Protection's human resources (HR) office. Their initial assessment supported upgrading her position to GS-14 and a position description (PD) reflecting the proposed change was drafted. After discussion with the appellant's supervisor, the HR office withdrew its initial assessment and stated in an August 17, 2005, e-mail to the supervisor that the position's classification was unchanged. The supervisor forwarded this message to the appellant on August 23.

The appellant raises various concerns about her agency's desk audit procedures. In adjudicating this appeal, our only concern is to make an independent decision on the proper classification of the appellant's position. Therefore, we have considered these issues only insofar as they are relevant to making that comparison. Because our decision sets aside all previous agency decisions, any concerns regarding the agency's classification review process are not germane to this decision.

The appellant believes she is performing work similar to agency positions classified at a higher grade and said she performs work comparable to the duties described in a standardized DHS PD for a GS-14 Equal Employment Manager which she submitted to OPM. Briefly, the GS-14 PD describes managing Special Emphasis Programs and initiatives for Hispanics, women, and other groups for the agency, developing agency policies, coordinating activities throughout the agency through program coordinators at subordinate organizational levels, advising the agency head and key staff officials, etc. This PD describes a headquarters position at the Department level. The duties now assigned to the appellant involve work with those programs, but the area of responsibility is not DHS-wide. Therefore, we conclude the appellant's work is substantially different from the work described in the GS-14 PD.

Like OPM, the appellant's agency must classify positions based on comparison to OPM's position classification standards and guidelines. In accordance with 5 CFR 511.612, agencies are required to review their own classification decisions for identical, similar, or related positions to ensure consistency with OPM certificates. The agency has the primary responsibility for ensuring its positions are classified consistently with OPM appeal decisions. If the appellant believes her position is classified inconsistently with another, then she may pursue this matter by writing to the HR office of her agency's headquarters. She should specify the precise organizational location, series, title, grade, and duties and responsibilities of the positions in

question. The agency should explain to her the differences between her position and the others, or classify those positions in accordance with this appeal decision.

Position information

The appellant's organization has changed since OPM accepted this appeal. The appellant manages one of four offices responsible for providing EEO services to ICE and the U.S. Citizenship and Immigration Services (USCIS). Other EEO offices are located in [names of three cities and states]. Initially, the appellant's office was responsible for providing a full range of EEO services to approximately 4,600 Federal USCIS employees within a 26-state area. The appellant was supervised under this structure by the Equal Employment Manager, GS-260-14, organizationally designated as USCIS EEO Team Leader in [city and state]. Due to a May 26, 2006, change, the appellant's office ceased servicing USCIS and started providing EEO services to the approximately 16,000 Federal ICE employees located in 118 offices nationwide. Work is no longer distributed geographically. Instead, the [names of three cities] offices are assigned responsibility for completing specific functions representing segments of the overall ICE EEO program. The appellant is now supervised by the Equal Employment Manager, GS-260-14, organizationally designated as ICE EEO Team Leader in {city name}. However, the EEO Director, who is currently the appellant's second-level supervisor, indicated she is planning to change the EEO structure in the near future. We are unable to determine what, if any, effect new changes may have on the appellant's position or its classification.

After the shift from servicing USCIS to ICE customers, the duties of the appellant's position now consist of two major responsibilities. ICE does not have an active special emphasis program (SEP), so the appellant's EEO office is tasked with planning, developing, and implementing its SEP bureau-wide. This entails drafting program instructions, advising installation officials on the SEP process, drafting vacancy announcements for special emphasis program managers (SEPMs), advising on the qualifications of interested individuals, sending appointment letters to selectees, and designing a SEPM training schedule and curriculum. The appellant is expected to lead or participate in providing orientation and quarterly refresher training to ICE SEPMs.

The appellant's EEO office also assists with conducting investigations on formal EEO complaints. ICE is presently investigating 60 to 90 formal complaints, but this number usually fluctuates widely. ICE's Complaints Program Management Office in [a fifth city and state] reviews formal complaints to determine if a formal EEO complaint should be accepted or rejected. If accepted, the case is forwarded to contract investigators with a letter identifying the appellant as the point-of-contact for additional information. The investigator will provide the appellant with a comprehensive list of documents or affidavits needed for the investigation. The appellant assigns the case to appropriate staff in [two cities], who is temporarily assisting with a backlog, based on the complexity of the investigation and the staff workload. She or the staff will review document requests, and, if reasonable, they will contact the appropriate office to obtain the documents requested. Investigators, however, occasionally request documents the office is unable to provide, e.g., an open certificate. The appellant will discuss with investigators which documents can or cannot be provided; these decisions are often directed by Federal HR laws, regulations, and policies. Since the Equal Employment Opportunity Commission's (EEOC) regulations require completing investigations within 180 days from the filing of the complaint, the appellant compiles a weekly update on the status and timeliness of ICE's investigations for review by her first- and second- level supervisors.

The appellant's official PD, numbered [number], certified for accuracy by management and classified on January 21, 1999, describes a position performing a full range of EEO duties for the Immigration and Naturalization Service's [city] Administrative Center. The position was responsible for the day-to-day management of the EEO program for the Center, including the Regional, District, and other offices including Border Patrol and Asylum Offices. In an April 10, 2006, e-mail, the appellant said her PD was accurate under the pre-DHS structure but it no longer reflects the correct EEO organization, reporting structure, or duties. We find the PD of record does not meet the standard of adequacy discussed in section III.E of the *Introduction to the Position Classification Standards* and must be revised to reflect the current organizational structure and mission and should clearly reflect the major duties assigned and the extent of responsibility for carrying out those duties.

To help decide this appeal, we conducted telephone audits with the appellant on June 28 and 29, 2006, an on-site audit with her on August 24, 2006, and a telephone interview with the appellant's first-level supervisor on August 2, 2006. We also conducted a telephone interview with the second-level supervisor on July 14, 2006, and on-site interviews with the two EEO specialists supervised by the appellant on August 24, 2006. In reaching our classification decision, we carefully considered all of the information gained from these interviews, as well as the written information furnished by the appellant and her agency.

Series, title, and standard determination

The appellant is currently responsible for assigned portions of the ICE EEO program. The appellant does not question the series, nor does the agency. We agree that the position is properly assigned to the Equal Employment Opportunity Series, GS-260. The appellant has delegated authority and responsibility for the accomplishment of all programs assigned to her office. Since the position has primary responsibility for identifiable parts of an EEO program, the appellant's position is appropriately titled Equal Employment Manager. We used the grading criteria in the GS-260 position classification standard (PCS) to evaluate the appellant's work.

During the initial June 28, 2006, telephone audit, the appellant said she spent approximately 30 percent of her time supervising three GS-260 Equal Employment Specialist positions, including two GS-12s and one GS-9. Implicit in the appellant's rationale is that her position is supervisory because she spends more than 25 percent of her time supervising her staff and that the General Schedule Supervisory Guide (GSSG) should also be used to evaluate the position's grade level. Staff numbers have since decreased. One GS-12 specialist retired in July 2006, and the vacancy transferred from [city] to the [city] office. Both GS-12 employees were assigned to identical PDs which describe serving as a Senior EEO specialist, taking a leadership role. The PDs are credited at Level 2-4, operating with a relatively high level of independence. The remaining GS-12 specialist performs numerous leader responsibilities including assigning work and providing instructions to the GS-9 specialist. For these reasons, we are not convinced the appellant spends 25 percent or more of her time supervising two subordinates. Therefore, we find the GSSG is not appropriate for grade-level determination.

Grade determination

The GS-260 PCS is written in the Factor Evaluation System format, under which factor levels and accompanying point values are assigned for each of the nine factors. The total is converted to a grade level by use of the grade conversion table provided in the PCS. Under this system, each factor-level description demonstrates the minimum characteristics needed to receive credit for the described level. 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.

The appellant only disagrees with the agency's evaluation of Factors 2, 3, 4, and 7. We reviewed the agency's determination for Factors 5, 6, 8, and 9, and concur with their findings. Therefore, our evaluation will only address Factors 1, 2, 3, 4, and 7.

Factor 1, Knowledge Required by the Position

This factor measures the nature and extent of information or facts a worker must understand in order to do acceptable work and the nature and extent of skills needed to apply that knowledge. To be used as a basis for selecting a level under this factor, the knowledge must be required and applied.

At Level 1-7, EEO managers apply managerial and technical EEO knowledge and skills sufficient to direct an EEO program that meets basic requirements for complying with laws, regulations, and agency policies. The EEO manager provides advice to management and employees or applicants on legal and procedural program requirements. They review affirmative action plans developed by line managers. Other affirmative action efforts may focus on questionnaires to identify problem areas, training for managers and supervisors, and similar efforts. The EEO manager may provide general oversight of minority and female recruitment planning but little technical involvement. The program may include complaint counseling, investigation, and adjudicating if delegated to the organization served. Programs at this level are typically case oriented; i.e., they focus on resolving individual complaints or problems.

At Level 1-8, EEO managers apply managerial and technical EEO knowledge and skills sufficient to plan, organize, direct, staff, carry out, and evaluate an EEO program that, in addition to meeting basic regulatory requirements, focuses on the solution of systemic problems, elimination of barriers to equal employment including agency management policies and practices, and provision of management advisory and consulting services designed to effect major changes. For example, the program includes regular efforts to identify and solve systemic problems through on-site organizational reviews by participating in agency management audits or personnel management evaluation reviews, by monitoring complaints, by regular and systemic workforce analyses, by special equal employment reviews, or by similar activities. Efforts to deal with systemic equal employment problems may require the program staff to become deeply involved in technical personnel administration or management issues such as the development or modification of merit promotion systems, upward mobility plans, job design programs, minority and female recruitment planning, or the negotiation or administration of labor agreements. The program emphasizes the interrelationship of equal employment with personnel management functions such as labor relations, staffing, training, compensation, position classification, and

with other management functions such as budgeting and planning. Management advisory and consulting services are designed to assist managers in developing and carrying out affirmative action plans and in dealing with specific individual and systemic problems.

Level 1-7 is met. Similar to Level 1-7, the appellant plans, organizes, and directs an EEO program which includes SEP development and implementation, formal complaints investigation, advisory services and training, and report preparation. She is required to possess comprehensive and thorough knowledge of Federal EEO laws, regulations, executive orders, and court decisions for application to a variety of complex work assignments. This is a good match for Level 1-7. The appellant's investigations assistance work currently occupies a significant portion of the appellant's time. This work also includes reviewing affidavits prepared by investigators for higher-level officials to ensure the questions are appropriate. Like Level 1-7, this work is oriented towards the solution of specific cases or individual problems identified in a complaint.

Level 1-8 is not met. Unlike Level 1-8, the appellant's current work does not entail applying managerial and technical knowledge and skills sufficient to plan, organize, direct, staff, carry out, and evaluate an EEO program focusing on the solution of *systemic* problems, elimination of barriers to equal employment, and provision of management advisory and consulting services designed to effect major changes. The appellant said she resolves systemic problems, including dealing with (1) management and union conflicts, and (2) convincing management to dedicate staff to the SEP despite staff shortages and/or workload demands. Neither example, however, rises to the level of the systemic problems expected at the Level 1-8. Instead, these examples describe conventional, predictable problems that are resolved through skilled negotiation typical of Level 1-7. In contrast, EEO managers at Level 1-8 apply, e.g., experimental theories, to resolve systemic problems. Specifically, EEO managers at Level 1-8 use a mastery of EEO concepts, principles, and methods to apply experimental theories and new developments to problems not susceptible to treatment by accepted methods and to make decisions or recommendations significantly changing, interpreting, or developing important EEO policies and programs.

The appellant worked on a variety of special projects at the request of the Washington, DC office. For example, her office planned EEO team conferences, commented on proposed guidelines and manuals, developed numerous marketing tools, and recommended measures for their accomplishments. The appellant has also developed bureau-wide SEP implementation guidelines and a reasonable accommodation reference guide adopted by the other EEO offices. However, these assignments do not significantly change, interpret, or develop important EEO policies and programs. These assignments are a better match to the Level 1-7 criterion of developing action plans to solve EEO problems and advising managers on the appropriate course of action. They are specific guidelines rather than the broad guidelines and regulations expected to be used at Level 1-8 to resolve systemic problems.

Level 1-7 is credited 1,250 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. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the employee, priorities

and deadlines are set, and objectives and boundaries are defined. Responsibility of the employee depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work; to modify or recommend changes to instructions; and to participate in establishing priorities and defining objectives.

At Level 2-4, the supervisor sets the overall objectives and resources available and works with the employee on developing deadlines and approaches to unusual problems. The employee plans and carries out the work while advising the supervisor of major unexpected problems or significant controversies. Completed work is reviewed for fulfillment of objectives within established target dates.

At Level 2-5, the supervisor only provides administrative direction with assignments made in terms of broadly defined missions or functions. This may include setting budget and personnel limits on the employee's program or project or setting broad policy goals and objectives. The employee is responsible for independently planning, designing, and carrying out the work. Results of the work are considered technically authoritative. Work, if and when, reviewed concerns such matters as fulfillment of program objectives or overall program effectiveness.

Level 2-4 is met. As at that level, the appellant receives assignments from the supervisor in terms of general objectives and timeframes. Many milestones in the appellant's work are controlled by legal or agency-prescribed time constraints, but the appellant can independently carry out assigned projects within these parameters. Many of the appellant's duties, including assisting with complaint investigations, are continuous, so her supervisor typically reviews this work only to ensure the completion of work within established timeframes. Similar to Level 2-4, the appellant keeps the supervisor apprised of work progress and status through staff meetings, telephone calls, electronic mail, reports, and staff action packages. Like Level 2-4, the appellant advises her supervisor of any unusual problems or situations involving significant controversy or sensitivity. For example, the appellant informs her supervisor of instances where management is especially resistant to assigning staff to SEP duties and/or the possibility of unwanted publicity occurs.

Level 2-5 is not met. Implicit in this level is a degree of program management responsibility not present in the appellant's position. The appellant is not responsible for a broad program or functional area where she would have the latitude to determine and design the types of activities to undertake. Since her assignments are typically ongoing or are special projects specifically assigned by the supervisor, the appellant's responsibilities are more explicit and, therefore, do not require or permit the exercise of program authority found at Level 2-5. The appellant devises creative ways to accomplish the work assigned to her office despite a decreasing EEO budget; e.g., the appellant is providing SEPMs with orientation and training via conference calls in lieu of face-to-face visits. The appellant devises creative ways to efficiently accomplish work within the context of a limited number of well-defined functional responsibilities found at Level 2-4, ranging from assisting with complaint investigations to managing the SEP. Supervision at Level 2-5, where only budgetary and personnel resources plus general policy direction are provided, is predicated on delegated responsibility and authority for a program or function. In contrast, the appellant does not work under the general administrative oversight associated with Level 2-5 as she receives continuing oversight from the supervisor through staff meetings, telephone calls, electronic mail, reports, and staff action packages. The appellant has significant technical

responsibility for completing her office's assigned functions, but her supervisor is ultimately responsible and accountable for ICE's SEP and overall EEO program.

Level 2-4 is credited for 450 points.

Factor 3, Guidelines

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

At Level 3-4, EEO managers work within agency policies, guidelines, and instructions. They use judgment to interpret agency guidelines to formulate policies and plans for specific equal employment programs covering one or more components of an independent agency or department.

At Level 3-5, EEO managers work within guidelines that are broadly stated and nonspecific such as basic legislation, broad court decisions, and Governmentwide policies. They use judgment to interpret the guidelines that do exist to formulate operating policies and plans for specific equal employment programs covering independent agencies or department, or the primary organizational subdivisions of very large departments.

Level 3-4 is met as the appellant's position is responsible for managing the office's EEO program within laws, regulations, Executive Orders, and policies and instructions issued by EEOC, DHS, and ICE. The appellant interprets these guidelines and requirements to fit the situation at hand. Unlike Level 3-5, the appellant's work does not require or permit her to use judgment to interpret broadly stated and nonspecific guidelines in developing operating policies and plans. The appellant and her staff developed a reasonable accommodation reference guide for supervisors and managers with information on applicable laws, medical documentation and confidentiality requirements, and helpful examples which was adopted by other EEO offices. Developing the guide, although including extensive and clearly organized information, required *compiling* information from laws, regulations, and EEOC's and the U.S. Department of Justice's guidance, rather than *interpreting* broadly stated and nonspecific guidelines as at Level 3-5. In addition, the appellant normally consults with staff attorneys if a situation involves legal interpretations. The existence of EEOC, DHS, and ICE directives and policies on various topics including but not limited to reasonable accommodation, disability, sexual harassment, and complaints processing precludes the appellant's position from meeting the full intent of Level 3-5 as there is no need to make extensive interpretation of basic legislation and broad policy statements expected at this level.

Level 3-4 is credited for 350 points.

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.

At Level 4-4, EEO managers direct the day-to-day operations of EEO programs. They plan program activities, solve problems, and recommend changes in emphasis and level of program

resources. They advise managers of their EEO responsibilities, e.g., by participating in general training sessions or seminars. Work requires making decisions such as recommending disposition of individual complaints, accepting or rejecting an affirmative action plan, setting program priorities when resources are limited, and selecting appropriate problem-solving methodology. EEO managers usually operate in medium size organizations; i.e., 1,000 -5,000 employees, with moderate complexity.

At Level 4-5, EEO managers set program goals, formulate short- and long- term plans, direct day-to-day operations, systematically evaluate progress, and recommend resource levels and overall organization of the program. Decisions regarding what must be done include major areas of uncertainty in approach, methodology, or interpretation. The programs focus on solving broad and significant problems and correcting underlying causes of problems in moderately large; i.e., 7,500 – 15,000 employees, and complex organizations.

Level 4-4 is met. The appellant plans and directs day-to-day activities of an EEO program under the general administrative direction of the ICE EEO Team Leader and follows a range of guidelines and requirements occasionally requiring interpretation to fit the situation. Similar to Level 4-4, the appellant handles situations with varying complexity and difficulty relating to SEP development including setting goals, monitoring progress towards meeting goals, and advising installation officials. In developing and implementing ICE's SEP, the appellant has to make many decisions during the course of carrying out her assignments involving identifying issues, defining problems, and determining the course of action to achieve resolution. Most of her duties, including her investigations assistance and advisory services, follow the same course of action.

Level 4-5 is not met. The appellant's EEO organization provides services to approximately 16,000 Federal ICE employees, which initially appears to meet and even exceed the 4-5 level. However, the PCS cautions that the size of the organization's workforce is only one consideration in determining the appropriate level under this factor. Responsibility for servicing the 16,000 ICE employees is shared among the [names of three cities] EEO offices. Calculating [city's] servicing population is further complicated as work is not divided by geographic region but by work functions. More important in determining the correct factor level are the complexity and variety of the problems handled by the appellant. The appellant's assignments involve a degree of complexity, but they do not normally contain the characteristics typical at Level 4-5. For example, the appellant's work does not require her to spend significant time reconstructing factual information from circumstantial evidence as at Level 4-5. Instead, her assignments involve assisting investigators with obtaining documents; they do not routinely involve cases of a precedent-setting nature that would impact a large number of individuals. Additionally, her assignments typically involve issues between individuals rather than recurring longstanding systemic problems which have resisted past attempts at resolution. Unlike Level 4-5, the appellant's EEO program is not focused on solving broad and significant EEO problems and correcting the underlying causes in a moderately large, complex organization. Her projects also do not involve major areas of uncertainty in determining the scope of the work or the most effective approach and methodology, since they are largely cyclical or repetitive with sufficient precedents upon which subsequent work can be based.

Level 4-4 is credited for 225 points.

Factor 7, Purpose of Contacts

The purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives. The personal contacts serving as the basis for the level selected for this factor must be the same as the contacts serving the basis for the level selected for Factor 6.

At Level 7-3, the purpose is to negotiate procedural matters, conduct formal interviews to obtain essential information, and persuade individuals to adopt recommendations or to cooperate in resolving cases. In contrast, the purpose of Level 7-4 contacts is to negotiate or conciliate resolutions to highly controversial or major issues, or to justify or defend decisions (as opposed to recommendations) on major controversial issues.

Level 7-3 is met as the appellant's contacts with supervisors and managers for the purpose of negotiating with them to resolve employment problems; obtain agreement on employment policies; persuading them to implement the SEP; and advising and consulting on EEO and HR requirements and practices. The appellant communicates with parties involved in formal EEO complaints; so, as at Level 7-3, individuals may be fearful, skeptical, or uncooperative.

Level 7-4 is not met. Unlike Level 7-4, the appellant's regular and recurring contacts do not involve either negotiating or conciliating highly controversial or major issues, or justifying or defending decisions on major controversial issues. The appellant said persuading supervisors and managers to devote staff to the SEP is an example of situations involving significant or controversial issues. While these contacts require her to be persuasive and tactful, we understand the appellant provides feedback on how well ICE supervisors and managers fulfill EEO responsibilities which are covered by their performance standards. In this environment, we decline to conclude these contacts involve highly controversial or major issues similar to Level 7-4 since supervisors and managers will normally cooperate, albeit reluctantly, or risk negative performance feedback. Furthermore, at Level 7-4, the issues typically involve two or more of the following elements: major changes in the organization's policies or practices, very large sums of money, or potentially adverse publicity; other parties strongly contesting the negotiator's position; matters being negotiated include multiple broad and complex issues; and matters being negotiated are basic to policy positions being taken by the agency with considerable pressure on the negotiator. In contrast, the appellant's contacts are primarily for the purpose of gathering or providing information on issues related to formal complaint investigations and the SEP. Her contacts with ICE employees and supervisors, attorneys, and community organization representatives may involve resolving difficult and/or emotionally charged problems, but this interaction also fails to meet Level 7-4.

Level 7-3 is credited for 120 points.

Summary

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Knowledge Required by the Position	1-7	1250
2. Supervisory Controls	2-4	450
3. Guidelines	3-4	450
4. Complexity	4-4	225
5. Scope and Effect	5-5	325
6. Personal Contacts	6-3	60
7. Purpose of Contacts	7-3	120
8. Physical Demands	8-1	5
9. Work Environment	9-1	<u>5</u>
<i>Total</i>		2,890

A total of 2,890 points falls within the GS-12 range (2,755 to 3,150 points) on the grade conversion table in the PCS.

Decision

The position is properly classified as Equal Employment Manager, GS-260-12.