

**U.S. Office of Personnel Management  
Classification Appeal Decision  
Under section 5112 of title 5, United States Code**

**Appellants:** [Appellant]

**Agency classification:** Correctional Treatment Specialist  
GS-101-12

**Organization:** [Name]  
[Organization]  
[Organization /Location]  
Bureau of Prisons  
Department of Justice  
[Location]

**OPM decision:** Title at agency discretion with the  
prefix of "Supervisory"  
GS-101-12

**OPM decision number:** C-0101-12-04

Ana A. Mazzi

---

Ana A. Mazzi  
Deputy Associate Director  
Merit System Audit and Compliance

5/9/11

---

Date

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

As discussed in this decision, the appellant's position description (PD) is not adequate for purposes of classification and the title of the appealed position must be changed. Since PDs must meet the standard of adequacy in the *Introduction* appellant's agency must revise her PD to meet that standard. The servicing human resources office must submit a compliance report containing the corrected PD and a Standard Form 50 showing the personnel action taken to include the change in the position title. The report must be submitted to the OPM office that accepted the appeal within 45 days of the date of this decision.

**Decision sent to:**

[Name]  
[Address]  
[Location]

[Name]  
Human Resources Director  
Bureau of Prisons  
320 1<sup>st</sup> Street, NW  
Room 716  
Washington, DC 20534  
[skiernan@bop.gov](mailto:skiernan@bop.gov)

Director, Human Resources  
U. S. Department of Justice  
JMD Human Resources, Suite 9W300  
145 N. Street, NE  
Washington, DC 20530

## Introduction

On December 28, 2010, Philadelphia Oversight of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [Appellant]. The appellant's position is currently classified as a Correctional Treatment Specialist, GS-101-12, and is located in the [Organization], [Organization], [Location], [Location], Bureau of Prisons (BOP), Department of Justice (DOJ) in [Location]. The appellant believes her position warrants a higher-grade level. We received the complete agency administrative report on January 31, 2011, and have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

To help decide this appeal, we conducted telephone interviews with the appellant on March 24, 2011, and her supervisor on March 25, 2011. In reaching our classification decision, we have carefully considered all of the information obtained from the interviews, as well as all other information of record provided by the appellant and her agency.

## General issues

The appellant raises concerns about the agency's classification review process (e.g., revising her PD, receiving no response to her request for a desk audit, and denial of a request for re-classification to the GS-13 grade level). She also alludes to classification inconsistency based on the grade of another position. The appellant states she was given no choice in assuming the duties of the abolished Correctional Program Officer, GS-006-13 PD in addition to her correctional treatment duties. These added duties include providing technical guidance to staff concerning local correctional program policies on topics such as the physical processing of inmates, prevention of the introduction of contraband, and the safeguarding and disbursement of inmate personal property.

By law, we must make our decision solely by comparing the appellant's current duties and responsibilities to OPM position classification standards (PCS) and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to OPM standards and guidelines is the exclusive method for classifying positions, we cannot compare the appellant's current duties to other positions which may or may not be classified properly as a basis for deciding her appeal. In adjudicating this appeal, our responsibility is to make our own independent decision on the proper classification of her position. Because our decision sets aside all previous agency decisions, the agency's classification review process is not germane to this decision. By law (5 U.S.C. 5102(a)(3) and 7106(a)), agency management has the right to establish positions and determine the work assignable to each position. Such actions are not reviewable under the classification appeals process.

The appellant does not agree PD# [number], dated May 22, 2001, accurately describes the duties and responsibilities of her position. The appellant stated during her interview the PD does not include her supervision of all [Name] personnel (i.e., one Correctional Treatment Specialist, GS-101-11; three Correctional Program Specialist, GS-006-11; and 25 Correctional Officer, GS-007-8 grade level positions). Her current supervisor stated during his interview that the appellant's PD is accurate except it does not show her supervision of all [Name] personnel.

A PD is the official record of the major duties and responsibilities assigned to a position by an official with the authority to assign work. A position is the duties and responsibilities which make up the work performed by the employee. Classification appeal regulations permit OPM to investigate or audit a position and decide an appeal based on the actual duties and responsibilities currently assigned by management and performed by the employee. An OPM appeal decision classifies a real operating position and not simply the PD. This decision is based on the work currently assigned to and performed by the appellant.

### **Position information**

The mission of the Federal BOP is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens. The [Organization/Location] opened in the early 1990s and was built to hold one thousand male and female inmates. It holds prisoners awaiting arraignments or trials in Federal courts. The center mainly serves the Federal courts of the [Location].

The PD states the appellant's major duties include: (1) serving as the Case Management Coordinator at the [Organization], maintaining a current knowledge of available correctional program techniques and resources, which includes the areas of case/unit/inmate systems management in order to provide accurate assistance and information to staff concerning correctional program policy; (2) formulating institution supplements, signs procedural memos, ensuring training is provided for affected staff, providing technical assistance, and conducting regular staff meetings with case/unit/inmate systems management staff; (3) supervising the Correctional Program Specialist who is responsible for the daily activities associated with the successful operation of the mail and distribution services, the booking and releasing systems, and the legal services and data management functions that are performed by the Legal Instruments Examiners and Inmate Systems Officers; and (4) functioning as an institution department head and serving on the normal rotation as the institution staff duty officer with all the responsibilities incumbent in the assignment and attends the Warden's department head meetings.

Other major duties include: (1) serving as the administrator of the Central Inmate Monitoring program providing direction, technical expertise, and review to ensure proper application of the policy; (2) serving as the institution coordinator for witness security cases; monitoring the certification of staff; and ensuring institution screening and locator center training are provided; and (3) ensuring the quality control of official correspondence prepared for the Warden's signature by correctional programs staff; monitoring unit classification teams to ensure they are effectively and appropriately conducted and that BOP policy is being followed; monitoring victim/witness and financial responsibility programs to ensure policy compliance; and conducting internal audits and assesses policy compliance within correctional programs; and (4) as a cost center manager, administering the correctional program budgets, planning for future expansion and/or revision of the operating areas and insures that adequate equipment and supplies are maintained; and recommending equipment justifications to the budget committee.

The PD also states supervisory work and related managerial responsibilities constitute a major duty occupying at least 25 percent of the position's time and requires accomplishment of work through the combined technical and administrative direction of subordinate employees.

The results of our interviews with the appellant and her supervisor as well as other material of record show the major duties performed by the appellant fall into three areas – responsibility for the case management (correctional treatment) and correctional systems management programs at the [Organization], and supervision of 29 department personnel, including three first-level supervisors. The appellant has technical program responsibility for the correctional treatment work provided to inmates by 14 Correctional Treatment Specialists who are assigned to the Unit Management Department. However, these employees are directly supervised by the Unit Manager. She spends about 40 percent of her time performing case management program oversight, 30 percent of her time performing correctional systems management program oversight and 30 percent of her time performing supervisory duties. The major duties listed in the PD include examples of functions the appellant performs. However, these examples are not descriptive of the actual duties she performs within each of these program areas. As a result, the PD fails to meet the standards of PD accuracy for classification purposes as discussed in section III.E of the *Introduction* and must be corrected as part of the compliance report directed on page ii of this decision.

### **Series, title, and standard determination**

The appellant does not question the agency's determination of series and title of her position. The duties and responsibilities of the appealed position are to advise on, administer, and supervise work allocable to the Correctional Treatment Specialist option of the GS-101 series since her work requires application of specialized professional knowledge of the behavioral and social sciences as they relate to criminology and corrections. Based on a review of the record, we concur the position is appropriately assigned to the Social Science Series, GS-101. Since OPM has not prescribed titles for positions in this series, the agency may construct a descriptive title by following the guidance in the *Introduction*.

The appellant's work meets the basic coverage criteria of the General Schedule Supervisory Guide (GSSG) which must be used to grade the appellant's supervisory duties and responsibilities. In order to meet the basic coverage and grade a position using the GSSG, the position is required to accomplish work through technical and administrative direction of others; and occupy at least 25 percent of the position's time and meet at least the lowest level of Factor 3 – Supervisory and Managerial Authority Exercised in the GSSG, based on supervising Federal civilian employees, Federal military or uniformed service employees, volunteers or other non-contractor personnel. The GSSG is a functional guide used to determine the grade level of supervisory positions in the General Schedule and must be applied to evaluate the appellant's supervisory duties and responsibilities. As a result, the prefix "Supervisory" must be added to the position title as part of the compliance report directed on page ii of this decision. For purposes of this appeal, we assume the positions supervised by the appellant are properly classified.

The duties and responsibilities of the appellant's clinical work require applying knowledge in the behavioral and social sciences as they relate to criminology and corrections. The appellant conducts internal audits of the case management and correctional systems programs she oversees in order to monitor, analyze, assess policy compliance, and correct program deficiencies identified in these areas. The appellant oversees the professional treatment case managers provide to inmates by ensuring they identify the problem, decide the appropriate action, and provide the indicated services (to include developing an inmate history; evaluating social factors related to an inmate's adjustment to the [Organization], and providing services for personal/family issues). She conducts monthly meetings with case managers and unit teams to discuss improvements to established inmate treatment plans. She develops and maintains the local professional standards for the correctional treatment services provided to inmates, and initiates and effects changes to local policies as needed. Thus, as provided for in the GS-185 Social Worker Series PCS, that PCS is properly used for cross-series comparison to grade this portion of her work.

### **Grade determination**

#### ***Evaluation using the GS-185 PCS***

The GS-185 PCS uses two basic elements to define assignment characteristics, assignment content and supervisory control. Two basic variables that affect the grade levels of positions are (1) the character of the caseload and (2) the freedom of practice characteristic of performance. The first refers to the difficulty of problems present in the assignment and the degree of professional skill and judgment required by the social work decisions and the services they involve. The second reflects the recognition of the social worker's competence through decreased supervisory control that allows independent performance of work. These variables are considered in concert when making grade level determinations.

At the GS-12 grade level, the highest level described in the PCS, social worker positions are of two general types: (1) supervisory positions that include full technical and administrative responsibility for the accomplishment of the work of a unit of three or more subordinate professional workers when the base level of the unit fully meets the GS-11 grade level as defined in the GS-185 PCS, and (2) positions which are classified at this level in recognition of program responsibilities which are significant enough to justify the GS-12 grade with or without the presence of professional subordinates.

Illustrative of positions of the second type are those of social workers in charge of the social work program at a separate installation or organizational component where they are responsible for development and maintenance of professional standards of service, initiating and effecting changes in methods that will promote efficient practice, and coordination of social work services with other programs of service to the same group of clients. They typically represent the social work program at conferences and in contacts with other agencies and the public. Work is subject to regulation and procedural direction from the program directors in the central office of the agency and to the local management control of the directors of the institution, such as a clinic or correctional institution.

Because the appellant's subordinate professional staff consists of one GS-11 Correctional Treatment Specialist who serves as the appellant's deputy, the appealed position does not compare favorably with the first GS-12 grade level example. Based on the record, we find that the appellant's position compares favorably with, but does not exceed the second GS-12 grade level type of position based on the scope, breadth, and complexity of her case management and correctional systems program oversight demands. The record shows the appellant has technical program responsibility for the case management and correctional systems programs administered at the [Organization]. The appellant ensures the case managers provide professional correctional treatment to inmates (e.g. developing inmate history, and providing pre-release planning services to inmates) by developing and maintaining professional standards of service; initiating and effecting changes in methods to promote efficient practices, and coordinating social work services with other service programs. She conducts monthly meetings with case managers and unit teams to discuss improvements to inmate treatment plans and any policy changes. The appellant also oversees a subordinate staff of three Correctional Treatment Specialists and twenty-five Correctional Officers. She ensures the correctional systems operations (e.g. inmate admission and release systems; physical processing of inmates, prevention of the introduction of contraband to the prison population; judgment and commitment records maintenance; and coordination of prisoners' transfers) at the [Organization] operate within BOP and locally established rules and regulations and meets with the staff members every two weeks to discuss such issues as potential problems regarding proper correctional systems policies, and any policy changes.

Typical of the GS-12 grade level, the appellant receives agency policy directives and program updates from BOP Central Office and DOJ program directors. In turn, the appellant develops and issues local program policies and procedures as required since not all BOP/DOJ directives require locally developed institution supplements. For example, the appellant has established local procedures for the management and housing of pre-trial inmates; local procedures for processing inmates through the Receiving and Discharge area; procedures and controls for processing incoming and outgoing correspondence for inmates; local procedures for conducting intake screenings of inmates; and guidelines for the development of the Institution Release Preparation Program, a program which supplements institutional treatment programs aimed at preparing inmates about to be released for transition back into the community. The supervisor relies on the appellant for proper interpretation of agency policy for the [Organization] and for implementation recommendations.

Also typical of GS-12 program management work, the appellant conducts internal audits for case management and correctional systems programs. The appellant states she conducts internal audits based upon weaknesses and/or program issues she observes when reviewing the work products of case managers and correctional systems personnel or if she receives several complaints on the same issue from inmates. For example, if she receives several complaints regarding the mail delivery process, she conducts an impromptu audit of mailroom procedures and takes corrective action if needed. The appellant states the audits are conducted to monitor, analyze, assess policy compliance and correct identified program deficiencies and to measure program effectiveness as well as compliance. She communicates the audit findings to the appropriate staff members and to her supervisor as needed. The appellant conducts follow-up reviews to see if the internal controls are effective and new procedures and internal controls are

implemented if needed to ensure compliance with local and BOP policies and procedures. The appellant is also required to ensure BOP audits called Operational Reviews are conducted on schedule. They are reviews of local processes enabling staff to closely evaluate the strengths and weaknesses of program procedures and take any needed corrective action. They are conducted between ten and fourteen months from the week of the previous Operational Review. The review findings are provided to the affected case management and/or correctional systems staff, Associate Warden, Warden, and Regional and Central Office staff.

Typical of GS-12 level program management, the appellant serves as the subject-matter expert for the correctional treatment and correctional systems management programs at the [Organization]. If a case manager or correctional systems department personnel have technical questions, to include ensuring all court ordered treatment is identified prior to an inmate's release to a half-way house, the proper placement of an inmate within the institution, or points credited toward an inmate's computation date, they seek guidance from the appellant. Monday through Friday, the appellant serves on the Main Line (each department head goes to the inmate's living quarters to answer their questions related to specific department processes and procedures) answering technical questions from inmates regarding the correctional treatment and correctional systems management programs (for example an inmate may state the personal property which was mailed to a family member was not received; or an inmate may request a change in where he or she is housed due to safety reasons). She explains the established procedures applicable to the inmate's questions and concerns and follows up with an impromptu audit if needed. Typical of the GS-12 grade level, the appellant serves as the liaison with the Community Corrections Office, a BOP entity that contracts with Residential Re-entry Center's or half-way houses for placement of [Organization] inmates. Community Corrections Office personnel provide information to her regarding community resources available to inmates upon release. She provides the information to case managers who then provide it to the inmates. The appellant also serves as a liaison with probation officers who also assist in providing inmates with housing resources upon release.

Therefore, this aspect of the appellant's work is properly credited at the GS-12 grade level.

### ***Evaluation using the GSSG***

The GSSG uses a factor-point evaluation approach that uses six factors common to all supervisory positions. Each factor level in the PCS describes the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in the factor level 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. Each factor level has a corresponding point value. The total points are converted to a grade by use of the grade conversion chart in the standard.

The agency did not evaluate the appellant's duties using the GSSG. The *Introduction* states:

To classify a supervisory or program management position *in any occupational series, users should:*



Apply criteria for measuring program management work as provided in the standard for the series to which the position is classified or in related standards or guides which measure program management duties and responsibilities.

-and-

Apply the supervisory classification guide to positions whose supervisory duties and responsibilities meet minimum requirements for coverage by the guide.

Since the agency has not graded the supervisory duties performed by this position using the GSSG, our evaluation will address all of the factors below. Because the GSSG requires that a covered position exercise technical and administrative supervision, our application of the GSSG is restricted to her duties pertaining to the 29 positions in the [Name] since the 14 Correctional Treatment Specialists who are assigned to the Unit Management Department are not under her administrative supervision.

*Factor I, Program scope and effect*

This factor assesses the general complexity, breadth, and impact of the program areas and work directed, including its organizational and geographic coverage. It also assesses the effect of the work both within and outside of the immediate organization. All work, for which the supervisor is both technically and administratively responsible, including work accomplished through subordinates, military personnel, and contractors is considered. To receive credit for a given level, the separate criteria specified for both scope and effect must be met at that factor level.

*Subfactor 1a: Scope*

Scope addresses complexity and breadth of the program or work directed, including the geographic and organizational coverage within the agency structure. It has two elements: (a) the program (or program segment) directed and (b) the work directed, the products produced, or the services delivered. In evaluating the population affected under this factor, we may only consider the total population serviced directly and significantly by a program. We cannot count the total population in the geographic area potentially covered by a program. Scope also considers how the activities directed relate to the agency's mission and to outside entities, and the complexity and intensity of the services provided.

At Level 1-2 of this subfactor, the program segment or work directed is administrative, technical, complex clerical, or comparable in nature. The functions, activities, or services provided have limited geographic coverage and support most of the activities comprising a typical agency field office, an area office, a small to medium military installation, or comparable activities within agency program segments. Illustrative of line program work is a field office providing services to the general public, in which the office furnishes a portion of such services, often on a case basis, to a small population of clients. The size of the population serviced by the field office is the equivalent of all citizens or businesses in a portion of a small city. Depending on the nature of the service provided, however, the serviced population may be concentrated in one city or spread over a wider geographic area.

In contrast, at Level 1-3 the supervisor directs a program segment that performs technical, administrative, protective, investigative, or professional work. The program segment and work directed typically have coverage which encompasses a major metropolitan area, a State, or a small region of several States; or when most of an area's taxpayers or businesses are covered, coverage comparable to a small city. Illustrative of providing services directly to the general public is furnishing a significant portion of the agency's line program to a moderate-sized population of clients. The size of the population serviced by the position is the equivalent of a group of citizens and/or businesses in several rural counties, a small city, or a portion of a larger metropolitan area. Depending on total population serviced by the agency and the complexity and intensity of the service itself, however, the serviced population may be concentrated in one specific geographic area, or involve a significant portion of a multistate population, or be composed of a comparable group. Providing complex administrative or technical or professional services directly affecting a large or complex multi-mission military installation also falls at this level.

As at Level 1-2, the appellant directs a preponderantly technical staff involved with delivering case management (correctional treatment) and correctional systems management services to a population of approximately 2,800 inmates at the [Organization/Location]. This staff does not perform the level of work required to fully meet Level 1-3 (since full-performance level professional and administrative work starts at the GS-9 grade level, Level 1-3 is predicated on technical and investigative work at or above the GS-9 grade level). The appellant and those she directs also do not directly service the larger population of clients required at Level 1-3. Therefore, this subfactor is credited at Level 1-2.

*Subfactor 1b: Effect*

Effect addresses the impact of the work, the products, and/or the programs described under "Scope" on the mission, the agency, other agencies, the general public, or others.

At Level 1-2 of this subfactor, the services or products support and significantly affect installation, area office, or field office operations and objectives or comparable program segments; or provide services to a moderate, local or limited population of clients or users comparable to a major portion of a small city or rural county. In contrast, at Level 1-3, activities, functions, or services accomplished directly and significantly impact a wide range of agency activities, the work of other agencies, or the operations of outside interests (e.g. a segment of a regulated industry), or the general public.

As discussed previously, the appellant's program does not service a moderate-sized population of clients as defined at Level 1-3 of this subfactor. The services **directly** provided by the appellant involve providing treatment to and housing inmates remanded to the [Organization] a self-contained federal corrections institution similar to servicing the total population of a portion of a small city found at Level 1-2. Thus, the appellant's program cannot be credited as furnishing a significant portion of the agency's line program to the substantially larger serviced population as required at Level 1-3. Therefore, this subfactor must be credited at Level 1-2.

This factor is evaluated at Level 1-2 and 350 points are assigned.

*Factor 2, Organizational setting*

This factor considers the organizational situation of the supervisory position in relation to higher level management.

As at Level 2-2, the position is accountable to a position that is one reporting level below the first SES, flag or general officer, or equivalent higher level position in the direct supervisory chain. The appellant reports to the Associate Warden for Programs, a GS-006-14 position which, in turn, reports to the Warden, an ES-006-00 position. This reporting relationship fails to meet Level 2-3 where the position is accountable to a position that is at the SES, flag or general officer, or equivalent or higher level; or to a position which directs a substantial GS/GM-15 or equivalent level workload; or to a position which directs work through GS/GM-15 or equivalent level subordinate supervisors. Therefore, this factor must be credited at Level 2-2.

This factor is evaluated at Level 2-2 and 250 points are assigned.

*Factor 3, Supervisory and managerial authority exercised*

This factor covers the delegated supervisory and managerial authorities which are exercised on a recurring basis. To be credited with a level under this factor, a position must meet the authorities and responsibilities to the extent described for the specific level.

To meet Level 3-3, a position must meet either paragraph 3-3a or 3-3b as discussed below.

At Level 3-3a, a position exercises delegated managerial authority to set a series of annual, multi-year, or similar types of long-range work plans and schedules for in-service or contracted work. These positions assure implementation (by lower and subordinate organizational units or others) of the goals and objectives for the program segment (s) or function(s) they oversee. They determine goals and objectives that need additional emphasis; determine the best approach or solution for resolving budget shortages; and plan for long range staffing needs, including such matters as whether to contract out work. These positions are closely involved with high level program officials (or comparable agency level staff personnel) in the development of overall goals and objectives for assigned staff function(s), program(s), or program segment(s). For example, they direct development of data; provision of expertise and insights; securing of legal opinions; preparation of position papers or legislative proposals; and execution of comparable activities which support development of goals and objectives related to high levels of program management and development or formulation.

The appellant's position does not fully meet Level 3-3a. Similar to that level, the appellant oversees the [Name] which includes subordinate organizational units and she ensures established case management and correctional systems management policies and regulations are implemented and enforced. However, in contrast to Level 3-3a, planning for staffing is done more on an immediate, short term basis rather than long range, including plans for contracting out work. Unlike Level 3-3a, the appellant is not closely involved with high level program

officials (or comparable agency level staff personnel) in the development of overall goals and objectives for her assigned function. In contrast to Level 3-3a, the appellant serves as a second-level supervisor whose position does not exercise the degree of delegated program management authority envisioned at Level 3-3a.

At Level 3-3b, a supervisor must exercise all or nearly all of the supervisory responsibilities and authorities described at Level 3-2c, plus at least 8 of the 15 responsibilities listed under Level 3-3b of the GSSG. The appellant's position exercises the responsibilities required for the crediting of Level 3-2c. Our analysis of Level 3-3b responsibilities follows:

Responsibility 1 is credited. It involves using subordinate supervisors, leaders, team chiefs, group coordinators, committee chairs, or comparable personnel to direct, coordinate, or oversee work; and/or providing similar oversight of contractors. The appellant uses several supervisors to direct and oversee correctional systems management work.

Responsibility 2 is credited. It involves exercising significant responsibilities in dealing with officials of other units or organizations, or in advising management officials of higher rank. As a department supervisor, the appellant has a significant coordinative and advisory role with other department supervisors and higher ranking [Organization] officials, and a public relations role with external organizations providing assistance with inmate housing resources upon release.

Responsibility 3 is credited. It involves ensuring reasonable equity (among units, groups, teams, projects, etc.) of performance standards and rating techniques developed by subordinates, or assuring comparable equity in the assessment by subordinates of the adequacy of contractor capabilities or of contractor completed work. The appellant carries out the first portion of this responsibility in relation to standards developed by subordinate supervisors.

Responsibility 4 is not credited. It involves direction of a program or major program segment with significant resources (e.g. one at a *multi-million* dollar level of annual resources). The appellant is responsible for the correctional systems, bus operations, correctional treatment, and inmate pay budgets. The appellant stated the cost center codes she oversees do not reach the multi-million dollar level of annual resources.

Responsibility 5 is credited since the appellant makes decisions on work problems presented by subordinate supervisors.

Responsibility 6 is credited since the appellant evaluates subordinate supervisors, and serves as the reviewing official on evaluations of non-supervisory employees.

Responsibility 7 is credited since the appellant approves selections for subordinate non-supervisory positions.

Responsibility 8 is credited since the appellant recommends selections for subordinate supervisory positions.

Responsibility 9 is credited since the appellant has authority to hear and resolve employee complaints.

Responsibility 10 is not credited. It involves reviewing and approving serious disciplinary actions (e.g. suspensions) involving non-supervisory subordinates. The appellant stated the warden retains this responsibility.

Responsibility 11 is not credited. The appellant stated employees at the [Organization] have pre-determined training plans so she does not have occasion to submit non-routine, costly, or controversial training requests.

Responsibility 12 is not credited. It involves determining whether contractor performed work meets standards of adequacy necessary for authorization of payment. Since the appellant does not supervise any contractors, this responsibility is non-applicable.

Responsibility 13 is credited. It involves approving expenses comparable to within-grade increases, extensive overtime and employee travel. The appellant exercises the authority to approve extensive overtime expenses since approximately half of her staff works two days of overtime per week. The appellant states she also approves within-grade increases and employee travel along with her immediate supervisor and the warden.

Responsibility 14 is not credited. The appellant has the authority to recommend awards for non-supervisory personnel. However, positions at the [Organization] are on standard, BOP- wide PDs which have already been classified. Thus, the appellant has no regular opportunity to recommend changes in classification.

Responsibility 15 is not credited. It involves finding and implementing ways to eliminate or reduce significant bottlenecks and barriers to production, promote team building, or improve business practices (e.g. a large production or processing unit). This would apply to large organizations whose missions would be susceptible to the application of such methodological or structural improvements. The work supervised by the appellant does not lend itself to these types of management applications.

Since the appellant's position can be credited with 9 of the listed responsibilities, it fully meets Level 3-3b.

At Level 3-4, in addition to delegated managerial and supervisory authorities included at lower levels of Factor 3 (including meeting *both* Levels 3-3a and 3-3b), positions at Level 3-4 must meet the criteria in paragraphs a or b as listed in the GSSG. As previously noted, the appellant's position does not meet Level 3-3a. Therefore, we are precluded from crediting Level 3-4.

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

*Factor 4, Personal contacts*

This is a two part factor that assesses the nature and purpose of personal contacts related to supervisory and managerial responsibilities. The contacts used to determine credit level under one subfactor must be the same used to determine credit under the other subfactor.

*Subfactor 4A: Nature of contacts*

This subfactor covers the organizational relationships, authority or influence level, setting, and preparation difficulty involved in the supervisor's work. To be credited, contacts must be direct and recurring, contribute to the successful performance of the work, and have a demonstrable impact on the difficulty and responsibility of the position.

At Level 4A-2, the employee has frequent contacts with members of the business community, the general public, higher ranking managers, supervisors, and staff of program, administrative, or other work units and activities throughout the installation, command (below major command level) or major organization level of the agency; representatives of local public interest groups; case workers in congressional district offices; technical or operating level employees of State and local governments; and reporters for local and other limited media outlets reaching a small, general population. Contacts may be informal, occur in conferences and meetings, take place by telephone, teleconference, radio, or similar means, and sometimes require special preparation.

In contrast, Level 4A-3 involves frequent contacts with high ranking military or civilian managers, supervisors, and technical staff at bureau and major organization levels of the agency; with agency headquarters administrative support staff; or with comparable personnel in other Federal agencies; key staff of public interest groups (usually in formal briefings) with significant political influence or media coverage; journalists representing influential city or county newspapers or comparable radio or television coverage; congressional committee and subcommittee staff assistants below staff director or chief counsel levels; contracting officials and high level technical staff of large industrial firms; local officers of regional or national trade associations, public action groups, or professional organizations; and/or State and local government managers doing business with the agency. Contacts include those which take place in meetings and conferences and unplanned contacts for which the employee is designated as a contact point by higher management. They often require extensive preparation of briefing materials or up to date technical familiarity with complex subject matter.

The appellant's personal contacts meet Level 4A-2. As a program manager, the appellant's regular and recurring contacts include [Organization] managers, supervisors, and employees. For example, the appellant communicates with Inmate Monitoring Section personnel regarding Witness Security (Witsec) inmates housed at the [Organization]; communicates with Medical Section personnel regarding whether an inmate can be assigned to a work detail; and provides program and policy advisement to executive staff (Assistant Wardens and Warden) on issues related to case management and correctional systems management programs to include the steps taken to ensure the enforcement of BOP and local regulations. She frequently has contact with inmates when she serves on the Main Line answering their technical questions on issues to include treatment counseling options, potential housing unit safety issues, or participation in

education or vocational programs. As the institution's liaison for [Name], the appellant also has regular and recurring contact with individuals outside the institution. They include communicating with Justice Prisoner and Alien Transportation to coordinate the safe movement of inmates to their designated institutions; U.S. Parole Commission personnel regarding an inmate's confinement, release status, parole hearings or bail status; Assistant U.S. Attorneys regarding an inmate's separation or the safety and security measures needed for an inmate providing testimony for the government; and [Location] State Parole Commission personnel regarding inmate parole violations and hearings. Similar to Level 4A-2, the appellant's contacts are with individuals of all levels within the institution and at the operating level of state and other federal agencies and occur primarily in distinct but routine settings. Contacts take place in face-to-face meetings or through telephone, electronic mail, or comparable mediums.

The appellant's level of contacts does not meet Level 4A-3. In contrast to Level 4A-3, the appellant does not frequently contact high ranking military or civilian managers, supervisors, and technical staff at bureau and major organization levels of the agency. Her regular contacts are primarily within the institution and at the operating level of State and other Federal agencies rather than higher levels within DOJ. Unlike Level 4A-3, the appellant's contacts do not regularly require extensive preparation of briefing materials or up-to-date technical familiarity with a complex subject matter. For example, discussions with members of the U.S. Parole Commission or Assistant U.S. Attorneys offices are held regularly and do require presenting current information on an inmate in various forms, but they do not require the type of preparation described at Level 4A-3.

This factor is evaluated at Level 4A-2 and 50 points are assigned

*Subfactor 4B: Purpose of contacts*

This subfactor includes the advisory, representational, negotiating, and commitment responsibilities related to the supervisor's contacts credited under the previous subfactor.

At Level 4B-2, the purpose of contacts is to ensure that information provided to outside parties is accurate and consistent, to plan and coordinate the work directed with that of others outside the subordinate organization, and/or to resolve differences of opinion among managers, supervisors, employees, contractors, or others. In contrast, the purpose of Level 4B-3 contacts is to justify, defend, or negotiate in representing the project, program segment(s), or organizational unit(s) directed, in obtaining or committing resources, *and* in gaining compliance with established policies, regulations, or contracts. Contacts at this level usually involve active participation in conferences, meetings, hearings, or presentations involving problems or issues of considerable consequence or importance to the program or program segment(s) managed.

As at Level 4B-2, the purpose of the appellant's contacts is to plan and coordinate her department's work with that of other [Organization] departments and others who enforce court ordered decisions, and provide services and support to the inmates during incarceration and after their release. Unlike Level 4B-3, the appellant's frequent contacts do not *typically* require her to justify, defend, or negotiate her program's work, to obtain or commit resources, *and* to gain compliance. The appellant's contacts are typically with audiences who support the department's

goals and cooperate in following court orders, inmate treatment plans, and maintaining order within the institution.

This factor is evaluated at Level 4B-2 and 75 points are assigned.

*Factor 5, Difficulty of typical work directed*

This factor covers the difficulty and complexity of the basic work most typical of the organization directed, as well as other line, staff, or contracted work for which the supervisor has technical or oversight responsibility (either directly or through subordinate supervisors, team leaders, or others). The level credited for this factor normally must constitute at least 25 percent of the workload of the organization supervised. Excluded from consideration is: (1) work of lower level positions that primarily support the basic work of the unit, (2) work that is graded based upon the supervisory or leader guides, (3) work that is graded higher than normal because of extraordinary independence from supervision, and (4) work for which the supervisor does not have the responsibilities defined under Factor 3.

The appellant supervises one GS-11 Correctional Treatment Specialist, three Correctional Program Specialists who perform non-supervisory work approximately 25 percent of the time and twenty-five GS-8 positions supervised through subordinate supervisors. Since non-supervisory work at the GS-11 level constitutes less than 25 percent of the workload for the appellant's department, we find that GS-8 is the highest level of work directed under the criteria defined in Factor 5.

This factor is evaluated at Level 5-4 and 505 points are assigned.

*Factor 6, Other Conditions*

This factor measures the extent to which various conditions contribute to the difficulty/complexity of carrying out supervisory duties, authorities, and responsibilities. Conditions affecting work for which the supervisor is responsible (whether performed by Federal employees, assigned military, contractors, volunteers, or others) may be considered if they increase the difficulty of carrying out assigned supervisory or managerial duties and authorities.

To evaluate Factor 6, two steps are used. First, the highest level that a position meets fully is initially credited. Then, if the level selected is either 6-1, 6-2, or 6-3, the Special Situations listed after the factor level definitions are considered. If a position meets three or more of the situations, then a single additional level is added to the level selected in the first step. If the level selected in the first step is either 6-4, 6-5, or 6-6, the Special Situations may not be considered in determining whether a higher factor level is creditable.

The GSSG must be applied in an internally consistent manner. In evaluating Factor 6, therefore, we must first locate the factor level description that recognizes the level of work credited in Factor 5. Tentatively selecting that factor level, we must assess whether the position performs the full range of coordination and work integration responsibilities found at that level. If both of those requirements are met, then the factor may be credited to the position.



The appellant's position fully meets Level 6-3b (975 points) since she directs subordinate supervisors over positions in grade GS-8, the full performance level for her subordinate Correctional Officer positions, and the work requires continuing effort to ensure BOP and local case management and correctional systems management policies and procedures are implemented and followed. Our analysis of the Special Situations as they pertain to the appellant's position follows:

#### *Variety of Work*

This situation is credited when more than one kind of work, each kind representing a requirement for a distinctly different additional body of knowledge on the part of the supervisor, is present in the work of the unit. A "kind of work" usually will be the equivalent of a classification series. Each "kind of work" requires substantially full qualification in distinctly separate areas, or full knowledge and understanding of rules, regulations, procedures, and subject matter of a distinctly separate area of work. Additionally, to credit "Variety" (1) both technical and administrative responsibility must be exercised over the work, and (2) the grade level of the work cannot be more than one grade below the base level of work used in Factor 5.

The record shows the appellant has two distinct kinds of work, each requiring a distinctly different body of knowledge, under her supervision: One is that of Correctional Treatment Specialist, GS-101-11. The other is Correctional Program Specialist, GS-006-11 and Correctional Officer, GS-007-8 work. The GS-006 and GS-007 both require work in the field of corrections and are sufficiently similar to be treated as being a "kind of work" for purposes of this Special Situation. The appellant exercises full administrative and technical supervision over all these positions. Therefore, this situation is credited.

#### *Shift Operations*

This situation is credited when the position supervises an operation carried out on at least two fully staffed shifts.

The record shows [Name] operates on a 24-hour, 7 days per week basis. The appellant's subordinate personnel work one of three shifts. The first shift runs from 6:00 A.M to 2:30 P.M, the second shift runs from 2:00 P.M. to 10:00 P.M. and the third shift runs from 10:00 P.M. to 6:00 A. M. Each shift is fully-staffed to include a supervisor. The supervisor's shifts overlap so that each can debrief the incoming shift employees regarding what transpired during the previous shift. Therefore, this situation is credited.

#### *Fluctuating Work Force or Constantly Changing Deadlines*

Fluctuating work force is credited when the workforce supervised by the position has large fluctuations in size (e.g. when there are significant seasonal variations in staff) and these fluctuations impose on the supervisor a substantially greater responsibility for training, adjusting assignments, or maintaining a smooth flow of work while absorbing and releasing employees.

Constantly changing deadlines is credited when frequent, abrupt, and unexpected changes in work assignments, goals, and deadlines require the supervisor constantly to adjust operations under the pressure of continuously changing and unpredictable conditions.

The work force and deadlines for [Name] are stable and do not continuously fluctuate as defined under this Special Situation. The appellant's case management and correctional systems management programs' goals and responsibilities do not change as defined under this Special Situation. Therefore, this situation is not credited.

#### *Physical Dispersion*

This situation is credited when a substantial portion of the workload for which the supervisor is responsible is regularly carried out at one or more locations which are physically removed from the main unit (as in different buildings, or widely dispersed locations in a large warehouse or factory building), under conditions which make day-to-day supervision difficult to administer.

Case management and correctional systems management programs operate in both the East and West buildings of the [Organization]. However, supervisors are present during each shift and are responsible for the employee's work performance which does not make the appellant's day-to-day supervision more difficult. Therefore, this situation is not credited.

#### *Special Staffing Situations*

This situation is credited when: (1) a substantial portion of the work force is regularly involved in special employment programs; or in similar situations which require involvement with employee representatives to resolve difficult or complex human resources management issues and problems; (2) requirements for counseling and motivational activities are regular and recurring; and (3) job assignments, work tasks, working conditions, and/or training must be tailored to fit the special circumstances.

The appellant's work force is not involved in special employment programs discussed above nor do they have any disciplinary or performance issues. Therefore, this situation is not credited.

#### *Impact of Specialized Programs*

This situation is credited when supervisors are responsible for a significant technical or administrative workload in grades above the level of work credited in Factor 5, provided the grades of this work are not based upon independence of action, freedom from supervision, or personal impact on the job.

The appellant provides program responsibility for the case management and correctional systems management programs. Credit was not given to the GS-11 positions supervised by the appellant under Factor 5 since they perform non-supervisory work for only approximately 25 percent of the time. Therefore, this situation is not credited.

*Changing Technology*

This situation is credited when work processes and procedures vary constantly because of the impact of changing technology, creating a requirement for extensive training and guidance of the subordinate staff.

The appellant's work processes and procedures do not vary due to changing technology as measured by this Special Situation. They remain stable and constant. Therefore, this situation is not credited.

*Special Hazard and Safety Conditions*

This situation is credited when the supervisory position is regularly made more difficult by the need to make provision for significant unsafe or hazardous conditions occurring during performance of the work of the organization.

Case management and correctional systems management personnel carry radios and body alarms in case of an emergency. They are taught how to use the radio's during Institutional Familiarization – which is training given upon entry to the BOP. They are issued from the control center - the ones who ensure all equipment is accounted for and in working order. If a radio requires repair, the control center notifies the lock shop – the ones who ensure radios are functioning appropriately. The appellant does not have the responsibility to ensure the safety equipment referenced above remains in working order. Therefore, this situation is not credited.

As previously stated, Level 6-3 was credited for the first step of the evaluation for this factor. Because this position meets only two Special Situations and not three, a single additional level is not added to the level selected in the first step.

This factor is evaluated at Level 6-3(b) and 975 points are assigned.

*Summary*

| <i>Factor Level Points</i> |                                  |      |       |
|----------------------------|----------------------------------|------|-------|
| 1.                         | Program Scope and Effect         | 1-2  | 350   |
| 2.                         | Organizational Setting           | 2-2  | 250   |
| 3.                         | Supervisory/Managerial Authority | 3-3b | 775   |
| 4.                         | Personal Contacts                |      |       |
|                            | Nature of Contacts               | 4A-2 | 50    |
|                            | Purpose of Contacts              | 4B-2 | 75    |
| 5.                         | Difficulty of Work Directed      | 5-4  | 505   |
| 6.                         | Other Conditions                 | 6-3b | 975   |
|                            | <i>Total</i>                     |      | 2,980 |

The total of 2,980 points falls within the GS-12 range (2,755-3,150) on the grade conversion table provided in the GSSG.

The appellant's program management responsibilities evaluated by application of the GS-185 PCS equate to GS-12 and her supervisory responsibilities equate to GS-12 by application of the GSSG. Therefore, the appropriate grade for the appellant's position is GS-12.

**Decision**

The position is properly classified as (Title at agency discretion with prefix of "Supervisory"), GS-101-12.