

U.S. Office of Personnel Management
Division for Human Capital Leadership & Merit System Accountability
Classification Appeals Program

Dallas Field Services Group
Plaza of the Americas, North Tower
700 North Pearl Street, Suite 525
Dallas, TX 75201

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

Appellant: [appellant]

Agency classification: Recreation Assistant
GS-189-5

Organization: Physical Medicine and Rehabilitation
Service
Medical Service
[name] Veterans Affairs Medical
Center
Department of Veterans Affairs
[city and state]

OPM decision: Therapy Assistant
GS-636-5

OPM decision number: C-0636-05-01

/s/ Kevin E. Mahoney

Kevin E. Mahoney
Deputy Associate Director
Center for Merit System Accountability

March 30, 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 changes the classification of the appealed position, it is to be effective no later than the beginning of the fourth pay period after the date of this decision (5 CFR 511.702). The servicing human resources office must submit a compliance report containing the corrected position description and Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action.

Decision sent to:

[appellant's name and address]

Human Resources Officer
[HR office address }

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Introduction

On December 19, 2005, the Dallas Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant]. Her position is currently classified as Recreation Assistant, GS-189-5, but she believes it should be classified at the GS-6 level. The position is assigned to the Medical Service's Physical Medicine and Rehabilitation Service (PMRS) at the [name] Veterans Affairs Medical Center [acronym], Department of Veterans Affairs (VA), in [city and state]. We received the agency's complete administrative report on January 12, 2006. We accepted and decided this appeal under section 5112 (b) of title 5, United States Code.

Background

The appellant's supervisor submitted a new position description (PD), number [number], on May 26, 2005, asking that the position be upgraded to reflect current duties and increased responsibilities. The local Human Resources Office classified the new PD at the same grade. The appellant then filed an appeal with the Compensation and Classification Service at VA headquarters, which found the position correctly classified as Recreation Assistant, GS-189-5, on September 29, 2005. She subsequently filed an appeal with OPM.

General issues

In both her appeal letter to the VA and her appeal to OPM, the appellant stresses the independence of her work. She states that she has more autonomy because the Certified Therapeutic Recreation Specialist (CTRS) works a 25-hour week. The impact of her independence is discussed under grade determination.

Further, she indicates that the complexity and volume of her duties have grown since she was hired. Briefly, she states she assists the CTRS to a greater degree in defining objectives and setting treatment goals, assists in training student interns, trains volunteers, and is a significant, integral team member.

By law, a classification appeal decision is based on comparing the appellant's current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). The assignment of more or different work, however, does not necessarily mean that the additional work is more difficult and complex. Each grade level represents a band of difficulty and responsibility. Performing more difficult work than previously performed may still continue to fit within and support the same grade level previously credited to the position. In addition, volume of work cannot be considered in determining the grade of a position (*The Classifier's Handbook*, chapter 5).

During the audit, the appellant mentioned her personal qualifications. She is completing a degree to become a CTRS. Qualifications are considered in classifying positions only to the extent the qualifications are required to perform current duties and responsibilities, not qualifications that appellants personally possess. Therefore, we cannot consider the appellant's personal qualifications, except as they are required to perform her current duties and responsibilities. To the extent that they are needed for this purpose, we carefully considered

them along with all other information furnished by the appellant and her agency, including her official PD.

Position information

The [acronym] includes a hospital, which provides primary and secondary inpatient services in medicine and surgery as well as outpatient services in medicine, surgery and psychiatry. The hospital has an operating bed level of 21 hospital beds; i.e., 12 general medical beds, five intermediate beds, and four general surgical beds. The [acronym] also supports a 50-bed Nursing Home Care Unit and operates Community-Based Outpatient Clinics in [two cities in one state] and [a city in a second state].

The appellant's position is assigned to the PMRS which is supervised by the Rehabilitation Supervisor, who occupies a Physical Therapist, GS-633-11, position. The staff positions include an Occupational Therapist, GS-631-10; a Physical Therapist, GS-633-10, and a Recreation Therapist, GS-638-10 (the CTRS). There are two GS-639, Therapy Assistants, assigned, one GS-7 Physical and one GS-5 Occupational, in addition to the appellant.

As a member of the health care team, the appellant performs a variety of direct and indirect patient therapeutic recreation duties. She works with patients with a variety of illnesses, diseases, and/or disabling conditions. Patients are primarily from the Extended Care Unit but may come from any area of the hospital or community. The population served consists of veterans ranging in age from 19 to over 85 who are prescribed recreation therapy for physical or mental rehabilitation.

The appellant assists the CTRS in defining treatment objectives and developing the treatment plan; developing activities and routines to maintain or improve patient's general state of physical and/or mental health; and working closely with the CTRS to select, adapt, or adjust recreation therapy modalities in accordance with treatment goals. She documents patient's status, progress toward goals, change in conditions, incidents, treatment team discussions, and discharge summaries; inputting these into the Computerized Patient Record System and tracking direct patient care time. She drives and/or escorts patients to community activities; solicits support from volunteers, managing their involvement and providing training; manages supplies and equipment used in assigned areas and programs; and assists in maintaining recreational therapy areas, offices, outdoor activity areas, performing periodic on-site inspections, and reporting problems.

The direct patient care duties occupy about 50 percent of the appellant's time, documentation work involves approximately 30 percent, and 20 percent is spent on interface with community organizations and supervising volunteers. Both the appellant and her supervisor have stated that her current PD adequately describes the duties and responsibilities of the position; however, they disagree with the grade. We find that the PD of record contains the major duties and responsibilities assigned to and performed by the appellant and hereby incorporate it into the record.

To help decide this appeal, we conducted a telephone audit with the appellant on February 6, 2006, and interviewed her immediate supervisor and the CTRS on February 7, 2006. In reaching our decision, we carefully considered the audit and interview findings and all other information of record provided by the appellant and the agency.

Series, title, and standard determination

The appellant questions the series and title of her position. The agency allocated the position to the GS-189, Recreation Aid and Assistant Series. This series includes positions that require a practical knowledge of one or more recreational activities such as military or urban community center activities, child care and youth center activities, recreation craft centers and hobby shops, sports centers, music and theater centers, and general recreation activities for special populations such as students of Bureau of Indian Affairs' boarding schools and inmates of Federal correctional institutions.

The Rehabilitation Therapy Assistant Series, GS-636, includes positions involved in treating, instructing, or working with patients to carry out therapeutic activities prescribed for their physical or mental rehabilitation. Rehabilitation therapy assistants work in such fields as occupational, physical, kinesio, manual arts, and education therapies. The GS-636 standard does state that positions involved in carrying out hospital recreational activities are classified in the Recreation Aid and Assistant Series, GS-189. However, the GS-636 standard predates the inclusion of the GS-638, Recreation/Creative Therapist, occupation to the GS-631/639 Multiseries Classification Standard for Therapist Positions.

The appellant's work requires a practical knowledge of the concepts, principles, and practices of recreation therapy, and the use of recreational modalities. She assists the CTRS in evaluating the history, interests, aptitudes, and skills of patients and using such findings, along with medical records and the therapy orders of physicians or nurses, to develop and implement therapy activities for individual patients. The therapy approaches are directed toward achieving such therapeutic objectives as diminishing the emotional stress of patients, providing a sense of achievement, channeling energies and interests into acceptable forms of behavior, aiding physical and mental rehabilitation, and promoting successful community re-entry. We find the appellant's position is assigned to the PMRS to provide technical support to a Certified Therapeutic Recreation Therapist, and operates as part of a medically oriented rehabilitation team. Exclusion 4 of the GS-631/639 Standard makes the distinction between therapeutic and diversional services. The standard indicates that recreation and creative arts activities which are primarily diversional (not therapeutic) will be classified in other series, such as Recreation Specialist, GS-188, etc. In contrast, the appellant's work in support of the CTRS is primarily therapeutic.

The primary and paramount work regularly performed by the appellant a significant amount of the time is covered by the classification standard for the Rehabilitation Therapy Assistant Series, GS-636. The series includes positions that involve treating, instructing, or working with patients in carrying out therapeutic activities prescribed for their physical or mental rehabilitation. The work requires the ability to apply a practical knowledge of therapeutic methods and techniques

but does not require a full professional knowledge of the concepts, principles, and practices of the specialized field of therapy.

The GS-636 standard prescribes the following specialized titles for positions at grades GS-4 and above that involve application of a practical knowledge of the treatment methods and techniques of the specialized field of therapy in the rehabilitation of the patient: Occupational Therapy Assistant, Physical Therapy Assistant, Kinesiotherapy Assistant, Manual Arts Therapy Assistant, and Educational Therapy Assistant. It also allows for the title Therapy Assistant for positions at grades GS-4 and above that involve the application of the treatment methods and procedures of a specialized field of therapy not covered by the authorized specializations. The appellant's position involves the application of the treatment methods and procedures of a specialized field of therapy, recreation therapy. Following these titling instructions, we find the appellant's position is properly allocated as Therapy Assistant, GS-636.

Grade determination

Grade levels for the GS-636, Rehabilitation Therapy Assistant Series, are determined and defined using two broad factors: *Nature of assignment*, which includes the knowledge required and complexity of the work, and *Level of responsibility*, which includes supervisory controls, guidelines, and contacts. Qualifications requirements are not described separately but have been reflected when appropriate in both the nature of assignment and level of responsibility.

Nature of assignment

This factor measures the difficulty and complexity of the work performed. It includes the skills and knowledge required to perform treatment activities, the personal contacts involved in working with patients, and the judgment needed to assess patients' reactions and progress and to motivate them constructively. At higher grades, the assistant applies highly specialized practical skills and knowledge in the treatment of a wide variety of patients who include the acutely and chronically ill.

GS-6 therapy assistants, as a regular and recurring duty, plan and carry out highly specialized and diversified treatment for patients whose physical and mental condition requires the application of nonstandard in addition to standard treatment procedures and approaches. GS-6 assistants make frequent and extensive changes in procedures and approaches to enable the patient to overcome his/her disabilities and continue the treatment. They must judge whether the treatment is causing a negative or adverse effect on other conditions not under treatment. On the basis of these observations and conclusions, GS-6 assistants change or modify treatment procedures, content of the treatment plan, and approaches used in treating the patient. By comparison, GS-5 therapy assistants plan and carry out the full range of treatment for patients with conditions that respond to the application of the standard treatment procedures or require minor modification in these procedures to achieve beneficial results. GS-6 assistants draw upon a broad practical knowledge of the characteristics of physical and mental illness in judging the conditions of patients, in recognizing the relationships between patient's disabilities and the effects of treatment, and in assessing accurately both positive and negative responses to treatment.

The record shows the appellant works with patients who have an array of illnesses, diseases, and/or disabling conditions with varying degrees of impairment. She develops activities and routines to maintain or improve a patient's general state of physical and/or mental health based upon the therapeutic recreation assessment completed by the CTRS. In conjunction with the CTRS, she selects, adapts, or adjusts recreation therapy modalities in accordance with treatment goals. The appellant documents patients' progress regularly, indicating the effectiveness of an intervention and the patient's response.

She draws upon a broad knowledge of a wide variety of leisure activities, sports, and hobbies, and the procedures and techniques of therapeutic recreation to plan and carry out the modalities used in therapeutic recreation and general recreation activities. She has a basic knowledge of safety precautions and contraindications for particular disabilities and diagnoses. Further, the appellant has a basic knowledge of the goals and objectives of the other professions on interdisciplinary team, such as the psychologists, social workers, nurses, and dietitians, as well as the basic knowledge of medical terminology needed to converse with these treatment team members.

The appellant's work does not meet the GS-6 grade level. She does not, as a regular and recurring duty, plan and carry out highly specialized and diversified treatment for patients whose physical and mental condition requires the application of nonstandard in addition to standard treatment procedures and approaches. As at the GS-5 grade level, the appellant employs standard treatment procedures, making minor modifications as necessary. She adapts various treatment activities to meet the specific needs of individual patients and observes, assesses, and reports on the progress and reactions of patients, utilizing insight and mature judgment acquired through extensive experience in administering treatment to patients. The record indicates that the population at [acronym] does not generally require procedures and approaches out of the standard realm. Therefore, this factor is evaluated at the GS-5 level.

Level of responsibility

This factor covers the nature and availability of the guidelines which control the work; the direction, control, and guidance received from professional personnel; the kind and degree of supervision over the work during its performance; the degree of review of actions, decisions, and recommendations; and the authority delegated to the therapy assistant to modify treatment procedures and to advance patients to higher levels of activity. At higher grade levels, therapy assistants independently apply highly specialized skills and an extensive practical knowledge of treatment activities. At the highest levels, supervision is limited to guidance and review on matters that require professional advice or judgment.

Therapy assistants at the GS-6 level work with a high degree of independence in planning and carrying out highly specialized and complex treatment in working out treatment routines, adapting treatment procedures, and in changing or modifying the content of treatment plans. GS-6 assistants adapt or make changes in procedures and approaches without prior approval of the supervisor. They plan treatment without review for patients who are not critically or acutely ill. Reports of patients' conditions, responses, progress, and completion of treatment are reviewed by the therapist for general adequacy and for effectiveness in achieving objectives. By

comparison, GS-5 therapy assistants plan and carry out a full range of treatment for their patients, using the standard treatment procedures to which they make minor modifications as necessary. The supervisor of the GS-5 assistant interprets the medical prescription, states treatment objectives, and reviews treatment plans prior to execution.

Typical of the GS-5 level, the CTRS completes the therapeutic recreation assessment, and the appellant develops the activities and routines needed to maintain or improve the patient's physical and or mental health. The appellant selects, adapts, or adjusts recreation therapy modalities in accordance with treatment goals in conjunction with the CTRS. She provides feedback to the CTRS and other team members as appropriate. The appellant documents progress notes, treatment team discussions, and discharge summaries. The CTRS reviews the documentation quarterly for accuracy. The appellant's work is occasionally observed for effectiveness in providing quality therapeutic recreation. The appellant also oversees on-station and off-station recreation activities.

While the appellant may independently modify techniques and develop new approaches as needed to realize treatment goals in non-complex cases, as discussed previously, the appellant does not work within the complicated framework of planning and carrying out highly specialized and diversified treatment for patients whose physical and mental condition requires the application of nonstandard in addition to standard treatment procedures and approaches. Additionally, the record indicates that these changes could not be characterized as extensive. As at the GS-5 level, the appellant independently develops and implements recreation programs and activities after receiving approval from the CTRS. Even though the CTRS does not work a full-time schedule, this does not result in the high degree of independence for planning and carrying out highly specialized treatments and making changes to procedures and approaches without prior approval of the supervisor found at the GS-6 level. Therefore, this factor is evaluated at the GS-5 level.

Summary

Since both nature of assignment and level of responsibility factors are evaluated at the GS-5 level, the position's therapeutic recreation assistant duties are graded at the GS-5 level. The record indicates that the therapeutic recreation assistance work is officially assigned on a regular and continuing basis, occupies at least 25 percent of the appellant's time, and requires knowledge and skills that would be needed in recruiting for her position if it became vacant. The agency may continue to use Recreation Therapy Assistant as an organizational title.

Decision

The position is properly classified as Therapy Assistant, GS-636-5.