

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

**Chicago Oversight Division
230 South Dearborn Street, DPN 30-6
Chicago, Illinois 60604**

**Classification Appeal Decision
Under Section 5112 of Title 5, United States Code**

Appellants: [Appellant's name]

Representative: [Representative's name]

Agency Classification: Program Specialist
GS-301-12

Organization: U.S. Department of Agriculture
Food and Nutrition Service
[Regional office]
[city, state]

OPM Decision: **Program Specialist**
GS-301-12

OPM Decision Number: **C-0301-12-05**

Frederick J. Boland
Classification Appeals Officer

3/24/00

Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the Introduction to the Position Classification Standards, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[Appellant's name and address]

[Representative's name and address]

[Personnel officer's name]

Personnel Officer

[Regional Office]

Food and Nutrition Service

[mailing address]

Mr. Robert Whiting

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Introduction

The appellant contests his agency's decision, classifying his position as Program Specialist, GS-301-12. The position is located in the Food Distribution Section, Special Nutrition Programs at the [regional office], which is a field organization of the Food and Nutrition Service (FNS), U.S. Department of Agriculture (USDA) in [city, state].

FNS administers food distribution programs that provide food and nutrition assistance to eligible individuals, families, and institutions. During 1998, USDA distributed over one and a half billion pounds of donated foods (including bonus products) to States and eligible recipients participating in all food distribution programs. These Federal food programs are administered through Federal, State and local agencies. USDA uses a computerized data processing system to administer the commodity programs, which is called the Processed Commodities Inventory Management System (PCIMS). FNS, along with the Agricultural Marketing Service (AMS) and the Farm Service Agency (FSA), use PCIMS in the requisition, purchase, and distribution of commodities. In addition, FNS has initiated development of a customized commerce application, Electronic Data Interchange (EDI), for State Distributing Agencies (SDAs) to requisition commodities, observe status of purchases, and monitor entitlement balances.

General Issues

The appellant believes his position description accurately lists his major duties as the PCIMS/EDI Hotline Administrator. He does not believe, however, that the classification is accurate. He provides examples of other position descriptions (PDs) within USDA and says that different agency personnelists have inconsistently and unfairly evaluated the factor levels pertinent to his position and similar positions within the Department.

He states:

The first, Exhibit 3, is a PD from a USDA-FNS Food Distribution Division (FDD) headquarters staff. A precedent was established when this person was awarded a non-competitive, non-supervisory career promotion to GS-343-13 based on assignment of duties normally performed by his supervisor, a GS-343-13. While the PD for this staff does not include work with PCIMS or EDI, I submit this because of the similar situations in that we both are recognized as Agency experts and responsible for system design and development. I might add that the PCIMS and EDI systems I work with are extremely more sophisticated and complex than those referenced here.

The second position description, Exhibit 4, is from a USDA-Agricultural Marketing Service (AMS) staff. Since PCIMS is used by three USDA agencies, I thought it important to submit an example of another Agency's grade and classification of a similar position. There are three AMS Divisions that procure commodities for FNS domestic feeding programs and each Division has a similar PCIMS support position. Note, the AMS staff currently only supports PCIMS. AMS has not yet began EDI development.

OPM is required by law to classify positions on the basis of their duties, responsibilities, and qualification requirements by comparison to the criteria specified in the appropriate classification standard or guide. Other methods of evaluation, such as comparisons to other positions, are not permitted. Similarly, factors such as volume of work, quality of work, level of performance, length of service, or difficulty in recruiting for the position, are not considered in determining grade level. Our analysis of the appellant's work, therefore, addresses no PDs other than his own, which he agrees accurately describes his major duties. To ensure equal pay for equal work, though, agencies are required to apply classification standards and OPM decisions consistently. Accordingly, our letter transmitting this decision to the agency requests that it respond to the consistency issue that the appellant raises.

Position Information

The appellant is one of nine employees in the Food Distribution Section. He administratively reports to the Food Distribution Section Chief, GS-301-13. Also, reporting to the Section Chief is a GS-301-12 Coordinator and six Program Specialists, GS-301-11, journey level positions.

The appellant assures that the EDI system works and meets the needs of FNS Regional Offices and SDAs nationwide. He gives advice to FNS Region program specialists (six other FNS Regions) and State staffs (45 State program directors and staff). Technical and program oversight of his EDI related work is provided by the PCIMS project manager, GS-343-13, at FNS headquarters in Alexandria, Virginia. The appellant functions independently and also takes part in a team made up of contractors, FDD staff, and Information Technology Division (ITD) staff. The team relies on the appellant as an important source of food distribution programs knowledge, PCIMS knowledge, and EDI knowledge since he has been involved with this project from the beginning. He knows the functionality of EDI, identifies problems and priorities, and coordinates and resolves concerns about EDI with the contractors and occasionally with AMS and FSA staff regarding interface problems between PCIMS and EDI.

The appellant's pd states that he serves as the senior analyst and is recognized as the FNS expert on developing, testing, implementing, and training for the FNS EDI Food Distribution Division project. He spends about 40 percent of his time on the following:

- He develops EDI systems requirements and is involved in the daily development and testing of system upgrades. He coordinates identification and review of system problems and design of system enhancements. He explains the business sense of specific detailed requirements to the contractor, especially when contract vendor changes occur. He maintains contact with his customers and provides detailed descriptions of the elements that users want in EDI and how they should function. He plans and conducts testing, ensuring that changes meet user needs. He analyzes test results and documents changes that are needed. He runs software changes, enhancements, or new versions; determines that the data and reports which result from using the system are correct; and ensures that the user interface with the mainframe is accurate.

The appellant spends approximately 28 percent of his time providing Hotline guidance, authoritative advice, and national guidelines. The appellant works through the FNS Regions' program specialists, and sometimes directly with the States, on implementing EDI changes and solving related problems for PCIMS/EDI. Many States have very small staffs (often only a State program director and a couple of other employees), which rely on the appellant for EDI advice. The States use EDI to monitor their orders, entitlements, etc. and the appellant, in turn, works with States on their ability to export and import data through EDI. Although he does not perform computer programming tasks, he helps users to understand data elements so they can create utilities for their own use. He develops national guidelines for the EDI and distributes them to each FNS Regional Office. To do this, the appellant reviews procedural manuals and instructions on operations of EDI and PCIMS systems and ensures that EDI documentation is edited, revised, and updated and that users are informed of the changes.

The appellant spends the remainder of his time on the following responsibilities:

- studies and evaluates EDI business functions - 15 percent of the time
- enhances and develops new reports - less than 10 percent of the time
- plans and conducts training for users - 10 percent of the time

Work demanding less than a substantial (at least 25 percent) amount of time is not considered in classifying a position. Therefore, we will focus on the predominant duties within the position.

Analysis and Findings

Series and Title Determination

The appellant states:

First I would like to say my PD is not confined to "one basic program." It specifically references two automated systems, PCIMS and EDI, which support several FNS domestic feeding programs. Also, note that in the FNS PD, Exhibit 3, the incumbent has responsibility for automated systems that support the Agency's SOC and NCP programs. Both, I might add, are nowhere near the complexity of PCIMS or EDI. In addition, the AMS P.D., Exhibit 4, supports only PCIMS as it pertains to AMS functions for the same domestic feeding programs supported by FNS. Both PDs are classified in the 343 series and graded GS-13.

Second, when FNS abolished the 120 classification series the Agency stated rather clearly in an official 'Question and Answer' paper that most headquarters positions in general would be classified in the 343 series while most regional office staff would be classified in the 301 series. As stated in my P.D., I contend that I perform duties equal to that of a headquarters staff though I work in a region. I do not perform daily line work, but rather I perform administrative and analytical work in support of line program operations as if I were physically located in FNS headquarters.

Though headquarters and field positions may share the same duties, they often differ in scope and responsibility. OPM classification standards or guides provide the only legitimate criteria for classifying the appellant's position.

The Management and Program Analysis Series, GS-0343, includes positions that primarily serve as analysts and advisors to management on evaluating government program efficiency and effectiveness. However, the GS-0343 Series excludes staff positions, like the appellant's which requires competence in the field of social welfare programs that FNS directs and state agencies administer. Knowledge of these programs is paramount for the position, since most of its work involves advising States and contractors on the operation of these programs and detailing their requirements.

The Computer Specialist Series, GS-334, covers work necessary to design, develop, document, test, maintain, or modify systems for solving problems or accomplishing work processes by using computers. However, the GS-334 grade-evaluation criteria are specifically designed to evaluate computer specialist work where the primary qualification is knowledge of information processing methodology and technology, computer capabilities, and processing techniques. In contrast, the appellant's PD reflects that the position requires a paramount knowledge of the social welfare programs that FNS directs and state agencies administer. The appellant is not responsible for developing the PCIMS, EDI, or its software; this is a computer specialist's responsibility. The work is, therefore, precluded from the GS-334 series.

No occupational series has been established for the specialized nature of the subject position. The Miscellaneous Administration and Program Series, GS-301, accommodates such positions for which no general or specialized series exists. Like the appellant's position, GS-301 positions demand analytical ability, judgment, discretion, and knowledge of a substantial body of administrative or program principles, concepts, policies, and objectives.

The GS-301 standard prescribes no official title. Agencies may designate the official title of GS-301 positions, consistent with instructions on title construction appearing in the *Introduction to the Position Classification Standards*, Section III, H, 2.

Grade Determination

The GS-301 standard has no grading criteria of its own. Consequently, grade level determinations are made by comparison with a standard for a closely related kind of work.

The agency applied the *Guide for the Evaluation of Program Specialist Positions*, which requires knowledge of the principles, methods, and techniques of one or more behavioral, social or related sciences. This is not a fully accurate representation of the subject position. Rather, the *Administrative Analysis Grade Evaluation Guide*, which the agency cross referenced in grading the position, provides grade level criteria for nonsupervisory staff administrative analytical, planning, and evaluative work. This Guide may also be used for evaluating staff analytical duties of positions primarily engaged in program administration. Work covered by the Guide does not require specialized subject matter knowledge and skills. According to the 'Exclusions' section of the Guide, such 'specialized' positions consist solely of duties and responsibilities related to the line management or delivery of agency programs.

Although the position utilizes knowledge of public food assistance programs and their administration, it is a staff position and, therefore, does not meet the exclusion criteria outlined in the Guide. The background information of the Guide also states that “the guide is intended primarily for use in evaluating two-grade interval positions in the General Administrative, Clerical, and Office Services Group, GS-300.” The GS-301 series falls within this category; therefore, the Guide will be used to evaluate the grade level of the position.

The Guide is written in the Factor Evaluation System (FES) format. This system requires that credit levels assigned under each factor relate to only one set of duties and responsibilities. Under FES, work must be fully equivalent to the factor-level described in the standard to warrant credit at that level's point value. If work is not fully equivalent to the overall intent of a particular level described in the standard, a lower level and point value must be assigned, unless the deficiency is balanced by an equally important aspect of the work that meets a higher level.

The appellant disputes the agency factor level assignments for two of the nine factors common to the FES. Accordingly, this decision details our analysis of the disputed factors. However, we independently reviewed his duties and responsibilities against the other factors, using the FES criteria, and concur with the agency's factor level assignments on the undisputed factors.

Factor 1: Knowledge Required by the Position

This factor assesses the nature and extent of information or facts that employees must understand to do acceptable work (e.g., steps, procedures, practices, rules, policies, theories, principles, and concepts) and the nature and extent of the skills needed to apply those knowledges.

The appellant's pd states, “Incumbent serves as senior analyst and is recognized as the FNS expert on developing, testing, implementing and training for the FNS EDI Food Distribution Division project and is a member of the Food Division Development staff. As such, the incumbent's responsibilities include developing national guidelines and providing authoritative advice where no guidelines or precedents previously existed. Assures that the EDI and PCIMS systems meet the needs and objectives of FNS commodity programs and State Agency Trading partners. Plans and coordinates testing activities with FNS and across agency lines, as needed.”

The agency has credited this position at Level 1-7 based on its comprehensive knowledge of food distribution programs of sufficient breadth or intensity to develop new or modified systems, methods, procedures, and other guidelines to support program operations. The position requires advanced technical proficiency to review and improve operational and systemic quality for both user interface and operational problems. Such work meets Level 1-7 where knowledge of the program goals and objectives, work processes, and administrative operations of the organization is required. This knowledge is used to plan, schedule, and conduct projects and studies to evaluate and recommend ways to improve the effectiveness and efficiency of work operations in a program or support setting and is applied in developing new

or modified work methods and procedures for administering program services and guidelines, and automating work processes for the conduct of program operations.

Level 1-8 of the Guide describes an expert analyst who applies a comprehensive knowledge of the range of administrative laws, policies, regulations, and precedents applicable to the administration of one or more important public programs. Typically, this includes knowledge of agency program goals and objectives, the sequence and timing of key program events and milestones, and methods of evaluating the worth of program accomplishments. Knowledge characteristic of this level is applied to the design and conduct of comprehensive management studies where the boundaries of the studies are extremely broad and difficult to determine in advance or is used to identify and propose solutions to management problems which are characterized by their breadth, importance, and severity, and for which previous studies and established management techniques are frequently inadequate. This knowledge may also be applied in preparing recommendations for legislation to change the way programs are carried out; in evaluating the content of new or modified legislation for projected impact upon agency programs and resources; in translating basic legislation into program goals, actions, and services; and in planning, organizing, and directing team study work.

The appellant states that he reviews any proposal, which impacts the manner in which FNS conducts its domestic feeding programs, and makes recommendations to the headquarters project manager. According to the project manager, however, legislation impacting PCIMS is reviewed at the headquarters level and EDI must be responsive to the forthcoming PCIMS changes. The program manager's pd is credited with making day-to-day policy decisions on systems design, prioritizing testing needs, developing work plans and schedules, and ensuring that FNS needs are met. In addition, the headquarters staff includes a user and a technical team leader who may review the appellant's EDI and PCIMS recommendations. Even though the appellant's recommendations are usually accepted by the team, it is clear that the responsibility for broad policy/program changes are made by the program manager. As a result, the appellant's work cannot be credited with Level 1-8.

The appellant also states that he provides guidance on the EDI operations and data elements to States and Regions and explains their ability to export or import data. Based on user feedback, he makes recommendations to the contractors on making changes to the system which will address user concerns. He also states that he develops national guidelines for the EDI. This mainly involves editing and revising the user manual for changes to the systems and distributing guideline revisions to each FNS Region Office. Such work does not fully meet Level 1-8 where management problems are characterized by their breadth, importance, and severity; previous studies and established management techniques are frequently inadequate; and changes and recommendations typically relate to legislation.

We evaluate this factor at level 1-7 and credit 1250 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.

{Note: The agency evaluation statement indicated that the position had been credited with Level 4-5 and 225 points. Our office spoke to the agency evaluator, who verified that this was an error. According to the FES, Level 4-4 equates to 225 points and Level 4-5 equates to 325 points. The agency indicated that the factor level determination should have read Level 4-4 and 225 points.}

The appellant states:

My previous position description was awarded level 4-5, and 325 points. I do not feel that the complexity of current position has diminished, but if anything it has increased. The text of my position description for Factor 4, Complexity, Exhibit 1, is similar to that of the AMS PD, Exhibit 4, which was awarded level 4-5 and 325 points by that Agency. I believe the same should be awarded to me.

The previous position that the appellant refers to was his position as the PCIMS specialist for the Midwest Region only. He states:

I want to emphasize again that I was only to serve as the PCIMS manager for the Midwest Region of FNS, not a national role. One of Vice-president Gore's government reinvention initiatives was to have all agencies utilized EDI where ever possible. A kickoff conference was held in March 1994 to announce the Department of Agriculture's first EDI project within the FNS Agency. My national role developed over time because of my proficiency with the PCIMS system. It is true I requested a similar PD review for accretion of duties that was denied in 1995. I though my work with PCIMS then at the national level exceeded the requirements of my 1993 position description.

The appellant's work fully meets Level 4-4 where the work involves gathering information, identifying and analyzing issues, and developing recommendations to resolve substantive problems of effectiveness and efficiency of work operations in a program or program support setting. Subjects and projects assigned at this level usually consist of issues, problems, or concepts that are not always susceptible to direct observation and analysis. Difficulty is encountered due to variations in the nature of administrative processes studied (e.g., those associated with processing information, reorganizing to meet changes in mission, or providing support services) and originality is used to refine existing work methods and techniques for application to the analysis of specific issues or resolution of problems.

Complexity at Level 4-5 involves analyzing and evaluating interrelated issues of effectiveness, efficiency, and productivity of substantive mission-oriented programs. Typical assignments require developing detailed plans, goals, and objectives for the long-range implementation and administration of the program, and/or developing criteria for evaluating the effectiveness of the program. Decisions about how to proceed in planning, organizing and conducting studies are complicated by conflicting program goals and objectives.

The appellant's work does not involve responsibility for broad program changes. The program manager at headquarters is credited for analyzing the PCIMS to ensure it responds to current and upcoming policy. Likewise, the assessment of constraints, implications, and effects of new or revised automated or manual systems on programs is found at the headquarters program level.

At Level 4-5, other work involves providing agencywide advice and guidance on new systems, policy, and operational experiments. The advice and guidance provided by the appellant may affect FNS and other organizations within USDA; however, it is not geared toward new systems or policies. Rather, his advice and guidance addresses user operations and pertains to changes in, and newer versions of, software applications. Therefore, the complexity of the appellant's position falls below Level 4-5.

We evaluate this factor at Level 4-4 and credit 225 points.

Decision

We concur with the agency's designation of Level 1-7 and Level 4-4 for the subject position. The proper classification of the appellants' position is GS-301-12, with the title at the agency's discretion.