

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

Dallas Oversight Division
1100 Commerce Street, Room 4C22
Dallas, TX 75242-9968

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

Appellant: [appellant's name]

Agency classification: Purchasing Agent
GS-1105-5

Organization Patient Care Services
Primary Care
Veterans Affairs Medical Center
Department of Veterans Affairs
[geographic location]

OPM decision: Purchasing Agent
GS-1105-5

OPM decision number: C-1105-05-02

/s/ Bonnie J. Brandon

Bonnie J. Brandon
Classification Appeals Officer

August 24, 2000

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:

[appellant's name and address]

[name and address of appellant's
designated representative]

Agency:

Chief, Human Resources Management
Service
VA Medical Center
1100 North College Avenue
Fayetteville, AR 72702

Deputy Assistant Secretary for
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Washington, DC 20420

Introduction

On April 20, 2000, the Dallas Oversight Division of the U.S. Office of Personnel Management accepted a classification appeal from [the appellant]. The appellant's position is currently classified as Purchasing Agent, GS-1105-5. The position is assigned to Patient Care Services, Primary Care, Veterans Administration Medical Center, Department of Veterans Affairs, [city and state]. The appellant disputes the title, series, and grade assigned by her agency. We have accepted and decided this appeal under section 5112 of title 5, United States Code.

To help decide the appeal, an Oversight Division representative interviewed the appellant and her immediate supervisor. The appellant and her supervisor certify that the appellant's position description number [PD number] is current and accurate.

Position information

The Patient Care Services provides disabled veterans with a variety of medical equipment and services, for example, prosthetic, medical supplies, durable medical equipment, and home oxygen. The appellant is one of two employees who occupy identical positions in the organization.

To do her procurement work, the appellant possesses both a \$2500 open market certificate and a \$25,000 contract certificate. Her procurement work assignments focus in three major areas: (1) home oxygen therapy and services, (2) eyeglasses, and (3) miscellaneous prosthetic equipment and services. The appellant spends about 50 percent of her time acquiring home oxygen therapy equipment and services for veteran outpatient clients. After purchasing the home oxygen equipment and services from a local vendor, the appellant conducts home visits to assure patient safety and patient satisfaction with service. The appellant also assures that the patients on the home oxygen therapy program are properly tracked and evaluated by medical staff for follow-up as required. She maintains inventory and other program records that comply with the Joint Commission on Accreditation of Hospitals standards.

About 25 percent of the appellant's time is spent arranging for the purchase of eyeglasses for veteran clients. After the clinic physician writes an eyeglass prescription for the veteran, the appellant ascertains eligibility and completes an invoice that the veteran uses to get the prescription filled.

The appellant spends the remaining time providing eligible veterans a variety of miscellaneous services. She issues from inventory or purchases prosthetic devices, for example, canes, crutches, and wheelchairs. The appellant does not regularly purchase major medical equipment such as electric-powered beds and wheelchairs, automotive adaptive equipment, or more specialized orthotics. Physician requests for these items are referred to [a specific] Veterans Administration Center. When veterans apply for Home Improvement Structural Alterations grants, the appellant determines their eligibility and coordinates any home visits with Engineering and Social Work Services.

The appellant uses office automation software, practices, and procedures sufficient only to enter data for all purchase orders, prosthetic equipment inventory, as well as to occasionally complete form letters, simple memoranda, and sundry reports. The skills of a qualified typist are not required.

Series, title, and standard determination

The appellant purchases, rents, or leases a variety of medical equipment, supplies, and services. Her work requires knowledge of policies and procedures for delivery orders and small purchases and knowledge of commercial supply sources and common business practices related to sales, prices, discounts, units of measurement, deliveries, stocks, and shipments. Since the primary knowledge required in this position is knowledge of purchasing procedures, programs, and rules, it is best covered by the GS-1105 Purchasing Series. Because the appellant's work does not require a significant knowledge of office automation and a competitive level of typing, the position is best graded by using the position classification standard for the GS-1105 series. The position's title and series are Purchasing Agent, GS-1105.

Grade determination

The GS-1105 standard uses the Factor Evaluation System (FES) method of position classification. Grades are determined by comparing positions' duties, responsibilities, and qualification requirements with the nine FES factors common to nonsupervisory purchasing positions. A point value is assigned to each factor based on a comparison of the position's duties and responsibilities with the factor level descriptions in the standard. The points assigned to an individual factor level mark the lower end of the range for that factor level. To warrant a given level the position must fully equate to the overall intent of the factor level description. If the position fails in any significant aspect to fully satisfy a particular factor level description, the point value for the next lower level must be assigned, unless the deficiency is balanced by an equally important aspect that meets a higher level. The total points assigned are converted to a grade level by use of a grade conversion table in the standard.

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information or facts that a worker 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 this knowledge. To be used as a basis for selecting a level under this factor a knowledge must be required and applied.

Work at Level 1-3 requires a knowledge of a body of standardized purchasing regulations, policies, and procedures. It also requires knowledge of established commodities and markets and common business practices in order to make purchases of average complexity involving commercial requirements.

The nature of the appellant's assignments meets but does not exceed Level 1-3. The appellant receives physician requests for a variety of prosthetic equipment and services for patients served by the medical center. The appellant reviews prescriptions for completeness, compares diagnosis

or disability to equipment and/or services normally provided, and assures that proper documentation is present. The appellant determines the veteran's eligibility, searches available prosthetics inventory and mandatory and/or open market sources (for example, local vendors, catalogs, and sales brochures), and secures the item. Prosthetic equipment and services purchased by the appellant on a regular and recurring basis usually do not require the development of extensive specifications.

Work at Level 1-4 requires in-depth or broad knowledge of a body of purchasing regulations, methods, procedures, and business practices to make purchases involving (1) specialized requirements and/or (2) commercial requirements that have unstable price or product characteristics, hard-to-locate sources, many critical characteristics, or similar complicating characteristics.

Level 1-4 is not met. The appellant refers requests for the more specialized orthotics and durable medical equipment (for example, electric wheelchairs or electrical beds) to another medical center. She does not negotiate price reductions or cost remedies. The kinds of items purchased require a more narrow knowledge of a body of purchasing regulations, methods, procedures, and business practices than is anticipated at Level 1-4.

Level 1-3 is assigned and 350 points are credited.

Factor 2, Supervisory controls

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and how the work is reviewed or controlled. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the employee, priorities and deadlines are set, and objectives and boundaries are defined. Responsibility of the employee depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work, to modify or recommend modification of instructions, and to participate in establishing priorities and defining objectives. The degree of review of completed work depends upon the nature and extent of the review.

At Level 2-2, the supervisor assigns work with standing instructions on applicable procedures and policies to follow, performance expected, and priorities and deadlines to meet. For example, standing instructions may provide information on how to decide if the requirements should be purchased against an established contract or through open market procedures. This guidance may include an explanation of the applicable Federal Acquisition Regulation parts and sections, forms required to prepare delivery or purchase orders, and any documentation required to justify the method of purchase. The supervisor provides additional specific guidance on new, difficult, or unusual assignments and suggests work methods or source materials available. The employee uses initiative to make or recommend purchases for recurring requirements independently. The employee refers situations not covered by instructions or practice to the supervisor for decision or help. The supervisor reviews recommended awards and completed purchase files to ensure that the methods used by the employee are technically accurate and that they comply with established procedures.

At Level 2-3, the supervisor assigns work with standing instructions on objectives, priorities, and deadlines and indicates special considerations or unusual requirements. The employee plans and carries out the steps necessary to make purchases using accepted practices or procedures to resolve problems and deviations. Problems and deviations include, for example, requirements that fluctuate in price and item characteristics, are sole source, are urgently needed, or are new to the market. The employee independently performs tasks such as negotiating price with a sole source vendor, persuading reluctant vendors to bid, and collecting data to determine price reasonableness for requirements not acquired previously or recently. In other work situations, problems may result from the specialized nature of the requirement. For example, the employee may have to identify loopholes in specifications or statements of work that are very lengthy, detailed, or otherwise difficult to understand. The employee independently suggests revisions or additions to ensure information pertaining to the vendor's obligations is clear and adequate. After searching precedents, the employee consults with the supervisor or others to resolve major problems, for example, how to prepare information that will be used to respond to written protests from nonselected vendors. The supervisor periodically evaluates completed work for results achieved and effectiveness in meeting requirements within the legal and regulatory constraints.

The appellant's supervisory controls fully meet Level 2-2. Level 2-3, however, is not fully met. The appellant does not routinely deal with problems and deviations entailing the application of Level 2-3 judgment, for example, requirements that have fluctuating price and item characteristics, are sole source, are urgently needed, or items that are new to the market. The majority of the items procured by the appellant are standard items such as durable medical equipment that includes wheelchairs, oxygen therapy equipment and services, less complex prosthetic appliances, and other items that are relatively stable in terms of cost and supply source.

Our discussions with the appellant and her supervisor did not reveal the work to entail frequent negotiations with sole source vendors, a need to persuade reluctant vendors to bid, or a requirement to collect data to determine price reasonableness for requirements not acquired previously or recently. There is no evidence that the appellant is required to routinely look for loopholes in specifications or statements of work that are very lengthy, detailed, or otherwise difficult to understand. As indicated previously, the specifications are spelled out by the requesting physician. The appellant does not have a material part in revising or modifying specifications.

Since the appellant's supervisory controls fully meet Level 2-2 but do not fully meet Level 2-3, Level 2-2 is assigned and 125 points are credited.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them. Guides used include desk manuals, established procedures and policies, traditional practices, and reference materials, such as dictionaries, style manuals, engineering handbooks, the pharmacopeia, and the Code of Federal Regulations.

At Level 3-2, guidelines are in the form of a number of established procedures and specific guidelines that are available and apply to work assignments. These include procurement history files, Federal Supply Schedules and other established contracts, standard operating practices, and agency regulations governing small purchases and delivery orders. Guidelines cover areas such as required and optional sources of supply, types and use of purchase orders, maximum ordering limitations, and forms to use when making purchases.

Guidelines at Level 3-2 also explain, for example, how to order from schedules, when documentation (waivers, sole source justifications, and verifications of price reasonableness) is required and when it is appropriate to establish blanket purchasing agreements. At this level, employees use judgment in selecting the appropriate reference and procedure to make purchases. There may be minor gaps in guidelines, and the employee may be expected to use some judgment and initiative in resolving aspects of the work not fully covered by instructions (for example, when determining whether the important characteristics of an item match an item description in a mandatory schedule, judging whether quotes are for equal items, suggesting item substitutes, or preparing waivers). The employee refers situations that require significant deviations to the supervisor for guidance and resolution.

In contrast, positions at Level 3-3 deal with unique or complicating requirements or circumstances that are not always discussed in available guidelines. The employee uses judgment to interpret guidelines, adapt procedures, decide approaches, and resolve specific problems. This includes, for example, reviewing detailed nonstandardized statements of work for adequacy, developing technical ranking factors for award determinations, or negotiating terminations for convenience of default.

Although the appellant's guidelines fully meet Level 3-2, Level 3-3 is not fully met since the acquired items are not unique and do not present the appellant those complicating circumstances envisioned at Level 3-3. Physician specifications are followed completely, and the appellant may not make substitutions unless approved by the physician. The appellant does not have to interpret guidelines, adapt procedures, decide on alternative approaches, or negotiate default agreements. Instead, the appellant follows written policies and technical direction from physicians and therapists to determine adequacy of requirements. She has available lists of contractors and other trade suppliers, equipment lists, catalogs, shipping lists, stock inventory books, and precedent copies of orders to previous procurements of like items to guide the purchasing she does.

Level 3-2 is assigned and 125 points are credited.

Factor 4, Complexity

This factor covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work.

At Level 4-2, the work involves performing a variety of related tasks using primarily simple noncompetitive purchasing methods. Methods include, for example, placing orders against

single award Federal Supply Schedules and other similar contracts, or using imprest fund or credit card accounts. The employee decides whether to solicit additional sources or question a price based on a review or knowledge of similar purchases and basic procedures. The employee selects purchasing methods by considering only a few factors such as price, available sources, and urgency of the requirement. The employee recommends awards using primarily price and/or delivery as determining factors.

Level 4-2 is fully met. The appellant performs a variety of related purchasing tasks using primarily simple noncompetitive purchasing methods. She makes her purchasing decisions based on knowledge of local availability and price. Her selection of purchasing methods is based on considering relatively few factors, that is, price, available sources, and urgency of delivery.

At Level 4-3, the work involves using the procedures described at Level 4-2 as well as using different processes and methods to (1) make a variety of competitive or sole source purchases and/or (2) make a variety of purchases against various established contracts and agreements. The appellant's position does not fully meet Level 4-3 since the processes and methods involved in making standard purchases are less complex, and there is little need to solicit quotes and apply terms.

Level 4-2 is assigned and 75 points are credited.

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work, that is, the purpose, breadth, and depth of the assignment, and the effect of work products or services both within and outside the organization.

At Level 5-2, the work involves purchasing equipment and/or services that are covered by well-defined and precise procedures and regulations (for example, repeat orders for commercial requirements). The employee clarifies what is needed and when and selects purchasing methods and sources from a range of available options. The employee's work products, such as recommendations for awards, affect the smooth flow of everyday operations.

Level 5-3 work usually involves resolving a variety of purchasing problems, that is, inadequate or restrictive specifications, lack of multiple suppliers, urgent need, and insufficient price history. At this level, purchasing advice and decisions directly impact the ability of serviced programs to conduct business adequately.

The appellant's position exceeds Level 5-2 and fully meets Level 5-3. The appellant's position affects the physical well-being of persons, that is., arranging for the timely delivery of urgently-needed medical supplies or equipment. Although the variety and number of purchasing problems the appellant faces minimally meet the level envisioned at Level 5-3, the potential impact of the appellant's work on patient care is as significant as envisioned at that level.

Level 5-3 is assigned and 150 points are credited.

Factor 6, Personal contacts, and Factor 7, Purpose of contacts

Factor 6 includes face-to-face and telephone contacts with persons not in the supervisory chain. Levels described under this factor are based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting in which the contacts take place, for example, the degree to which the employee and those contacted recognize their relative roles and authorities. Points may be credited under this factor only for contacts that are essential for successful performance of the work.

At Level 2, contacts include employees in the same agency or activity but outside the immediate organization. The appellant's contacts fully meet Level 2. Her contacts include conversations with inpatients, outpatients, patient family members, Veterans Administration and private physicians, nurses, therapists, medical technicians, prosthetists, business people, contractors, sales people, delivery staff, co-workers, and personnel from other Veterans Administration medical centers.

Level 3 contacts include technical or legal representatives of firms who are negotiating substantial purchase order changes or terminations for default or convenience, or who are protesting the basis for nonselection of award. The appellant does not routinely deal with external contacts in these type of settings. Therefore, Level 2 is assigned.

The purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives. The personal contacts that serve as the basis for the level selected for Factor 7 must be the same as the contacts that are the basis for the level selected for Factor 6.

At Level a, the purpose of the contacts is to clarify or exchange information related to purchasing routine requirements. Contacts with customers are to obtain missing information, advise on status of work, and get approval for substitutes or changes in delivery dates, prices, and quantities. Contacts with vendors are to obtain information on items, prices, discounts, and delivery dates. The appellant's position is a substantial match with Level a. The primary purpose of her contacts is to establish a clear understanding of what is being requested and to make commitments to those items and services. The appellant's contacts with veterans are to resolve patient complaints and to gain information regarding their satisfaction with prosthetic services. The appellant's contacts with medical staff are to confirm patients' medical needs for prosthetic equipment and services and to arrange for specialized services as required. The appellant's contact with vendors are designed to procure medically-prescribed items or services, ascertain prices and product information, determine status of procurement actions, and to authorize payments. Home visit contacts are done to ascertain the quality of service and assure compliance with the established purchase agreement. Level a is fully met.

The appellant's purpose of contacts does not meet Level b. At Level b, the purpose of the contacts is to plan and coordinate actions to prevent, correct, or resolve delays or misunderstanding in the purchasing process. This includes contacts with customers to discuss specifications that may be inadequate or too restrictive, realistic lead times or prices, or other avenues for fillings needs, such as renting versus purchasing. Contacts with vendors are to

clarify requirements and negotiate issues, that is, establishing adequate price reductions for deviations in product or delivery, modifying certain terms, or waving penalties for returned items. In some situations a moderate amount of persuasive skill may be needed to encourage reluctant vendors to quote, resolve minor conflicts, or get agreement on changes affecting product, price, or delivery. The appellant's work does not require her to clarify requirements, negotiate issues, or discuss inadequate specifications with vendors as intended for Level b.

Level 2a is assigned, and a total of 45 points is credited for these combined factors.

Factor 8, Physical demands

This factor covers the requirements and physical demands placed on the employee by the work assignment. Level 8-1 is met but not exceeded since the work requires some physical efforts, such as standing, walking, bending, or sitting. Level 8-2 is not met since there are no special physical demands, that is, work that on a regular and recurring basis requires above-average physical agility to walk around or over building materials, excavation sites, and heavy equipment found at construction sites or similar areas. Level 8-1 is assigned and five points are credited.

Factor 9, Work environment

This factor considers the risks and discomforts in the employee's physical surroundings, the nature of the work assigned, and the safety regulations required. The appellant's work is primarily performed in an office setting. The work environment does not require special safety precautions. Level 9-1 is assigned and five points are credited.

Summary

The appellant's position is evaluated as follows:

| Factor | Level | Points |
|---|--------------|---------------|
| 1. Knowledge required by the position | 1-3 | 350 |
| 2. Supervisory controls | 2-2 | 125 |
| 3. Guidelines | 3-2 | 125 |
| 4. Complexity | 4-2 | 75 |
| 5. Scope and effect | 5-3 | 150 |
| 6. Personal contacts & 7. Purpose of contacts | 2-a | 45 |
| 8. Physical demands | 8-1 | 5 |
| 9. Work environment | 9-1 | 5 |
| Total | | 880 |

The 880 total points creditable are within the GS-5 grade level point range (855-1100) of the Grade Conversion Table in the GS-1105 standard. The appellant's purchasing duties are properly evaluated as GS-5.

Decision

The appellant's position is properly classified as Purchasing Agent, GS-1105-5.