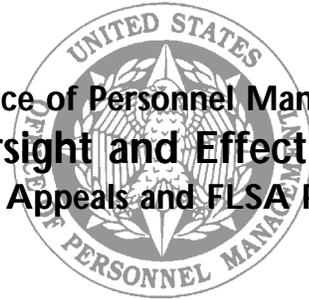


U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



Atlanta Oversight Division
75 Spring Street, SW., Room 972
Atlanta, GA 30303

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

Appellant: [Appellant]

Agency classification: Purchasing Agent
GS-1105-5

Organization: U.S. Department of Agriculture

OPM decision: Purchasing Agent
GS-1105-6

OPM decision number: C-1105-06-03

/s/
Kathy W. Day
Classification Appeals Officer

3/10/00
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).

Since this decision changes the grade 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, as permitted by 5 CFR 511.702. The servicing personnel office must submit a compliance report containing the corrected position description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action.

Decision sent to:

[appellant's name and address]

[appellant's agency's name and address]

Director, Office of Human Resources
Management
U.S. Department of Agriculture
J.L. Whitten Building, Room 316W
1400 Independence Avenue, SW.
Washington, DC 20250

Introduction

On January 19, 2000, the Atlanta Oversight Division, U. S. Office of Personnel Management (OPM), accepted a classification appeal for the position of Purchasing Agent, GS-1105-6, [agency] U.S. Department of Agriculture, [city/state]. The appellant believes that her position should be classified as Purchasing Agent, GS-1105-6.

The appeal has been accepted and processed under section 5112(b) of title 5, United States Code. This is the final administrative decision on the classification of the position subject to discretionary review only under the limited conditions and time outlined in part 511, subpart F, of title 5, Code of Federal Regulations.

General issues

The appellant believes that she is performing duties at the GS-6 level. These duties include purchasing technical items and specialized machinery and services. She further states that because of obsolescence or the unique characteristics of these items she has to search in non-local markets.

The supervisor stated in the interview that the present position description does not accurately describe the duties performed by the appellant. According to the supervisor, the appellant conducts technical research when purchasing supplies and services from non-local markets. The supervisor also states that because of the complexity of specifications and the limited sources of supply, the appellant has to solve problems such as negotiating with the vendor and requestor to make the specifications fit or searching for an outside commodity that will work. Normally, purchases requiring research and specialized services are processed by employees in the cluster, who are graded at the GS-6 level. Because the Forest is located in a remote area, the appellant independently processes all purchasing for the entire [agency]. Sending purchase requests to the cluster to process causes delays in receiving supplies, equipment and services which could affect the flow of everyday operations at the Forest. The supervisor also compares the appellant's position description to other position descriptions graded at the GS-6 level.

By law, OPM must make classification determinations solely by comparing the current duties and responsibilities of the position to OPM standards and guidelines (5 U.S.C. 5106, 5107, 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to others as a basis for deciding her appeal.

OPM considers a position description to be adequate for classification purposes when it is considered so by a person knowledgeable of the occupation and the classification standards and is supplemented by current information about the position's organization, functions, programs, and procedures. We find that the position description describes the major duties and responsibilities of the appellant's position and includes information about the job that is significant to the classification. Combined with the supplemental information available about the position, the position description is considered to be accurate for classification purposes.

Position information

The appellant is assigned to [position description number]. The appellant and the agency have certified the accuracy of the position description. The appellant's supervisor believes that the current position description does not accurately describe the duties performed by the appellant.

The appellant provides administrative and purchasing support to a National Forest that includes seven Ranger Districts and the Supervisors Office, located in six different rural areas. One of the areas is a designated wilderness with restricted use of tools and supplies. The work involves purchases from required and open-market sources of commercially produced items specifically designed or easily adapted to meet Forest Service requirements and specifications. She also purchases a variety of technical items from non-local markets. Purchases are made using methods such as purchase order invoices, delivery orders against established General Services Administration (GSA) contracts, calls against blanket purchase agreements (BPAs), and government purchase card. The appellant maintains awareness of work progress on urgent requirements; instructs customers on the technical procedures involved in preparing procurement information; assists customers in conducting market research and identifying methods to expedite the ordering of required services or supplies; locates sources for specialized, unique, or obsolete items; and verifies completeness of item descriptions. She receives and resolves customer complaints related to the purchasing process and resolves vendor problems related to payments, contracts, and incomplete contractual agreements. She also provides procurement support by processing orders for items such as parts and components needed for maintenance, overhaul and repair services of electronic equipment and specialized machinery, specialized plumbing, and heating services; building repair; and other maintenance work. The appellant maintains property and inventory records.

She works under the supervision of the Grants/Cooperative Agreement Specialist, who establishes general priorities and deadlines for processing purchasing actions and provides instructions in situations involving changes in policies, procedures, and regulatory controls. The appellant is responsible for independently selecting the proper methods and procedures to be used in the purchasing of a variety of technical items and services. Completed work is evaluated in terms of technical soundness, appropriateness, and conformance with policy and requirements.

Series and title determination

The agency placed the position in the Purchasing Series, GS-1105. The appellant does not contest the placement of her position in this series, and we agree.

The Purchasing Series, GS-1105, includes positions that involve supervising or performing work to acquire supplies, services, and construction by purchase, rental, or lease through (a) delivery orders and/or (b) small purchase procedures. The work requires knowledge of policies and

procedures for small delivery orders and small purchases. This work also requires knowledge of

commercial supply sources and common business practices related to sales, prices, discounts, units of measurement, deliveries, stocks, and shipments. The title *Purchasing Agent* is authorized by the GS-1105 standard for nonsupervisory positions.

Standard determination

Purchasing Series, GS-1105, March 1993.

Grade determination

The GS-1105 standard is written in the Factor Evaluation System (FES) format. Under the FES, positions are evaluated on the basis of their duties, responsibilities, and the qualifications required as evaluated in terms of nine factors common to nonsupervisory General Schedule positions.

A point value is assigned to each factor based on a comparison of the position's duties with the factor-level descriptions in the standard. The factor point values mark the lower end of the ranges for the indicated factor level. For a position factor to warrant a given point value, it must be fully equivalent to the overall intent of the selected factor-level description. If the position fails in any significant aspect to meet a particular factor level description in the standard, the point value for the next lower factor level must be assigned, unless the deficiency is balanced by an equally important aspect which meets a higher level. The total points assigned are converted to a grade by use of the 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, such as the steps, procedures, practices, rules, policies, theories, principles, and concepts; and the nature and extent of the skills needed to apply this knowledge. The agency evaluated this factor at Level 1-4.

At Level 1-4, the work requires an 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 factors. This includes for example:

- knowledge of solicitation or purchasing methods, such as would be acquired through extended training or experience, to make competitive or sole source small purchases that involve, for example, collecting data to determine price reasonableness for new items, preparing detailed written solicitations, tailoring special terms and conditions, or matters of similar complexity;
- skill in analyzing descriptions that have unique aspects and many critical characteristics to

identify problem areas in specifications or work statements, determine if quotations are responsive, or decide if substitutions are acceptable or should be referred to other personnel for further review;

- knowledge of price analysis techniques to evaluate prices or costs for requirements with inadequate price history or evaluate allowable charges for requirements involving special cost features;
- knowledge of various acquisition clauses, such as those pertaining to inspection, acceptance, packaging, or testing to select or tailor clauses for purchases that involve special handling; and
- knowledge of post-award procedures to discuss equitable price adjustments for modifications to a purchase order, determine whether to recommend termination of an accepted purchase order for convenience, or perform similar actions.

At Level 1-5, the work requires knowledge of specialized technical purchasing methods and procedures to perform complex purchasing work including substantive involvement in at least one of the following:

- negotiating and awarding bilateral purchase orders for professional studies (e.g., research studies), or for the exclusive manufacture of unique equipment, instruments, dies, etc.;
- developing and selecting criteria/technical ranking factors for purchases of a variety of detailed commercial service or construction projects;
- administering small purchases that require extensive monitoring and oversight to resolve complex problems (e.g., protests, claims, terminations, or substantial modifications), and coordinating/discussing these or similar problems with small purchase contractors and various agency or activity personnel;
- negotiating, awarding, and administering small purchases that involve clauses normally not applicable to small purchases (e.g., purchase orders that contain provisions related to default termination, liability, and Government furnished property); or
- negotiating, awarding and administering small purchase orders that involve the use of instruments that are not firm fixed price (e.g., time and materials, labor hour, or other unpriced small purchase orders).

Level 1-4 is met. The appellant possesses and uses an in-depth knowledge of a variety of purchasing regulations and methods and procedures to purchase technical items and services related to the Forest Service needs. Her purchasing work primarily involves competitive, noncompetitive, or sole source small purchases of items and services. She is also required to be

knowledgeable of the appropriate policies, procedures, and regulatory requirements that apply to the purchases she must make. She must be knowledgeable of common business practices and sales to determine if supplier or vendor prices and discounts are reasonable, if proposed delivery dates are acceptable, and what methods of delivery are available for specialized items.

Level 1-5 is not met. The work performed by the appellant does not routinely involve activities requiring knowledge of specialized purchasing methods and procedures as described at this level. She is not involved in negotiating or awarding purchase orders related to professional studies; developing or selecting criteria for detailed commercial services or construction projects; or administering small purchases involving clauses or provisions such as default termination, liability, Government furnished property, etc. Her primary involvement is with the purchase of firm, fixed-price items where this level of knowledge is not required. Typically, she must understand and be knowledgeable of the steps in the purchasing process, the sources of supply, the methods of solicitation, the dollar value, and type of delivery.

Level 1-4 is credited for 550 points.

Factor 2 - Supervisory Controls:

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the extent of review of completed work. The agency evaluated this factor at Level 2-2. We believe that the appellant meets Level 2-3.

At Level 2-2, the supervisor or other designated authority 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 Regulations (FAR) 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, including suggesting work methods or source material available. For example, if the employee is purchasing specialized services or specialized construction projects, the supervisor may provide the employee with a checklist of procedures and regulations to follow and assist the employee throughout the process. 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 or other designated authority assigns work with standing instructions on objectives, priorities, and deadlines, and indicates special considerations or unusual requirements. The employee plans and carries out successive steps necessary to make purchases and uses accepted practices or procedures to resolve problems and deviations (e.g., requirements that have fluctuating price and item characteristics, are sole source, and are urgently required, or items that 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 recently or previously. The employee may have to identify loopholes in specifications or statements of work that are very lengthy, detailed, or difficult to understand. The supervisor reviews recommended awards or completed purchase files for technical soundness, appropriateness, and conformity to policy and requirements but does not review methods in detail.

Similar to Level 2-3, the appellant receives work assignments from the supervisor who supervises multiple sites and expects the appellant to work with a high degree of independence. The appellant is responsible for independently selecting the methods and procedures to follow in completing her assignments up to the limit of her warrants. She recognizes when critical information is missing from an order and determines if the requirements for competition have been met. She resolves purchasing problems such as price fluctuation, delivery delays, and substitution of items using accepted practices or procedures. She consults with the supervisor on unusual problems or situations which have not been previously encountered. The work is spot checked for technical soundness, appropriateness, and conformance with policy and requirements.

Level 2-3 is credited for 275 points.

Factor 3 - Guidelines:

This factor covers the nature of guidelines and the judgment needed to apply them. The agency evaluated this factor at Level 3-2.

At Level 3-2, a number of established procedures and specific guidelines are available and apply to work assignments. These include procurement history files, Federal Supply Schedules or other established contracts, standard operating practices, and 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 also explain, for example, how to order from schedules when documentation is required (e.g., waivers, sole source justifications, and verifications of price reasonableness), when it is appropriate to establish blanket agreements, and how to account for use of imprest funds. The employee at this level uses judgment in selecting the appropriate reference and procedure to make purchases.

At Level 3-3, guidelines, such as those described at Level 3-2, are available but are not completely applicable to many of the aspects of the work because of the unique or complicating nature of the requirements or circumstances. For example, when ensuring the adequacy of specialized purchase descriptions there are no directly related reference sources, such as standardized descriptions in catalogs or procurement history files. The employee at this level uses judgment to interpret guidelines, adapt procedures, decide approaches, and resolve specific problems.

Level 3-2 is met. The appellant performs her work in accordance with established practices and procedures and specific guidelines related to the acquisition and contract administration processes. Virtually all of her work is covered by FAR, agency instructions, and other guidance and policies specifically related to the acquisition of items and services. She exercises judgment in determining and selecting the appropriate guidelines and/or alternatives to use in completing assignments. Unusual situations in which the available guidelines cannot be readily applied are referred to the supervisor for resolution.

Level 3-3 is not met. The purchasing activities in which the appellant is engaged do not involve unique or complicating requirements or circumstances. Her work is generally limited to areas where standardized descriptions or procurement history files are available and are directly applicable. The appellant also does not have the flexibility to interpret guidelines, adapt procedures, or decide approaches for the resolution of problems as is typical of this level.

Level 3-2 is credited for 125 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. The agency credited Level 4-2. We believe that the appellant meets Level 4-3.

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 makes decisions, such as 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 a few factors, such as price, available sources, and urgency of requirements. The employee recommends awards using primarily price and/or delivery as determining factors.

At Level 4-3, the work involves using different processes and methods to make a variety of sole source small purchases and/or make a variety of purchases against various established contracts

and agreements (e.g., multiple award schedules, blanket purchase agreements, requirements

contracts). The employee uses different solicitation methods, ordering or reporting procedures, purchasing methods, or clauses and provisions depending on the type, quantity, dollar value, or urgency of the requirement.

Level 4-3 is met. The appellant's assignments involve a variety of different and unrelated processes and methods to acquire the items and services required by her organization. Among the alternatives that must be considered are whether or not purchases can be most efficiently accomplished through methods such as purchase order invoices, delivery orders against established GSA contracts, calls against BPAs, or government purchase card. The appellant must also identify and consider factors such as discount rates, time available for delivery, an item's uniqueness or obsolescence, availability in local or non-local markets, or the use of specialized firms in determining the most feasible course of action to take.

Level 4-3 is credited for 150 points.

Factor 5 - Scope and Effect:

This factor covers the relationship between the nature of the work (i.e., the purpose, breadth, and depth of the assignment) and the effect of work products or services both within and outside the organization. The agency evaluated this factor at Level 5-2.

At Level 5-2, the work involves providing purchasing services that are covered by well-defined and precise procedures and regulations (e.g., 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.

At Level 5-3, the purpose of the work is to purchase various commercial and/or specialized requirements. The work involves applying conventional practices to resolve a variety of purchasing problems (e.g., inadequate or restrictive specifications, lack of multiple suppliers, urgent need, and insufficient price history). Purchasing advice and decisions directly affect the ability of serviced programs to conduct business adequately.

Level 5-2 is met. The appellant's regular and recurring work involves the purchasing of items and services that are covered by specific regulations and procedures (FAR, Federal Property Management Regulations, guidance, instructions, policies, etc.). Her responsibility is to clarify what is needed and when and to select purchasing methods and sources from a range of available options from a limited number of commercial vendors and suppliers. The work performed by the appellant effects the day to day operations of the serviced programs.

The full intent of Level 5-3 is not met. The majority of the items and services purchased by the appellant are routinely acquired from commercial sources who either specialize in products and services for the particular purpose needed by the Forest Service or whose products or services are

for other purposes, but meet the necessary requirements and specifications. These commercial sources are known for the most part to the appellant as primary sources for the specific items needed. The majority of her purchases are not of the specialized nature to create the type of complex problems typically found at this level.

Level 5-2 is credited for 75 points.

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

Factor 6 includes face-to-face contacts and telephone and radio dialogue 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 contact takes place (e.g., the degree to which the employee and those contacted recognize their relative roles and authorities).

Factor 7 addresses the purpose of personal contacts, which may range from factual exchange of information to situations involving significant or controversial issues and differing viewpoints or objectives. The agency credited these factors at Level 2-b. We believe 2-a is correct.

At Level 2, contacts include employees in the same agency or activity but outside the immediate organization. For example, contacts may be with personnel in supply, contracting, finance, requirements initiating offices, or at warehouse/delivery receipt sites. Contacts outside the agency include commercial suppliers, contractors, and personnel at other agencies, such as the Department of Labor or GSA.

At Level 3, in addition to contacts at lower levels, contacts include technical and 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 for award.

Similar to Level 2, the appellant's regular and recurring contacts include requisitioning, technical, and management personnel within her organization. There are also routine contacts outside the organization with GSA personnel, vendors, salesmen, distributors, and representatives of commercial concerns who either provide, or are seeking to provide, items and services to the Government. These contacts normally occur at the appellant's place of work or are made by telephone or in writing.

The appellant does not have contacts with the technical or legal representatives of firms involving negotiations related to major changes in purchase orders or contract terminations described at Level 3. Issues such as negotiation of major changes to purchase orders, contract terminations, protests regarding awards, etc., described at this level are handled by higher graded personnel within the organization.

At Level a, the purpose of contacts is to clarify or exchange information related to purchasing routine requirements. Contacts with customers are to obtain missing information, advise on the status of work, and get approval for substitutes or changes in delivery dates, prices, quantities, etc. Contacts with vendors are to obtain information on items, prices, discounts, and delivery dates.

At Level b, the purpose of contacts is to plan and coordinate actions to prevent, correct, or resolve delays or misunderstandings in the purchasing process. This includes contacts with customers to discuss specifications that may be inadequate or too restrictive, and those with vendors to clarify requirements and negotiate issues such as establishing price reductions for deviations in product delivery.

As at Level a, the purpose of the appellant's contacts is to clarify and exchange information regarding the items and services being purchased. Contacts with customers are to obtain information that may have been missing from the requisition received; inform them of the technical aspects of procurement document preparation; provide market research assistance; advise on product availability, sources, prices, and vendor reputation; and identify available contract methods which will expedite the ordering of supplies and services. Her contacts with contractors and vendors are typically to obtain information on the availability of items and services, prices, discounts, ability to meet delivery dates, or to clarify technical information related to the purchases.

Level b is not met. The regular and recurring contacts established by the appellant do not involve the kinds of issues described at this level. Her customer contacts do not involve issues related to specification adequacy or alternatives to purchasing. Matters such as these are the responsibility of other staff personnel. Her dealings with contractors and vendors do not involve negotiations of prices or modification of terms of contracts, etc., as the items which she purchases are usually covered in fixed-price contracts with long time commercial sources.

Level 2-a is credited for 45 points.

Factor 8 - Physical Demands:

This factor covers the requirements and physical demands placed upon the employee by the work assignment. This includes physical characteristics and abilities and the physical exertion involved in the work. The agency evaluated this factor at Level 8-1.

Level 8-1 requires some physical effort, such as standing, walking, bending, or sitting. There are no special physical demands.

Level 8-2 requires above average physical ability to walk around or over building materials, excavation sites, and heavy equipment found at construction sites or similar areas. The employee visits such sites on a regular and recurring basis.

Level 8-1 is met. The work performed by the appellant is primarily sedentary and presents the normal physical effort involved in walking, standing, bending, and carrying light items. The

appeal record does not contain any information reflecting that her regular and recurring work involves the physical effort described at Level 8-2.

Level 8-1 is credited for 5 points.

Factor 9 - Work Environment:

This factor considers the risks and discomforts in the employee's physical surroundings or the nature of the work assigned and the safety regulations required. The agency evaluated this factor at Level 9-1.

At Level 9-1, the employee performs work in an office setting involving everyday risks or discomforts which require normal safety precautions.

At Level 9-2, the work involves a moderate level of discomfort during visits to sites away from the office. The employee may be required to wear protective clothing (e.g., hardhat, goggles, gowns, or boots) when visiting construction sites, laboratories, or other areas.

Level 9-1 is met. The majority of the appellant's work is performed in an office setting requiring the observance of normal safety precautions for such areas.

Level 9-1 is credited for 5 points.

SUMMARY		
FACTOR	LEVEL	POINTS
1-Knowledge Required by the Position	1-4	550
2-Supervisory Control	2-3	275
3-Guidelines	3-2	125
4-Complexity	4-3	150
5-Scope and Effect	5-2	75
6-Personal Contacts and 7-Purpose of Contacts	2-a	45
8-Physical Demands	8-1	5
9-Work Environment	9-1	5
	TOTAL	1230

A total of 1230 points falls within the GS-6 range, 1105 to 1350 points, according to the Grade Conversion Table in the GS-1105 standard.

Decision

The appellant's position is correctly classified as Purchasing Agent, GS-1105-6.