

**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:	Safety and Occupational Health Manager GS-018-12
Organization:	[Office] Naval Air Station [Region] Department of the Navy [Location]
OPM decision:	Supervisory Safety and Occupational Health Specialist GS-018-12
OPM decision number:	C-0018-12-03

/s/
Timothy P. Heath
Classification Appeals Officer

4/19/01

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 title 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 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]

Director
Human Resources Office – Code 00V
Department of the Navy
[Location]

Office of the Deputy Assistant Secretary
of the Navy (Civilian Personnel and
Equal Employment Opportunity)
Nebraska Avenue, Complex
321 Somer Court, NW., Suite 40101
Washington, DC 20393-5451

Chief, Classification Appeals
Adjudication Section
Department of Defense
Civilian Personnel
Management Service
1400 Key Boulevard, Suite B-200
Arlington, VA 22209-5144

Introduction

On November 13, 2000, the Atlanta Oversight Division of the U.S. Office of Personnel Management received a classification appeal for the position of Safety and Occupational Health Manager, GS-018-12, [Office] Naval Air Station (NAS), [Region], [Location]. The appellant believes her position should be graded Safety and Occupational Health Manager, GS-018-13.

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 the agency determination for Factor 2, Organizational Setting is incorrect. She indicates that because of the positioning within the organization she reports one level below the Commanding Officer. She further states that her agency is not in compliance with Navy instructions as they relate to organizational settings. In addition, the appellant does not agree with the agency determination for Factor 3, Supervisory and Managerial Authority Exercised.

Position information

The appellant is assigned to position description number [Number]. The appellant, her supervisor and the agency have certified the accuracy of the position description.

The appellant serves as the Regional Occupational Safety and Health Manager for the Safety and Occupational Health Division located at NAS [Location]. She has responsibility for developing and administering the total safety and health program, including those elements unique to the NAS and other serviced commands and activities. She exercises full supervisory responsibilities for professional, technical, and administrative employees.

The appellant receives direction from the Assistant Chief of Staff who is over the Facilities Department. The appellant independently carries out programs within the framework of applicable laws and objectives. The work is normally accepted as technically sound and reviewed only to assess effectiveness of safety and occupational health performance.

Series and title determination

The agency determined that the appellant's position is properly classified in the Safety and Occupational Health Management Series, GS-018, and titled Safety and Occupational Health Manager. The appellant does not contest this determination. We concur that the appellant's position is

classified in the appropriate series; however, the correct title is Supervisory Safety and Occupational Health Specialist since the position meets the criteria for evaluation as a supervisor.

Standards determination

Safety and Occupational Health Management Series, GS-018, August 1981.

General Schedule Supervisory Guide, April 1993.

Grade determination

The General Schedule Supervisory Guide (GSSG) is used to determine the grade of General Schedule (GS or GM) supervisory positions in grades GS-5 through GS-15. The GSSG employs a factor-point evaluation method that assesses six factors common to all supervisory positions. To grade a position, each factor is evaluated by comparing the position to the factor-level descriptions for that factor and crediting the points designated for the highest factor-level which is fully met, in accordance with the instructions specific to the factor being evaluated. The total points accumulated under all factors are then converted to a grade by using the point-to-grade conversion table in the GSSG.

The appellant disagrees with factors 2 and 3. We have reviewed factors 1, 4, 5, and 6, and agree with the agency determination. Therefore, our decision will discuss only those factors contested by the appellant.

The appellant's position is evaluated as follows:

Factor 2 – Organizational Setting:

This factor considers the organizational situation of the supervisory position in relation to higher levels of management. The agency credited Level 2-1 for this factor. The appellant believes that Level 2-2 is appropriate.

At Factor Level 2-1, the position is accountable to a position that is two or more levels below the first (i.e., lowest in the chain of command) SES, flag or general officer, equivalent or higher level position in the direct supervisory chain.

Factor 2-1 is met. The appellant reports to the Assistant Chief of Staffing who is the Facility Department Head and the equivalent of a GS-15. The Assistant Chief of Staffing in turn reports to the Commanding Officer who is also a Captain and the equivalent of a GS-15. Although, the appellant also periodically reports information on some safety issues directly to the Commanding Officer, her direct supervisor is the Assistant Chief of Staff. Therefore, her position is accountable to a position two levels below the first SES equivalent.

At Factor Level 2-2, the position is accountable to a position that is one reporting level below the first SES, flag or general officer, or equivalent or higher level position in the direct supervisory chain.

Factor Level 2-2 is not met. The appellant only provides certain types of information to the Commanding Officer. He does not directly supervise the appellant's program, approve leave, or prepare her performance appraisal.

This factor is credited at Level 2-1 for 100 points.

Factor 3 – Supervisory/Managerial Authority Exercised

This factor covers the delegated supervisory and managerial authorities that are exercised on a recurring basis. To be credited with a level under this factor, a position must meet the authorities and responsibilities to the extent described for the specific level. Levels under this factor apply equally to the direction of specialized program management organizations, line functions, staff functions, and operating and support activities. Where authority is duplicated or not significantly differentiated among several organizational levels, a factor level may apply to positions at more than one organizational level. The agency credited this factor at Level 3-2c. The appellant believes that Level 3-3b is met.

Level 3-2 describes three situations, any one of which meets this level. The first situation (a) relates to planning and scheduling production-oriented work. The second situation (b) relates to supervising work that is contracted out. Neither of these situations applies to the appellant's position.

The appellant's position meets Level 3-2c. At this level, the supervisor exercises most of the usual authorities associated with first-level supervision. Consistent with the factor-level description, the appellant has authority to plan work to be accomplished by subordinates, assign work to subordinates, evaluate work of subordinates, advise on administrative matters, interview candidates for positions within the organizational unit she supervises, resolve complaints from subordinates, effect minor disciplinary measures, identify developmental needs of subordinates, effect measures to improve work productivity and quality, and develop performance standards.

At Level 3-3, supervisors typically exercise managerial authorities over lower organizational units and subordinate supervisors or leaders, or have second level authority and responsibility. At Level 3-3, the supervisor must meet one of two conditions. To meet the first condition (Level 3-3a), the supervisor must exercise delegated *managerial* authority to set a series of annual, multiyear, or similar types of long-range work plans and schedules for in-service or contracted work. This level essentially concerns managerial positions closely involved with high level program officials (or comparable agency level staff personnel) in the development of overall goals and objectives. Managers at this level typically direct the development of data to track program goals, secure legal opinions, prepare position papers or legislative proposals, or comparable objectives.

The appellant's position lacks significant responsibility in these areas and does not meet Level 3-3a. The appellant does not have delegated supervisory or managerial authority over subordinate programs nor does she develop long-range program plans beyond the regional level.

To meet the second condition (Level 3-3b), the supervisor, in addition to exercising the authorities and responsibilities described at Level 3-2c, must meet at least 8 in a list of 15 criteria that establish a level of authority significantly higher than Level 3-2c. This level is intended to credit supervisors who direct at least two or more employees who are officially recognized as subordinate supervisors, leaders, or comparable personnel. Further, the supervisor's subordinate organization must be so large and its work so complex that it requires using those two or more subordinate supervisors or comparable personnel.

This position does not meet Level 3-3b. The appellant does not direct subordinate supervisors or comparable personnel. She is not required to perform to the extent described in level 3-3b since such responsibilities belong to higher level positions.

The overall evaluation of this factor is Level 3-2c for 450 points.

SUMMARY		
FACTOR	LEVEL	POINTS
1. Program Scope and Effect	1-3	550
2. Organizational Setting	2-1	100
3. Supervisory and Managerial Authority Exercised	3-2c	450
4. Personal Contacts	4A-2	50
A. Nature of Contacts		
B. Purpose of Contacts	4B-3	100
5. Difficulty of Typical Work Directed	5-6	800
6. Other Conditions	6-3	975
	TOTAL	3025

A total of 3025 points equates to GS-12, 2755 to 3150 points, according to the point-to-grade conversion chart in the GSSG.

Decision

The position is correctly classified as Supervisory Safety and Occupational Health Specialist, GS-018-12.