

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

Chicago Field Services Group
230 S. Dearborn Street, DPN-30-6
Chicago, IL 60604-1687

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

Appellant: [appellant]

Agency classification: Supply Technician
GS-2005-6

Organization: [organization]
[Service]
Veterans Affairs Medical Center
Department of Veterans Affairs
[city and state]

OPM decision: Supply Technician
GS-2005-5

OPM decision number: C-2005-05-07

/s/

Michael J. Wilkin
Deputy Associate Director
Center for Merit System Compliance
Human Capital Leadership
and Merit System Accountability

August 5, 2005

Date

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

Since this decision lowers the grade of the appealed position, it is to be effective no later than the beginning of the sixth pay period after the date of this decision, as permitted by 5 CFR 511.702. The applicable provisions of parts 351, 432, 536, and 752 of title 5, CFR, must be followed in implementing the decision. If the appellant is entitled to grade retention, the two-year retention period begins on the date this decision is implemented. The servicing human resources 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]
[address]
[city and state]

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Introduction

On March 16, 2004, the Chicago Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [the appellant], who occupies the position of Supply Technician, GS-2005-6, assigned to the [Section], [Service], Veterans Affairs Medical Center (VAMC), Department of Veterans Affairs, [city and state]. The appellant believes that his position should be classified as Supply Technician, GS-2005-7. We received the agency administrative report on April 5, 2004. We accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

To help decide the appeal, we conducted a telephone audit with the appellant on July 15, 2004, an on-site audit with the appellant on November 16, 2004, and a telephone interview with his immediate supervisor, the section chief, on July 15, 2004. In reaching our decision, we carefully considered the audit and interview findings and all information of record furnished by the appellant and the agency.

Background information

The appellant and his supervisor agree that the duties and responsibilities in his official position description [#####] are accurate, but the appellant disagrees with the wording of the introductory paragraph which states that he will assist an Inventory Management Specialist as needed or directed in the maintenance of the equipment.

This issue is not significant for classification purposes. The supervisor informed us that she seldom directs the appellant to work with the specialist. Therefore, it is not regular and recurring work within the meaning of the position classification process and cannot affect the classification of the appellant's position. Based on the record, we found that this support was actually given to the appellant's supervisor instead who acts as technical advisor and also coordinates inventory questions with the specialist.

General issues

Implicit in the appellant's rationale is a concern that his position is classified inconsistently with other positions since he refers to a position in another VA office that performs similar work, but is classified at the GS-7 grade level. By law, we must classify positions solely by comparing current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since the comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to others as a basis for deciding the appeal.

Like OPM, the appellant's agency must classify positions based on comparison to OPM standards and guidelines. Section 511.612 of title 5, Code of Federal Regulations (CFR), requires that agencies review their own classification decisions for identical, similar, or related positions to insure consistency with OPM certificates. Thus, the agency has the primary responsibility for insuring that its positions are classified consistently with OPM appeal decisions. If the appellant considers his position so similar as to warrant the same classification, he may pursue the matter by writing to his agency headquarters HR office. In doing so, they

should specify the precise organizational location, classification, duties, and responsibilities of the positions in question. If the positions are found to be basically the same, the agency must correct their classification to be consistent with this appeal decision. Otherwise, the agency should explain the differences between his position and the others.

A PD is the official record of the major duties and responsibilities assigned to a position by a responsible agency official; i.e., a person with authority to assign work to a position. A position is the duties and responsibilities that make up the work performed by an employee.

Classification appeal regulations permit OPM to investigate or audit a position and decide an appeal based on the duties assigned by management and performed by the employee. We classify a real operating position, and not simply the PD. Therefore, this decision is based on the actual work assigned to and performed by the appellant.

The appellant believes that the position classification standards (PCSs) used by his agency to classify the position are outdated. However, the accuracy of grade-level criteria contained in an OPM classification guide or standard is an issue neither appealable nor reviewable under 5 CFR 511.607. The appellant also makes reference to his supervisor's request in May 2002 for a position review for promotion on his behalf based on a proposed PD associated with the request. However, the classification of a position to which an employee is not officially assigned is also neither appealable nor reviewable under 5 CFR 511.607.

The appellant requests backpay for performing GS-7 level work retroactive to May 2002. However, the U.S. Comptroller General states that an “. . . employee is entitled only to the salary of the position to which he is actually appointed, regardless of the duties performed. When an employee performs the duties of a higher grade level, no entitlement to the salary of the higher grade exists until such time as the individual is actually promoted. This rule was reaffirmed by the United States Supreme Court in *United States v. Testan*, 424 U.S. 392, at 406 (1976), where the Court stated that ‘. . . the federal employee is entitled to receive only the salary of the position to which he was appointed, even though he may have performed the duties of another position or claim that he should have been placed in a higher grade.’ Consequently, backpay is not available as a remedy for misassignments to higher level duties or improper classifications.” (CG decision B-232695, December 15, 1989).

The appellant also makes various other statements about his agency and its evaluation of his position. Because our decision sets aside all previous agency decisions, the appellant's concerns regarding his agency's classification review process are not germane to this decision. In adjudicating this appeal, our only concern is to make our own independent decision based on the proper classification of the position.

Position Information

The appellant works under the general supervision of the section chief, whose position is classified as a Supervisory Inventory Management Specialist, GS-2010-12. The section chief supervises 15 employees, including 3 Inventory Management Specialists, GS-2010-(2 at GS-9 and 1 at GS-7), 6 Supply Technicians, GS-2005 (4 at GS-7, a trainee GS-6 with a GS-7 target position, and the appellant), and 6 other employees who perform a related warehouse function.

The full-performance level GS-7 supply technicians are assigned to a position, referred to locally as “item manager”, requiring a thorough knowledge of inventory control and purchasing skills that necessitate specialized training (including completion of a General Services Administration (GSA) basic purchasing class) to be able to utilize agency inventory software to access and analyze database information in order to search and find equipment, parts, and other property items requested by their customers and to understand the interrelated functions required to supply them.

The appellant’s position is primarily responsible for various aspects in inventory management and the utilization and disposal of equipment determined to be excess and/or surplus to the Medical Center. His duties require a sound working of knowledge and expertise concerning the Equipment Inventory Management Program, but he does not need specialized purchasing training since he does not deal with supply purchasing activities. The appellant is independently responsible for the technical and administrative functions related to the control of all equipment at the Medical Center involving property accountability, document control, and inventory management.

His property accountability duties include preparing schedules and procedures for the required inventory of nonexpendable property, excess property, and equipment loans. The appellant is responsible for the utilization and disposal process. He processes and screens all internal turn-in documents for replaced and/or excess equipment, and prepares adjustment vouchers to ensure that proper property accounting measures are accomplished.

The appellant’s document control work includes resolving discrepancies noted in agency lists called Consolidated Memorandum Receipt (CMR) inventories. The appellant maintains lists of CMR’s, also called equipment item lists (EILs), by accessing the agency Automated Equipment Management System/Medical Equipment Repair System (AEMS/MERS). He generates and delivers updated CMRs to the responsible officials whom he assists when necessary to conduct inventories. This may require systematic searches of property records and supporting audit trails to resolve any discrepancies. This also includes updating equipment loan forms and assigning Reports of Survey numbers, as well as finding reported lost or stolen items. The appellant ensures that all required inventories are conducted and compliant with Federal regulations, the VA handbook, and local policies and procedures.

His inventory management work includes responsibility for the inventory and control of all equipment located on all hospital wards. This is accomplished by use of a barcode scanner to monitor equipment at both the VAMC and nursing home.

In addition, the appellant determines the disposition of used or excess property through transfer, sale, donation, or scrapping, as appropriate according to Federal regulations and agency guidelines, policies, and procedures. He coordinates the transfer of equipment within his facility and oversees the sale of excess or outmoded equipment through GSA auctions. He determines the number of items to be sold together as a unit, displaying property by types, conditions, values, and what will appeal to customers. He uses a digital camera to upload pictures of the equipment to GSA information systems. The appellant supervises the loading of excess equipment when sold and picked up at the VAMC, which includes verifying that only the items

sold are removed from the facility. When items can not be sold, he will make the items available for donation to State governments or various other organizations, or provide for their proper disposal. We find that the PD of record contains the major duties and responsibilities assigned to and performed by the appellant and we incorporate it by reference into our decision.

Title, series, and standard determination

The agency has placed the appellant's position in the Supply Clerical and Technician Series, GS-2005, and titled it, Supply Technician, which is the prescribed title for all such covered positions GS-5 and above. The appellant agrees with the series and title determination. Based on our audits and review of the record, we concur. This series includes positions that supervise or perform clerical or technical supply support work necessary to ensure the effective operation of ongoing supply activities. The work requires knowledge of supply operations and program requirements and the ability to apply established supply policies, day-to-day servicing techniques, regulations, or procedures. Therefore, the directly applicable GS-2005 position classification standard (PCS) will be used to determine the grade of the appellant's position.

Grade determination

The agency evaluated the position at Levels 1-3, 2-3, 3-3, 4-3, 5-3, 6-2, 7-B, 8-2, and 9-2. The appellant agrees with the evaluation of Factors 2 through 9, but disagrees with the agency's evaluation of Factor 1. However, as an integral part of our evaluation, we have reviewed all factor levels assigned by the agency. We disagree with the agency's crediting of Factors 3, 4, and 5. Therefore, we will focus our analysis on Factors 1, 3, 4, and 5.

The GS-2005 PCS uses the Factor Evaluation System (FES) which employs nine factors. Under the FES, each factor level description in a standard describes the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in a factor level description in any significant aspect, it must be credited at a lower level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. Our evaluation with respect to the nine FES factors follows.

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information an employee must understand in order to do the work, and the skills needed to apply that knowledge.

At Level 1-3, the work requires knowledge of standardized supply regulations, policies, procedures, or other instructions relating to the specific functions assigned. The majority of positions require familiarity with one or more automated supply data bases to enter, correct, and retrieve recurring reports and to structure and retrieve specialized reports. Employees use a **sound working** knowledge of the structure of the local supply organizations serviced. Employees use this knowledge and ability to perform a variety of standard clerical assignments and to resolve recurring problems.

Illustrative of property management work at Level 1-3 is maintaining perpetual inventory records (property book) of non-expendable property for the organization serviced. When property is declared excess in any location, employees verify accurate description and quantity available. They circulate notifications of excess property available for other serviced units, prepare transfer documents according to prescribed procedures, or, where no need exists, complete declarations of excess property. They circulate reports of excess property submitted by other offices or agencies to identify those with potential for local use, and, after need for item is approved by a local operating office, prepare requisitions for items to be transferred. When nonexpendable property is lost, damaged, or destroyed, employees prepare survey reports.

At Level 1-4, the highest level described in the GS-2005 PCS, the work requires a **thorough** knowledge of governing supply regulations, policies, procedures, and instructions applicable to the specific assignment. This knowledge is used by employees to conduct extensive and exhaustive searches for required information; reconstruct records for complex supply transactions; and/or provide supply operations support for activities involving specialized or unique supplies, equipment, and parts such as special purpose laboratory or test equipment, prototypes of technical equipment, parts and equipment requiring unusual degrees of protection in shipment and storage, or others that are unique to the organization's mission or are seldom handled.

Illustrative of property management work at Level 1-4, is maintaining accurate accounting and reporting systems for non-expendable property and performing routine phases of property management. Employees review proposed purchases to ensure they are in accordance with fiscal year property plan, review justifications, and recommend actions for property requests not on the plan; they plan for and conduct limited segments of management studies on the utilization of property, and make informal recommendations based on data developed. They review records and demand data to determine if property has become obsolete or excess to the needs of the organization and/or excess to the overall requirements of the agency, offer recommendations to operating officials for utilization, and prepare reports and necessary documentation for transfer of property. At this level, employees locate surplus property, determine age and probable condition by checking records, contacting local vendors, physically inspecting records, and arranging for transfer of property that can be used. They work with a supply specialist in preparing procedures for annual inventories, they participate in inventory process, conduct investigations to determine causes of inventory discrepancies by checking all property records (e.g., purchase orders, surveys, transfers, and other available sources), and compile information necessary for consideration in survey actions relating to loss, damage, or destruction of government-owned property.

As illustrated at Level 1-3, the appellant maintains perpetual inventory records (the property book) of non-expendable property for the organization serviced. He enters, retrieves, and generates reports from automated systems. He processes the turn-in paperwork to ensure accuracy. He determines the method of disposition. He processes the paperwork for transfer of items. When there is no need for the items, he coordinates the sale of the items through the GSA auction or in some cases coordinates donation of the items to other organizations. To do this work, he applies a practical knowledge of GSA's Agency Asset Management System (AAMS) and the Feds Program to report and screen excess equipment. He answers recurring inquiries

from customers, employees, property staff, and GSA staff. This includes answering customer's questions about the specifications of a sale item, informing VA employees regarding proper paperwork submission, and informing and assisting CMR responsible officials who are delinquent in completing their inventory responsibilities. He searches property records and/or physically searches for lost, missing, or stolen items. He solves routine problems such as researching discrepancies noted in the CMR inventories or reassigning equipment to more appropriate areas. This compares closely with the second illustration of work described at Level 1-3.

The appellant's work does not require the thorough knowledge necessary to perform most of the types of duties described at Level 1-4. These duties are performed by higher level inventory management specialists or supply technicians in his organization. The appellant's independence is limited by the internal constraints imposed on his work by Federal regulations and agency program policies and procedures. In addition, his supervisor retains oversight responsibility for the program. The preponderance of the incumbent's time is simply focused on property accountability, document control, and routine inventory management work involved in disposing of excess and surplus equipment. In maintaining an accurate inventory accounting and reporting system for non-expendable property, the appellant does perform a few routine phases of property management work similar to that described at Level 1-4. While the appellant does determine if property has become excess to the needs of the VAMC and he does locate surplus property and arrange for its disposition, which is similar to the work described at this level, he does not perform the other more complex aspects of the illustration at Level 1-4, such as reviewing proposed purchases to ensure they are in accordance with the fiscal year property plan, conducting management studies and making recommendations, working with inventory specialists in preparing procedures for annual inventories, or processing field requests for new items for inclusion in the agency supply system, so his work does not fully require the kind of knowledge intended at this level. In dealing with property management, the appellant's primary responsibility involves only limited aspects of inventory management and the utilization and disposal of excess equipment which does not require or permit him to perform the type or level of analysis intended at this level. Therefore, because Level 1-4 is not fully met, this factor must be credited at Level 1-3 (350 points).

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them.

At Level 3-2, procedures for doing the work have been established and a number of specific guidelines are available in the form of supply regulations, policies, and procedures. The number and similarity of guidelines and work situation require the employee to use some judgment in locating and selecting the most appropriate guidelines, references, and procedures for application and in making minor deviations to adapt the guidelines in specific cases. At this level, the employee may also determine which of several established alternatives to use. Unusual situations are referred to the supervisor when significant deviations from the guidelines are proposed or when the existing guidelines cannot be applied.

At Level 3-3, guidelines are similar to the next lower level, but because of the problem solving or case nature of the assignments, they are not completely applicable or have gaps in specificity. The employee uses judgment in interpreting and adapting guidelines such as policies, regulations, precedents, and work directions for application to specific cases or problems. The employee analyzes the results of applying guidelines and recommends changes.

As described at Level 3-2, the appellant uses regulatory guidelines, policies, procedures, and recommended practices as directed by the supervisor. These guides are generally directly applicable to the assignment. The appellant must have a working knowledge of Federal Property Management Regulations, VA Handbook Regulations, and internal policies which are essential to inventory management and the utilization and disposal of equipment. While the work requires some judgment in applying the guidelines, he cannot deviate from or substitute for standard policy or prescribed procedures without his supervisor's review and approval. Level 3-3 is not met. Due to the restricted nature of the appellant's assignments, his work does not require or permit him to interpret and adapt guidelines to the extent found at Level 3-3. He does not recommend changes in work processes or procedures either. Therefore, this factor must be credited at Level 3-2 (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.

At Level 4-2, the work consists of duties that involve related steps, processes, or methods, including work such as performing routine aspects of technical supply management functions in support of a specialist. The employee decides what to do by recognizing the existence of and differences between a few easily recognizable situations and conditions, and choosing a course of action from among options related to the specific assignment. Actions to be taken by the employee, or responses to be made, differ in such things as the source of information, the kind of transactions or entries, or other differences of a factual nature.

At Level 4-3, the work involves unusually complicated or difficult technical duties involving one or more aspects of supply management or operations. The work at this level is difficult because it involves actions that are not standardized or prescribed, deviates from established procedures; involves new or changing situations, or entails matters for which only general provision can be made in regulations or procedures. This typically involves supply transactions which experienced employees at lower grades have been unable to process or resolve, or which involve special program requirements for urgent, critical shortage items requiring specialized procedures and efforts to obtain. The employee decides what needs to be done depending on the analysis of the subject, phase, or issues involved in each assignment, and the chosen course of action may have to be selected from many alternatives. Decisions are based largely on the employee's experience, precedent actions, and the priority assigned for resolving the particular problem. The methods and procedures used to resolve each issue vary based on the circumstances of each individual case. The work involves conditions and elements that the employee must identify and

analyze to discern interrelationships with other actions, related supply programs, and alternative approaches.

As described at Level 4-2, the appellant's work is detailed and must be performed in the proper sequence. The work consists of related steps and processes. He performs data entry, tags equipment, assists with inventories, and disposes of excess equipment. The situations he deals with are routine in nature and defined in the guidelines.

Level 4-3 is not met. The appellant rarely has to deviate from established policies and procedures. When new situations arise he receives guidance from his supervisor. The appellant's work is limited to property accountability, document control, and routine inventory management work involved in disposing of excess equipment and consists of performing essentially the same steps repetitively. The appellant's work does not routinely require him to analyze data for the purpose of identifying problems and choosing from many alternatives to determine the actions that should be taken to resolve them. Therefore, this factor must be credited at Level 4-2 (75 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.

At Level 5-2, the work involves the execution of specific rules, regulations, or procedures and typically comprises a complete segment of an assignment or project of broader scope, such as when assisting a higher grade employee. The work or supply service affects the accuracy, reliability, or acceptability of further processes or services in meeting customer requirements in supported organizations and other supply units.

At Level 5-3, the work involves dealing with a variety of problem situations either independently or as part of a broader problem solving effort under the control of a specialist. Problems encountered require extensive fact-finding, review of information to coordinate requirements, and recommendations to resolve conditions or change procedures. The employee performs the work in conformance with prescribed procedures and methods. The results of the work affect the adequacy of local supply operations, or they contribute to improved procedures in support of supply programs and operations.

Similar to work described at Level 5-2, the appellant's work involves the execution of specific rules, regulations, or procedures dealing with property utilization and disposal. He deals with routine problems that involve searching for missing items.

Level 5-3 is not met. The appellant's work mainly affects the warehousing function of the supply operation. If the equipment is not disposed of efficiently, the medical center must rent a storage pod which results in a cost to the organization. If missing items cannot be found, the inventory management specialist performs the next level of the search. The appellant is not

required to make recommendations to resolve conditions or change procedures. Because Level 5-3 is not met, this factor must be credited at Level 5-2 (75 points)

Summary

We have credited the position as follows:

<i>Factors</i>	<i>Level</i>	<i>Points</i>
1. Knowledge required by the position	1-3	350
2. Supervisory controls	2-3	275
3. Guidelines	3-2	125
4. Complexity	4-2	75
5. Scope and effect	5-2	75
6. Personal contacts and 7. Purpose of contacts	2-b	75
8. Physical demands	8-2	20
9. Work environment	9-2	20
	<i>Total points:</i>	1015

A total of 1015 points falls within the GS-5 grade level point range (855-1100) according to the grade conversion table in the GS-2005 PCS.

Decision

The position is properly classified as Supply Technician, GS-2005-5.