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

Appellant: [names]
Agency classification: Human Resources Assistant (Recruitment) GS-203-8
Organization: Delegated Examining (DE) Unit-Richmond [activity] Department of Veterans Affairs [location]
OPM decision: Human Resources Assistant (Recruitment) GS-203-7
OPM decision number: C-203-07-03

__________________________________
Kevin E. Mahoney
Deputy Associate Director
Center for Merit System Accountability

March 10, 2006
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 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 352, 432, 536, and 752 of title 5, Code of Federal Regulations must be followed in implementing the decisions. 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:**

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Introduction

The Atlanta Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [names] on August 26, 2005. The appellants’ positions are identical additional positions (hereinafter referred to as position) currently classified as a Human Resources (HR) Assistant (Recruitment), GS-203-8, and are assigned to the Delegated Examining (DE) Unit-[location], [location], [activity and acronym], Department of Veterans Affairs (VA), at [city, state]. The appellants request that the position be classified as HR Specialist, GS-201-9. We received the agency’s administrative report on October 17, 2005. We have accepted and decided their appeal under section 5112 of title 5, United States Code.

Background

In August 2001, the appellants’ previous supervisor attempted to have their position reclassified from a GS-203-7, Human Resources Assistant, to a GS-201-9, HR Specialist, based on performing additional duties and/or responsibilities. The supervisor submitted a position description (PD) to the agency for review. On December 4, 2001, the [acronym] Human Resources and Benefits Manager notified the supervisor by electronic mail that the proposed PD as written classified at the GS-11 level and stated her concern for establishing additional specialist positions at the [location] unit. Instead, she proposed establishing two GS-203-8, HR Assistant (Recruitment), positions. The supervisor agreed, the positions were reclassified to the GS-8 level; and the appellants were promoted effective December 16, 2001.

On November 9, 2004, the appellants requested that the agency conduct a formal desk audit due to their belief the position still warranted classification as a GS-201-9, HR Specialist. In a letter dated March 7, 2005, the agency notified the appellants that the position would be evaluated as part of an ongoing study of the overall DE program at VA. Subsequently, in a letter dated July 28, 2005, the agency informed the appellants that due to the proposed consolidation and restructuring of the DE program, the positions would be reclassified as HR Assistant (Recruitment), GS-203-7.

The appellants appealed to OPM due to their belief that, despite the agency’s determination, their duties and responsibilities warrant classification as a GS-201-9, HR Specialist, and at a minimum, their positions should remain at the GS-203-8 level. We contacted the agency to ascertain the status of the reorganization and were told that the plans are currently on hold and the position remains classified at the GS-8 level.

General Issues

The appellants made various statements about the agency’s evaluation of their current position. Because our decision sets aside all previous agency decisions, any concerns regarding the agency’s classification review process or future plans for the position or organization are not germane to this decision. In adjudicating this appeal, our only concern is to make an independent decision on the proper classification of the appellant’s position. Therefore, we have considered these statements only insofar as they are relevant to making that comparison.
The appellants are assigned to PD number [number]. The appellants did not certify the accuracy of the PD and believe it does not address their signatory authority, adjudication of suitability, development of crediting plans, and quality review of work performed by higher level HR specialists. However, the supervisor certified the accuracy of the PD.

A PD is the official record of the major duties and responsibilities assigned to a position by a responsible management official; i.e., a person with authority to assign work to a position. A position is the work made up of the duties and responsibilities performed by an employee. Classification appeal regulations permit OPM to investigate or audit a position and decide an appeal on the basis of the duties assigned by management and performed by the employee. We classify a real operating position, and not simply the PD. We find that the PD of record contains the major duties assigned to and performed by the appellants, and we incorporate it by reference into this decision.

In reaching our classification decision, we have carefully considered interviews and all other information of record furnished by the appellants and the agency, including information obtained from telephone interviews with the appellants and their former and current supervisor. In addition, we conducted an on-site audit with the appellants on January 20, 2006, to gather additional information to assist us in our decision.

Position information

The VA operates two stand-alone DE units. One is located in [location], and the other in [location]. They are responsible for delivering competitive examining services for VA facilities nationwide. The DE workload is divided between each unit by the occupational series of the position being filled. The appellants are members of the [location] DE unit that also includes a HR Specialist, GS-201-12, and two Administrative Support Assistant, GS-303-5, positions. Until recently, a HR Specialist, GS-201-13, located with the staff in Richmond supervised the team. However, with the retirement of that individual, the team is now supervised by the HR Specialist, GS-201-13, over the [location], DE unit. The appellants keep the supervisor informed of work that is not fully covered by instructions and any unexpected or controversial issues that they cannot resolve. Completed work is reviewed for technical soundness, appropriateness, and conformance with policy. A senior HR specialist is available for guidance and direction or when matters require deviation from established guidelines and procedures.

The appellants spend all of their time performing DE work for various VA facilities Nationwide. Recruitment actions are assigned to the appellants by grade (normally GS-7 and below) and by occupational series. The occupations assigned to the appellants include Medical Supply Technician, Medical Support Assistant, Rehabilitation Technician, Clinical Dietetic Technician, Medical Instrument Aid and Technician, Claims Assistant, Pharmacy Technician, Physical Therapy Assistant, Physical Science Technician, Education Technician, Library Aid and Technician, Supply Technician, Purchasing Agent, Nursing Assistant (which includes Nursing Aid, Operating Room Nursing Assistant, and Psychiatric Nursing Assistant), Medical Laboratory Aid and Technicians, and Histopathology Technicians.
The appellants’ duties include reviewing the Request for Certificate, SF 39, to ensure that the required information is sufficient to initiate the recruitment process. While many of the positions being filled have standardized job analysis conducted and crediting plans developed, the appellants must occasionally conduct a job analysis to identify the required competencies and create rating/crediting plans to evaluate applications. They review applications to ensure that the candidates have the job-related years of experience or education and other factors to meet the qualification requirements. They assess and analyze qualifications and other important factors to evaluate the candidates and rate them using the established Quality Level Rating (also known as A.C.E.) procedures. In addition to determining applicants’ eligibility for selection priority, they review applicants’ eligibility for veterans’ preference and apply specific instructions for adjudicating the entitlement. They rate all qualified candidates for priority consideration and then rank the candidates in score order based on their ratings. They audit certificates upon return from selecting officials to include verifying that the correct documentation supports declinations, non-selections, failures to apply, and the proper selection was made within the pertinent guidelines. The appellants evaluate potential suitability concerns and determine if the applicants can be cleared or if they need to be referred. They notify applicants via notice of rating of their results, respond to applicants concerns, and provide assistance on DE requirements and procedures to serviced HR staff and selecting officials.

Series, title determination, and standard determination

The appellants disagree with the agency’s assignment of their positions to the GS-203 series. This series covers one-grade interval administrative support positions that supervise, lead, or perform HR assistance work. The work requires substantial knowledge of civilian and/or military HR terminology, requirements, procedures, operations, functions and regulatory policy, and procedural requirements applicable to HR transactions. It does not require a broad knowledge of Federal HR systems or an in-depth knowledge of HR concepts, principles, and techniques. HR assistants provide support for HR specialists in using information systems and in delivering services in the various specialty areas of HR. They process and document HR actions for a wide variety of employee categories that involve different forms, authorities, action codes, regulatory authorities, or pay systems.

The appellants believe their work warrants classification to the GS-201 series, which covers two-grade interval administrative positions that manage, supervise, administer, advise on, or deliver HR management products or services. They believe the GS-201 series is appropriate, in part, because their overall assignments go beyond HR assistant duties and the work they do involves a broad knowledge of Federal HR systems.

We must first determine whether the work performed by the appellants is covered by an administrative or support series. Since some tasks are common to both types of occupations, it is not always easy to distinguish between assistants classified in one-grade interval administrative support occupations and specialists classified in two-grade interval administrative occupations. Both the GS-201 and GS-203 standards discuss how to distinguish between specialist and assistant work. Guidance on distinguishing between administrative and support work is also contained in *The Classifier’s Handbook*. 
Support work usually involves proficiency in one or more functional areas or in certain limited phases of a specified program. Normally, a support position can be identified with the mission of a particular organization or program. The work usually does not require knowledge of interrelationships among functional areas or organizations. Employees performing support work follow established methods and procedures. Specifically, HR assistants have boundaries that narrowly restrict their work. They use a limited variety of techniques, standards, or regulations. The problems HR assistants deal with are recurring and have precedents. These limitations impact the breadth and depth of knowledge required the complexity of problem solving, the applicability of guidelines, and the closeness of supervisory controls.

Conversely, administrative work primarily requires a high order of analytical ability combined with a comprehensive knowledge of (1) the functions, processes, theories, and principles of management, and (2) the methods used to gather, analyze, and evaluate information. Administrative work also requires skill in applying problem solving techniques and skill in communicating both orally and in writing. Administrative positions do not require specialized education, but they do involve the types of skills typically gained through college-level education or through progressively responsible experience. In particular, full-performance HR specialists use broad HR management knowledge, concepts, and principles to perform a wide variety of work in one or more HR specialty areas.

To decide the proper series, we examined the characteristics and requirements of the work, as well as management’s intent in establishing the position. Typical of support work, the appellants’ sole duties relate to DE and competitive staffing for a range of lower-graded positions. As such, the work does not require knowledge of the interrelationships among the various HR functional areas. Since their recruitment assignments are limited to a lower range of grades (usually GS-7 and below) and by a limited number of occupations (usually technical or administrative support positions), the appellants’ work is conducted in a relatively fixed environment where the actions needed are predictable and information is pre-structured. These factors suggest that the position was established to augment the work of an HR specialist, who, being free from the important but time-consuming processing work, may devote more time to those duties requiring the application of broad HR knowledge, concepts, and principles.

The supervisor indicated that the positions were not established or intended as developmental with clear progression to higher grade levels, but instead to support and augments the work of an HR specialist. Furthermore, we understand the appellants receive guidance from the HR Specialist or immediate supervisor in fairly limited situations. For example, they may ask for assistance in determining qualification requirements or for guidance if the situation is unique or controversial or if the situation/question involves any of the VA facility directors or managers. In all other situations the appellants act fairly independently. If the appellants’ position were developmental in nature with progressively more difficult assignments being made, the level of involvement between the HR Specialist and the appellants would increase as there would be a greater need to collaborate in dealing with the increasingly difficult HR work. The record does not show this type or degree of interaction.
We also find the position does not require full application of the skills; i.e., analysis, research, writing, and judgment, indicative of administrative positions. The appellants’ duties require that they use some of these skills to perform work ranging from obtaining answers to employee HR inquiries to development of local standard operating procedures. The appellants approach these situations by referring to applicable laws and regulations, OPM operating manuals and guides, and agency-specific procedures, if any. They will also contact OPM or the HRC for guidance. In contrast to administrative occupations, the appellants do not have to apply a high level of analysis or judgment to make the information gathered fit their particular situation. In the appellants’ work, the collection of data is typically the end in itself rather than as a means to an end.

Consequently, the appellant’s position is properly assigned to the GS-203 series and must be evaluated by applying the grading criteria in the Job Family Position Classification Standard (JFS) for Assistance Work in the HR Group, GS-200. The authorized title for the appellants’ positions is Human Resources Assistant. Because the appellants’ work is to provide competitive staffing and recruitment services to various VA facilities Nationwide, we find that the appellants’ work is appropriately covered by the parenthetical designator (Recruitment). Therefore, the appropriate title and series of this position is HR Assistant (Recruitment), GS-203.

Grade Determination

The GS-203 JFS is written in the Factor Evaluation System (FES) format, under which factor levels and accompanying point values are assigned for each of the nine factors. The total is converted to a grade level by use of the grade conversion table provided in the JFS. Under this system, each factor level description demonstrates 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.

Factor 1, Knowledge Required by the Position

This factor measures the nature and extent of information or facts that an employee 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 necessary to apply that knowledge. The agency credited Level 1-5.

At Level 1-5, which is the highest level identified in the JFS, the work requires knowledge of, and skill in applying, a comprehensive body of HR rules, procedures, and technical methods sufficient to carry out limited projects; analyze a variety of routine facts; research minor complaints or problems that are not readily understood; and summarize HR facts and issues. Examples of work at this level include conducting recruitment/examining activities for common lower-graded positions; making appropriate modifications to standard or precedent announcements; reviewing applications to assess applicants’ basic qualifications; preparing appropriate certificates; taking appropriate action upon selection; and advising selecting officials on hiring procedures and requirements.
The appellants’ work meets but does not exceed Level 1-5. The appellants must be knowledgeable of Federal personnel laws and OPM regulations, as well as standard staffing/recruitment principles and DE requirements, to conduct recruitment and examining activities for the assigned positions and facilities they service. This work requires the appellants to draft vacancy announcements, screen applications for appropriate documentation to prove eligibility status and to make veteran’s preference determinations, make minimum qualification determinations, rate and rank applicants, prepare certificates, audit certificates for compliance with hiring procedures and requirements, and process applicant suitability issues. Comparable to Level 1-5, the appellants demonstrate a practical knowledge and clear understanding of the rules and regulations governing recruitment work for application to a variety of DE assignments. They have the skill and ability to interpret and apply extensive, yet fundamental, HRM laws, principles, systems, policies, methods, and practices to communicate information and recommendations as they relate to the DE operation. In addition, the appellants must be knowledgeable of the technical occupations of the VA facilities to make qualification analyses.

Level 1-5 is credited for 750 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 review of completed work. 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. The 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 agency credited Level 2-3.

At Level 2-3, which is the highest level identified in the JFS, HR assistants plan the work, carry out successive steps of assignments, resolve problems, and make adjustments using established practices and procedures. In addition, they recommend alternative actions to the supervisor, handle problems and/or deviations that arise in accordance with instructions, policies and guidelines, and refer new or controversial issues to the supervisor for direction. HR assistants are also responsible for job products such as vacancy announcements, ranking factors identified by rating schedules, position descriptions, job evaluation statements, recommendations for disciplinary actions, and drafting policy statements.

The appellants’ position meets but does not exceed Level 2-3. Comparable to this level, the supervisor defines the continuing assignments and provides information on new tasks, changes in requirements, and assists with unusual or controversial problems with no clear precedents. The appellants independently plan and carry out their daily recruitment and examining work in conformance with internal priorities and deadlines, in addition to adherence to OPM’s DE guidance, examining guidelines, and local instructions and polices. When guidance is needed on new or controversial issues, the appellants will refer to the supervisor or the HR Specialist.
Like Level 2-3, the appellants use initiative in carrying out recurring assignments independently without specific instructions. This includes drafting vacancy announcements, screening applications for minimum qualifications, and creating certificates of eligibles. The appellants’ experience and technical knowledge of the full range of competitive examining, and the fact that their supervisor is not geographically located with the unit, allows them to work independently with little or no day-to-day supervision typical of Level 2-3.

Level 2-3 is credited for 275 points.

**Factor 3, Guidelines**

This factor considers the nature of guidelines and the judgment needed to apply them. The agency credited Level 3-3.

At Level 3-2, HR assistants use a number of established procedural guidelines such as operating procedures and manuals, references, and work samples. They use judgment in locating and selecting appropriate guidelines, manuals, references, and procedures for application to specific cases. The assistant refers significant proposed deviations or situations to which guidelines cannot be applied to the supervisor or a higher-graded coworker.

At Level 3-3, HR assistants use guidelines that have gaps in specificity and are not applicable to all work situations. The employee selects the most appropriate guideline and decides how to complete the various transactions. Assistants use judgment to devise more efficient methods for procedural processing, gather and organize information for inquiries, or resolve problems referred by others. In some situations, guidelines do not apply directly to assignments and require the employee to make adaptations to cover new and unusual work situations.

Level 3-2 is met as the available guidelines provide enough specific information for the appellants to complete most of their work. The guidelines directly applicable to their work include Federal laws and regulations, agency-specific guidelines, and OPM procedures and instructions including the DE Operating Handbook and Qualification Standards Operating Manual. Comparable to Level 3-2, the appellants select the appropriate guidance based on the circumstances of the specific case, apply judgment to determine which of several alternatives to use and then apply the criteria or established precedents. Those matters that require significant deviation from the guidelines are referred to the HR Specialist or the immediate supervisor.

Level 3-3 is not met. Unlike Level 3-3, the appellants have access to established policies, procedures, and precedents to assist them in delivering a variety of DE and competitive staffing products and services, e.g., OPM’s *DE Handbook*. Although the appellants may have to choose between a number of guidelines, these guides are specific to the types of occupations being staffed and do not require the regular and recurring exercise of judgment typical of Level 3-3. The appellants believe they deal with gaps in guidance in using OPM’s qualification standards. For example, the Health Aid and Technician Series, GS-640, is a “catch-all” for positions involving nonprofessional health and medical aid or technician
work. As such, the qualification guidelines are not specific to the type of position being filled and require considerable judgment in making qualification determinations. This requires the appellants to research and make comparisons to other related occupations, pull information from the PD, as well as confer with the management official and HR specialist to come up with the appropriate qualification requirements. However, this example is comparable to Level 3-2, where there are guidelines and precedents that require judgment on the part of the appellants to select the proper course of action related to the specific case. In this case, the qualification standards prescribe the use of common patterns of creditable experience and education in making qualification determinations. In contrast, Level 3-3 may be assigned when an individual must react by making decisions about the work in light of, or despite the shortage of, guidance.

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 4-3.

At Level 4-3, the highest level described in the JFS, the work consists of different and unrelated steps in accomplishing HR assignments and processes. HR assistants at this level consider factual data, identify the scope and nature of the problems or issues determine the appropriate action from many alternatives. Assistants identify and analyze HR issues and/or problems to determine their interrelationships and to determine the appropriate methods and techniques needed to resolve them.

The position meets but does not exceed Level 4-3. The appellants’ work includes evaluating the completeness of applications, making basic qualification determinations, ranking candidates, and preparing certificates of eligibles for a limited number of lower-graded occupations taking into consideration the job-relatedness, length, and level of experience from previous jobs when evaluating applications. Like Level 4-3, the appellants analyze the backgrounds of applicants to determine suitability for Federal employment. Once a problem is identified, the appellants must identify the scope and nature of the problem and then determine the appropriate action to take.

Level 4-3 is credited for 150 points.

Factor 5, Scope and effect

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 5-3.

At Level 5-3, the highest level described in the JFS, the work involves treating a variety of routine problems, questions, or situations within the HR office. It also involves resolving problems using established procedures, such as rating employees based on abilities, ranking employees into categories, applying appropriate standards to determine the classification of
lower-graded positions, or counseling employees on a variety of minor disciplinary problems. Work has a direct effect on the quality and adequacy of employee records, program operations, and services provided. The work also affects the social and economic well-being of persons serviced through the HR office.

The position meets but does not exceed Level 5-3. As at this level, the appellants’ work involves applying specific rules and procedures to resolve a variety of standard problems encountered in delivering competitive examining services. For example, the appellants apply the Qualification Standards Operating Manual in screening, reviewing, and processing applications. They also apply appropriate OPM guidance and regulation to verify an applicant’s claim for veterans’ preference. Comparable to Level 5-3, the results of the appellant’s work affect the quality and adequacy of employee records, program operations, and services provided. Like Level 5-3, the work affects the quality of candidates being referred and subsequent selection for employment.

Level 5-3 is credited for 150 points.

Factor 6 and 7, Personal Contacts and Purpose of Contacts

Personal contacts include 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 contact takes place. These factors are interdependent. The same contacts selected for crediting Factor 6 must be used to evaluate Factor 7. The appropriate level for personal contacts and the corresponding level for purpose of contacts are determined by applying the point assignment chart for factors 6 and 7. The agency credited Level 2b.

Personal Contacts

At Level 2, which is the highest level identified in the JFS, the HR assistant has contact with employees and managers in the agency, both inside and outside the immediate office or related units, as well as applicants, retirees and/or the general public, in moderately structured settings. Contact with employees and managers may be from various levels within the agency, such as headquarters, regions, districts, field offices, or other operating offices at the same location.

The position meets but does not exceed Level 2. In addition to contacts typical at Level 1 with peers and coworkers, the appellants’ personal contacts include all levels of employees and supervisors, the general public, and HR, medical and regional office staff at the medical facilities they service in a moderately structured setting typical of Level 2.

Purpose of Contacts

At Level b, which is the highest level identified in the JFS, the purpose of contacts is to plan, coordinate or advise on work efforts, or to resolve issues or operating problems by influencing or persuading people who are working toward mutual goals and have basically cooperating attitudes. The agency credited Level b.
The position meets but does not exceed Level 2b. The purpose of the appellants’ contacts ranges from exchanging factual information to resolving issues by persuading people who are typically working toward the same goals and have basically cooperative attitudes. For example, the appellants respond to applicant inquiries concerning Federal employment, application procedures, and documentation requirements. Contacts with hiring officials are to discuss their recruitment needs, status of pending actions, selection procedures, or to provide information about particular applicants. They advise other VA HR employees on basic delegated examining processes and procedures. Similar to Level 2b, the appellants contact appropriate officials to resolve problems relating to the processing of HR actions, recruitment requests, and suitability claims.

Level 2b is credited for 75 points.

Factor 8, Physical Demands

This factor covers the requirements and physical demands placed on the employee by the work assignments. The agency credited Level 8-1.

At Level 8-1, which is the only level identified in the JFS, the work is primarily sedentary. Some work may require periods of standing at a counter. Employees frequently carry light items such as employee files or pamphlets. The work does not require any special physical effort. The appellant’s position meets but does not exceed Level 8-1 since it is primarily sedentary and does not involve any special physical effort.

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 credited Level 9-1.

At Level 9-1, which is the only level identified in the JFS, the work environment consists of an area that is adequately lighted, heated, and ventilated. The work environment involves everyday risks or discomforts requiring normal safety precautions. The appellants’ position meets but does not exceed Level 9-1. The work is conducted in an adequately lit, heated, and ventilated office.

Level 9-1 is credited for 5 points.

Summary

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<th>Factor</th>
<th>Level</th>
<th>Points</th>
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<td>Knowledge required by the position</td>
<td>1-5</td>
<td>750</td>
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<td>Supervisory controls</td>
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<td>275</td>
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<tr>
<td>Guidelines</td>
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<td>125</td>
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A total of 1,535 points falls within the GS-7 point range (1,355 to 1,600 points) on the grade conversion table in the JFS.

Decision

The position is classified as Human Resources Assistant (Recruitment), GS-203-7.