

Human Capital Leadership and Merit System Accountability Division

Appellant:	[appellant]
Agency classification:	Human Resources Specialist, GS-201-11
Organization:	[installation] U.S. Department of Veterans Affair [city and state]
OPM decision:	Human Resources Specialist (Recruitment and Placement) GS-201-9
OPM decision number:	C-0201-09-03

/s/ Kevin E. Mahoney

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

July 10, 2007

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 (Introduction)*, appendix 4, section G (address provided in appendix 4, section H).

Since this decisions 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 (PD) 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 to the OPM office that accepted the appeal and must include a PD which meets the standards of adequacy in the *Introduction*, III, E.

Decision sent to:

[appellant's name and address]

[servicing HR office address]

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Introduction

The Dallas Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant] on October 6, 2006. The appellant's position is currently classified as Human Resources Specialist, GS-201-11, and is assigned to the Human Resources Management Service (HRMS) of the [installation], located in [city and state]. The appellant believes his position should be classified at the GS-12 level. He does not specifically question the series of his position but believes it is a mix of duties and responsibilities covered by two or more occupational series and should be classified by using more than one position classification standard (PCS). We received the agency administrative report (AAR) on November 16, 2006. The appellant's statements and information needed to complete the report were received January 4, 2007. We have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

The appellant indicates he was recruited and selected for a Human Resources (HR) Specialist (Labor Relations), GS-201-11, position on February 8, 2004. In May 2004, HRMS announced a vacancy for an HR Specialist, GS-201-11, position supporting the medical center's Joint Commission for Accreditation of Healthcare Organizations (JCAHO) requirements. The appellant believes the previous incumbent of that position had been a GS-201-12. Agency management made the decision to reassign the appellant to the vacant position. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to others that may or may not have been properly classified as a basis for deciding his appeal.

Position information

The [installation] is a large, complex organization comprised of two health care facilities; i.e., the [names and location of two facilities], with six outpatient clinics and eight community-based clinics geographically dispersed throughout central [name of state]. The [installation] also supports two national cemeteries and two Veterans Outreach Centers. The appellant is assigned to the Recruitment/Classification Unit (RCU) which is comprised of the appellant's position; seven other HR Specialist, GS-201-11, positions; two HR Assistant, GS-203-7, positions; and one HR Clerk, GS-203-5, position. The Unit is supervised by the incumbent of a Supervisory HR Specialist, GS-201-13, position who is responsible for managing all staffing and recruitment, pay administration, and position classification activities for the office.

The appellant's official position description (PD) number [number], describes responsibility for overseeing the implementation of HR procedures to comply with the JCAHO standards. The PD states he is responsible for working with Service Chiefs to provide guidance throughout the year to assure JCAHO policies and guidelines are followed, and conducting audits, analyses, and studies to ensure compliance with HR JCAHO standards. The PD states he is also charged with responsibility for the HRMS newsletter and Web page. The AAR indicated the appellant was not performing all the duties described in the PD. It said he had not developed the HRMS newsletter or the Web page. It also said the appellant was performing only approximately 30

percent of the JCAHO duties and the HRMS Chief had assumed the majority of that work. The AAR included an evaluation statement supporting the GS-9 grade level.

JCAHO prescribes standards for hospital HR management functions. These include providing an adequate number of staff; providing competent staff; orienting, training, and educating staff; and assessing, maintaining, and improving staff competence. The performance indicators currently being tracked by the HR service are the staffing turnover rates, overtime use, and staff on-the-job injuries, plus clinical indicators of patient falls, and skin integrity. Overall reporting for the [installation] is done by the Director's Quality Management staff based on information and input from the various services.

The appellant subsequently submitted information as to additional duties he has been assigned. He indicates his primary assignments involve serving as coordinator for the Without Compensation (WOC) program and providing staffing/recruitment services. WOC employees include approximately 400 doctors, nurses, etc., working for indefinite periods of time in research and other services on an annual basis. They work without compensation from the VA as an affiliate of the University of [state name] Health Science Center. The appellant identified a deficiency in JCAHO standards, i.e., a low compliance rate for WOC employees pertaining to tuberculin skin tests. He was subsequently assigned responsibility to monitor the appointment process of WOC employees from all services, thereby ensuring a single, complete listing. These individuals must meet all the requirements of regular employees in that their credentials must be verified, licenses must be verified to be current and unrestricted, fingerprints and/or background checks initiated, tuberculin skin test administered and/or status recorded; identification badges and appropriate computer access issued, etc. The appellant also assists in providing an abbreviated orientation for these employees.

The appellant was assigned responsibility for providing staffing/recruitment for the Extended Care Service; Extended Care Therapy Center; and the Geriatric Research, Education, and Clinical Center. These services have a total of approximately 100 positions, primarily nurses, clerical support, and a few physicians. He has prepared merit promotion announcements and title 38 recruitment bulletins for filling positions, reviewed applications for minimum qualifications, prepared certification lists to the selecting official, and initiated actions necessary for appointments. He supported the Engineering Service temporarily (approximately one month) because of the medical leave of the regular servicing staffing specialist. The appellant was recently assigned to provide staffing service for the Acquisition and Materials Management Service which has approximately 33 positions, primarily in the supply and related occupations.

The appellant continues to provide input to the JCAHO process as it pertains to WOC employees and the issues they present, i.e., completeness of their appointment processing and the exit process at the end of their employment. He proposed and drafted the revision to the existing employee exit clearance policy to include affiliates such as WOCs, Fee Basis, contract workers, compensated work therapy, volunteers, etc. The process now includes instructions and e-mail follow-up to ensure departing workers are promptly removed from access to the various computer and medical data/dispensing systems in place at the [installation]. The appellant has been asked to assist the supervisor in various projects such as recruitment fairs and briefings in preparation for the qualifications review board members for positions recently converted to Hybrid title 38 positions. He serves on the HRMS Safety Subcommittee and as a member of the Hospital Emergency Response Team, trained to respond to hazardous chemical or fire situations.

To help decide this appeal, we conducted a telephone audit with the employee on March 23, 2007, and subsequent telephone and e-mail exchanges. We conducted telephone interviews with his first-level supervisor on March 29 and the second-level supervisor on April 11. We conducted an on-site audit on May 9, 2007, and a follow-up interview with the supervisor on June 19, 2007. This decision is based on the written record information provided by both the agency and the appellant, as well as the information obtained during the interviews.

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 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 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. The current PD does not meet the standard of adequacy for classification purposes as discussed in the body of this decision and must be revised to reflect the actual duties and responsibilities assigned to and performed by the appellant.

Series, title, and standard determination

The GS-201, Human Resources Management Series, covers two-grade interval administration positions that manage, supervise, administer, advise on, or deliver HRM products or services. The agency has classified the appellant's position to this series with the basic title of Human Resources Specialist, and he does not disagree. The basic title is to be used for positions that include two or more specialized HR functions when none predominates or when there is no established specialty. We concur with the agency's assignment of the GS-201 series. However, his present assignments are primarily related to Recruitment and Placement, and that specialty should be included as a parenthetical addition to the title, Human Resources Specialist (Recruitment and Placement).

The appellant believes his position includes a mix of duties and responsibilities covered by two or more occupational series and should be classified by more than one PCS or guide. He indicates his present PD does not include the administrative analysis work required to perform his duties and indicates the Administrative Analysis Grade Evaluation Guide (AAGEG) should be applied. The work covered by this guide is administrative in nature and does not require specialized subject-matter knowledge and skills. The guide is intended primarily for use in evaluating two-grade interval positions in the GS-300 General Administrative, Clerical, and Office Services Group. The Job Family Standard (JFS) for Administrative Work in the Human Resources Management Group, GS-0200, is directly applicable to the duties and responsibilities assigned to the appellant's position and is appropriate for grade level determination. Because this JFS is directly applicable to the appellant's work, application of the AAGEG is neither necessary nor appropriate (5 U.S.C. 5107).

Grade determination

The GS-200 JFS is written in the Factor Evaluation System (FES) format, under which factor levels and accompanying point values are assigned for each of nine factors. The total is converted to a grade level by use of the grade conversion table provided in the PCS. Under the FES, each factor-level description in a PCS 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.

Factor 1, Knowledge Required by the Position

This factor measures the nature and extent of information or facts that the employee must understand to do acceptable work. To be selected, a knowledge must be required and applied.

Level 1-6 requires knowledge of, and skill in applying, fundamental HRM laws, principles, systems, policies, methods, and practices; as well as interviewing, analytical, and research techniques sufficient to conduct fact finding and recommend solutions to moderately difficult but well-precedented and/or recurring issues and problems. Illustrative of work at Level 1-6 is the exercise of skill in applying knowledge of a wide range of recruitment and placement methods, principles, and practices and knowledge of occupational design of positions within the assigned serviced organizations sufficient to: advise management officials on the various types of and proper use of competitive and excepted service appointments; advise on the procedural and regulatory requirements of the merit promotion process; develop rating factors and crediting plans for positions in the serviced organizations; use a variety of standardized internal/external recruitment strategies to aid in strategic recruitment; and perform studies such as identifying, categorizing, and analyzing quantitative data associated with issues such as average cost-per-hire.

Level 1-7 requires knowledge and skill in applying a wide range of HRM concepts, laws, policies, practices, analytical, and diagnostic methods and techniques sufficient to solve a wide range of complex, interrelated HRM problems and issues. Illustrative of work at Level 1-7 is the exercise of skill in applying a wide range of staffing concepts, principles, laws, regulations practices and procedures sufficient to: serve as an advisor in a multi-mission facility with ongoing responsibility for troubleshooting and resolving the most difficult and complex problems associated with providing comprehensive recruitment and placement advisory services for the organization; providing guidance to management on all recruitment and placement issues and recommending innovative methods and strategies to resolve problems of job turnover, long-and short-term workforce planning, downsizing, and reinvention initiatives while ensuring the correctness and propriety of actions taken; and coordinating with and advising other HR Specialists on technical issues involving recruitment and placement.

The duties and responsibilities performed by the appellant meet Level 1-6. The positions filled by the appellant are primarily clerical support, under merit promotion announcements. He distinguishes categories of applicants; i.e. VRA eligible, VEOA eligible, transfer and reinstatement eligibles when preparing certification listings, but based on the work examples provided, there is no ranking and rating done. Nursing Service hires nurses to fill all positions throughout the STVHCS, and those compromise the bulk of the positions in the units in the Extended Care Service. Physicians are hired under title 38 where the appellant is expected to

develop recruitment bulletins with input from the Service Chief and precedent information. Rating and ranking of physicians is performed by the Professional Standards Board. The [installation] does not have a delegated examining unit, and competitive examining requests are referred to other VA locations. WOC positions require no announcements or certificates. The appellant must verify licensing and credentials as appropriate and assure that the letter of affiliation and all required background and security measures are complied with, as discussed earlier. The appellant has developed procedures to track the WOC employees and to ensure the completeness of their employment records for JCAHO purposes. He has been asked to prepare a status report for the HR Officer on the effectiveness of the revised procedures to assure timely elimination of computer access for employees and affiliates leaving VA employment.

The knowledge required to perform the assigned duties does not meet Level 1-7. The appellant's staffing assignments are basically developmental in nature and the supervisor indicates she is attempting to build his skills through assignments of a broader scope of work. At this time, the assignments do not involve recruiting for the diversity and complexity of occupations requiring job analysis, crediting plans, rating and ranking candidates, and providing advice to management at the levels contemplated at the 1-7 level. Functions requiring the application of Level 1-7 skill and knowledge are assigned to and performed by other members of the RCU.

Level 1-6 is credited for 950 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.

At Level 2-3, the supervisor outlines or discusses possible problem areas and defines objectives, plans, priorities, and deadlines. Assignments have clear precedents requiring successive steps in planning and execution. The employee independently plans and carries out the assignments in accordance with accepted policies and practices; adheres to instructions, policies, and guidelines in exercising judgment to resolve commonly encountered work problems; and brings controversial information or findings to the supervisor for direction. The supervisor provides assistance on controversial or unusual situations without clear precedents; reviews completed work for conformity with policy, effectiveness of approach, technical soundness, and adherence to deadlines; and does not usually review in detail the methods used to complete the assignment.

At Level 2-4, the supervisor outlines overall objectives and available resources. The employee and supervisor, in consultation, discuss timeframes, scope of the assignment including possible stages and possible approaches. The employee determines the appropriate practices and methods, frequently interprets regulations on own initiative, applies new methods to resolve complex or intricate controversial or unprecedented issues, and keeps the supervisor informed of progress and potentially controversial matters. Completed work is reviewed for soundness of approach, effectiveness in meeting requirements, or producing expected results. The supervisor does not usually review the methods used.

The supervisory controls exercised over the appellant's work meet but do not exceed Level 2-3. Like Level 2-3, the supervisor provides instructions on assignments and expects the appellant to carry them out in accordance with VA and local instructions and procedures. She provides

guidance when questions arise and expects to be consulted if problems or controversial issues surface. The position does not meet Level 2-4. The staffing assignments are still primarily developmental in nature and the relative independence of Level 2-4 in applying new methods to resolve complex or intricate controversial or unprecedented issues found at that level is not reflective of the appellant's position.

Level 2-3 is credited for 275 points.

Factor 3, Guidelines

This factor covers the nature of guidelines used in doing the work and the judgment needed to apply them.

At Level 3-3, the employee uses a wide variety of reference materials and manuals. However, they are not always directly applicable or have gaps in specificity. Precedents are available outlining the preferred approach to more general problems or issues. The employee uses judgment in researching, choosing, interpreting, modifying, and applying available guidelines for adaptation to specific problems or issues.

At Level 3-4, the employee uses guidelines and precedents that are very general regarding agency policy statements and objectives. Guidelines specific to assignments are often scarce, inapplicable or have gaps in specificity that require interpretation and/or adaptation for application. The employee uses judgment, initiative, and resourcefulness in deviating from established methods to modify, adapt, and/or refine guidelines to resolve complex or intricate issues and problems; treat specific issues or problems; research trends and patterns; develop new methods and criteria; and/or propose new policies and practices.

The appellant believes that Level 3-4 should be credited because he believes the JCAHO guidelines are open for interpretation and require him to research, network, and use sound, educated judgment in developing new methods, criteria, and proposed new policies and practices. The appellant is no longer asked to do any consolidated reporting on JCAHO matters for the HR Officer. He continues to be responsible for those areas he is assigned, WOC, and ensuring their employment is within JCAHO standards. However, the guidelines required for this work are more specific, as described at Level 3-3. Like at Level 3-3, the appellant uses a variety of guides. While some may be directly applicable for completing his assignments, he must use qualification standards and agency instructions for preparing announcements for vacancies, determining requirements for background checks, preparing and submitting finger prints, determining appropriate levels of access to computer systems, etc. He must use judgment in selection of the appropriate guides for particular situations. However, he is not expected to modify or deviate significantly from those guides as typical of Level 3-4 to deal with gaps in specificity, treat specific problems, or develop new methods or policies.

Level 3-3 is credited for 275 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 4-3, work consists of applying established analytical techniques to problems and issues more of a technical rather than an advisory nature, and issues and problems of the same type. The employee must determine the most effective technical approaches to the problem; verify and assess relevant facts from several sources, examine documentation, ensure compliance with regulations and procedures, analyze and reconcile discrepancies, and research precedent studies; and/or resolve a moderate range of problems requiring use of established analytical techniques to isolate and evaluate precedents, examine and analyze documentation, reconcile discrepancies, and to develop supportable conclusions based on standardized research. The employee will identify a variety of related issues, analyze relevant factors and conditions, and choose a course of action from among alternatives; consider and integrate management's request with appropriate established HR policies, regulations, and procedures; needs to modify established procedures; and/or analyze appropriate principles, laws, practices, and procedures to determine interrelationships between existing conditions and issues.

At Level 4-4, the work consists of resolving problems and issues often involving conflicting or incomplete information; applying analytical techniques that frequently require modification to accommodate a wide range of variables; and/or addressing substantive technical issues or problems characterized by complex, controversial, and/or sensitive matters.

The appellant believes Level 4-4 should be credited citing his JCAHO assignment and his role in the 2004 All Employee Survey. He prepared some analysis of the VA–wide survey results for the STVHCS and developed a 'mapping' system for questionnaire distribution within the STVHCS which tracked participation in the survey. This tracking allowed the facility to determine the areas where survey participation needed to be encouraged. He did not participate in the 2006 survey but may be assigned to participate in the marketing for the 2008 survey. Classification appeal regulations provide that only currently assigned and performed work may be evaluated in the adjudication of an appeal. Therefore, we may not consider this survey work in adjudicating this appeal. Furthermore, participation in a survey is not determinative of Level 4-4

Like Level 4-3 and the illustrations included in the JFS, the appellant's work is related to the recruitment and staffing program for selected service units at the STVHCS. He must analyze and identify the experience, training, education, and other background information to develop announcements, etc., primarily for common, easily understood jobs using merit promotion policies and procedures. Within previously established parameters, he exercises limited judgment to decide which previously established crediting plans may be appropriate and applies established, fundamental recruiting and placement principles, practices, and techniques.

The appellant's work does not meet Level 4-4. His assignments do not meet the level of difficulty and complexity described in the JFS and further described in the illustrations provided, e.g., serving as a senior staffing specialist/advisor in a regionalized operations center, providing technical advice and assistance in all areas including priority placement, reduction-in-force,

furlough, etc., programs. At this level, the employee exercises ingenuity and originality to troubleshoot and resolve difficult and controversial staffing problems, serves as an authoritative resource to other center staff, and provides advice and guidance to advisory staff on unusual, especially difficult, or controversial recruitment situations.

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.

At Level 5-3, the scope of the work involves applying accepted criteria, principles, and standard methods to resolve a variety of conventional issues and/or portions of broader studies that require developing detailed procedures and guidelines to supplement existing guidance. The reports and recommendations influence decisions made by managers and other employees; and affect customer perception of the overall quality and service of the HR program.

At Level 5-4, the work requires resolving or advising on complex problems and issues requiring analyzing and/or troubleshooting a wide range of unusual conditions. This work ultimately affects the objectives and effectiveness of agency HR activities, missions, and programs. The assessment, analysis, and ultimate resolution of problems promote the overall quality, effectiveness, and efficiency of program operations.

Like at Level 5-3, the appellant's assignments require him to apply accepted criteria and methods in developing work products, such as certification lists for promotion announcements, verifying credentials and licensing requirements using primary source computer networks, assuring background checks are submitted and results recorded, and checking rates of compliance with exit processes regarding VA property and computer and dispensing systems access. These products affect the local manager's ability to staff his/her positions to complete the mission and affect the service provided by the HR program. His work does not involve the complex issues or unusual conditions typical of Level 5-4 and have impact on higher level activities.

Level 5-3 is credited for 150 points.

Factors 6 and 7, Personal Contacts and Purpose of Contacts

This combined factor is to measure the face-to-face and telephone and radio dialogue with persons not in the supervisory chain. These levels measure the persons contacted and the conditions under which the contact takes place. Factor 7 describes the purpose of the contacts selected under Factor 6 and measures a range of situations.

Personal contacts at Level 2 are primarily with employees and managers in the agency, both inside and outside the immediate office or related units, as well as employees, representatives of private concerns, applicants, retirees, beneficiaries, and/or the general public, in a moderately structured setting. Contacts with employees and managers may be from various levels such as headquarters, regions, districts, field offices, or operating offices at the same location.

At Level 3, the primary contacts are with persons outside the agency, including consultants, contractors, or business executives, in moderately unstructured settings. This may include contacts with agency officials who are several managerial levels removed from the employee when such contacts occur on an ad hoc basis. Each must recognize or learn the role and authority of each party during the course of the meeting.

Like Level 2, the appellant's primary contacts are with other HR employees, employees of the [installation] including professional staff, and VISN staff members. The appellant believes Level 3 should be credited based on his contacts with credentialing agencies, agencies involved with contract nurses and physicians, and daily contact with staff from the University of [state name] Health Science Center. While these contacts are outside the agency, we find they are in a moderately structured situation, e.g., contacts are established on a routine basis, the exact purpose may not be clear at first to one or more parties, and one or more parties may be uninformed concerning the role and authority of the participant; rather than the unstructured setting typical at Level 3. Level 2 is credited.

The purpose of contacts at Level B is to plan, coordinate, or advise on work efforts, to resolve issues or operating problems by influencing or persuading people who are working toward mutual goals and have basically cooperative attitudes. Contacts typically involve identifying options for resolving problems.

At Level C, the purpose of contacts is to influence and persuade employees and managers to accept and implement findings and recommendations. They may encounter resistance due to organizational conflict, competing objectives, or resource problems. The employee must be skillful in approaching contacts to obtain desired effect, e.g., gaining compliance with established policies and regulations by persuasion or negotiation.

The appellant believes Level C is appropriate because he is required to influence and persuade employees and managers to accept and implement findings and recommendations. While the appellant should be persuasive in dealing with changes, the participants typically have mutual goals. If there is serious resistance, the problem would be elevated above the appellant's level. Like Level B, the appellant's contacts are preponderantly for the purpose of clarifying information, coordinating on work efforts, or resolving problems pertaining to his staffing assignments and JCAHO issues pertaining to WOC employees and their employment.

Personal Contacts of Level 2 and Purpose of Contacts Level B result in crediting 75 points.

Factor 8, Physical Demands

This factor captures the requirements and physical demands placed on the employee by the work assignment.

Like Level 8-1 (5 points), the work is primarily sedentary, conducted in a hospital situation which may require walking to various areas for meetings and to conduct HR work. The work does not impose any special physical demands.

Factor 9, Work Environment

This factor considers the risks and discomforts in the physical surrounds or the nature of the work assigned and the safety regulations required.

Like Level 9-1 (5 points), the work area is adequately lighted, heated, and ventilated. The work involves everyday risks or discomforts that require normal safety precautions.

Summary

Level	Points
1-6	950
2-3	275
3-3	275
4-3	150
5-3	150
2-b	75
8-1	5
9-1	<u>5</u> 1,885
	1-6 2-3 3-3 4-3 5-3 2-b

A total of 1,885 points falls within the point range for GS-9 (1855 - 2100).

Decision

The position is properly classified as Human Resources Specialist (Recruitment and Placement), GS-201-9.