

**U.S. Office of Personnel Management
Classification Appeal Decision
Under section 5112 of title 5, United States Code**

Appellant: [Appellant 1]
[Appellant 2]
[Appellant 3]

Agency classification: Purchasing Agent
GS-1105-6

Organization: Prosthetics and Sensory Aids Service
[Location information]
Veterans Health Administration
Department of Veteran Affairs
[City, State]

OPM decision: Purchasing Agent
GS-1105-05

OPM decision number: C-1105-05-03

/s/ Ana A. Mazzi

Ana A. Mazzi
Deputy Associate Director
Merit System Audit and Compliance

8/22/2011
Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a classification certificate which 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 5 CFR 511.605, 511.613, and 511.614, as cited in the *Introduction to the Position Classification Standards (Introduction)*, 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 appellants are entitled to grade retention, the two-year retention period begins on the date this decision is implemented. The servicing human resources office (HRO) must submit a compliance report containing the corrected position description and Standard Form 50s showing the personnel actions taken. The report must be submitted within 30 days from the effective date of the personnel action to Chicago Oversight.

Decision sent to:

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Introduction

On October 7, 2010, Chicago Oversight of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [Appellant(s)]. The appellants occupy identical additional (IA) positions (hereinafter referred to as position) currently classified as Purchasing Agent (PA), GS-1105-6, located in the Prosthetics and Sensory Aids Service (PSAS) at the [name] ([location] VAMC), Veterans in Partnership Healthcare Network [#] (VISN [#]), Allied Health Services, Veterans Health Administration, Department of Veteran Affairs (VA), in [City, State]. [Appellant 1] was designated as the lead appellant. The appellants believe their position warrants a higher grade level. We received the agency administrative report on November 12, 2010, and have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

To help decide this appeal, we conducted a telephone audit with the appellants on March 16, 2011, a telephone interview with their first- and second-level supervisors on May 27, 2011, with several follow up contacts to clarify work requirements. In reaching our classification decision, we have carefully considered all of the information obtained from the interviews, as well as the written information furnished by the appellants and their agency including the position description (PD) of record.

Background information

OPM issued Appeal Decision Number C-1105-05-01 on June 6, 1997. The appellants' position was originally classified on November 23, 1998, as a PA, GS-1105-5, and assigned to PD number [#####]. The [location] VAMC Director requested advice on its implementation in light of the OPM decision. In response, the VA Central Office (VACO) issued an advisory opinion certifying its classification as unchanged on May 13, 1999.

On February 28, 2005, the VISN reclassified and upgraded the appellants' position as PA, GS-1105-6, using the same PD number. In May 2010, after seeing a vacancy announcement for a similar position at another location within the VA, the appellants requested a classification review of their position by their servicing HR office. On June 13, 2010, the VISN classifier issued a decision that no change in the position's classification was warranted. The appellants were dissatisfied with the results of the review and filed this appeal with OPM.

General issues

The appellants compare their position to a higher-graded position in VISN [#]. As evidence, they included in their appeal package a copy of a PD ([#####]) for a VISN [#] position classified as PA, GS-1105-7, dated March 23, 2007. In their August 11, 2010, OPM appeal request, the appellants stated they had recently met as a committee to revise and update their PD using the VISN [#] PD as a guide. They pointed out the similarities with the VISN [#] PD to support their request for upgrade of their position as PA, GS-1105-6 to GS-1105-7. 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 appellants' position to others which may or may not have been properly classified as a basis for deciding this appeal.

In adjudicating a classification appeal, we evaluate the duties and responsibilities actually being performed by the appellants rather than just the appellants' PD. The latter is considered only to the extent that it is an accurate representation of the work being performed. In this case, the appellants' PD is not entirely accurate. Some of the duties are significantly overstated while others were not supported by the appeal record or other documentation obtained during our fact finding process. Therefore, this decision is based on the work actually being performed by the appellants as conveyed during the phone audit and supervisory interview.

Like OPM, the appellants' agency must classify positions based on comparison to OPM standards and guidelines. However, the agency also has primary responsibility for ensuring its positions are classified consistently with OPM appeal decisions. Therefore, we have asked the agency to provide us with an intra-agency classification consistency report on other VISN [#] positions, as well as the VISN [#] position identified by the appellants as comparable to their position. In making its report, the agency will review positions that are identical, similar, or related to the appellants' position to ensure that they are classified consistently with this appeal decision. The *Introduction to the Position Classification Standards*, appendix 4, section I, provides more information about such reports. We have also asked the agency to inform the appellants of the results of its consistency review.

The appellants say their position should be upgraded because they must take a contracting course to receive a warrant to perform their work. Training required to perform the work of a position is considered in the classification process only to the extent that it reflects knowledge required to perform the grade controlling work of a position and we will do so in this decision.

The appellants also say they have experienced a great increase in daily work and their workload has doubled since the last upgrade of the position. However, the issue of volume of work is listed as a factor which cannot be considered in determining the grade of a position (*The Classifier's Handbook*, chapter 5).

Position information

The [location] VAMC and its two community-based outpatient clinics (CBOCs) are part of the VISN [#] integrated healthcare network delivery system that provides comprehensive inpatient and outpatient health care to veterans. The appellants work in PSAS within the Southern Tier Prosthetic Program, under the general supervision of the PSAS Southern Tier Program Manager (a Supervisory Prosthetic Representative, GS-672-13) who supervises a staff consisting of one Prosthetic Representative, GS-672-11, one Lead PA, GS-1105-7, seven PAs, GS-1105-6, one Medical Clerk, GS-679-5, one Supply Technician, GS-2005-7, and one Program Support Assistant, GS-303-5 (shared with the Southern Tier Orthotics Supervisor).

PSAS oversees procurement, replacement, and repair of prosthetic and sensory devices and related services. The range of items is very wide: prosthetics and orthotics, assistive devices of all kinds, and everything that is implanted in or on a patient for an intended period of 30 days or

more. Thus, cardiac stents, bandages, injection catheters, surgical fixtures, etc., for veterans on an outpatient basis, are all ordered through PSAS. The most common devices and services include home oxygen therapy, eyeglasses, orthopedic devices, and surgical supplies.

The work supports a variety of outpatient areas including, but not limited to, audio and speech pathology, visual impairment, spinal cord injury, rehabilitation medicine, medical services, surgical service, ophthalmology, respiratory, tele-health, and orthopedic services, as well as coordination with the activities of the Amputee Clinic, and the Major Medical Committee. Purchasing services are also provided to CBOCs throughout VISN [#] and specialized clinical referrals from outside VISN [#]. In effect, PSAS serves as the pharmacy for assistive aids, and as the case manager for prosthetic equipment needs of the disabled veteran.

The appellants provide purchasing services necessary to furnish veterans with properly prescribed prosthetic equipment, sensory aids, and other medical devices in the most economical and timely manner in accordance with authorizing laws, regulations, and policies. They must successfully complete special acquisition training, using the on-line CON 120 training module, and one year of on-the-job-training before being assigned consults for prosthetics. The appellants rotate through the different specialty purchasing areas during the year and may be assigned to the more complex assignments with higher purchase amounts during any one quarter. The record shows most purchases are for amounts under \$3,000, with only about 10 percent of annual transactions exceeding the \$3,000 credit card limit. For these purchases, the appellants and other staff members have contractual authority to obligate the Government in procurement actions up to their approved limits, as follows: five are authorized for amounts up to \$25,000; three have authority up to \$100,000; and one is authorized for purchases above \$100,000. Of the appellants, [Appellant 3] has a warrant limit of \$100,000, while [Appellant 2 and Appellant 1] have warrant limits of \$25,000.

A summary of the appellants' duties and responsibilities follows:

The appellants handle a large number (30 to 50) of consults each day from VAMC physicians prescribing a wide variety of supplies, equipment, delivery, and repair services for veterans. Assignments are allocated using the last two digits of their social security numbers. The appellants review each request for completeness and analyze the documentation and justification provided to determine whether they purchase inside, referring to existing VA contracts and stock items; or outside, using a blanket purchase agreement (BPA), a purchase order (PO), or requesting a service contract for construction or repair. For each consult, prescription orders are assigned appropriate Health Care Common Procedure Coding System (HCPCS) codes (which identify the item) and ICD-9 codes (International Statistical Classification of Diseases and Related Health Problems codes which identify the diagnosis).

The appellants use the local electronic VA Form 10-2319, Record of Prosthetic Service, to see what the individual patient has received at that distinct facility. These records are ultimately rolled up to form the National Prosthetic Patient Database (NPPD).

When prosthetic items are needed for veterans, the appellants generate a prosthetic consult as a provider in order to coordinate and facilitate replacement or repair. The appellants use the

Computerized Patient Record System (CPRS) graphic user interface (GUI) to create consults (for Prosthetics only) when an order for repairs or requests for an evaluation by Physical Medicine and Rehabilitation Services (PMRS) is required. When generating consults, all pertinent data are researched and used in accordance with VAMC consult requirements.

The appellants use the Prosthetics Inventory Package (PIP) to order and issue items from local stock, to check on inventory levels, and to replenish stock. They exercise judgment in determining the suitability of returned items for reissue or condemnation, and arrange for reconditioning or turn-in of returned home medical equipment. The appellants process requests by inputting directly into PIP, or by cloning a previous order through the VISTA (VA Information System Technology Architecture) Prosthetics system (previously called the Decentralized Hospital Computer Program, DHCP), or electronically from CPRS. Using the PIP suspense option, the appellants are able to cancel and/or complete the consult, and post notes when necessary. The appellants identify priorities on pending prosthetics consults to comply with the VACO-mandated eight calendar day policy, which refers to the time the process should take for a consult to be created until the date the initial action on the consult is made.

The appellants use the Remote Order Entry System (ROES) online ordering application to order supplies for veterans from the VA [City] Acquisition & Logistics Center ([City] ALC). The [City] ALC serves eligible veterans worldwide by distributing hearing aids, accessories, and batteries; prosthetic items; aids for the visually impaired; and orthopedic items to their homes and VA clinics, as well as providing them with hearing aid repair service.

The appellants authorize and prepare POs for a wide variety of prosthetic and orthotic devices, artificial limbs, medical supplies, and home medical equipment and repairs. They complete final review and approval of the POs. They process information on orders greater than \$3000, using the General Services Administration (GSA) Federal Procurement Data System (FPDS). This information is a mandatory requirement for Clinical Logistics and the Office of Acquisition and Materiel Management (OAMM) in order to submit reports of purchasing by contract value and dollars obligated from small businesses, Federal Supply Systems (FSS) contracts, etc.

The appellants maintain accurate accounting of all purchasing transactions; ensuring payments to vendors are made in a timely manner. They reconcile all invoices for certification of payment by reviewing veteran records against charges made to their purchase card to ensure accurate costs are being charged for services and items. They also resolve any discrepancies with vendors. They maintain accurate records of transactions and complete any adjustments to purchase orders using PIP before the final payment to vendor is authorized.

The appellants answer telephone calls and interview patients reporting to PSAS. In the event of an unfavorable decision for care, they advise the veteran of his or her appeal rights. They advise veterans, family members, or other representatives of how to obtain repairs. They also advise physicians and other professionals regarding availability, selection, and acquisition of prosthetic devices or services, and furnish information concerning new developments in the prosthetic field and sources of supply for such items. They maintain regular contact with vendors, and VAMC professionals and staff to ensure timely acquisition and provision of items or services to the veteran.

The appellants provide assistance and training to new coworkers on the latest PSAS software packages as they relate to the patient services within the section.

The appellants are responsible for any other duties as determined appropriate and needed by the supervisor.

Supervision is accomplished through the VISN [#] Prosthetic Integrated Service Line. Work is assigned according to PSAS standard operating procedures.

The appellants use office automation software, practices, and procedures sufficient only to enter data for all purchase orders, prosthetic equipment inventory, as well as to occasionally complete form letters, simple memoranda, and sundry reports. The skills of a qualified typist are not required.

This is intended only as a brief summation of the appellants' duties and responsibilities. The appeal record contains much additional descriptive information which was fully considered in this evaluation, and we incorporate it by reference into our decision.

Series, title, and standard determination

The agency assigned the appellants' position to the Purchasing Series, GS-1105, and the appellants do not disagree. After a thorough review of the record, we concur. This series covers one-grade interval work to acquire supplies, services, and construction by purchase, rental, or lease through delivery orders and/or small purchase procedures.

The position is best evaluated by using the PCS for the GS-1105 series. The authorized title for nonsupervisory positions covered by this series is *Purchasing Agent*.

Grade determination

The agency evaluated the position at Levels 1-4, 2-3, 3-2, 4-3, 5-2, 6-2, 7-b, 8-1, and 9-1. The appellants agree with the evaluation of Factors 1, 4, 8, and 9, but disagree with the agency's evaluation of Factors 2, 3, 5, 6, and 7. As an integral part of our evaluation, we have reviewed all factor levels assigned by the agency. In addition to Factors 2, 3, 5, 6 and 7 with which the appellants differ, we disagree with the agency's crediting of Factors 1 and 4. Therefore, we will address Factors 1, 2, 3, 4, 5, 6, and 7.

The 1105 PCS uses the Factor Evaluation System (FES) method of position classification. Grades are determined by comparing positions' duties, responsibilities, and qualification requirements with the nine FES factors common to nonsupervisory purchasing positions. A point value is assigned to each factor based on a comparison of the position's duties and responsibilities with the factor level descriptions in the standard. The points assigned to an individual factor level mark the lower end of the range for that factor level. To warrant a given level, the position must fully equate to the overall intent of the factor-level description. If the position fails in any significant aspect to fully satisfy a particular factor-level description, the point value for the next lower level must be assigned, unless the deficiency is balanced by an

equally important aspect that meets a higher level. The total points assigned are converted to a grade level by use of a grade conversion table in the standard.

The appellants point to portions of factor level descriptions in support of their appeal. Critical to the correct application of position classification standards is an understanding of the full intent of a particular factor or grade level. Simply matching the duties of a position to words, phrases, or an illustration in the standards can lead to inappropriate interpretation and inaccurate grade-level determinations. It is extremely important, therefore, to understand the full content of the criteria provided for a particular factor level or grade level. Moreover, it is essential to view illustrations and examples within the full context of the grading criteria for which they are provided.

Purchasing work is governed by acquisition laws and regulations, such as the Federal Property and Administrative Services Act (FPASA), and the Federal Acquisition Regulations (FAR). Purchasing agents normally solicit quotes, rather than proposals, orally or through written requests for quotations (RFQ). They use a variety of purchasing procedures to acquire supplies, services, and construction. In the 1105 PCS, “purchasing” refers (a) to open market procedures used to purchase requirements within small dollar limitations, and/or (b) procedures used to place delivery orders against established contracts. For purposes of position classification, the terms “open market” and “small purchase” are used interchangeably. The grade of a position must be evaluated in terms of all of the factors levels, and must consider the effect of any limits on signatory authority. The number and complexity of regulations that apply to a small purchase are in part a function of (1) the dollar value of the purchase and (2) the type of deliverable being acquired. The grading criteria in the 1105 PCS focus on the complexity of the process required to carry out and complete the assignment rather than the purchasing authority.

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information or facts that a worker must understand to do acceptable work, e.g., steps, procedures, practices, rules, policies, theories, principles, and concepts, and the nature and extent of the skills needed to apply this knowledge. To be used as a basis for selecting a level under this factor, knowledge must be required and applied.

Work at Level 1-3 requires knowledge of a body of standardized purchasing regulations, policies, and procedures. It also requires knowledge of established commodities and markets and common business practices in order to make purchases of average complexity involving commercial requirements. This includes knowledge of solicitation and purchasing methods, such as oral solicitations, calls against BPAs, delivery orders, or priced POs, to make (a) noncompetitive open market purchases, (b) purchases under established contracts, or (c) competitive open market purchases when specifications or statements of work are standardized, price and product characteristics are stable, and repeat vendors are used. Level 1-3 also includes knowledge of frequently used and easily understood regulations, such as those related to required sources, the use of mandatory schedules, or ordering and documentation procedures for routine purchases, to ensure regulatory compliance throughout the purchasing process. Work at this level requires knowledge of basic price evaluation techniques to assess price reasonableness using well-established references, such as price lists, Government estimates, and previous history files. It requires knowledge of commercial commodities and established markets to advise

requesters of various product characteristics (e.g., available sizes, quantities, brand names, or packaging quality), identify sources of supply, and determine the appropriateness of adequacy of item descriptions. Level 1-3 also includes knowledge of basic arithmetic used in business to make simple comparisons of price, discounts, transportation costs, or similar terms. It includes knowledge of post-award procedures sufficient to resolve typical problems with deliverables, such as differences in price or quantity, or to recommend and prepare, for example, no-cost cancellations of POs. This level also includes knowledge of automated or manual small purchase systems sufficient to locate, add, and retrieve information.

PAs at this level may purchase commercial supplies and services through competitive open market procedures or through orders against established contracts. They identify sources from established lists, history files, catalogs, newspaper ads, etc. They determine whether the requirement is available from a mandatory source or whether to solicit vendors on the open market. They negotiate with vendors on a limited variety of issues, such as: (1) price breaks for items ordered before a sale date; (2) accelerated delivery; (3) reduction of service charges; and, (4) waiver of restocking fees.

For items not on mandatory schedules, they may request price lists to ensure the Government is being accorded "best customer" status. They award orders primarily based on comparing price and delivery terms. Prices quoted among competing vendors may be based on differing terms, such as different units of measurement, transportation costs, and discounts. Purchasing agents determine the best offer and make the award through review and comparison of the different terms.

Work at Level 1-4 requires in-depth or broad knowledge of a body of purchasing regulations, methods, procedures, and business practices to make purchases involving (1) specialized requirements and/or (2) commercial requirements that have unstable price or product characteristics, hard-to-locate sources, many critical characteristics, or similar complicating characteristics. Work at this level involves making purchases for supplies, services, and construction having specialized requirements. Specialized supplies are defined as commercial products that have been modified or altered in some way to meet Government specifications. These products typically are made-to-order, accompanied by detailed specifications or purchase requests, and available from a limited number of potential suppliers. Specialized supplies include, for example, specific machine parts, modified medical or scientific equipment, and special purpose test equipment. Some specialized supplies are similar to commercial supplies because they are also well-stocked and can be purchased off-the-shelf. Specialized services include scientific or medical studies and testing. Specialized construction projects include engineering and design studies and alterations and repairs to roads and buildings.

Level 1-3 is met. The appellants receive consults (physician requests or prescriptions) for a variety of prosthetic equipment and services for patients served by the VAMC and CBOCs. Similar to Level 1-3, they determine the veteran's eligibility, search available prosthetics inventory and mandatory and/or open market sources, and secure the item requested. They coordinate all details of procurement, including cost comparisons, discounts, and appropriateness of equipment. They enter required PO data; obligate prosthetic PO funds; and coordinate shipping and delivery of items purchased. The appellants review prescriptions

for completeness, compare diagnosis or disability to equipment and/or services normally provided, and ensure that proper documentation is present.

Level 1-4 is not met. The appellants' supervisors state that the appellants perform what the supervisors characterize as specialized purchasing of high-cost orthotics about ten percent of their time. However, only duties that occupy at least 25 percent of an employee's time can affect the grade of a position (*Introduction to the Position Classification Standards*, section III.J). Furthermore, the knowledge and skill applied by the appellants in accomplishing such purchases fails to meet Level 1-4 because the appellants only review critical characteristics in conjunction with medical practitioners who are responsible for making a diagnosis and prescribing a treatment for the medical condition or disability. Prosthetic equipment and services purchased by the appellants usually do not require the development of extensive specifications. While the appellants may handle consults for the more specialized orthotics and durable medical equipment (for example, electric wheelchairs or electrical beds) as described in the PCS, they do not negotiate price reductions or cost remedies, although they do check that the agency receives government discounts. They do not prepare detailed, written solicitations, as most contracts are established by contract specialists. They do not need to know and use price analysis techniques sufficient to evaluate prices or costs for requirements with inadequate price history, or to evaluate allowable charges requirements involving special costs features. They do not need to know and use the various acquisition clauses pertaining to inspection, acceptance, packaging, or testing. In addition, they do not perform post-award reviews for modifications to purchase orders. Most POs are unilateral, i.e., they are considered an offer to contract which might or might not be accepted by the vendor. They are not usually signed, but vendors signify acceptance by performing the specified work. POs are routinely used for open market purchases where orders are required to have all critical information included in the solicitation packages, but the appellants do not develop the unique criteria for each purchase as this is provided by physicians and other medical staff. Finally, the appellants do not negotiate small purchases using POs that contain provisions related to default termination or liability. In general, the appellants perform simplified purchasing as defined by the 1105 PCS to order stock, use BPAs (charge accounts) to purchase supplies on the open market, and POs to acquire prescribed medical equipment and orthotics.

The appellants do research requirements when working with contractors for custom services for handicapped veterans (e.g., reviewing codes such as rebuilding without barriers for the disabled), but such contracts do not require engineering or design studies as intended by the PCS. Unlike Level 1-4, the purchasing does not require the appellants to develop detailed specifications, search from among a limited number of suppliers, or deal with purchases having limited price histories, etc. The NPPD database they use lists all historical purchases for reference when purchasing a new or modified orthotic, so price histories are readily available. Their purchases do not meet the level of difficulty described at Level 1-4 as they do not involve, or work with equivalent knowledge requirements for medical and scientific equipment, special test equipment, or commissioning design or engineering projects. Their routine purchases do not involve commercial requirements that have unstable price or product characteristics, hard-to-locate sources, or similar complicating factors. The great bulk of items purchased by the appellants require a more narrow knowledge of a body of purchasing regulations, methods, procedures, and business practices than is intended at Level 1-4. Therefore Level 1-3 must be assigned.

Level 1-3 is assigned and 350 points are credited.

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 how the work is reviewed or controlled. 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.

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 degree of review of completed work depends upon the nature and extent of the review.

At Level 2-2, the supervisor assigns work with standing instructions on applicable procedures and policies to follow, performance expected, and priorities and deadlines to meet. For example, standing instructions may provide information on how to decide if the requirements should be purchased against an established contract or through open market procedures. This guidance may include an explanation of the applicable FAR parts and sections, forms required to prepare delivery or purchase orders, and any documentation required to justify the method of purchase. The supervisor provides additional specific guidance on new, difficult, or unusual assignments and suggests work methods or source materials available. The employee uses initiative to make or recommend purchases for recurring requirements independently. The employee refers situations not covered by instructions or practice to the supervisor for decision or help. The supervisor reviews recommended awards and completed purchase files to ensure that the methods used by the employee are technically accurate and that they comply with established procedures.

At Level 2-3, the supervisor assigns work with standing instructions on objectives, priorities, and deadlines and indicates special considerations or unusual requirements. The employee plans and carries out the steps necessary to make purchases using accepted practices or procedures to resolve problems and deviations. Problems and deviations include, for example, requirements that fluctuate in price and item characteristics, are sole source, are urgently needed, or are new to the market. The employee independently performs tasks such as negotiating price with a sole source vendor, persuading reluctant vendors to bid, and collecting data to determine price reasonableness for requirements not acquired previously or recently. In other work situations, problems may result from the specialized nature of the requirement. For example, the employee may have to identify loopholes in specifications or statements of work that are very lengthy, detailed, or otherwise difficult to understand. The employee independently suggests revisions or additions to ensure information pertaining to the vendor's obligations is clear and adequate. After searching precedents, the employee consults with the supervisor or others to resolve major problems, for example, how to prepare information that will be used to respond to written protests from non-selected vendors. The supervisor periodically evaluates completed work for results achieved and effectiveness in meeting requirements within the legal and regulatory constraints.

Level 2-2 is met. As at this level, the appellants work independently in determining the purchasing methods and procedures used to make purchases for a variety of standard requirements at varying dollar values. PAs with extensive experience are assigned the more complex purchasing assignments dealing with specialized prosthetics applying established guidelines.

Level 2-3 is not fully met. As indicated previously, specifications are spelled out by the requesting physician. While the appellants occasionally recommend changes to a consult to reflect market availability or to clarify a contractor's obligations, they do not regularly encounter the types of problems and difficulties as anticipated at this level, such as unstable price fluctuations not linked to requirements which also have changing item characteristics, negotiations with sole source vendors, or the need to persuade reluctant vendors to bid. They are not routinely involved in reviewing lengthy specifications or statements of work (SOW) for discrepancies or loopholes. While the appellants keep up with items that are new to the market, they do not routinely deal with purchases that have fluctuating price and item characteristics. The bulk of the items procured by the appellants are standard medical items such as supplies and durable equipment that includes wheelchairs, oxygen therapy equipment and services, less-complex prosthetic appliances, and other items that are relatively stable in terms of cost and supply source. The appellants' daily work does not involve frequent negotiations with sole source vendors, a need to persuade reluctant vendors to bid, or a requirement to collect data to determine price reasonableness for requirements not acquired previously or recently. They are not required to routinely look for loopholes in specifications or statements of work that are very lengthy, detailed, or otherwise difficult to understand.

As discussed previously, the 1105 PCS addresses the impact of an employee's signatory authority on the grade level worth of purchasing work. The appellants have contractual authority to obligate the government in procurement actions up to their approved limits. However, the PCS states that increased signatory authority does not, by itself, mean that the grade of a position should be increased automatically. The record shows that only about ten per cent of annual transactions exceed the \$3,000 credit card limit. Since ninety percent of purchases made by the appellants are for amounts under \$3,000, and the types of deliverables being acquired do not entail the scope of responsibilities and work decisions found at Level 2-3, the higher level warrants held by the appellants cannot support evaluation of this factor above Level 2-2.

The appellants' supervisor reviews completed work for technical soundness, appropriateness, and conformity to PSAS guidelines and acquisition requirements. Supervisory control over work takes many different forms and requires careful evaluation. Routine or standardized work may appear to be performed with a high level of independence when, in fact, it is the work itself that is closely defined and prescribed. When this is the case, the employee does not have an opportunity to perform under less than general supervision. Since Level 2-3 is not met, Level 2-2 must be assigned.

Level 2-2 is assigned and 125 points are credited.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them. Guides used include desk manuals, established procedures and policies, traditional practices, and reference materials, such as dictionaries, style manuals, engineering handbooks, the pharmacopeia, and the Code of Federal Regulations.

At Level 3-2, guidelines are in the form of a number of established procedures and specific guidelines that are available and apply to work assignments. These include procurement history files, FSS and other established contracts, standard operating practices, and agency regulations governing small purchases and delivery orders. Guidelines cover areas such as required and optional sources of supply, types and use of POs, maximum ordering limitations, and forms to use when making purchases.

Guidelines at Level 3-2 also explain, for example, how to order from schedules, when documentation (waivers, sole source justifications, and verifications of price reasonableness) is required and when it is appropriate to establish BPAs. At this level, employees use judgment in selecting the appropriate reference and procedure to make purchases. There may be minor gaps in guidelines, and the employee may be expected to use some judgment and initiative in resolving aspects of the work not fully covered by instructions. For example, judgment and initiative may be required when determining whether the important characteristics of an item match an item description in a mandatory schedule, judging whether quotes are for equal items, suggesting item substitutes, or preparing waivers. The employee refers situations that require significant deviations to the supervisor for guidance and resolution.

At Level 3-3, guidelines are available, but are not completely applicable to many aspects of the work because of the unique or complicating requirements or circumstances. The employee uses judgment to interpret guidelines, adapt procedures, decide approaches, and resolve specific problems. This includes, for example, reviewing detailed non-standardized SOWs for adequacy, developing technical ranking factors for award determinations, or negotiating terminations for convenience of default.

Level 3-2 is met. Before using open market procedures, the appellants must consider required sources of supply. They use judgment in selecting the appropriate references and procedures to make purchases using POs and BPAs. They must contact medical practitioners for advice when consults are unclear or lack details sufficient to determine which established contract to use or when services are omitted, such as when a prescription for physical therapy is missing from an order. Based on their experience, they resolve minor matters not fully covered by instructions or guidelines, such as matching item descriptions or suggesting permissible substitutions.

Level 3-3 is not met since the bulk of acquired items are not unique and do not present the appellants with the complicating circumstances envisioned at Level 3-3, as the preponderance of acquisitions are made using Government sources of supply and established contracts. Their regular reviews do not include non-standardized SOWs, formal award determinations, or default terminations. Rather, the appellants follow the physician's written specifications for each consult, and may not make changes or substitutions unless approved by the physician. The

appellants' work does not require interpreting guidelines, adapting procedures, deciding on alternative approaches, or negotiating default agreements as described at Level 3-3. Instead, the appellants follow written policies and technical direction from physicians and therapists to determine the adequacy of requirements. The appellants have available lists of contractors and other trade suppliers, equipment lists, catalogs, shipping lists, stock inventory books, and precedent copies of orders for previous procurements of like items to guide their purchasing activities. Since Level 3-3 is not met, Level 3-2 must be assigned.

Level 3-2 is assigned and 125 points are credited.

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 involves performing a variety of related tasks using primarily simple noncompetitive purchasing methods. Methods include, for example, placing orders against single award FSSs and other similar contracts, or using imprest fund or credit card accounts. The employee decides whether to solicit additional sources or question a price based on a review or knowledge of similar purchases and basic procedures. The employee selects purchasing methods by considering only a few factors such as price, available sources, and urgency of the requirement. The employee recommends awards using primarily price and/or delivery as determining factors.

At Level 4-3, the work involves using the procedures described at Level 4-2 as well as using different processes and methods to (1) make a variety of competitive or sole source purchases and/or (2) make a variety of purchases against various established contracts and agreements. The employee uses different solicitation methods, ordering or reporting procedures, purchasing methods, or clauses and provisions depending on the type, quantity, dollar value, or urgency of the requirement. The employee makes choices, such as whether to meet requirements by ordering against an existing contract or through open market procedures, whether and how to solicit quotes, or what terms and conditions apply based on a review of factors, such as the nature of the requirement, urgency of the need, estimated amount of the purchase, and availability of sources. The employee decides on a purchasing strategy (e.g., how to solicit, whom to solicit, which clauses to include, which offers to accept, or how much lead time is needed) by analyzing a variety of information, such as specifications, FAR parts, history files, item characteristics, or catalogs. In addition to considering price and delivery, some employees may recommend or make decisions based on analysis of various tradeoffs (e.g., cost of renting vs. purchasing, free services included, vendor reputation or previous performance).

Level 4-2 is fully met. Similar to this level, the appellants perform a variety of related purchasing tasks using primarily simple noncompetitive purchasing methods. They conduct purchasing services necessary to furnish veterans with properly-prescribed prosthetic equipment, sensory aids, and other medical devices in the most economical and timely manner in accordance with authorizing laws, regulations, and policies. They make purchasing decisions based on

knowledge of local availability and price. The appellants select purchasing methods based on considering relatively few factors, i.e., price, available sources, and urgency of delivery. The appellants authorize and prepare POs for a wide variety of prosthetic and orthotic devices, artificial limbs, medical supplies, and home medical equipment and repairs. The appellants use ROES to order supplies online from DALC. They also order recurring medical supplies and equipment from local stock using PIP.

Level 4-3 is not met. While aspects of the appellants' work approach this level as the appellants do decide on a purchasing strategy whether to meet requirements by ordering against an existing contract or through open market procedures, they do not perform the complex, specialized purchasing described at this level as discussed previously in this decision. The appellants review each consult for completeness and analyze the documentation and justification provided to determine whether they purchase inside, referring to existing VA contracts and stock items; or outside, using a BPA, PO, or requesting a service contract for construction or repair. The appellants may negotiate prices with sole source suppliers, but that is usually limited to custom services, such as repairs or construction. The record shows that ninety percent of the purchases are for amounts under \$3,000. Existing contracts may delineate more complex items and requirements, but they are written by agency contract specialists, not the appellants. The appellants, in turn, refer to the stipulations of the contract to acquire the item or service prescribed for the patient or veteran. They do not, however, determine the solicitation methods, ordering or reporting procedures, purchasing methods, or use special clauses as described at this level. They also do not routinely refer to the FAR for purchases. The nature of the work performed by the appellants does not fully meet Level 4-3, and therefore, Level 4-2 must be assigned

Level 4-2 is assigned and 75 points are credited.

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work, that is, 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 highest level described for this factor, the purpose of the work is to purchase various commercial and/or specialized requirements. The work involves applying conventional practices to resolve a variety of purchasing problems (e.g., inadequate or restrictive specifications, lack of multiple suppliers, urgent need, and insufficient price history). Purchasing advice and decisions directly affect the ability of serviced programs to conduct business adequately. In some situations, the quality of the purchasing advice and decisions may affect the operation of certain programs. For example, ensuring the clarity and completeness of detailed purchase descriptions for specialized equipment allows a customer to pursue a particular course of action without lengthy delays. In other situations, the work may affect the physical well-being of persons. For example, arranging for the timely delivery of urgently needed medical supplies or equipment affects the adequacy of patient care.

The scope and effect of the appellants' work meets but does not exceed Level 5-3. The appellants conduct purchasing services necessary to furnish veterans with properly-prescribed prosthetic equipment, sensory aids, and other medical devices in the most economical and timely manner in accordance with authorizing laws, regulations, and policies. The work supports a variety of outpatient areas including audio and speech pathology, visual impairment, spinal cord injury, rehabilitation medicine, medical services, surgical service, ophthalmology, respiratory, tele-health, and orthopedic services, as well as coordination with the activities of the Amputee Clinic, and the Major Medical Committee. Purchasing services are also provided to CBOCs throughout VISN [#] and specialized clinical referrals from outside VISN [#]. The work requires the appellants to purchase various types of commercial supplies, consisting of medical supplies and equipment, and commercial services that include equipment repairs and construction. These purchases may pose problems such as when dealing with an urgent need, an emergency admittance, or a limited number of suppliers in a particular area; e.g., oxygen suppliers near the home of an oxygen patient. The physical well-being of a patient may be affected if there are delays in the delivery of items and services such as oxygen; or in the acquisition of needed equipment such as ventilators, wheelchairs, braces, and/or eyeglasses. While few of the consults contain inadequate specifications or specialized requirements, a considerable portion of the appellants' purchasing activities deal with open market items not listed on a contract. Similar to Level 5-3, the potential impact of the appellants' work on the adequacy of patient care is significant. Therefore, Level 5-3 is assigned.

Level 5-3 is assigned and 150 points are credited.

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

The appellants in their appeal rationale said they thought their agency failed to credit them with any points for Factor 6. However, during the audit, it was determined to be a minor misunderstanding about the supposed assignment by the agency of zero points for Factor 6, as the points assigned are actually a relationship of both Factors 6 and 7.

These factors include face-to-face and remote dialogue, e.g., telephone, e-mail, and video conference, with persons not in the supervisory chain. The levels of these factors consider the work required to make the initial contact, the difficulty of communicating with those contacted, the setting in which the contact takes place, and the nature of the discourse. The setting describes how well the employee and those contacted recognize their relative roles and authorities. The nature of the discourse defines the reason for the communication and the context or environment in which the communication takes place. The relationship between Factors 6 and 7 presumes the same contacts will be evaluated under both factors.

Personal contacts

At Level 2, contacts include employees in the same agency or activity but outside the immediate organization, including personnel in supply, contracting, finance, warehouse, and delivery receipt sites. Contacts outside the agency include vendors, commercial suppliers, contractors, and personnel at other agencies, such as GSA.

At Level 3, contacts include technical or legal representatives of firms who are negotiating substantial purchase order changes or terminations for default or convenience, or who are protesting the basis for award non selection.

Contacts required by the appellants' position are comparable to Level 2. The record shows their contacts are limited. Contacts outside the agency are typically with commercial suppliers and contractors typical of this level.

Level 3 is not supported since it has been established the appellants do not engage in negotiating major purchases or purchase order changes with technical or legal representatives of firms, or meet with persons protesting award non-selection.

Level 2 is assigned.

Purpose of contacts

At Level b, the purpose of the contacts is to plan and coordinate actions to prevent, correct, or resolve delays or misunderstandings in the purchasing process. This includes contacts with customers to discuss specifications that may be inadequate or too restrictive, realistic lead times or prices, or other avenues for filling needs, such as renting versus purchasing. Contacts with vendors are to clarify requirements and negotiate issues, e.g., establishing adequate price reductions for deviations in product or delivery, modifying certain terms, or waiving penalties for returned items. In some situations, a moderate amount of persuasive skill may be needed to encourage reluctant vendors to quote, resolve minor conflicts, or get agreement on changes affecting product, price, or delivery.

At Level c, the purpose of the contacts is to settle conflicts or disputes that occur during the small purchase process or to respond to and explain decisions through negotiations and persuasion. Contacts are frequently uncooperative and have different negotiation viewpoints. The employee must be skillful in negotiating issues, such as terminating settlements or other significant changes in the small purchase. Contacts also may be with protesting vendors to justify award decisions that are based on greatest value determinations rather than on price or delivery.

The appellants' position is comparable to Level b, as the record shows the appellants frequently must use persuasion to resolve minor conflicts that occur during the small purchase process or to get agreement on changes affecting delivery. The record does not show the level of involvement with negotiations of contracts on the types of issues or complex problem solving to the degree required to support Level c, as they do not routinely have to engage in settling major conflicts or disputes.

Level b is assigned.

Together, Factors 6 and 7 are assigned Level 2b. Since the points assigned are actually a relationship of both Factors 6 and 7 as found in the chart within the PCS; i.e., assigning 6-2 and 7-b equates to 75 points.

Factors 6 and 7 are assigned Level 2b and credited with 75 points.

Summary

Factor	Level	Points
1. Knowledge Required by the Position	1-3	350
2. Supervisory Controls	2-2	125
3. Guidelines	3-2	125
4. Complexity	4-2	75
5. Scope and Effect	5-3	150
6. & 7. Personal Contacts and Purpose of Contacts	2-b	75
8. Physical Demands	8-1	5
9. Work Environment	9-1	<u>5</u>
<i>Total Points</i>		910

A total of 910 points falls within the GS-5 grade level point range of 855-1,100 points according to the 1105 PCS Grade Conversion Table.

Decision

The appellants' position is properly classified as Purchasing Agent, GS-1105-5.