



# United States Office of Personnel Management

**Office of Merit Systems Oversight and Effectiveness**  
*Digest of Significant Classification Decisions and Opinions*  
May 2001  
Article No. 26-03

**Standard:** [Legal Instruments Examining, GS-963 \(January 1992\)](#)  
**Factor:** Factor 2, Supervisory Controls  
**Issue:** Legal Instruments Examining Series versus Management and Program Analysis Series;  
crediting final authority under Level 2-4

## **Identification of the Classification Issue**

The appellant's position was originally classified as Program Analyst, GS-343-9. The appellant was a member of a committee that considered waiver and compromise requests for debts related to compensation and pension, education, loans, medical salaries, and wages for veterans. She reviewed and processed cases, determined the debtor's ability to repay the overpayment, and determined whether the debt met requirements for waiver or compromise. The agency reclassified the position as Legal Instruments Examiner (Indebtedness), GS-963-8. The appellant believed that her position should remain a GS-9 in the GS-343 series.

## **Resolution**

Program Analysts evaluate the effectiveness of line program operations and provide line managers with the information needed to make administrative and programmatic decisions. Legal Instruments Examiners determine whether a requested action complies with certain provisions of governing law and regulations and decide the disposition of the request. OPM determined that the appellant's duties were consistent with the purpose of legal instruments examining work and agreed with the agency's placement of the position in the GS-963 series.

Although OPM agreed with the series determination made by the agency, we disagreed with their designation for Factor 2. The agency credited the position with Level 2-3, where the employee independently performs complete examining functions and handles problems and deviations according to

policies and instructions. At Level 2-4, the employee is delegated commitment authority and takes final disposition action, not subject to further technical review. OPM found that the appellant was considered the technical expert, had signature authority for debts up to \$20,000, and her recommendations to waive or not waive a debt were accepted as final. Therefore, OPM credited the position with Level 2-4 and found it was properly classified as GS-963-9.

### **“Back to the Basics”**

Program analysis work includes such functions as developing life cycle cost analyses, analyzing new or proposed legislation or regulations, researching new or improved business and management practices, developing data required for program management, and evaluating agency functions being considered for conversion to contracting operations. By its nature, the work is typically a staff function. Work that involves the performance or delivery of the organization’s line program operations or services would not normally be classified in the GS-343 series.

**Link to [C-0963-09-01](#)**