



## United States Office of Personnel Management

**Office of Merit Systems Oversight and Effectiveness**  
*Digest of Significant Classification Decisions and Opinions*  
November 1981  
No. 02-02

**Standard:** N/A  
**Factor:** N/A  
**Issue:** What constitutes an official agency classification action

### **Identification of Issues**

The revised regulations on the implementation of classification decisions (section 511.701 of title 5, Code of Federal Regulations) have had an impact on the manner in which position changes are documented, particularly time limits now imposed for effecting position reclassification actions, and time limits for effecting personnel actions. This issue pertains to position reclassification actions taken by an agency, e.g., originating from SF-52's [Request for Personnel Action] or annual classification maintenance reviews.

### **Resolution**

Federal Personnel Manual Letter 511-9, dated March 20, 1981, transmitted advance copies of Federal Personnel Manual Chapter 511, subchapters 6 and 7. Subchapter 7-1a addresses effective dates of position classification decisions made by an agency.

The purpose of the time limits is to establish a uniform procedure for effecting classification and personnel actions so that both types of actions can be processed within a reasonable period of time. This procedure also established a starting time for the two-year grade and pay retention provision prescribed in sections 5362 and 5363 of title 5, United States Code. Three questions are posed and answers provided to give further insight into this procedure:

1. When does a classification decision become an official position action? An agency classification decision takes effect on the date an agency official with properly delegated authority approves the title, series, grade and pay system determination. This is normally the

date when the official signs the allocated position description, i.e., block 21 on an Optional Form 8 [Position Description], or an equivalent certification.

2. What is the effective date for a personnel action (SF-50 [Notification of Personnel Action]) resulting from a position classification decision? As indicated in subchapter 7-1a, the agency's classification decision must be implemented by a personnel action within a reasonable period of time, which is not earlier than the date of the decision nor later than the beginning of the fourth pay period following that date. However, if the agency cannot effect the personnel action within this time frame, permission for any delay must be obtained from the Office of Personnel Management (Assistant Director, Agency Compliance and Evaluation for positions located in the central office's geographic jurisdiction or the appropriate Regional Director for positions in the Region's geographic jurisdiction). The agency may not make a classification action effective retroactively.
3. Why is there a special provision in section 511.701(a)(1)(ii) of title 5, Code of Federal Regulations (and in Federal Personnel Manual Chapter 511, Subchapter 7-1c) for delaying the effective date of a classification decision which changes a position to a lower grade or pay level (with or without a change in duties) when the incumbent is eligible for grade retention?

The provision was necessary under the interim grade and pay retention regulations because they required the retention period to begin on "the date of the reduction in grade," which was interpreted as the date the classification decision was made. Obviously, it would not be feasible to take the grade retention action on the same date. Thus, the classification regulations provided for delaying the date of classification decision to coincide with the date of the beginning of the retention period.

However, the final grade and pay retention regulations changed the date of the beginning of the grade retention period to "the date the employee is placed in the lower graded position." Thus, there is no longer any need to delay the date of the classification decision, because the grade retention period may begin on an appropriate subsequent date, just as any other personnel action, such as a reassignment or promotion.

The time limits for effecting classification and personnel actions resulting from reclassification decisions will possibly require a more organized and disciplined approach to program administration than in the past. Such approach should result in fewer employee grievances and complaints, a minimum number of back pay claims, and improved internal agency classification consistency.

**NOTE:** Position classification downgrades resulting from material changes in duties and responsibilities, e.g., the content of the official position description is materially more than the actual position (duties assigned and performed on a regular and recurring basis), are not reclassification actions, but rather, are caused by position changes and are processed by reduction-in-force procedures.