



United States Office of Personnel Management

Office of Merit Systems Oversight and Effectiveness
Digest of Significant Classification Decisions and Opinions
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Standard: N/A
Factor: N/A
Issue: Classifying Deputy Positions

Identification of the Classification Issue

The issue arose in the Office of Personnel Management's consideration of a classification appeal. The appellant was an Attorney-Adviser, GS-0905-14, who served as deputy (or assistant chief) to an attorney whose position was in the Senior Executive Service. Even though the supervisor was responsible for a major function for an agency, the size of the subordinate staff was quite small. The only employee on the staff, besides the supervisor and the appellant, was a paralegal assistant who also functioned as a secretary. The appellant requested classification to the GS-15 level based on the principle of classifying a deputy position one grade level below the supervisor's position. The agency classified the appellant's position at the GS-14 level by application of the standard for the General Attorney Series, GS-0905.

Resolution

A deputy position may be classified one grade below the supervisor or chief of the unit in certain situations. The deputy must serve as a full assistant to the chief, occupy a position in the direct supervisory line, and share in and assist the chief with respect to all technical and managerial phases of the unit's work. (It is recognized that a Senior Executive Service position is not graded. Application of the principle described in this article would result in a minimum grade of GS-15 for a deputy to a Senior Executive Service position.)

Even though this principle is recognized in several position classification standards (e.g., Supervisory Grade-Evaluation Guide, GS-0105, GS-0201, GS-0505, GS-0673, and GS-2003), its use in classifying deputy positions should not be automatic. In each situation, the relationship

between the two positions and the extent of the deputy's authority must be considered in determining the appropriate grade for the position.

It is anticipated that a chief position which has a deputy is in charge of a staff of substantial size and, often, multiple subordinate units. Chief positions such as this require deputies who act in their stead because of the decisions which must be made, employees who must be supervised, and the volume of work which is produced.

The appellant was seldom called upon to make decisions for the chief and did not supervise, or approve the work of, other professional employees. Therefore, the appellant did not, in practice, occupy a position in the direct supervisory line from the chief to a subordinate staff. Because of the modest workload in the office, the chief was able to perform almost all of the chief's duties without assistance from the appellant. As a result, the appellant did not assist the chief with most technical and managerial phases of the unit's work. The Office of Personnel Management concluded that the appellant did not function as a deputy, and that under the circumstances, there were no duties to be performed which would justify establishing a deputy in the office. Therefore, the position was classified by application of the standard for the General Attorney Series, GS-0905.