



## United States Office of Personnel Management

**Office of Merit Systems Oversight and Effectiveness**  
*Digest of Significant Classification Decisions and Opinions*  
March 1992  
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**Standard:** [General Attorney Series, GS-0905](#)  
**Factor:** Nature of Cases or Legal Problems  
**Issue:** Determining what constitutes "very large sums of money"

### **Identification of the Classification Issue**

Following a personnel management evaluation of an installation, an Office of Personnel Management region downgraded a General Attorney position. The region evaluated the first factor in the GS-0905 standard, Nature of Cases or Legal Problems, at Type II and concluded that none of the Type III features was met. The incumbent then filed a classification appeal with the Office of Personnel Management Classification Appeals Office, contending that the region had made an improper adjustment of the standard by its interpretation of the phrase in the third feature of Type III which states, "Cases or problems of this type frequently involve, directly or indirectly, very large sums of money (e.g., about a million dollars) . . . ." Because a great deal of inflation had occurred since 1959, the region adjusted the 1959 dollar amount in the example to the equivalent current dollar value.

### **Resolution**

The Classification Appeals Office ruled that the region had properly interpreted the standard, and that this interpretation did not change the standard. The reference in the standard to "about a million dollars" is not a criterion but, instead, is merely an example of "very large sums of money." It is not reasonable to conclude that what was considered a very large sum of money in 1959, when the standard was issued, was an absolute to be applied without sound classification judgment. Thus, the figure in the standard should be adjusted for inflation.

The Classification Appeals Office also noted that the third feature of Type III refers to cases or problems which *frequently* involve very large sums of money and/or are frequently vigorously

contested by extremely capable legal talent. Thus, the reference to very large sums of money is only a portion of the description of cases that meet the criteria in the third feature under Type III. The appellant had been responsible for only one case which involved a contract worth about a million dollars. The case was not contested by "extremely capable legal talent," and there was not nationwide interest in the case. Therefore, the appellant's cases did not meet either the intent of the third Type III feature or the example cited of very large sums of money. Because the appellant's cases also did not meet the criteria in feature 1 or 2 of Type III, Type II was credited.