Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's adjudication of a classification appeal and the subsequent reconsideration of the decision. The appellant functioned as "Special-Agent-in-Charge" of an agency field office, directing a small staff of employees engaged in the performance of criminal investigative work and related administrative and clerical support work. The geographic area of responsibility encompassed a six-State area, including Massachusetts, Rhode Island, Maine, New Hampshire, Vermont, and eastern Connecticut. The appellant asserted that the program under his direction warranted evaluation at Level 1-4 because the work impacted "all of New England and other parts of the East Coast corridor," the programs supported were of "national significance," and the work had "national as well as worldwide ramifications." In addition, the appellant indicated that the assigned geographic area was equivalent to "numerous States," as mentioned at Level 1-4.

Resolution

a. Scope

At Level 1-3, the technical, administrative, protective, investigative, or professional work directed encompasses a major metropolitan area, a State, or a region of several States; or, when most of an area's taxpayers or businesses are concerned, coverage comparable to a small city.

At Level 1-4, the work directed consists of a segment of a professional, highly technical, or complex administrative program that involves the development of major aspects of key agency
scientific, medical, legal, administrative, regulatory, policy development, or comparable highly
technical programs; or includes major, highly technical operations at the Government's largest,
most complex industrial installations.

The Office of Personnel Management found that the program segment directed by the appellant
was comparable to Level 1-3. Corresponding to this level, the work directed was investigative,
and it covered a small region of several States.

The scope of the appellant's program segment did not meet Level 1-4. The work directed by the
appellant indirectly affected agency policy and regulations, but in contrast to Level 1-4, the
appellant did not direct activities involving the development of agency policy or other activities
impacting the development of major agency programs. These functions were assigned to
positions at higher echelons within the agency. The geographic scope of the appellant's program
also fell short of the intent of Level 1-4. The appellant's program encompassed only six States, a
much narrower range than numerous States or a major segment of the Nation, as described at
Level 1-4.

b. Effect

At Level 1-3, the work supervised directly and significantly impacts a wide range of agency
activities, the work of other agencies, or the operations of outside interests, e.g., a segment of a
regulated industry or the general public.

At Level 1-4, the work impacts an agency's headquarters operations, several bureauwide
programs, or most of an agency's entire field establishment; or facilitates the agency's
accomplishment of its primary mission or programs of national significance; or impacts large
segments of the Nation's population or segments of one or a few large industries; or receives
frequent or continuing congressional or media attention.

The Office of Personnel Management found that the effect of the work directed by the appellant
met Level 1-3 because of its direct and significant impact on outside interests. The work directed
involved investigating businesses for compliance with specific laws and regulations. During Fiscal
Year 1993, business transactions totaling over $30 million were intercepted, and transactions
totaling over $16 million were disapproved. This level of financial impact on businesses within a
six-State area was considered equivalent to the level of impact contemplated by Level 1-3.

The Office of Personnel Management found that Level 1-4 was not met in that the work directed
did not affect the agency's headquarters operations, several bureauwide programs, or most of the
agency's entire field structure. Although important to an agency-specific enforcement program,
the work directed did not facilitate accomplishment of the agency's primary mission or programs
of national significance. The work did not affect large segments of the Nation's population; nor
did the businesses investigated comprise segments of one or a few large industries, as described
for Level 1-4. Further, there was no evidence that the work directed was the subject of frequent or continuing media interest.

In summary, the Office of Personnel Management found that both Scope and Effect were properly evaluated at Level 1-3.