



## 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:** [General Schedule Supervisory Guide](#) (April 1993)  
**Factor:** Factor 6, Other Conditions  
**Issue:** Special Situations

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

This issue arose in an Office of Personnel Management oversight division's adjudication of an appeal. The appellant was a second-level supervisor in charge of a telephone service center (Center) providing line program services to the general public. Most of the work performed by the subordinate Contact Representative, GS-0962-8, workforce was helping beneficiaries and inquirers by telephone and screening callers for potential benefits. The staff made claim referrals and scheduled appointments for interviews at field offices having full claim adjudication and authorization authority. They provided information about community services and services of other agencies, and referred callers to other agencies when appropriate. The staff handled entitlement issues for related programs administered by a related agency. They also processed a limited range of claims actions, e.g., resolving benefit overpayments, including waivers up to \$500, and issuing critical payments to beneficiaries in dire need. Employees at another field component handled part of the workload during peak traffic periods, obtaining technical guidance from the appellant as necessary.

The appellant initially claimed six *Special Situations* were creditable to her position. She prefaced her rationale by stating that *Special Situations* in the General Schedule Supervisory Guide (GSSG) do not equate to similar conditions that were found in the previous supervisory guide--the Supervisory Grade Evaluation Guide (SGEG). She claimed since partial credit for each condition had been allowed under the SGEG, but no credit for meeting one or two situations under the GSSG, the Office of Personnel Management had decided when the GSSG was formulated to make the *Special Situations* in the GSSG easier to meet than under the SGEG. Thus, while the appellant's employing agency's interpretation of these situations might have had

applicability to SGEG, the operative premise under the GSSG is whether the condition, if present, makes the work of the supervisor more difficult.

## **Resolution**

### **1. Shift Operations**

This situation is credited when the position supervises an operation carried out on at least two fully staffed shifts.

The oversight division found the Center operated from 8:00 a.m. to 5:15 a.m. There were two tours for full-time permanent and part-time personnel. Tour One started between 7:30 and 8:30 a.m. and ended between 4:00 and 5:00 p.m. Tour Two started between 7:45 and 8:45 a.m. and ended between 4:15 and 5:15 p.m. Employees could sign in at 15 minute intervals during those tours. The heaviest telephone traffic was between 8:00 a.m. and 4:00 p.m. Mixed tour personnel had a set 9:00 a.m. to 2:00 p.m. tour during from April to December and were covered by Tour One or Two when they worked full time. Most employees arrived between 8:00 and 8:30 a.m., although some arrive earlier during the summer. One employee was on a compressed work schedule. Vacation schedules were established on a six-month basis. The appellant reported to agency headquarters by 2:00 a.m. each day on the number of people expected in two days in the future based on leave projections, and reported the number of people available that day between 4:00 and 5:15 a.m. to the region, determined by checking the sign-in sheet.

In her appeal rationale, the appellant claimed credit for shift operations because the “tremendous variance in shifts, tours, and work schedules” and off-site peak workload personnel put a distinct extra burden on managing the Center. She claimed the Center did have two fully staffed eight hour shifts, and that it did not make any difference if the shifts start fifteen minutes, one hour, two hours, or eight hours apart. She stated that supervising Center-type shift operations was materially more difficult, where employees were allowed to start work anytime within the beginning of their shift, than to supervise two widely separated but fixed starting-time shifts. This made it difficult for management to plan the workday, to determine how many employees would be available to handle the fluctuating volume of calls during the workday, decide how the pending workload would be distributed, and when to conduct training. This situation was exacerbated by the mixed-tour employees and part-timers, who arrive and leave at various times of the day, and was further complicated by the fact that many of these employees are trainees, who require additional guidance, training, and monitoring during their shifts. The appellant stressed the Center was not a back-office type of situation where some amount of variation in staffing levels could be routinely adapted to, but a real-time, front-line operation dealing directly with the general public.

Placing the General Schedule Supervisory Guide in its proper interpretive context, the oversight division stated a shift has traditionally been defined as consisting of a full eight hour tour of duty, e.g., day, evening, and night shifts. The General Schedule Supervisory Guide was developed

during a time when compressed work schedules, flexitime, and similar work scheduling options were well-established and widely used. Therefore, using the term “shift,” without reference to compressed work schedules or flexitime, must be considered a careful and deliberate decision by the Office of Personnel Management in its developing of the General Schedule Supervisory Guide. Center staffs operate during a nine-and-three-quarter hour work day, which is three-quarters of an hour longer than a typical Federal eight-and-one-half hour work day. The Center tour structure is most appropriately considered as a broadened flexitime construct. As in any compressed work schedule or flexitime situation, office coverage during hours of operation is a standard, predictable supervisory responsibility. Integral to second-level supervisory responsibilities at Level 3-3, credited to the appealed position, were controlling leave, overtime, and similar scheduling issues for the larger workloads managed through subordinate team leaders, leaders, team chiefs, or comparable personnel. The appellant used four subordinate supervisors to manage the Center.

The oversight division found the toll-free 1-800 telephone number system was monitored at the agency’s headquarters which moved traffic with the goal of having all calls answered within five minutes. Calls were routed to an intervening traffic control site and then to the Center based on availability. Serious call backups were handled by this process. The workload volume issues stressed in the appellant’s rationale were controlled, in large part, through a sophisticated computerized calling system. In contrast, the oversight division found shift work within the meaning of the General Schedule Supervisory Guide required greater attention to planning, coordinating, and integrating work, e.g., by assuring work was successfully passed off from one shift to another, and resources were staged to support the work to be accomplished within each shift. Therefore, this situation was not credited to the position.

## 2. Fluctuating Work Force or Constantly Changing Deadlines

The General Schedule Supervisory Guide provides for crediting Fluctuating Work Force when the work force supervised by the position has large fluctuations in size (e.g., when there are significant seasonal variations in staff) and these fluctuations impose on the supervisor a substantially greater responsibility for training, adjusting assignments, or maintaining a smooth flow of work while absorbing and releasing employees. Constantly Changing Deadlines may be credited when frequent, abrupt, and unexpected changes in work assignments, goals, and deadlines require the supervisor constantly to adjust operations under the pressure of continuously changing and unpredictable conditions.

The appellant claimed the work flow in the Center, i.e., balancing of daily telephone traffic, heaviest workloads in the beginning of the week, different demands certain days of the month, and heavy traffic the first three months of the year due to new claims, and constantly increasing workload placed a heavy demand on her position. She cited the need to use off-site employees, and the unpredictability of a workload increase due to phone system problems, media reports, or similar system problems as continuing workload management difficulties. If the event was severe enough, she might have to redeploy her staff to other offices. She cited the impact of constant

program changes, the need for almost immediate briefings and training on the latest changes, and the high turnover rate that typically prevented her from achieving her authorized staffing level, and the significant portion of the workforce in a training status as conditions supporting the crediting of this situation.

The appellant claimed the work tour structure of the Center imposes a substantially greater responsibility for training, adjusting assignments, and maintaining a smooth flow of work. Ensuring variable schedule employees received the same training made available to regular employees was especially difficult. She discussed the impact of the high attrition rate for mixed-tour and part-time employees, the need to assure personnel administrative changes were made when employees were converted from full-time to part-time and vice versa, claiming this constituted two separate employment seasons, each with its own characteristics and complications. The appellant challenged the agency's claim that the workload was cyclical and Center's made appropriate plans to deal with it as precluding credit for this situation; it was whether the workload imposed a substantial additional burden on the supervisor that controlled the crediting of this situation. She stated the additional burdens placed on her position by the nature of the Center work, the makeup of the workforce, the flexibility of employee schedules and the unpredictability of staff availability, the cyclical nature of the work, the constantly changing legislative policy, procedural, and technical framework, the continual need for training, the high turnover, the constant pressure to meet an ever-present five minute deadline for caller response, and the requirements for accuracy and world-class customer service, all made her job materially more difficult and significantly added to her responsibilities. The appellant stated that whether this impact on the position is credited under "shift work" or under "workforce and deadlines" or both is unimportant--simply stated, this overall situation should be credited to the position.

The oversight division observed the position classification process required the full intent of a position classification standard be discerned and applied according to established classification principles and practices that do not permit crediting the same aspects of a position multiple times. For example, credit for dealing with the impact of multiple tours, and similar workload control and assignment issues could not be credited under Shift Operations, Physical Dispersion, and this situation. As a threshold position classification standard, Special Situations required that three of eight situations be met fully to add an additional level under Factor 6. The presence of a substantial number of and widely varying alternative situations shows the General Schedule Supervisory Guide recognized many positions might meet one or two additional demands, but not three and, therefore, would not receive an additional level for this factor.

*Special Situations* deal with various conditions not credited fully in applying earlier portions of the General Schedule Supervisory Guide. For example, Factor 3 covers the demands of work planning, scheduling, employee instruction, and similar inherent supervisory duties and responsibilities. In crediting Level 6-3 to the position, the oversight division recognized the coordinative demands on the appellant in ensuring consistency of product, service, interpretation, or advice; conformance with the output of other units, with formal standards, or with agency

policy; and coordinating with supervisors of other units to deal with requirements and problems affecting others outside the organization.

Turnover information showed 19 employees left the Center from June 1995 to December 1996. Nine of these employees resigned in lieu of termination, four of whom were in the same class of trainees. Two employees transferred to other Centers, one was promoted, two were fired, one retired, and three left for better jobs. One summer aide was employed in 1995 and 1996, and the employment of one was anticipated for 1997. The oversight division found turnover is predicable and could be anticipated based on the nature and conditions of the organization's work, even though it did place a burden of additional training on the appellant and her staff. Primary turnover, however, was among the mixed-tour staff due to the limited hours of work. Mixed tour employees comprised less than 15 percent of the staff. Full time staff turnover was limited and typically was to enter other agency field offices with greater career potential. The oversight division found these losses fell far short of "large fluctuations" as defined by the General Schedule Supervisory Guide, e.g., large seasonal variations in the staff. These large fluctuations are typified by demanding and concentrated recruitment and related functions, extensive training or similar preparatory requirements, and planning for and implementing large scale staff losses. The appeal record showed the work force fluctuations at the Center did not have an equivalent impact on the appellant's supervisory demands.

Center work assignments, goals, and deadline changes were not frequent and abrupt within the meaning of the General Schedule Supervisory Guide. Within the previous year, problems shut down the telephones for one day. There was sufficient non-telephone work, however, to continue operations at the Center. If equipment problems persisted beyond one day, the appellant had to consider sending her staff to other sites, requiring the appellant to contact her supervisor, the Area Director, the union, and the other sites. The oversight division again noted the Center workload was not locally controlled entirely. Major toll-free 1-800 telephone number system problems are controlled by agency headquarter's rerouting, and more limited issues were controlled and monitored at the intervening traffic management site. The oversight division concluded the multi-layered control network system, and the relatively predictable peaks and valleys of activity based on historical information, failed to meet the frequency, abruptness and unexpected nature of changes required for the crediting this situation.

### 3. Physical Dispersion

The General Schedule Supervisory Guide provides for crediting this situation when a substantial portion of the workload for which the supervisor is responsible is regularly carried out at one or more locations that are physically removed from the main unit (as in different buildings, or widely dispersed locations in a large warehouse or factory building), under conditions that make day-to-day supervision difficult to administer.

The appellant withdrew her claim for crediting of this situation due to the decrease in technical assistance calls from off-site personnel. The oversight division, however, decided to address the

claim for interpretive purposes. The third exclusion in the General Schedule Supervisory Guide states positions with continuing supervisory responsibility meeting the minimum coverage requirements of the guide may be graded by using the guide provided "due care is taken to avoid crediting direction of the same work" to supervisors in different chains of command. The example alluded to in the General Schedule Supervisory Guide is of a supervisory position that also oversees project or program management work performed by employees who officially report to and are under the permanent supervision of supervisors in a different chain of command. The oversight division found off-site employees performing Center work during peak workload periods were permanently in another field office chain of command. As such, those employees could not be credited to the appellant's position under the General Schedule Supervisory Guide, whether she previously provided training to them or continue to answer their technical questions.

#### 4. Special Staffing Situations

The General Schedule Supervisory Guide permits crediting this situation when: (1) a substantial portion of the work force is regularly involved in special employment programs; or in similar situations that require involvement with employee representatives to resolve difficult or complex human resources management issues and problems; (2) requirements for counseling and motivational activities are regular and recurring; and (3) job assignments, work tasks, working conditions, and/or training must be tailored to fit the special circumstances.

In her initial rationale, the appellant stressed the workload pressure in the Center, dealing with an often unhappy clientele who were usually bolder and more aggressive over the phone than they would be in person, and often have personal problems that may be unrelated to their benefits claim or informational request, but surface simply because the phone number is toll free and available. Suicide calls were relatively frequent, and bomb and death threats were occurring with ever more regularity. The appellant stated the constant changes in legislation, regulations, policies, and procedures increased the stress level, accentuated by calls coming in from around the country that required familiarity with State practices as they pertained to benefit issues. She claimed the stressful and demanding nature of work produced a great deal of absenteeism and the supervisory staff continually referred employees for counseling. In addition, the appellant claimed many Center employees were single parents and had child-care problems, an additional cause of absenteeism. She claimed the relatively low pay in comparison to many other jobs to which the better Center employees might aspire and the many different cultures and socio-economic levels represented in the Center workforce placed additional pressures on management in dealing with workplace issues. The appellant claimed she had to meet with union representatives regularly to discuss office problems and try to solve many of the grievances filed by the employees.

The appellant stated the Center employs many blind, deaf, and other physically handicapped employees; usually there were four totally blind employees out of the overall staff of 50 or more imposing special requirements for counseling and motivation. In addition, she claimed job assignments, working conditions, and training had to be tailored to fit the special circumstances of these employees. To this end, she worked with handicapped program coordinators whenever

problems occurred with the software or any equipment those blind employees used. Because the Center lacked a reader, lead employees and subordinate supervisors had to sit with the blind employees to read names off a list for their overpayment work, prepare special disks for training purposes, know how to operate the special equipment, and prepare handouts and other training material in different formats accessible to those without sight.

The oversight division found the Center employed two blind employees; each reported to a different supervisor. The appellant met at least weekly with the on-site union representative, who was a member of the local award panel, and dealt with a wide range of issues as part of the Partnership process, e.g., employee training. The appellant was a management representative on arbitration cases and had the authority to settle EEO cases; she settled two of the three cases filed against the management staff within the previous eight months. Data showed she reprimanded three employees and gave one a sick leave warning in 1995. In 1996, she reprimanded one employee, fired two, gave sick leave warning to two, and put one on sick leave restriction. In 1995, she referred 11 employees to counseling, 10 in 1996, and 5 by May 1997. Some employees referred eventually resigned in lieu of termination during their probationary period.

The oversight division concluded the subject-matter knowledge required in nonsupervisory Center work and the stress integral to client contacts had been credited fully in the evaluation of the base level positions. These aspects of Center work have been credited under Factor 5 and could not be credited again.

This situation is intended to recognize the heavy demands on the supervisor's time in dealing with difficult and complex human resource issues and problems. The oversight division found two blind employees, or the previous four employees, were not a substantial portion of the work force. The demands on the appellant's position were mitigated by the involvement of two immediate supervisors and the lead employees. The number of disciplinary and work performance and counseling problems were issues properly recognized under this situation. The extensive internal training discussed previously for new mixed-tour employees; the need to break out work and tailor work for the significant number of employees in developmental positions from that performed by full performance level employees; and the need to refer employees to counseling, including some trainees who evidenced performance problems despite intensive training, also were properly considered under this situation. When viewed as a whole, the oversight division found these human resource management issues reflected the difficulty and complexity of staffing and related issues supporting the crediting of this situation.

## 5. Changing Technology

The General Schedule Supervisory Guide credits this situation when processes and procedures vary constantly because of the impact of changing technology, creating a requirement for extensive training and guidance of the subordinate staff.

The appellant claimed the Center was on the cutting edge of telecommunications technology, and that constant change in telephone and computer systems, software enhancements, the introduction of new technology, the upgrading of current equipment to handle new requirements, and the automation of manual procedures were “habitual.” She provided information on the pending installation of IWS/LAN technology, including training requirements, and information on administrative support software updates and enhancements. She also provided a list of software releases for March 1996 through March 1997 and the training given as the result of software changes.

The oversight division found during the months of April through December all Centers are given one hour on a set day, two to three times a month, to train their entire staff. The nature of Center tours, particularly mixed-tour and part-time, made it difficult to schedule the training to cover the entire staff and required arrangements for employees who miss the training. The training covered updates on problems and work review issues, observations, and new legislation. The appellant also provided information on pending system changes and training requirements. Unlike other agency components that receive basic and follow-on subject matter training from a regional staff component, the Centers perform their own basic and follow-on training. To place the training demands of her position in context, the oversight division requested additional information from the appellant’s supervisor documenting major training on systems updates in the past five years. This equated to an average of approximately 37 hours of “major training on system updates” per year. Migration to personal computers from dumb terminals (the IWS/LAN migration), the first major equipment change in approximately 10 years, will include 12 non-consecutive hours of mandatory introductory training, with optional components.

The oversight division found Center training, although more intense than typical of some Federal organizations, is not extensive within the meaning of the General Schedule Supervisory Guide. Eighty hours of training in 1990 (40 hours) and 1994 (40 hours) covered basic program changes flowing from planned management action, and not training emanating from processes and procedures that vary constantly due to the impact of changing technology as covered by this situation. The latter training initiative was part of the agency decision to assign sufficient GS-8 grade level work to the Center to upgrade non-mixed-tour base level positions to GS-8. IWS/LAN training reflected migration from old to current widely used automation technology and could not be construed as an impact of changing technology within the meaning of the General Schedule Supervisory Guide. Therefore, training caused by agency process and procedural changes was much less than the 37 hours per year, falling far short of the intent of *constantly* varying processes and procedures due to the impact of changing technology within the meaning of the General Schedule Supervisory Guide. The oversight division found the training fully covered and credited under Level 3-3b, and the coordinative demands credited under Level 6-3, i.e., training to assure consistency of product, service, and interpretation, and conformance with agency standards and policy. Therefore, the position could not be credited with this situation.

## 6. Special Hazard and Safety Conditions:

The General Schedule Supervisory Guide credits this situation when the supervisory position is regularly made more difficult by the need to make provision for significant unsafe or hazardous conditions occurring during performance of the work of the organization.

In the initial appeal rationale, the appellant claimed she: (1) informed blind employees of any physical office changes; (2) dealt with employee concerns regarding the impact of video display terminal exposure on unborn children; (3) responded to constant headset complaints regarding buzzing and, at times, shocks; (4) dealt with the danger of thunderstorms because lightening can damage equipment and “can enter the phone lines providing shocks and deafening noise”; (5) made frequent inspections to assure cables and wiring are covered and do not cause a tripping hazard; (6) dealt with old terminals that, due to age, have shorted out, causing smoke, odor, and the danger of fire; (7) assured critical temperatures in the telephone equipment room are maintained; and, (8) conducted monthly safety meetings, making sure fire extinguishers were working and the staff was trained to use them. She claimed she had to assure safety was considered in the design of the new Center site, e.g., assuring cables and wires were covered and the telephone equipment room met established electrical safety requirements.

Disagreeing with the agency administrative report, the appellant claimed the General Schedule Supervisory Guide did not limit this situation to law enforcement, warehouse hazards, or exposure to environmental hazards. She claimed the mission created an extremely sensitive health and safety environment because high stress jobs had to be carried out in a constricted area, with repetitive motion an integral part of their function. Repetitive motion problems required providing time off-line for employees, dealing with special or complex leave problems, workers’ compensation issues, and issues under the Americans with Disabilities Act. She referenced an agency job safety analysis project pursued since 1995 regarding Center positions, and the continuing interest by the union in these issues.

The oversight division observed the General Schedule Supervisory Guide was developed during a time when the ergonomic issues cited by the appellant were well-known and typical of many office operations. Scheduling breaks and assuring that wires and cables do not create a hazard and that blind employees are informed of changes were not significant actions dealing with special safety hazard and safety conditions within the meaning of the General Schedule Supervisory Guide. Personal computer or terminal fires are easily remedied by standard precaution and actions, i.e., cutting off electricity. This situation concerned managing people. It did not pertain to assuring air conditioning was supplied to the telephone equipment room or planning general office ergonomic layout. Therefore, this situation was not creditable to the position.

Because only one situation was creditable, an additional level for Factor 6 could not be credited to the position.