



United States Office of Personnel Management

Office of Merit Systems Oversight and Effectiveness
Digest of Significant Classification Decisions and Opinions
March 1999
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Standard: [General Attorney, GS-905](#) (October 1959)
 [Purchasing, GS-1105](#) (March 1993)
 [Job Family Standard for Professional Physical Science Work, GS-1300](#)
 (December 1997)

Factor: Various

Issue: Dollar Value as a Classification Criterion

Identification of the Classification Issue

This issue arose in an OPM oversight division's adjudication of three separate appeals, each seeking an upgrade or reclassification based upon the dollar value of their work. One involved an Attorney who cited the value of claims he tried in court, many of which exceeded the very large sum criterion given at the highest level of the occupational standard. The second concerned a Purchasing Agent who cited the warrant authority he held, which exceeded the dollar threshold the GS-1105 standard associated with higher graded Contract Specialist work. The third pertained to a Geologist who cited the millions in revenues generated by the highly valuable mineral program he oversaw, an element not directly addressed in the Job Family standard for Professional Physical Science Work, GS-1300.

Resolution

As a group, these cases illustrate the varying significance that classification standards attach to monetary value. The General Attorney, GS-905, standard specifically cites dollar value as a classification criterion. It uses dollar value, among other things, to distinguish the types of cases handled by beginning, intermediate, and senior level Attorneys. Though dollar value is not the sole criterion (e.g., other criteria include the frequency of very large sums of money, of vigorous contestation, and of nationwide interest together determine Type III credit), it is an important criterion for distinguishing among the standard's levels. To apply it to the appellant's cases, however, required two adjustments, both neglected in the initial classification decision. The first

is adjusting the 1959 dollar figures given in the standard to their present value. The second is distinguishing the amount of a claim from the amount actually contested.

Adjustment of the dollar values given in the GS-905 standard is necessary to account for inflationary or deflationary effects since an absolute value would serve no useful purpose (see Digest No. 16, page 8). The standard, issued in 1959, identifies very large sums of money as about \$1,000,000. (Bureau of Labor Statistics purchasing power figures for 1995, the time frame of the appellant's legal cases, \$1,000,000 in 1959 equated to about \$5,240,000.)

The second adjustment is to distinguish the amount sought from the amount contested, e.g., in a contract payment dispute, the difference between the agency's proposed fee or rate/cost and the contractor's requested fee or rate/cost. The uncontested amount of a claim does not reflect the sum of money at risk in a case. Rather, it is the amount in excess of what the Government already acknowledges as its debt. Additionally, the trend to seek large awards does not necessarily render cases more difficult or complex, nor does it fulfill the intent of the standard regarding the frequent contesting of very large sums in terms of contemporary dollars, in interrelationship with the elements enumerated in the standard's criteria. Consequently, while the appellant's cases involved large dollar amounts, they did not meet the very large sum criterion of the standard or the remaining criteria necessary for Type III credit.

The Contracting, GS-1102, and Purchasing, GS-1105, standards acknowledge that the dollar value of procurements (above or below the small purchase threshold of \$25,000) and the procedures and instruments employed (simple procedures using purchase orders and requests for quotations versus formal advertising procedures using invitations for bid or requests for proposal) typically distinguish the one occupation from the other. The standards also recognize that the number and complexity of guidelines that apply to a purchase are linked to the cost and type of item bought. However, the standards use dollar value as an indicator of work characteristics rather than a classification criterion. Some overlap in monetary value and procedures is common between the two occupations and among grades, requiring careful application of classification principles when categorizing and grading borderline positions.

For example, the GS-1102 standard recognizes that some Purchasing Agents use requests for proposals (which are normally used for more complex procurements) for small purchases when a firm offer is required or when technical factors, rather than price, are the primary consideration. Likewise, some Purchasing Agents use bilateral purchase orders, typical of Contracting, rather than unilateral purchase orders, typical of Purchasing. Dollar value and procedures may suggest an occupation, but it is the knowledges required, complexity of the procurements, and other elements addressed in the standards that directly govern a procurement position's series and grade. The Purchasing Agent appellant used some of the same procedures Contract Specialists do, but in a more routine fashion and without substantial involvement in negotiating or awarding orders, developing selection criteria, or resolving contracting problems like protests concerning upward correction of the low bid, claims of faulty evaluation of technical proposals or the cost effectiveness of proposals, or charges of unduly restrictive competition. He had the authority to

make formal commitments and obligate the Government for up to \$50,000 per transaction on open market purchases and up to the maximum order limitation on purchases made from Federal Supply Schedule Contracts. However, the work required practical experience following precedents, rather than more rounded knowledge of contracting concepts and principles. This limitation, coupled with the absence of a career path outside GS-1105 positions, along with the other usual considerations governing series determinations, precluded classification to the GS-1102 series.

The GS-1300 job family standard mentions property value and production cost estimates among its work examples but does not mention dollar value in its classification criteria. Unlike the Attorney standard, which directly assesses dollar value, or the procurement standards, which reference the dollar amount of purchases, the GS-1300 standard, like many other classification standards, avoids linking grading criteria to monetary values. Although dollar value sometimes is used as a criterion to determine work assignments or to establish thresholds for requiring higher level management reviews, except for a few standards (e.g., besides the above, the GSSG), it typically is not used as a grade evaluation criterion since it is subject to inflationary trends and other variances that make it unsuitable for directly determining the scope, responsibility, complexity, or difficulty of work. Instead, more pertinent criteria are expressed in the standards to provide a more direct measure of these factors. In the Geologist appeal, the value of the mineral production and royalties associated with the appellant's program bore indirectly on the difficulty and complexity of his assignments. The standard provided criteria that more directly assessed these two aspects of the work. When measured against these criteria, his work was otherwise indistinguishable from other programs in the office at the same grade level dealing with less valuable resources.