

United States Office of Personnel Management

# DIGEST OF SIGNIFICANT CLASSIFICATION DECISIONS AND OPINIONS

No. 14 December 1990

> Office of Merit Systems Oversight & Effectiveness

> > Main Menu Help Screen

## Note to Readers

The guidance in this issue is still applicable and useful in classifying positions in the Federal government. However, there may be references to names and addresses of organizations within the U.S. Office of Personnel Management that have changed, names of individuals no longer employed at the Office of Personnel Management, or documents such as the Federal Personnel Manual that no longer exist.

For the December 1997 HRCD-4 release, the Office of Classification Appeals and Fair Labor Standards Act Programs made minor, nonsubstantive edits to Digest issues 1 through 19. For example, acronyms and abbreviations were spelled out in many places, references to law and regulation were expanded, typographical errors were corrected, leading zeros were added to 3-digit series numbers, outdated prefaces have been deleted, and the issuance date were added to the header of each page. Because of the change from the original paper version to an electronic format, the page numbers in Digest issues 1 through 19 and other references, such as the General Schedule classification standards and Federal Wage System job grading standards, now available electronically may have changed. In issues 1 through 19, where there is a reference to a page, we either eliminated the page reference or updated the page number with the page number of the electronic version. Beginning with issue 20, pages references are to the electronic version only. Please note that pages numbers may change when a file is printed depending on the format and printer used.

The Office of Classification Appeals and Fair Labor Standards Act Programs is responsible for the content of the Digest. We be reached by telephone at 202-606-2990, by fax at 202-606-2663, or by email at ADOMSOE@OPM.GOV.

Digest issues are also available on the Office of Personnel Management's website and electronic bulletin board. The website address is http://www.opm.gov and the electronic bulletin board is OPM ONLINE. Using a modem, dial OPM ONLINE at 202-606-4800. Long distance telephone charges may apply.

Standards:	<b><u>Budget Analysis Series, GS-0560</u></b> (July 1981) and
	Budget Clerical and Assistance Series, GS-0561 (March 1983)
Factor:	Series selection
Issue:	Whether work was properly covered by the GS-0560 or GS-0561 series

## Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's consideration of a classification appeal. The appellant performed various budget functions and other duties. Her budget functions included developing the part of her unit's annual budget and projected budget for the next 3-10 years that concerned supplies, equipment, travel, training, contract maintenance, and other such matters. The issue was whether these functions were properly covered by the Budget Analysis Series, GS-0560, or by the Budget Clerical and Assistance Series, GS-0561.

# Resolution

To be placed in the two-grade-interval GS-0560 series rather than the one-grade-interval GS-0561 series, budget work must clearly and primarily require a high level of skill in analytical reasoning combined with a thorough knowledge of the underlying principles, methods, and techniques of budgeting equivalent to that acquired through a pertinent baccalaureate education.

The appellant and her agency made various positive statements relating to her analytical skills and knowledge of budget methods and techniques. With respect to these statements, some skill and knowledge as described in the preceding paragraph may have been desirable in performing the appellant's budget work. Further, she may have possessed some such skills and knowledges. However, her budget work did not clearly and primarily require all the skill and knowledge discussed in the preceding paragraph, as indicated by the following points:

1. The appeal file and an audit provided many examples of the appellant's methods and techniques. These examples indicated that she used cost-benefit analysis, management by objectives (MBO), depreciation, and inventory replacement theory in her work. However, she did not regularly use the more complex aspects of these four techniques, where those aspects clearly required a high order of analytical skill and thorough knowledge of underlying budgeting principles. Further, she did not regularly use program evaluation review technique (PERT), decision theory, linear programming, probability theory, linear

regression, or amortization. Finally, she did not regularly use any other formal budgeting method or technique that clearly required great analytical skill plus thorough knowledge of underlying budgeting principles.

2. The appellant's budget was roughly \$500,000, a relatively modest amount in the context of an agency budget. Her unit was fairly small, and the budget she worked with was only part of the total unit budget. Though her budget involved many line items, it involved only about 25 object classes. Finally, though the appellant made budget projections for several years in advance, her unit's program was funded on a yearly basis. These and other points indicated that her budget involved a relative lack of scope and complexity.

Based on the above analysis, the appellant's budget work could not be placed in the GS-0560 series. This conclusion was supported by exclusion 5 of the GS-0560 standard. According to the exclusion, nontrainee positions evaluated below GS-9 are excluded from the GS-0560 series. The appellant's was a nontrainee position. The Office of Personnel Management's classification decision found that it was properly graded at GS-7 whether the criteria in the GS-0560 or GS-0561 standard were applied.

The appellant's budget work resembled that described in the series definition of the GS-0561 standard. For example, her work required practical understanding and skill in applying administrative rules, regulations, and procedures associated with recording, reporting, processing, and keeping track of budgetary transactions. Therefore, the work was best covered by the GS-0561 series.

Standard:	Supervisory Grade Evaluation Guide, Part I
Factor:	Factor III, Element 2, Variety
Issue:	Crediting Variety for related work GS-0460

This article was deleted in August 1994 because of the issuance of the General Schedule Supervisory Guide (TS-123, dated April 1993), which superseded the Supervisory Grade-Evaluation Guide, issued in January 1976 (TS-23) and the Draft Grade Evaluation Guide for White Collar Supervisors, issued in 1991.

Standard:	Supervisory Grade-Evaluation Guide, Part II
Factor:	Factor III, Managerial Aspects
Issue:	Clarification on crediting this factor GS-0460

This article was deleted in August 1994 because of the issuance of the General Schedule Supervisory Guide (TS-123, dated April 1993), which superseded the Supervisory Grade-Evaluation Guide, issued in January 1976 (TS-23) and the Draft Grade Evaluation Guide for White Collar Supervisors, issued in 1991.

Standard:	Equal Employment Opportunity Series, GS-0260 (November 1980)
Factor:	Factor I, Knowledge Required by the Position
Issue:	Whether dealing with "systemic problems" requires evaluation at Level 1-8

# Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's processing of a classification appeal submitted by an Equal Employment Manager, GS-0260-12. The agency and the appellant agreed on all factors except Factor 1, Knowledge Required by the Position. The appellant believed that she met Level 1-8 because she was concerned with systemic problems as well as case-oriented problems, and systemic problems are not explicitly mentioned in Factor 1 descriptions until Level 1-8. The Office of Personnel Management had to decide whether dealing with systemic problems required evaluation of the position at Level 1-8.

## Resolution

The Office of Personnel Management found that the resolution of systemic problems, in and of itself, did not necessarily mean that Level 1-8 was met. Indeed, Benchmark GS-0260-12-01 provides evidence that dealing with systemic problems can be found in a position where Factor 1 is properly evaluated at Level 1-7. In this example, Factor 1 states that the equal employment manager develops staff recommendations to management on management actions, employment practices, and conditions that constitute barriers to equal employment opportunity. Factor 3 of this benchmark position makes it clear that the reference is to defining systemic barriers to equal employment opportunity and the development of local actions to eliminate them. Factor 4 explicitly states that the equal employment manager plans, directs, and systematically evaluates the equal employment opportunity program which is oriented toward identifying the underlying causes of equal employment opportunity problems as well as resolving complaints and solving day-to-day problems. Factor 5 also specifies that the equal employment manager makes recommendations to solve systemic equal employment opportunity problems. Accordingly, the position described in this benchmark is clearly involved in dealing with systemic problems and is credited at Level 1-7.

The difference between Level 1-7 and Level 1-8 in terms of dealing with systemic problems lies not only in the breadth of the program but also in the manner in which the manager deals with such problems. The Office of Personnel Management found that most of the appellant's efforts to deal with the underrepresentation problem were case oriented (e.g., reviewing recruitment actions

as they were received and rewriting SF-171's). The examples provided by the appellant of efforts to deal with problems in a systematic fashion (e.g., a change to the merit promotion plan and reviewing hiring plans) did not display the depth typical of Level 1-8 where the program staff becomes deeply involved in technical personnel administration or management issues. Further, the appellant did not regularly attempt to identify and solve systemic problems through onsite organization reviews by participation in agency management audits or personnel management evaluations as described at Level 1-8. The appellant's EEO program interacted with personnel management functions such as staffing and training but not with the others described at Level 1-8, i.e., labor relations, compensation, and position classification or with other management functions such as budgeting and planning.

The Office of Personnel Management found the knowledge requirements of the appellant's position to be consistent with Level 1-7 where the manager applies managerial and technical EEO knowledges to direct a complete EEO program. More particularly, the appellant's work situation and duties were similar to those of the GS-12 benchmark manager who defines EEO problem areas, identifies reasons for problems, and drafts specific action items to treat the causes of the problems. The GS-12 bench- mark manager analyzes management practices, organizational structures, employment patterns, and lines of progression to determine their impact on EEO and upward mobility. These duties and others in the benchmark were found to be similar to those carried out by the appellant and required the type of knowledge described at Level 1-7. The appellant's position lacked the type of in-depth efforts to identify and solve EEO problems as described at Level 1-8.

Standard:	Job Grading Standard for Supervisors (WS) (August 1982)
Factor:	Factor II, Level of Work Supervised
Issue:	Credit for journeyman level skills for inmates

Although there have been several revisions of the Job Grading Standard for Federal Wage Grade Supervisors, the discussion in this article is still valid.

#### Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's consideration of a job grading appeal. The appeal involved a supervisor of prison inmates in the performance of work in the WG-2805 Electrician Series. The appellant based his appeal on the fact that some of the inmates that he supervised were qualified journeyman electricians and they accomplished various duties and responsibilities without close supervision. As a result, he claimed that the level of work he supervised should be classified at the journeyman WG-10 level rather than the WG-08 level.

#### Resolution

Regardless of ability, inmates were not permitted to use drills, ladders (6 feet or longer), extension cords (10 feet or longer), benders, tube cutters, and other related types of materials and equipment. They did not usually work unescorted in the switch room or in the fence light system, in control rooms, sally ports, telephone room, or other security areas, and were not permitted access to blueprints of any security area. Thus, the inmates worked at less than journeyman level, performing tasks such as reattaching conduit; installing lights and outlets; replacing motors, smoke detectors, and switches; and repairing fixtures and electrical equipment.

The Office of Personnel Management concluded that the WG-08 level was appropriate for the inmates because, irrespective of the possession of journeyman electrician skills by some of the inmates, the restricted assignments fell short of the WG-10 level. As noted in the explanation of the job grading system, trades and labor jobs (like General Schedule positions) are graded considering the actual skill, knowledge, and other requirements of the work *performed*. Accordingly, the Level of Work Supervised was WG-08.

Standard:	<u>Sewage Disposal Plant Operator,</u> <u>WG-5408 (September 1969)</u>
Factor:	N/A
Issue:	Impact of State regulation and licensure requirements on the classification of the job

## Identification of the Classification Issue

This issue arose in a classification appeal to an Office of Personnel Management region. The appellant was a Sewage Disposal Plant Operator, WG-5408. He claimed that the job grading standard for Sewage Disposal Plant Operator, WG-5408, was out of date and that it did not take into account recent changes in laws and regulations pertaining to waste water treatment and sewage disposal plant operation. The appellant also argued that the licensure requirement now imposed by the State warranted additional credit.

#### Resolution

The Office of Personnel Management did identify changes that had taken place in the occupation since the publication of the Sewage Disposal Plant Operator job grading standard. However, these changes did not significantly affect the skill and knowledge requirements, responsibility, physical effort, and working conditions of the position. The grade level criteria in the standard were still valid.

The licensure requirements did make the appellant responsible for the proper operation of the plant. Failure to comply with State law and regulation could subject him to fines, suspension, or possible loss of license. However, it is presumed in all classification standards that the work will be performed properly in accordance with all applicable laws, rules, and regulations. The existence of a requirement for a license and State sanctions for improperly performed work were not shown to add to the difficulty and responsibility of the job.

If it had been shown, for example, that State regulation was so stringent and that the tolerance for the discharge of certain chemicals was so strict that it required skills and knowledges significantly over and above that described in the standard, then it would have been proper to explore additional grade credit. However, since there was no evidence that this was the case, the appeal decision sustained the agency classification.