



United States  
Office of Personnel Management

**DIGEST OF SIGNIFICANT  
CLASSIFICATION DECISIONS  
AND OPINIONS**

**No. 31  
September 2014**

**Merit System Accountability and Compliance**

## Preface

This is the thirty-first issue of the *DIGEST OF SIGNIFICANT CLASSIFICATION DECISIONS AND OPINIONS (Digest)*. In it we present summaries of decisions and opinions that we believe have Governmentwide applicability. It is designed to aid classifiers and others with delegated classification authority in exercising their judgment. For this reason, we have included some articles that address basic principles of position classification and, when possible, provided links to actual decisions.

*Digest* articles summarize significant interpretations that clarify the underlying intent of the classification or job grading standards. However, these articles must be read in context with the standard as a whole, rather than in isolation. Because the *Digest* synopses may not reflect all relevant information bearing on a decision, good judgment in their application is necessary. Some *Digest* synopses draw from several cases and/or related issues. In those instances, the facts in cases linked to the article may not coincide completely. For these reasons, *Digest* items do not supersede or supplement classification standards and do not constitute “case law.” Some articles, which refer to since superseded standards that were in place when the case was adjudicated, are included since the basic classification principles and practices addressed in the article remain in force.

Suggestions for improving future issues of the *Digest* may be made via e-mail to [fedclass\\_appeals@opm.gov](mailto:fedclass_appeals@opm.gov) or by writing to the Classification and Pay Claims Program Manager, Agency Compliance and Evaluation, Merit System Accountability and Compliance, U.S. Office of Personnel Management, Room 6484, 1900 E Street, NW., Washington, DC 20415-0001.

*Digest* issues are available on the U.S. Office of Personnel Management’s (OPM’s) website. The website address is <http://www.opm.gov/policy-data-oversight/classification-qualifications/appeals-decisions/#url=Digests>.

This issue of the *Digest* was edited by Ms. Virginia Magnuson (Atlanta Oversight). Contributions were provided by current and former staff members including Ms. Judy Frenzel (Dallas Oversight), Ms. Linda Kazinetz (Agency Compliance and Evaluation), Mr. Carlos Torrico (San Francisco Oversight), and Mr. Robert Hendler (Agency Compliance and Evaluation). Staff of the Classification and Assessment Policy Group provided technical review and assistance.

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**Article No.** 31-01

**Standards:** Editorial Assistant Series, GS-1087 (April 1973)  
Forestry Technician Series, GS-462 (Dec 1991)  
Environmental Protection Assistant Series, GS-029, (Aug 2002)

**Factor:** N/A

**Issue:** Series determination

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

The appellants' positions were reclassified by the agency from Public Affairs Specialist, GS-1035-9, to Forestry Technician, GS-462-9. The appellants questioned the appropriateness of the new series and believed the position should be classified to the Writing and Editing Series, GS-1082, at the GS-11 grade level.

### **Resolution**

The primary purpose of the positions was to coordinate and facilitate National Environmental Policy Act (NEPA) project planning for an agency district-level operation. The land and resource management plans involved were long-range planning documents for site-specific projects and desired future conditions for the forest. The appellants worked with an interdisciplinary team of resource specialists, reviewing their prepared documents and consolidating them into the appropriate environmental document; e.g., an environmental analysis. They facilitated the documentation portion of the NEPA process while the analytical portions were performed by the resource specialists. OPM determined the work performed was one-grade interval support work requiring a practical knowledge of the NEPA process. It did not require the analysis, evaluation, and presentation of information required by the two grade interval GS-1082 series.

The knowledge, skills, and abilities required for GS-462 series coverage were not required or applied by the appellants in performing their work. The GS-029 series was determined to be most appropriate for the knowledge required and the duties performed. Applying the Grade Level Guide for Clerical and Assistance Work and the GS-1087 standard, both positions were found to be properly classified at the GS-7 grade level.

### **“Back to the Basics”**

For determining occupational series for most positions, the series will represent the primary work of the position, the highest level of work performed, and the paramount qualifications required.

**Link to** [C-0029-07-03](#) and [C-0029-07-4](#)

**Article No.** 31-02

**Standards:** Telecommunications Series, GS-391 (March 1990)

**Factor:** N/A

**Issue:** Nature of the assignment as a limiting aspect for a position

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

The appellant's position was classified as Telecommunications Specialist, GS-391-11. Working at a medical center serving a small geographic area, the appellant administered telecommunications and related services for the center including telecommunications operations and data and equipment management. The telecommunications equipment primarily included the auto attendant and voice mail system, public address system, pocket paging system, and main telecommunications (switch) system. The appellant's position description was a statement of differences, with factor level descriptions, to a full performance GS-12 position. The appellant believed she was performing the GS-12 level duties and requested classification of her position to that level.

### **Resolution**

OPM found that both the appellant's official position description and the GS-12 position description overstated the program's scope and complexity and the duties and responsibilities assigned to the appellant. The duties and responsibilities described pertained to a regional or agency level program beyond the operational scope of the medical center. They included complex system responsibilities typically found at higher levels within the agency, stating that the incumbent prepared resource plans for new agency service levels and equipment capabilities for installation in a variety of operating environments. The position description also indicated that the incumbent developed overall telecommunication plans for a large installation or administrative region having several different operating environments and a full range of telecommunications systems with significant specialized requirements.

OPM determined that the medical center had limited authority for telecommunications equipment decisions. A regional office mandated and funded telecommunications operations. Guidance and specifications for technical equipment used by the medical center were provided by the agency headquarters' telecommunications office. Based on the actual duties and responsibilities currently assigned by management and performed by the appellant, OPM found the incumbent's duties and responsibilities were properly classified at the GS-9 level.

### **“Back to the Basics”**

The mission and functions of an organization can limit the nature of assignment and establish a position management control impacting position classification. The positions that are created to

perform that assigned mission must be consistent with it and must be considered in relation to one another.

**Link to C-391-09-04** [\[PDF\]](#)[\[TXT\]](#)

**Article No.** 31-03

**Standard:** Nurse Series, GS-610 (June 1977)

**Factor:** Factors 2 and 3

**Issue:** Specialty titling and credit for FL 2-4 and FL 3-4

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

The appellant's position was classified as a Clinical Nurse, GS-610-9. She provided nursing care in a medical clinic that functioned as an Ambulatory Care Facility for a hospital. She operated the clinic two days a week. The appellant requested classification as a Nurse Educator, GS-610-10. She also disagreed with the assignment of Level 3-3 because she believed she used a higher level of judgment in interpreting many situations and adapting guidelines on a daily basis.

### **Resolution**

OPM found that, like a Nurse Educator, the appellant provided education, counseling, and advisory information to patients. However, the paramount purpose of her position was to provide nursing care. In contrast, Nurse Educators perform duties entirely or primarily concerned with training or education that typically include assessing educational needs of patients and their families; coordinating, administering, or teaching health classes; preparing lesson plans; and assessing training programs. The appellant's position was properly titled Clinical Nurse based on the primary and paramount functions performed.

OPM found the appellant operated with less freedom than required at Level 2-4, which had been credited by the agency. At this level, the nurse is an expert who works independently, resolves most conflicts, and coordinates with others in a community. Nurses in clinics work within very broad parameters and have an unusual degree of responsibility for planning and performing work in an independent setting. Although the appellant worked with considerable independence, her work was consistent with Level 2-3 at which nurses work in a ward or area of a city and work in accordance with standards and without assistance of the supervisor except on the most unusual problems. In the appellant's clinic, a Medical Officer and two Physician Assistants were always available for guidance and assistance. Additionally, the Medical Officer had to review files and sign off before the appellant could give contraceptive injections. The work was reviewed for technical soundness, appropriateness, and conformity to policy and nursing requirements. The position was properly credited at Level 2-3.

The appellant's work did not meet Level 3-4 at which only general administrative policies and precedents exist and nurses perform research to develop new methods, criteria, or proposed new policies. In contrast, the appellant worked within guidelines that required some interpretation and adaptation, but were more specific than administrative policy. These guidelines included clinic and hospital guidelines and procedures, specific medical officer orders, nursing procedures manual, agency medical instructions, memoranda, and standing orders. She conducted literature

research to provide appropriate patient assessments rather than to develop new methods. The position was properly evaluated at Level 3-3.

**“Back to the Basics”**

Each position performs part of the mission of the organization in which it is located. The functions assigned to each position affect the potential classification of other positions. In this case, the responsibilities vested in other medical positions in the clinic and the placement of the clinic in the medical system program hierarchy limited the factor levels assignable to the appellant’s position.

**Link to C-0610-09-01 [\[PDF\]](#) [\[TXT\]](#)**

**Article No.** 31-04

**Standard:** Air Traffic Control Series, GS-2152 (June 1978)

**Factor:** N/A

**Issue:** Need to review entire grading criteria in narrative standards

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

The appellants occupied identical additional positions classified as Air Traffic Controller (Terminal), GS-2152-11. The positions, formerly classified at the GS-13 grade level, were downgraded by the installation following a consistency review resulting from an agency appeal decision on another position at the same installation. The appellants disagreed with the installation's action and appealed to their agency, which sustained the installation's classification determination. The appellants then filed an appeal with OPM. They based their primary arguments on an increase in air traffic count and the complexity of the airspace controlled.

### **Resolution**

OPM found the appellants' work was covered by Part II of the GS-2152 standard because they controlled air traffic within a terminal area which included surrounding special use airspace. Part II uses two primary factors to evaluate jobs: the knowledge, skills, and abilities required; and the complexity of the control environment. These factors are considered in conjunction with the type of facility operated; i.e., non-approach, non-radar approach, limited radar approach, and radar approach control terminals. Part II also provides instructions for determining the traffic density for each type of operation. The complexity of controlling air traffic is most significantly influenced by the demands that the density and congestion of aircraft place on the skills, abilities, and judgment of the controller.

In addition to the terminal airspace and the surrounding special use areas, the installation had delegated responsibility from the FAA for enroute traffic for an approximately 70 by 100 nautical mile area east to west, crossing through the terminal and special use airspace and going up to 23,000 feet. Based on the agency's reported Instrument Flight Rules (IFR) traffic count, this enroute traffic accounts for approximately one third of the IFR operations reported. Traffic density is calculated and factored differently for Part II and Part III, the latter which covers Air Traffic Control Centers. Part III indicates that enroute traffic may only involve traffic passing through the airspace without requiring the terminal controllers to sequence the aircraft into or out of the terminal's airspace. Including this traffic may result in an erroneous count for the terminal positions.

Under the complexity factor for Part II, radar approach control terminal instrument operations regularly range up to 19 per hour at the GS-11 level. At the GS-12 level, the controller is regularly faced with peaks of heavy traffic requiring greater coordination and precision.



Typically, GS-12 controllers handle from 20 to 59 hourly instrument operations, further intensifying the complicating environmental and operational factors described at that level.

At the time of the appeal to the agency that generated the consistency review, the traffic density at the installation was 19.7 instrument operations per hour. In subsequent appeals to the agency and OPM, the agency reported traffic counts of 20.1 and 26.9, with 29.5 for the 12-month period immediately prior to the OPM decision. OPM found that although the later traffic density numbers met the minimum level of the range described at the GS-12 level, the complexities of the control environment involved and the knowledge and skills required, as described at that level of the standard, were not fully met. Thus, OPM sustained the GS-11 grade level.

### **“Back to the Basics”**

In determining grade level, all aspects of the standard must be considered. Despite air traffic counts at the installation, the GS-12 grade level could not be credited because the overall environmental criteria of that level were not present.

**Link to C-2152-11-04 [PDF][TXT]**

**Article No.** 31-05

**Standard:** Job Family Position Classification Standard for Administrative Work in the Information Technology (IT) Group, GS-2200 (May 2001)

**Factor:** N/A

**Issue:** “Policy and Planning” parenthetical title

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

The appellant’s position was classified as Information Technology Specialist (Systems Analysis/Applications Software), GS-2210. He coordinated the development and revision of software standards for agency IT systems and audited software development projects to ensure compliance with the standards. He believed the parenthetical specialty title of his position should be “Policy and Planning.”

### **Resolution**

The “Policy and Planning” specialty title is appropriate for positions that involve “a wide range of IT management activities that typically extend and apply to an entire organization or major components of an organization.” This includes strategic planning, capital planning and investment control, workforce planning, policy and standards development, resource management, knowledge management, architecture and infrastructure planning and management, auditing, and information security management.

Although standards development and auditing are individual functional components of the overall “policy and planning” specialty, taken in isolation they do not meet its full intent. Standards development is directly linked to policy development. The appellant did not participate in the development of overall IT policy for the agency or perform agency-level IT planning. He developed standards that established the operational parameters for carrying out system development projects within the context of overall IT strategic and capital planning decisions made at higher organizational levels. His role in the standards development process was primarily coordinative, in that technical content was developed by working groups comprised of IT management personnel. His work did not require the same type and breadth of IT knowledge as would be required to perform IT resource planning and policy analysis. Rather, his work required the knowledge associated with the “systems analysis” and “applications software” specialties, which represented the actual processes covered by the standards being developed.

**Link to C-2210-00-01 [PDF][TXT]**

**Article No.** 31-06

**Standards:** Job Family Position Classification Standard for Administrative Work in the Information Technology (IT) Group, GS-2200 (May 2001)

**Factor:** Factor 1, Knowledge required by the position

**Issue:** Crediting of Level 1-9

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

The appellant's position was classified as Supervisory Information Technology Specialist, GS-2210-14. He was responsible for the design, development, operation, maintenance, and continuing expansion of a large scientific database used to manage a nationwide genetic resources collection. He believed his position should be credited at Level 1-9 with subsequent upgrading to the GS-15 level.

### **Resolution**

The database administered by the appellant was a large-scale, long-term project that had evolved through four major versions. It contained over half a million individual records, each of which had over one thousand data elements. Major additional components were in the planning or development stages. The primary database operated on a minicomputer and was accessible to users over the Internet. The appellant's unit had also developed a PC-based version of the software for underdeveloped countries to manage their own genetic resource collections. Other features included a public web portal that enabled users worldwide to dump their data onto the agency server for viewing on the website, and a capability allowing data submission to the agency for inclusion in the primary database. The database design allowed for an unprecedented level of accessibility and sharing of genetic resources data on an international level.

The database had become recognized as the global standard for genetic resources information systems. Numerous foreign national and international programs had either adopted the database or used it as the model for their own systems, and it was being actively promoted by the Food and Agriculture Organization of the United Nations. As a result, the appellant had significant international consultations with other IT experts in advising them on adopting or modifying the system, and in providing ongoing technical support and maintenance to user countries. He had also advised top IT and management personnel in other Federal agencies, foreign governments, and international organizations on the design and development of other specialized scientific databases. The expertise required to develop and manage a database of such size, complexity, and scope and to provide technical and management consultation external to the organization was found equivalent to Level 1-9, and the position was upgraded to the GS-15 level.

**Link to C-2210-15-01[PDF][TXT]**

**Article No.** 31-07

**Standard:** General Schedule Leader Grade Evaluation Guide (June 1998)

**Factor:** N/A

**Issue:** Coverage of the General Schedule Leader Grade Evaluation Guide (GSLGEG)

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

The appellant spent 50 percent of his time coordinating the work of a group of five co-workers who occupied GS-13 level positions and three who occupied GS-12 level positions. The co-workers were facility managers for assigned clean-up sites and informal subject-matter experts in a variety of disciplines depending on their individual education and experience. The appellant asserted his position was covered by the GSLGEG because he performed all of the first seven coaching, facilitating and mentoring duties and a total of 14 of the 20 duties described in Part II. However, the appellant's PD, certified as current and accurate by agency management, described only six of the first seven duties (omitting duty 4) and a total of 13 of the 20 duties listed in Part II of the GSLGEG.

### **Resolution**

OPM found the appellant's position did not meet GSLGEG Part II coverage under which, at a minimum, team leaders must perform all of the first seven coaching, facilitating, and mentoring duties and a total of 14 of the 20 listed duties. OPM agreed with the appellant and the agency that the position was properly credited with performing duties 1, 5, 6, and 7. However, the position failed to fully meet the criteria for duties 2, 3, and 4. Duty 2 could not be credited because each facility manager was responsible for his or her assigned site, including deadlines and timeframes for completion of the steps within the projects. This precluded the appellant from performing the full scope of the program planning and control functions of this duty. Duty 3 could not be credited because the GS-13 co-workers were subject-matter experts who acted with considerable independence. This precluded the appellant from acting as a coach in the selection and application of appropriate problem solving methods and techniques as intended for crediting this duty. Duty 4 could not be credited since the projects were long range and were not balanced, distributed, or changed on a regular and recurring basis.

### **“Back to the Basics”**

Each position performs part of the mission of the organization in which it is located and must be considered in relation to other positions. The facility management authorities and subject-matter expertise recognized in and credited to the appellant's co-workers' positions undermined the appellants' assertion that he performed the minimum functions required for coverage under Part II of the GSLGEG.

**Link to C-1301-13-03** [\[PDF\]](#) [\[TXT\]](#)

<b>Article No.</b>	31-08
<b>Standard:</b>	General Schedule Leader Grade Evaluation Guide (June 1998)
<b>Factor:</b>	N/A
<b>Issue:</b>	Determining base level of work led

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

An agency requested guidance on whether the General Schedule Leader Grade Evaluation Guide (GSLGEG) permitted crediting a GS-14 base level of work led. It asked whether the guide's instructions to exclude from base level consideration work "the grade level of which is based on an extraordinary degree of independence from supervision or personal accomplishment" covered GS-14 nonsupervisory administrative positions. The grade level of those positions depended on the crediting of Level 2-5, and followed the typical factor level pattern for GS-14 administrative work illustrated in *The Classifier's Handbook*.

### **Resolution**

OPM found that the GS-14 positions could not be used for base level purposes. The GSLGEG specifically excludes "work that is graded on an extraordinary degree of independence from supervision." It provides for adjusting the grade of that work for purposes of applying the guide to those grade levels appropriate for performance under normal supervision. This requirement continues previously established OPM classification policy that Level 2-5 is limited to administrative direction and, consequently, represents an extraordinary independence or freedom from supervision. Where Level 2-5 is the grade-determining factor for a position, the resultant grade level cannot be used for determining the base level of work led in applying the GSLGEG. Similar adjustments must be made when reviewing positions covered by narrative standards for base level purposes.

The purpose of the GSLGEG is to evaluate the demands of performing a range of coordinating and supporting duties and responsibilities. Employees who operate at Level 2-5 work under administrative supervision and are responsible for independently planning, designing, and carrying out programs, projects, studies or other equivalent work. The work is considered technically authoritative and is primarily reviewed for such matters as fulfillment of program objectives, the effect of advice and influence on the overall program, or the contribution to the advancement of technology. This level of authority and responsibility does not lend itself to application of the coordinative and other supporting functions described in the GSLGEG.

### **"Back to the Basics"**

Leadership and supervision occupy points along a continuum from nonsupervisory to managerial work. When a subordinate position functions under administrative supervision, the range of leadership duties that can be exercised over it are also limited.

**Article No.:** 31-09

**Standards:** Job Family Position Classification Standard for Administrative Work in the Information Technology Group, GS-2200 (May 2001)  
General Schedule Supervisory Guide (GSSG, June 1998)

**Factor:** Factors 1, 3, and 5

**Issue:** Distinguishing between Level 1-2 and 1-3  
Crediting work performed by contractors

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

The position was classified as Supervisory Information Technology Specialist (INFOSEC), GS-2210-12, and assigned to the Security Division, one of seven divisions in an IT business center serving a major military installation. As the division chief, the appellant was responsible for directing and managing the information systems security for the computer network used by the installation and its tenant organizations. His staff consisted of three IT Specialists, GS-2210-11, one IT Specialist, GS-2210-9, and one Computer Assistant, GS-335-6. This staff was supplemented by two contract workers. The appellant believed the addition of these contract workers added to his responsibilities and warranted classification to the GS-13 level for two reasons: the contract workers were paid at a rate equivalent to the GS-12 and 13 pay levels, and one contract worker was titled team leader.

### **Resolution**

The position's program direction met Level 1-3a, *Scope*, based on supervising complex administrative work that ensured the security and integrity of the computer network serving the installation, its two sub-installations, and tenant organizations. The installation met the GSSG definition of a multi-mission installation; i.e., one having two major command headquarters, a major medical center, a garrison, and service schools. However, the position did not meet Level 1-3b, *Effect*. The work directed by the appellant involved assuring only the security aspects of the information technology systems in place at the installation. This does not fully meet the broader degree of administrative services typical of the Level 1-3; e.g., the full range of personnel, budget, IT services, facilities management, or similar services. To assign a level, both scope and effect must be met. The position was credited with Level 1-2.

The appellant's position met Level 3-2c. However, it did not meet Level 3-3b; i.e., all or nearly all of Level 3-2c responsibilities and at least eight 8 of the 15 responsibilities listed under Level 3-3b. To be credited with responsibilities 1, 3, 5, 6, and 8, supervisors must exercise these responsibilities through two or more subordinate supervisors, team leaders, or comparable personnel. Those subordinate personnel must spend 25 percent or more of their time on a regular and recurring basis performing leadership duties. While one contract worker in the appellant's organization was designated as a team leader, this individual did not perform duties that would warrant designation as such under applicable classification standards. Further, the appellant's organizational workload of seven staff years was not so large and its work not so complex that it required using two or more subordinate supervisors, team leaders, or comparable personnel to

direct the work. OPM determined the appellant's position exercised only three of the 15 Level 3-3b responsibilities and functioned as a first-level supervisor.

The appellant questioned the agency's determination of the GS-11 equivalency for the contractor work under Factor 5 and believed that work should be credited at a grade level equivalent to the rate of pay. The record showed the contract vendor set pay rates based on the Statement of Work developed for the position by the agency and the Department of Labor's published wage determinations. OPM found the agency had properly used position classification standards to evaluate the contractor work since the GSSG requires this assessment based on determining the difficulty and complexity of the work performed. OPM agreed the contractor work was equivalent to the GS-11 grade level for determining the difficulty of work led under Factor 5.

**[Link to C-2210-12-01 \[PDF\]\[TXT\]](#)**