

**CLASSIFICATION APPEAL DECISION  
U.S. OFFICE OF PERSONNEL MANAGEMENT  
CHICAGO OVERSIGHT DIVISION**

INCUMBENT: **[Appellant]**

POSITION NUMBER: FO1508

AGENCY CLASSIFICATION: Supervisory Medical Technologist  
GS-644-12

POSITION LOCATION: U.S. Department of Justice  
[Installation]  
[Activity]  
[City, State]

OFFICE OF PERSONNEL **Supervisory Medical Technologist**  
MANAGEMENT DECISION: **GS-644-12**

**OPM decision number:** C-0644-12-01

This appellate decision constitutes a certificate that is mandatory and binding on administrative, certifying, payroll, and accounting offices of the Government. It is the final administrative decision on the classification of the position, not subject to further appeal. It is subject to discretionary review only under the conditions and time limits specified in Part 511, Subpart F, of Title 5, U.S. Code of Federal Regulations.

/s/

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FREDERICK J. BOLAND  
CLASSIFICATION APPEALS OFFICER

12/24/96

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DATE

## INFORMATION CONSIDERED

- ▶ Appellant's memorandum of April 1, 1996, stating his reasons for appeal.
- ▶ Agency letter of April 30, 1996, transmitting the appellant's appeal and responding to his claims, and its enclosures.
- ▶ Copy of the official description of the appellant's position.
- ▶ Copy of the official description of the appellant's supervisor's position.
- ▶ Copies of the official descriptions of the positions supervised by the appellant.
- ▶ Copy of the appellant's performance standards.
- ▶ Copy of the organization chart and functional statement for the [activity].
- ▶ Telephone discussion of the position's duties with the appellant on July 24, 1996, and with the Medical Center classifier on December 10, 1996.

## EVALUATION CRITERIA

- ▶ OPM *Medical Technologist, GS-644, Series* position classification standard, dated May 1984.
- ▶ OPM *General Schedule Supervisory Guide*, dated April 1993.

## INTRODUCTION

The appellant contests his agency's decision classifying his position, number FO1508, as Supervisory Medical Technologist, GS-644-12. The position is located in the [Activity], [Installation], Department of Justice, [City, State]. The appellant previously appealed the classification of his position to Headquarters, Department of Justice, and was denied the requested upgrade.

He agrees that his official position description accurately reflects his major duties, but believes the scope and effect of his work warrants higher credit (Factor 1 of the *General Schedule Supervisory Guide*).

## JOB INFORMATION

As Laboratory Services Manager, the appellant directs a 14 member staff, which includes 3 GS-11 and 7 GS-9 Medical Technologists, 3 GS-7 Medical Technicians, and a Secretary. The [Activity] provides a wide range of diagnostic laboratory testing services to the [Installation] in [City]. The

[Installation] provides medical, surgical, psychiatric, and outpatient services to a constantly changing population of approximately 1,000 inmates. The [Activity] supports the [Installation] by providing such testing services as specimen collection, hematology, coagulation, immunohematology, serology, chemistry, microbiology, histology, and urinalysis.

The [Activity] also conducts tests on a reimbursable basis for inmates at about 30 other BOP installations on an as-needed basis (e.g., court ordered tests to determine paternity). To recover expenses involved in such tests, the appellant compiles workload statistics, cost information, and similar data. He also performs ancillary duties such as serving as the laboratory representative on various committees and recommending or commenting on policy proposals and procedures to BOP's National Health Services Administrator and other upper-level medical administrative staff.

## **ANALYSIS AND FINDINGS**

### **Series and Title Determination**

The appellant supervises both Medical Technologist, GS-644, and Medical Technician, GS-645, work. Mixed series work is classified in the dominant series. Because the paramount requirement of the position is professional knowledge and competence in the field of medical technology, and because its reason for existence, organizational function, line of promotion, and typical recruitment sources relate to professional rather than technical medical work, the position is classified in the GS-644 series, which includes positions that supervise laboratory testing services provided to a medical community, involving integrated diagnostic testing procedures. The prescribed title for supervisory positions in this series is *Supervisory Medical Technologist*.

### **Grade Determination**

The appellant's supervisory and nonsupervisory work must be evaluated separately because the same classification criteria do not apply to both. The overall grade of his position is the higher level of either supervisory or non-supervisory work. Work demanding less than a substantial (at least 25 percent) amount of time is not considered in classifying a position.

The *General Schedule Supervisory Guide* (GSSG) is used to evaluate his supervisory duties and responsibilities, as they meet the guide's coverage criteria (i.e., the supervisory duties require the accomplishment of work through combined technical and administrative direction of others, demand a substantial amount of time, and involve at least the minimum level of supervisory authority specified in Factor 3 of the guide). The Medical Technologist, GS-644, standard is used to evaluate medical technology work that the appellant personally performs. Such work can be graded no higher than the GS-12 grade already assigned to his supervisory duties unless it involves applying new scientific/technological developments and theories to major problems not susceptible to treatment by accepted methods, or has significant impact on existing agency/national policies and programs. The appellant's work does not regularly demand such expertise in Medical Technology.

The GSSG uses a point-factor evaluation approach where the points assigned under each factor must be fully equivalent to the factor-level described in the guide. If a factor is not equivalent in all respects to the overall intent of a particular level described in the GSSG, a lower level point value must be assigned, unless the deficiency is balanced by an equally important aspect that meets a higher level.

## **Factor 1: Program Scope and Effect**

*This factor measures the general complexity, breadth, and impact of the program areas and work directed, including its organizational and geographic coverage. It also assesses the effect of the work both within and outside the immediate organization. All work for which the supervisor is both technically and administratively responsible, including work accomplished through subordinates or contractors, is considered. To receive credit for a given level, the separate criteria specified for both scope and effect must be met at that factor level.*

### **Subfactor 1A: Scope**

*Scope addresses complexity and breadth of the program or work directed, including the geographic and organizational coverage within the agency structure. It has two elements: (a) the program (or program segment) directed and (b) the work directed, the products produced, or the services delivered. Scope includes the geographic and organizational coverage of the program or program segment.*

Level 1-2 of the GSSG covers the direction of administrative, technical, complex clerical, or comparable work that has limited geographic coverage and supports most of the activities of a typical agency field office, a small to medium sized military installation, or comparable activities within agency program segments.

Level 1-3 covers the direction of a program segment performing administrative, technical, or professional work where the program segment and work directed encompass a major metropolitan area, a state, or a small region of several states; or when most of an area's taxpayers or businesses are covered, coverage comparable to a small city. Providing complex administrative or professional services directly affecting a large or complex multi-mission military installation, or an organization of similar magnitude, is also characteristic of this level. Level 1-3 is the highest level that the guide credits for less than bureauwide or entire field establishment-wide responsibilities.

The appellant believes the professional and technical work that he directs reflects all the elements of Level 1-3.

The Laboratory performs diagnostic tests for inmates from federal prisons across the country who have been ordered to undergo such tests or who are transferred to the [Installation] for treatment. The geographic area serviced by the [Installation] thus meets the geographical criterion of Level 1-3 scope. Level 1-3 criteria are explicit only regarding the geographic aspect of scope. The work the

appellant directs must be further evaluated against the three illustrations on pages 11 and 12 of the GSSG, in order to determine whether other key aspects of Level 1-3 Scope, like organizational coverage, are also met. The first illustration pertains to managing substantive projects throughout a region, such as the civil works projects engineering organizations might carry out. The second pertains to furnishing a *significant portion* of an agency's line program directly to the general public. The third pertains to providing administrative services (personnel, supply management, budget, facilities management, or the like) to an organization or group of organizations like large or complex multimission military installations. Of the three, the second is most relevant to the appellant's program, which provides laboratory services to an incarcerated population.

The [Installation] delivers a range of health services to inmates through its medical staff. The [Activity] has responsibility for a segment of these health services and the appellant is responsible for an important, but quite limited, part of the overall services and organization. The organization he supervises is notably small in size and lacks any significant subordinate structure of its own. Although a critical service, the diagnostic testing performed by the [Activity] constitutes but a small portion, rather than significant portion, of the agency line program.

We evaluate Scope at Level 1-2.

### **Subfactor 1B: Effect**

*Effect addresses impact of programs, products, or correctly performed work both within and outside the agency.*

At Level 1-2, services significantly affect installation level or field office operations and objectives. (Directing budget, supply, protective, or similar services for a small base without extensive research, testing, or similar missions meets this level.)

At Level 1-3, activities, functions, or services directly and significantly affect a wide range of agency activities, other agencies, outside interests, or the general public. At the field activity level (involving large, complex, multi-mission organizations and/or very large serviced populations) the work directly entails the provision of essential support services or products to numerous, varied, and complex technical, professional, or administrative functions.

The [Activity's] properly performed work affects the [Installation's] operations and objectives, as at Level 1-2. The [Activity] supports at least 16 medical disciplines (including Anesthesiology, Dermatology, Gastroenterology, General Practice, Geriatrics, Hematology, Infectious Diseases, Internal Medicine, Nephrology, Neurology, Ophthalmology, Pathology, Physical Medicine, Psychiatry, Radiology, and Surgery) practiced at the [Installation]. Its properly performed work enhances the diagnostic capabilities of medical staff, but does not directly and significantly affect a wide range of agency (Justice) activities or outside interests, nor does it involve administrative services, like budget or personnel. Therefore, any further effect of the work must be assessed against the population criterion of the pertinent illustration in Level 1-3. As noted in that illustration, the

serviced population may be concentrated in one specific geographic area, or as in the case at hand, be distributed over a multistate area, depending upon the complexity and intensity of the service itself. The population must be at least moderate in size, e.g., equivalent to a portion of a larger metropolitan area.

The population directly and significantly affected by the [Activity's] work falls within the 31,000 range, which, based upon Fiscal Year 1996 figures, annually includes approximately 16,000 inmates who require hospitalization at the [Installation] and about 15,000 additional inmates for whom diagnostic tests are required. A population of 31,000 is readily comparable to the Level 1-2 population range credited in other appeal decisions, e.g., a Supervisory Social Insurance Administrator servicing about 20,000 applicants and claimants annually and a Supervisory Inspector whose staff screens nearly a million visitors annually, but significantly affects only about 45,000 aliens. Level 1-3's pertinent illustration refers to a moderate-sized population of clients, equivalent to a small city, a portion of a larger metropolitan area, or a group of citizens in several rural counties. For the purposes of the GSSG, such a population is typically regarded as being much larger than the roughly 31,000 inmates per year requiring the [Activity's] services.

In further support of his claim to Level 1-3, the appellant cites his role as Chairperson of the [Activity] Workgroup under the Medical Director for the Bureau of Prisons and his provision of technical expertise and assistance to the Bureau's Medical Director regarding policies and issues (including preparing policy drafts for the Medical Director), his recommendations about credentials and certifications needed by BOP laboratories and laboratory personnel, as well as guidance he offers to institution, regional, and Central Office personnel. His assistance in these functions constitutes personally performed work that is properly evaluated against the GS-644 standard. As noted earlier, the work does not involve applying new scientific/technological developments and theories to major problems not susceptible to treatment by accepted methods. It does not significantly impact Justice policies and programs. Consequently, it can be no higher graded than the appellant's supervisory duties.

The appellant also claims his work affects other agencies as at Level 1-3. He stresses that he answers inquiries from at least five other Federal agencies [including the Food and Drug Administration, Centers for Disease Control, Health Care Financing Administration (HCFA), Department of Veterans Affairs, and the Joint Commission on Accreditation of Health Care Organizations], often concerning the [Activity's] compliance with regulations. He also notes that the Federal Bureau of Investigation and state agencies depend upon the accuracy of tests conducted by his lab for criminal investigations or paternity cases involving inmates. Such contacts with outside agencies do not entail the same direct and significant impact of Level 1-3 programs that, as part of their mission, provide construction, housing, maintenance, health, protection, or comparable services to other agencies. The [Activity's] mission is limited to supporting BOP needs, rather than the diagnostic testing needs of other agencies, which have neither a requirement nor contract to make use of the [Activity's] services.

We evaluate Effect at Level 1-2.

To receive credit for the factor at Level 1-3, the work directed must fully meet both Level 1-3 Scope and Level 1-3 Effect. The appellant's work meets only Level 1-2. Therefore, we evaluate this factor at Level 1-2 and credit 350 points.

## **Factor 2: Organizational Setting**

*This factor considers the organizational position of the supervisor in relation to higher levels of management (the rank of the person to whom the supervisor reports for direction and appraisal).*

Under this factor, if the position being classified reports directly to a Senior Executive, flag officer, or the equivalent, it receives Level 2-3 credit. If not, but the second-level supervisor of the position being classified is a Senior Executive, flag officer, or the equivalent, it receives Level 2-2 credit. A position reporting to more than one individual is considered to report to the individual who appraises his performance.

The appellant's performance is rated by the GS-14 Associate Warden and reviewed by the Warden, a Senior Executive. Therefore, we evaluate this factor at Level 2-2 and credit 250 points.

## **Factor 3: Supervisory and Managerial Authority**

*This factor covers the delegated supervisory and managerial authorities that are exercised on a recurring basis.*

The GSSG provides three alternative sets of criteria under which Level 3-2 credit is possible. The third of these options (cited in paragraph 3-2c of the guide) specifies ten authorities and responsibilities characteristic of supervisors functioning at this Level; the appellant exercises the required number of these authorities in overseeing his work unit and thereby meets Level 3-2.

The GSSG specifies two alternative methods through which a position can meet Level 3-3. The first of these, Level 3-3a, essentially concerns managerial positions closely involved with high level program officials in the development of overall goals and objectives. Managers at this level typically direct the development of data to track program goals, secure legal opinions, prepare position papers or legislative proposals, and execute comparable activities. The appellant lacks significant responsibility in Level 3-3a areas since such responsibilities belong to higher level positions than his own.

Level 3-3b describes 15 supervisory authorities that exceed in complexity and responsibility the 10 depicted under paragraph 3-2c. Under this alternate provision, a position can be credited at Level 3-3b if, in addition to exercising all or nearly all the Level 3-2c authorities, it also exercises at least 8 of the 15 supervisory authorities specified at Level 3-3 b.

Factor 3-3b credits the greater difficulty of supervision stemming from the need for subordinate supervisors to help ensure plans are carried out, policies understood, objectives accomplished,

discipline maintained, etc. This need stems from the organization's complexity rather than from the number of designated supervisors or team leaders. The [Activity] lacks highly complex operations, an unusual rate of change, extraordinary difficulties in training subordinates or assessing their work accomplishments, and similar attributes that might demand a narrow span of control. Its workload and organizational complexity fall short of the minimum level where multiple subordinate supervisors might be needed to oversee work. This weakness, coupled with other shortcomings identified below, preclude crediting the appellant's position with Level 3-3b.

There are at least eight Level 3-3b authorities (numbers 3, 4, 7, 8, 9, 10, 11, and 12) that the appellant does not regularly exercise to a significant degree.

- ▶ Under authority 3, a supervisor ensures equity of both performance standards *and* rating techniques developed by subordinates. Authority 3 requires that subordinate supervisors exercise the formal authority to develop standards. The resulting variation in standards significantly adds to the complexity and difficulty of the second level supervisor's responsibility for equitable performance specifications. However, generic standards developed at higher organizational levels are used to assess technician and technologist performance. Authority 3, therefore, is not fully exercised.
- ▶ Authority 4 requires direction of a program or major program segment with significant resources (for instance, one at a multi-million dollar level of annual resources). The [Activity's] budget for salaries and testing combined is below \$2 million. Therefore, this authority is not exercised.
- ▶ Authority 7 credits making or approving selections for subordinate nonsupervisory positions. The Warden retains selection authority for these positions, which precludes the appellant's exercise of this authority.
- ▶ Authority 8 involves recommending selections for subordinate supervisory and similar positions. The appellant does not directly recommend selection of supervisors to the selecting official. Instead, his recommendations go through the Associate Warden, who approves them prior to their consideration by the Warden. Consequently, this authority is not significantly exercised.
- ▶ Under authority 9, a supervisor hears and resolves group grievances or serious employee complaints. This authority refers to resolving serious (e.g., sexual harassment), rather than common complaints, or group grievances of similar magnitude. Since such disputes are resolved at higher levels than the appellant's, this authority is not credited.
- ▶ Under authority 10, a supervisor reviews and approves serious disciplinary actions (for instance, suspensions) involving nonsupervisory subordinates. As with authority 9, higher level approval is required for serious actions, which precludes crediting the appellant with this authority.



- ▶ Authority 11 requires making decisions on nonroutine, costly, or controversial training needs and training requests. The appellant approves routine training for his staff involving customary costs. Unusual, costly, or controversial training would require higher level approval. This authority is not credited.
- ▶ Authority 12 involves determining whether contractor-performed work meets standards of adequacy needed to authorize payment. None of the [Activity's] service contracts requires technical assessment of substantive, mission related work, e.g., determining the adequacy of methods and procedures used or developed by a contractor conducting diagnostic tests for the Laboratory. Therefore, this authority is not credited.

Given the above limitations on the position, the appellant cannot be credited with significantly and regularly exercising a majority of the authorities listed under Level 3-3b. Therefore, we evaluate this factor at Level 3-2c and credit 450 points.

We evaluate this factor at Level 3-2 and credit 450 points.

#### **Factor 4: Nature and Purpose of Contacts**

*This is a two-part factor that assesses the nature and purpose of personal contacts related to supervisory and managerial responsibilities. The contacts used to determine credit under one subfactor must be the same used to determine credit under the other subfactor.*

##### **Subfactor 4A: Nature of Contacts**

*This subfactor covers the organizational relationships, authority or influence level, setting, and preparation difficulty involved in the supervisor's work. To be credited, contacts must be direct and recurring, contribute to the successful performance of the work, and have a demonstrable impact on the difficulty and responsibility of the position.*

At Level 4A-2, contacts are with higher ranking managers, supervisors, or staff of program, administrative, or other work units and activities throughout the installation. These contacts sometimes require special preparation.

At Level 4A-3, frequent contacts are made with high ranking managers, supervisors, and technical staff at major organization levels of the agency, with agency headquarters administrative support staff, or comparable personnel in other agencies and often require extensive preparation or up-to-date technical familiarity with complex subject matter.

The appellant has regular contact with medical staff outside the [Activity], to provide information regarding laboratory test results, and with higher ranking managers at other installations, such as Health Systems Administrators at BOP facilities. These contacts sometimes require special

preparation in order to explain test results or recommendations. Unlike Level 4A-3, these contacts do not often require extensive preparation of briefing materials.

We evaluate this subfactor at Level 4A-2 and credit 50 points.

### **Subfactor 4B: Purpose of Contacts**

*This subfactor includes the advisory, representational, negotiating, and commitment responsibilities related to the supervisor's contacts credited under the previous subfactor.*

At Level 4B-2, the purpose of contacts is to ensure that information provided to outside parties is accurate and consistent; to plan and coordinate the work directed with that of others outside the subordinate organization; and/or to resolve differences of opinion among managers, supervisors, employees, contractors, or others.

At Level 4B-3, the purpose of contacts is to justify, defend, or negotiate in representing the project, program segment(s), or organizational unit(s) directed, in obtaining or committing resources, *and* in gaining compliance with established policies, regulations, or contracts. Contacts at this level usually involve active participation in conferences, meetings, hearings, or presentations involving problems or issues of considerable consequence or importance to the program or program segment(s) managed.

The appellant's supervisory duties require him to ensure that information provided to others is accurate and consistent and to coordinate the [Activity's] work with the rest of the [Installation]. This is consistent with Level 4B-2. The appellant does not justify, defend, or negotiate and gain outside compliance, as at Level 4B-3.

We evaluate this subfactor at Level 4B-2 and credit 75 points.

### **Factor 5: Difficulty of Typical Work Directed**

*This factor covers the difficulty and complexity of the basic work most typical of the organization directed, as well as other line, staff, or contracted work for which the supervisor has technical or oversight responsibility (either directly or through subordinate supervisors, team leaders, or others).*

The level credited for this factor normally must constitute at least 25 percent of the workload of the organization supervised. Excluded from consideration are:

- ▶ work of lower level positions that primarily support the basic work of the unit,
- ▶ work that is graded based upon the supervisory or leader guides,
- ▶ work that is graded higher than normal because of extraordinary independence from supervision, and

- ▶ work not fully under the supervisor's authority and responsibility as defined under Factor 3.

The agency workload analysis indicates that except for supervisory work, little of the [Activity's] workload is above the GS-9 level. It further indicates that most of the professional workload is at the GS-9 level and thus constitutes at least 25 percent of the nonsupervisory, nonsupport work. A GS-9 base level of work equates to Factor Level 5-5, according to the conversion table on page 24 of the guide.

We evaluate this factor at Level 5-5 and credit 650 points.

### **Factor 6: Other Conditions**

*This factor measures the extent to which various conditions add to the difficulty of supervision. For credit, the condition must be present and dealt with on a regular basis. Positions at Level 6-3 or below are boosted one level if they also meet at least three of the eight special situations described in the guide.*

Level 6-3 provides credit for coordinating technical or complex technician work comparable to the GS-9 or 10 level. Level 6-4 credits complications arising from the supervision of work comparable in difficulty to the GS-11 level *and* requiring substantial coordination and integration of a number of major assignments or projects. (It also credits complications arising from directing lower graded work through subordinate supervisors, who each direct substantial workloads comparable to the GS-9 or 10 level. This does not apply in the appellant's case since, among other things, the Laboratory lacks the prerequisite organizational complexity, as noted under Factor 3.)

As at Level 6-3, the appellant must coordinate GS-9 professional work by ensuring consistency of testing, interpretation of results, conformance with standards, etc. Unlike Level 6-4, the base level of the work is not comparable to the GS-11 level nor does it require the more intensive coordination found at that level.

#### **Special Situations**

When Level 6-3 is credited, a single additional level may be awarded if the position meets three or more of eight *Special Situations*. Six situations that do not apply are numbers 1, 3, 4, 5, 6, and 7, which pertain to variety of work, fluctuating staff or deadlines, physical dispersion, special staffing situations, specialized programs, and changing technology. None of these conditions exists in the [Activity] to the extensive degree required for credit. Consequently no additional credit is warranted.

We evaluate this factor at Level 6-3 and credit 975 points.

**FACTOR LEVEL POINT SUMMARY**

Factor	Level	Points
1	1-2	350
2	2-2	250
3	3-2c	450
4A	4A-2	50
4B	4B-2	75
5	5-5	650
6	6-3	975
	Total:	2800

The above table summarizes our evaluation of the appellant's work. As shown on page 31 of the guide, a total of 2800 points converts to grade GS-12 (2755-3150).

**DECISION**

As explained in the foregoing analysis, the proper classification of the appellant's position is Supervisory Medical Technologist, GS-644-12.