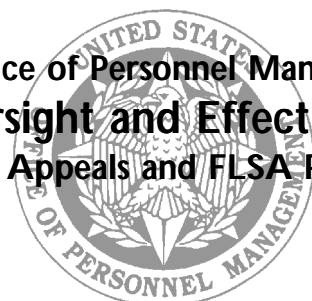


U.S. Office of Personnel Management  
Office of Merit Systems Oversight and Effectiveness  
Classification Appeals and FLSA Programs



Atlanta Oversight Division  
75 Spring Street, SW., Room 972  
Atlanta, GA 30303

**Classification Appeal Decision**  
**Under Section 5112 of Title 5, United States Code**

**Appellant:** [Appellant]  
**Agency classification:** Equal Employment Specialist  
GS-260-11  
**Organization:** Department of the Air Force  
**OPM decision:** Equal Employment Specialist  
GS-260-11  
**OPM decision number:** C-0260-11-01

\_\_\_\_\_  
Kathy W. Day  
Classification Appeals Officer

/s/ 8/25/99  
\_\_\_\_\_  
Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the Introduction to the Position Classification Standards, appendix 4, section G (address provided in appendix 4, section H).

### **Decision sent to:**

[Appellant]

[Civilian Personnel Officer]

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## **Introduction**

On July 13, 1999, the Atlanta Oversight Division, Office of Personnel Management, accepted an appeal for the position of Equal Employment Specialist, GS-260-11, [organizational location], Department of the Air Force, [geographic location]. The appellant is requesting that her position be upgraded to GS-12 with “mediator” included in her position’s title. She also questions the accuracy of the GS-260 series.

The appeal has been accepted and processed under section 5112(b) of title 5, United States Code. This is the final administrative decision on the classification of the position subject to discretionary review only under the limited conditions and time outlined in part 511, subpart F, of title 5, Code of Federal Regulations.

## **General issues**

The appellant contends that the mediation work that she performs in the course of her duties as an Equal Employment Specialist is of such significance that the current grade of her position is inappropriate. She further contends that the agency did not properly consider this work when her position was audited, and their review did not result in any change in the title, series, or grade of her position.

To help decide the appeal, an Oversight Division representative conducted telephone interviews with the appellant on August 11, 1999, and her immediate supervisor, on August 12, 1999. In reaching our classification decision, we have reviewed the audit findings and all information of record furnished by the appellant and her agency, including her official position description, Core Personnel Document [#].

## **Position information**

The appellant, her supervisor, and the agency have certified the accuracy of the position description.

The appellant functions as an Equal Employment Specialist and mediator with responsibility for the processing, resolution, and mediation of complaints of discrimination based on race, color, religion, sex, national origin, age, or handicap in accordance with applicable laws, rules, and regulations for [organization]. In this capacity, she provides Equal Employment Opportunity (EEO) advice, technical assistance, and guidance on matters and issues related to discrimination complaints by employees, applicants for employment, managers and supervisors. She independently performs information gathering, fact finding, and analysis in discrimination complaints of varying degrees of complexity and difficulty; processes informal complaints; prepares written reports on formal complaints and forwards these to the EEO Officer for review; and, when designated, conducts precounseling on class complaints. The appellant also functions as a certified mediator in instances where the parties involved agree to attempt mediation to resolve problems rather than go through the formal complaint process.

The appellant is supervised by the EEO Officer who assigns individual and class complaints and provides guidance and direction on matters related to the processing of allegations of discrimination by employees and job applicants. The appellant independently exercises judgment in planning and carrying out assignments and in selecting the appropriate techniques for completing them. The results of completed work assignments are normally accepted without change.

The appellant's position description and other material of record furnish much more information about her duties and responsibilities and how they are performed.

### **Standard determination**

Equal Employment Opportunity Series, GS-260, November 1980.  
Mediation Series, GS-241, June 1964.

### **Series determination**

The agency placed the position in the Equal Employment Opportunity Series, GS-260. The appellant questions the accuracy of that determination in light of her mediation duties.

The GS-241, Mediation Series, applies only to mediator positions in the Federal Mediation and Conciliation Service and in the National Mediation Board. Therefore, the appellant's position cannot be placed in that series.

The GS-260 series includes positions primarily concerned with developing, administering, evaluating, or advising on the Federal Government's internal EEO program within Federal agencies when the position requires knowledge of Federal EEO regulations and principles; compliance and enforcement skills; administrative, management, and consulting skills; and knowledge of Federal personnel administration. Positions in this series involve investigating, conciliating, negotiating, or consulting activities.

The appellant provides EEO advice, technical assistance, and guidance and serves as an EEO counselor and certified mediator in discrimination complaints. We agree with the agency's determination. The position is properly placed in the GS-260 series.

### **Title determination**

*Equal Employment Specialist* is the official title authorized for nonsupervisory positions by the GS-260 standard. Although there are no specializations, such as mediation, approved for official use in the title, this does not prevent the use of an organizational title reflecting such work for internal administrative or program management purposes if the agency so desires.

## Grade determination

The standard for the GS-260 series is written in the Factor Evaluation System (FES) format. Under the FES, positions are placed in grades on the basis of their duties, responsibilities, and the qualifications required as evaluated in terms of nine factors common to nonsupervisory General Schedule positions.

A point value is assigned to each factor based on a comparison of the position's duties with the factor-level descriptions in the standard. The factor point values mark the lower end of the ranges for the indicated factor levels. For a position factor to warrant a given point value, it must be fully equivalent to the overall intent of the selected factor-level description. If the position fails in any significant aspect to meet a particular factor-level description in the standard, the point value for the next lower factor level must be assigned, unless the deficiency is balanced by an equally important aspect which meets a higher level. The total points assigned are converted to a grade by use of the grade conversion table in the standard. Under FES, positions which significantly exceed the highest factor level or fail to meet the lowest factor level described in a classification standard must be evaluated by reference to the Primary Standard, contained in Appendix 3 of the Introduction to the Position Classification Standards. The Primary Standard is the "standard-for-standards" for FES.

### Factor 1 - Knowledge Required by the Position:

This factor measures the nature and extent of information or facts that a worker must understand to do acceptable work, such as the procedures, practices, rules, policies, theories, principles, and concepts; and the nature and extent of the skills needed to apply this knowledge. In order for any knowledge to be used as a basis for selecting a level under this factor, it must be required and applied in the work of the position being evaluated. The agency credited Level 1-7.

At Level 1-7, equal employment specialists apply comprehensive and thorough knowledge of laws, regulations, Executive orders, court decisions, and issues related to the Federal EEO program, as well as skill to apply this knowledge to a variety of difficult and complex work assignments. The employee must be knowledgeable of the organizational structure, management policies, procedures, and practices of the employing agency; possess a thorough and detailed knowledge of and skill in employing the methods and techniques of fact finding, analysis, and resolution of complex problems, and skill in identifying equal employment problems and developing concrete action plans to solve these problems and advise Federal managers on appropriate courses of action to eliminate barriers to EEO.

At Level 1-8, equal employment specialists apply mastery of the concepts, principles, and methods of Federal EEO to develop broad guidelines or regulations or to conduct projects to resolve complex systemic problems of broad scope (e.g., agency wide). This involves expert knowledge of the problem solving techniques of the field and of the legal framework in which the program operates; and a high level of skill in interpreting and developing guidelines and regulations within

the program area, where accepted methods and principles are questioned or challenged; and negotiating and otherwise resolving unprecedented, broad, difficult, or complex problems. The equal employment specialist at this level must also possess consulting skills to advise Federal managers on broad, complex, and sensitive EEO issues; identify and define systemic barriers to EEO; develop concrete, practical solutions, and assist managers in integrating EEO action into management strategies.

The knowledge required by the appellant is comparable to that described at Level 1-7. The appellant uses a comprehensive knowledge of EEO related laws, regulations, Executive orders, and court decisions to counsel on, process, mediate and negotiate a wide range of discrimination complaints involving employees, job applicants and organizations at [organization]. She must be thoroughly knowledgeable of the organizational structure, management policies, practices, procedures, and requirements of the Department of the Air Force, subordinate commands, and [organization] as they relate to EEO. The appellant's work also requires her to have a knowledge of Federal personnel regulations as they apply to actions such as recruitment, selection, promotion, performance evaluation, etc. The appellant uses a high degree of skill in fact finding, interviewing, analyzing and negotiating to resolve or mediate complex and difficult issues and problems involving allegations and complaints of discrimination that arise at her installation.

Level 1-8 is not met. The appellant's activities do not routinely involve developing broad guidelines or regulations, or conducting projects whose aim is the resolution of complex systemic agency wide discrimination problems. Her work does not require significant interpretation of program guidelines or regulations, or the negotiation of the kinds of broad and complex issues (e.g., agency wide, systemic) typical of Level 1-8. Her regular and recurring work assignments are typically informal complaints of discrimination involving individual employees, organizations, and practices at [organization].

This factor is credited at Level 1-7 for 1250 points.

#### Factor 2 - Supervisory Controls:

This factor covers the nature of and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the review of completed work. The agency credited Level 2-4.

At Level 2-4, the supervisor sets the overall objectives and resources available. The supervisor and the employee collaborate in developing deadlines and approaches to unusual or particularly sensitive problems. The employee exercises judgment in planning and carrying out the assignment and selects the appropriate techniques to complete the assignment. The supervisor is informed when major unexpected problems or significant controversial issues arise. Completed work is reviewed in terms of fulfillment of the assignment objectives within established target dates.

At Level 2-5, the supervisor provides administrative direction and gives assignments in terms of broadly defined missions or functions. This may include setting budget and personnel limits on

the employee's program or project or setting broad policy goals and objectives. The employee is responsible for independently planning, designing, and carrying out assignments. The results of the employee's work are considered technically authoritative and are normally accepted without change. If the work is reviewed, the review concerns such matters as fulfillment of program objectives, or the overall effect of the program.

Level 2-4 is met. The appellant works under the supervisory direction of the EEO Officer who manages the installation's EEO program or the Lead Counselor (a higher grade specialist). They receive, screen, and assign complaints and provide guidance and direction to the Equal Employment Specialists and other staff comprising the [Office]. The appellant is responsible for independently planning and carrying out assignments and selection of the appropriate mediation or negotiation technique for resolving the complaint. The supervisor or the Lead Counselor is advised of any unusual problems or those of significant controversy or sensitivity. The focus of the activity of this office is to mediate or negotiate a settlement of complaints and avoid the formal complaint process if at all possible. In situations where this is not possible, the appellant gathers background information and prepares a final counselor's report for review by the EEO Officer. Completed assignments are reviewed to ensure that documentation is complete, thorough, all issues are addressed and technical questions answered.

Level 2-5 is not met. This level describes independent responsibility for broad programs and authoritative advice that may affect organizational policies. It reflects administrative supervision only with full technical authority delegated to the employee. Typically, this level of authority is accompanied by responsibility for a significant program or function. While the appellant has significant technical responsibility, her supervisor has ultimate program responsibility. The appellant's assignments are typically focused on the resolution of complaints related to discrimination based on race, color, religion, sex, national origin, age, or handicap. The procedures, processes, and techniques for carrying out assignments of this nature are standardized and fairly straightforward, except for the mediation process in which the appellant functions within specific parameters.

This factor is credited at Level 2-4 for 450 points.

### Factor 3 - Guidelines:

This factor covers the nature of guidelines used and the judgment needed to apply them. The agency credited Level 3-3.

At Level 3-3, equal employment specialists perform assignments covered by available guidelines such as laws, Executive orders, regulations, directives, written instructions, and manuals. A number of significant factual situations, issues, and EEO problems which are not covered by the guidelines and for which the guidelines are general, vague, or in conflict are encountered during the assignment. The employee exercises judgment in interpreting, adapting, or extrapolating from existing guidelines to arrive at a finding or conclusion, or to decide to take a particular course of action.

At Level 3-4, equal employment specialists perform work covered by guidelines such as laws, Executive orders, policy statements, and government wide or agency directives. In some instances the guidelines may include broadly stated or incomplete procedural manuals. These guidelines are inadequate in dealing with unusual cases such as developing EEO programs or materially redesigning existing programs to meet new objectives. The employee uses initiative and resourcefulness in extending or redefining guidelines, or deviating from traditional principles and practices.

Level 3-3 is met. The appellant's work assignments are generally covered by available laws, Executive orders, regulations, directives, written instructions, and manuals pertaining to discrimination and associated issues. Her work is primarily focused on the informal complaint process and resolving complaints through mediation or negotiation. Each complaint will involve its own factual and situational differences, issues, and problems for which the guidelines may not be directly applicable. The appellant must utilize her own judgment and initiative in interpreting or adapting the guidelines available to determine the appropriate course of action for the particular issues and problems involved in processing and resolving the complaint.

Level 3-4 is not met. The appellant's assignments occasionally bring her into contact with highly unusual cases where the guidelines are inadequate. However, these situations are not typical of her routine assignments and are not of such a nature that she is required to deviate substantially from accepted practices. In addition, the appellant is not responsible for developing new guidelines, criteria, or methods for carrying out the installation's EEO program.

This factor is credited at Level 3-3 for 275 points.

#### Factor 4 - Complexity:

This factor covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work. The agency credited Level 4-4.

At Level 4-4, equal employment specialists typically perform complete assignments with widely varying duties including the complete cycle of fact finding, problem definition and identification, determining cause and effect relationships, making conclusions, and recommending a decision or proposing action. They usually perform comprehensive analyses of broad policies and practices of complex organizations such as industrial plants or large service organizations. Assignments involve solving complex problems typically characterized by: (1) a large body of interrelated facts; (2) many sources of information (e.g., witnesses to parties to the complaint, files, records, and written and unwritten policies); (3) many of the facts are disputed; (4) facts are hidden and must be reconstructed from statements of persons and records; (5) undefined issues or questions are involved; (6) analysis requires a determination of multiple cause and effect relationships; (7) policies and practices (e.g., hiring and selection, or reentry policies and practices) of an organization must be analyzed in depth; (8) conclusions require interpretation of rules and principles in a variety of situations not specifically covered by the regulations; and (9) parties to



the complaint are reluctant to cooperate. Problems of the type encountered typically have been soluble, but solutions require selection and modification of appropriate methods and approaches used by the office.

Decisions regarding what needs to be done include planning the project or assignment so that essential facts and issues are adequately covered, making modifications in methods and approaches to the problem during the assignment as conditions warrant, and sorting relevant facts from a vast body of information, opinions, and conditions.

At Level 4-5, equal employment specialists perform complete assignments individually or as a team leader involving a wide variety of duties, employing a broad range of fact finding and analytical techniques, and requiring decisions in interpreting varied and complex factual situations in the context of the requirements of laws, regulations, or policies. Assignments are to solve highly complex problems consisting of all or nearly all of the characteristics described at Factor Level 4-4, *and additionally*, generally are characterized by: (1) a large body of disputed interrelated facts that must be reconstructed from circumstantial evidence; (2) rapidly changing conditions requiring consideration of changes over relatively short periods of time (e.g., less than 6 months); (3) issues to be resolved which are important because of their precedent setting nature or because of their impact on the community and on large numbers of persons; (4) broad policies and practices of highly complex organizations which must be analyzed in depth; (5) powerful organizations effected by the case, such as large organizations, civil rights organizations, or unions that vigorously support their interests at each stage of the assignment by challenging facts, and disputing methods, approaches, and principles employed by the equal employment specialist; (6) major parties (typically organizations or persons having considerable resources) who are uncooperative (e.g., they provide misleading or false information, threaten or take legal action at various stages of the case or project, argue the case or issues in the public media, or place roadblocks to access of necessary information); (7) problems are of a type that have been particularly resistant to solutions in the past.

Decisions regarding what must be done include major areas of uncertainty in planning projects, determining the scope of the project, defining issues, determining applicable precedents, laws, or regulations to apply and determining the most effective approach and methodology. Equal employment specialists make major or precedent setting technical decisions concerning enforcement cases that change agency policy, or establish criteria for deciding future cases of the same type, or change fundamental policies and practices of major institutions such as national or regional organizations.

Level 4-4 is met. The appellant's work assignments involve the complete cycle of fact finding, problem definition and identification, determining cause and effect relationships, making conclusions, and recommending a decision or proposing action. She must solve complex discrimination complaints which typically involve a large number of related facts, and sources of information. In a majority of cases, the facts are in dispute by the parties involved or may be hidden and must be developed by obtaining statements from a number of individuals who may not be directly involved in the complaint and are reluctant to cooperate. The appellant makes many

decisions during the course of carrying out her assignments involving identifying issues, defining the problems leading to the complaint, and weighing evidence to arrive at sound conclusions and the appropriate course of action to achieve resolution.

Level 4-5 is not met. Although the appellant's assignments involve a degree of complexity, they do not normally contain the additional characteristics typical of Level 4-5. They do not require her to spend significant time reconstructing factual information from circumstantial evidence nor are they subject to changes in conditions occurring over relatively short periods of time. Her assignments involve the informal complaint process which does not involve cases of a precedent setting nature that would impact a large number of individuals. The appellant's work also does not bring her into contact with powerful organizations, such as civil rights or employee groups, that present obstacles or dispute the facts or methods used at various stages of the process. Additionally, her assignments typically involve issues between individuals rather than recurring longstanding systemic problems which have resisted past attempts at resolution.

This factor is credited at Level 4-4 for 225 points.

#### Factor 5. Scope and Effect:

This factor covers the relationship between the nature of the work (i.e., the purpose, breadth, and depth of the assignment) and the effect of work products, services, or programs both within and outside the organization. The agency credited Level 5-3.

At Level 5-3, equal employment specialists investigate or analyze individual EEO problems and/or recommend or negotiate resolution of the problems. The result of the work is the resolution of individual complaint cases or the presentation of factual information to be used by others in altering agency practice. The work affects specific practices of Federal installations or organizational segments of Federal agencies.

At Level 5-4, equal employment specialists conduct projects to resolve broad, difficult, and complex EEO problems through systematic fact finding, analysis, and consulting efforts. The work results in resolution of a wide variety of problems ranging from individual complaints to elimination of systemic barriers to EEO, such as policies or widespread practices in a segment of a Federal agency. The work affects the equal employment opportunity of many persons.

Level 5-3 is met. The appellant's work involves the investigation and analysis of allegations or complaints of discrimination brought primarily by individuals. Her responsibilities include attempting to resolve these allegations through the mediation or negotiation process. She develops recommendations for resolving these complaints in a manner that will be mutually satisfactory to the party bringing the complaint and the party accused of discriminatory action. Her work impacts the practices of organizations comprising the [organization].

Level 5-4 is not met. The work performed by the appellant does not involve the resolution or elimination of systemic barriers to EEO that are the result of agency policies or widespread

practices. The problems that are the focus of her work are typically the result of actions by individuals against others in the various organizations at the installation. Any resolution at which she arrives through mediation or negotiation normally has limited impact.

This factor is credited at Level 5-3 for 150 points.

Factor 6. Personal Contacts:

This factor includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain. Levels described under this factor are based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting in which the contact takes place. The agency credited Level 6-3.

At Level 6-3, contacts are typically with persons outside the employing agency such as attorneys, equal employment specialists from other agencies, union officials, or community organization representatives. The content of each contact is different and the role or authority of each party is identified and developed during the course of the contact.

At Level 6-4, personal contacts are with high ranking officials from outside the employing agency. These contacts are not normally of a routine or established nature. Contacts may be with heads of Federal agencies, heads of large civil rights organizations, or national officials of large unions or employee organizations. Each contact may be conducted under different ground rules.

Level 6-3 is met. The appellant's personal contacts are with employees, civilian and military managers and supervisors at all levels, and high ranking installation officials. Personal contacts also include members of the installation personnel staff, union representatives, personnel at the Equal Employment Opportunity Commission regional office, attorneys representing the government and parties to complaints, and investigators working complaints that have gone formal.

Level 6-4 is not met. The appellant's assignments do not require that she initiate or normally have contacts with high ranking officials from other Federal agencies, heads of national organizations representing employees, or those concerned with civil rights at the national level.

This factor is credited at Level 6-3 for 60 points.

Factor 7. Purpose of Contacts:

The purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives. The personal contacts which serve as the basis for the level selected for this factor must be the same as the contacts which are the basis for the level selected for Factor 6. The agency credited Level 7-3.

At Level 7-3, the purpose of contacts is to negotiate procedural points, conduct formal interviews (or interrogation) of witnesses or other persons having information on a complaint, or to persuade individuals. The persons may be a party to a complaint, a representative of a party to a complaint, or a representative of an organization challenging the agency's policies. At this level, persons contacted may be fearful, skeptical, or uncooperative, requiring the equal employment specialist to use skill in conducting the meeting to obtain the desired results.

At Level 7-4, the purpose of contacts is to negotiate or conciliate resolutions to highly controversial or major issues, or to justify or defend decisions on major controversial issues. The issues may involve proposals for significant changes in policies or practices, a large monetary settlement, or potentially adverse publicity.

The purpose of the appellant's contacts is comparable to Level 7-3. She negotiates procedural points, conducts formal interviews of witnesses and other parties, persuades individuals, and obtains information essential to complaint cases. The persons contacted by the appellant may be skeptical, fearful, uncooperative, or even hostile. This requires the appellant to use skill in conducting meetings to obtain information needed to satisfactorily mediate or resolve allegations or complaints of discrimination.

Level 7-4 is not met. The appeal record contains no indication that the appellant's normal contacts involve the negotiation or conciliation of highly controversial or major issues, or are for the purpose of justifying or defending decisions on major controversial issues. Her contacts are primarily for the purpose of gathering facts involving issues related to allegations of discrimination complaints and conducting mediations or negotiations to resolve complaints informally. Activities related to highly controversial or sensitive issues and justifying or defending decisions are performed at levels above that of the appellant.

This factor is credited at Level 7-3 for 120 points.

#### Factor 8. Physical Demands:

This factor covers the requirements and physical demands placed on the employee by the work assignment. The agency credited Level 8-1.

At Level 8-1, the regular and recurring work performed involves sitting at a desk, sitting in conferences and meetings, or riding in an automobile or public transportation, etc. No special physical demands are involved in performing the work. However, there may be occasional brief visits to worksites during fact finding.

At Level 8-2, the regular and recurring work requires some physical exertion such as long visits to industrial sites, or extended periods of intensive negotiation or conciliation without rest periods. (For example, this level includes movement over rough or uneven surfaces at an industrial site. Meetings with parties to complaints for intensive conciliation or negotiation for periods of four

hours or longer.) The work requires specific, but common, physical characteristics and abilities such as above average resistance to fatigue.

Level 8-1 is met. The appellant's regular and recurring work typically involves sitting at a desk in an office environment, sitting in conferences and meetings, traveling in an automobile, and occasional visits to worksites for fact finding purposes. The appellant has some assignments requiring transportation to another installation or locality by commercial or military aircraft, or other modes of transportation. There are no special physical demands involved in performing the work.

Level 8-2 is not fully met. The work performed by the appellant does not involve the level of physical exertion typical of long visits to industrial sites, extended periods of intensive negotiation or conciliation without rest periods, or require above average resistance to fatigue typical of Level 8-2. Although she periodically visits aircraft maintenance areas to visit managers and to check the physical layout of the worksite, the amount of time spent in these areas is not substantial. The appellant may be involved in some mediation or negotiation sessions that may last more than four hours. However, sessions of such length are not the norm for this position.

This factor is credited at Level 8-1 for 5 points.

#### Factor 9. Work Environment:

This factor considers the risks and discomforts in the employee's physical surroundings or the nature of the work assigned and the safety regulations required. The agency credited Level 9-1.

At Level 9-1, the regular and recurring work is performed in a work environment that involves normal everyday low risks or discomforts typical of offices or commercial vehicles such as airplanes, trains, or buses. Work areas are adequately lighted, heated, and ventilated.

At Level 9-2, the work involves regular and recurring moderate risks, discomforts, or unpleasant surroundings. This includes fact finding assignments in areas having high levels of noise and vibrations or dust and grease. This level also includes exposure to moderate risks when required to work in parts of industrial sites or similar areas presenting hazards of bodily harm because of exposure to moving parts on machinery, carts or similar vehicles, contagious diseases, or irritant chemicals. Special safety precautions are required and the employee may use protective clothing or gear such as boots, goggles, gloves, or coats.

Level 9-1 is met. The appellant's work environment involves everyday risks or discomforts that require normal safety precautions typical of offices, meeting and training rooms, libraries, residences or commercial vehicles (e.g., use of safe work practices with office equipment, avoidance of trips and falls, observance of fire regulations and traffic signals, safe driving practices, etc.).

Level 9-2 is not fully met. The appellant makes periodic visits to industrial areas (aircraft hangars) as part of her work. During these visits there is some moderate degree of risk associated with being in an area where aircraft are being maintained and repaired (e.g., high levels of noise, vibrations, dust, grease, chemicals, etc.). However, the majority of the work performed by the appellant typically takes place in a standard office, conference or meeting area.

This factor is credited at Level 9-1 for 5 points.

<b>SUMMARY</b>		
<b>FACTOR</b>	<b>LEVEL</b>	<b>POINTS</b>
1. Knowledge Required by the Position	1-7	1250
2. Supervisory Controls	2-4	450
3. Guidelines	3-3	275
4. Complexity	4-4	225
5. Scope and Effect	5-3	150
6. Personal Contacts and	6-3	60
7. Purpose of Contacts	7-3	120
8. Physical Demands	8-1	5
9. Work Environment	9-1	5
	<b>TOTAL</b>	<b>2540</b>

In accordance with the grade conversion table in the standard, a total of 2540 points falls within the range for a GS-11, 2355 to 2750 points.

## **MEDIATION DUTIES**

Although the GS-241 series is restricted to positions only in the Federal Mediation and Conciliation Service and in the National Mediation Board, it may be used in general terms for cross-referencing the mediation assignments to confirm the previous evaluation of those duties as included in the comparison to the GS-260 standard.

At the GS-11 level, mediators have responsibility for cases that are generally characterized by ordinary issues susceptible to early compromise; impact limited to a local activity or narrow occupational area; no immediate threat of work stoppage; and issues involved introduce few matters having significance to other employee groups. The GS-11 mediator obtains background

information and facts on precedent cases, conducts the mediation entirely on his own, and independently makes decisions concerning the next steps to take during the mediation. The mediator keeps the supervisor informed of the progress of the mediation and may serve as an assistant to a senior mediator in the settlement of more difficult cases.

At the GS-12 level, mediators have responsibility for cases characterized by complex issues involving several occupational areas within one locality; involve work groups whose work stoppage would affect the operations of an entire plant or activity and pose a threat to the public if prolonged. Cases at this level involve the same basic duties as at the GS-11 level, and include authority to independently conduct all field work. However, at this level, the responsibility is greater because the issues and problems involved are more complex and the conditions are more difficult. They require the GS-12 mediator to have a broader understanding and knowledge of the wide variety of occupational classes involved and an intimate understanding of the traditions behind the issues. Cases are controversial and strongly contested, involve large groups of employees, and may include jurisdictional disputes.

The appellant's mediation assignments are most comparable to the GS-11 level. She independently conducts her fact finding and analysis and determines when and how to proceed with mediation. Her cases generally involve one employee rather than groups or classes of employees and have limited impact. Although she works more independently on some complex cases than described at the GS-11 level, she does not handle cases that are of the complexity typically found at the GS-12 level (i.e., strongly contested, involving large groups of employees or involving jurisdictional issues).

The GS-11 level is credited.

### **Summary**

The appellant's duties are evaluated at the GS-11 level by reference to the GS-260 standard, and her mediation duties equate to the GS-11 level by cross-reference to the GS-241 standard.

### **Decision**

The appellant's position is properly classified as Equal Employment Specialist, GS-260-11.