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**DIGEST OF SIGNIFICANT
CLASSIFICATION DECISIONS
AND OPINIONS**

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**Office of Merit Systems
Oversight and Effectiveness**

Preface

This is the twenty-eighth 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.”

Suggestions for improving future issues of the *Digest* may be made via e-mail to fedclass_appeals@opm.gov or fax to 202-606-2663, or by writing to the Director, Classification Appeals and FLSA Programs, U.S. Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415-0001. The telephone number is 202-606-2990.

Digest issues are available on the U.S. Office of Personnel Management’s (OPM’s) website. The website address is www.opm.gov/classapp. The *Digest* can also be found on OPM’s CD-ROM with General Schedule Position Classification and Federal Wage System Job Grading Standards, which is issued by OPM’s Classification Programs Division.

This issue of the *Digest* is dedicated to the fond memory of our late and greatly missed colleague, Mr. Douglas Schauer (Chicago Oversight Division). It was edited by Mr. Robert Hendler (Philadelphia Oversight Division). Contributions were provided by Ms. Bonnie Brandon (Dallas Oversight Division), Ms. Linda Kazinetz (Washington Oversight Division), Ms. Virginia Magnuson (Atlanta Oversight Division), and Mr. Carlos Torrico (San Francisco Oversight Division). The Classification Programs Division staff provided technical review and assistance.

Melissa A. Drummond, *Director*
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Article No. 28-01

Standards: [Computer Clerk and Assistant, GS-335 \(February 1980\)](#)
[Administrative Work in the Information Technology Group, GS-2200 \(May 2001\)](#)
[Information Technology Management, GS-2210 \(May 2001\)](#)

Factor: N/A

Issue: Distinguishing between computer assistance and information technology (IT) administrative work

Identification of the Classification Issue

OPM received appeals from two employees, in separate agencies. In Case #1, the position was classified as Computer Assistant, GS-335-9. The appellant agreed with the grade level, but believed that her position was covered by the Information Technology Management Series, GS-2210. In Case #2, the position was classified as Computer Assistant, GS-335-7. The appellant believed that the position should be classified as a GS-2210-09 using the Job Family Standard (JFS) for Administrative Work in the Information Technology Group, GS-2200.

Resolution

Case #1: The appellant provided technical support to computer users linked to local area network (LAN) systems at two agency installations within the serviced geographic area. She assisted them in resolving operating problems involving network hardware and software issues, installed external and internal devices and peripherals, and set up software and parameters according to systems specifications. She managed home pages for field sites by monitoring the currency of information uploaded and correcting routine technical problems. The appellant coordinated the overall design and implementation of individual Web pages for placement on the geographic area's Intranet, including determining how best to display information on the Web page.

While the standard for the GS-2210 series includes specialized positions in network, Internet, and customer support services, the appellant's GS-9 position did not require an in-depth knowledge of IT principles, concepts, and methods sufficient to plan, analyze, design, develop, test, configure, implement, and maintain the agency's network systems nor its Internet/Intranet systems and activities. The work did not require knowledge sufficient to furnish comprehensive customer support functions and services to the extent described in the GS-2210 standard. Typical of GS-335 work, the appellant used established methods and procedures in the form of written technical guidance. If she encountered a technical problem that could not be resolved by applying standard operating procedures, she sought assistance from higher graded specialists in

the activity or from computer/software vendors. OPM sustained the agency's series determination as Computer Assistant, GS-335.

Case #2: The appellant primarily provided hardware support to a team of IT specialists in a medical center. The activity used a variety of commercially available personal computers (PC's) and equipment in work areas that used commercial off-the-shelf software. Typical tasks involved configuring and placing PC's, including installing the operating system, peripheral devices with their respective software drivers, and related equipment. The work included handling requests for additional memory by determining user needs, freeing up disk space by deleting software and/or adding memory based on specific PC model requirements. The appellant handled help desk problems, e.g., PC is slow, and questions on standard software package functions using established troubleshooting techniques. The work included limited mainframe support duties, such as adding or deleting user accounts.

Typical of the GS-335 series, the appellant's GS-7 position assisted IT specialists in work requiring knowledge of hardware, peripheral devices, and memory storage and provided computer support to users through networks by discussing information requirements with users and giving advice on how to access the data. In contrast, GS-2210 equipment work focuses on system architecture, including defining system hardware requirements. These functions were performed by higher graded positions at the activity and in the agency. OPM sustained the agency's series determination as Computer Assistant, GS-335.

"Back to the Basics"

While help desk and Internet/Intranet support services are important functions, positions that assist customers and resolve problems in accordance with established procedures do not meet the paramount knowledge criteria for coverage by the GS-2210 series and are specifically excluded from the GS-2200. In distinguishing between specialist and assistant work, it is important to consider the characteristics, knowledge, and skills requirements of the duties. When dealing with borderline situations, one must consider management's intent in establishing the position, the organizational relationships of the position within the work unit, and the nature of the functions and activities performed.

**Link to [C-0335-07-02](#)
[C-0335-09-03](#)**

Article No. 28-02

Standard: [Administrative Work in the Human Resources Management Group](#)
(December 2000)

Factor: Factor 1, Knowledge Required by the Position

Issue: Requirements for meeting Level 1-9

Identification of the Classification Issue

An agency requested classification guidance in determining threshold requirements for assigning Level 1-9 to a position. The position served at the agency headquarters level. The agency consisted of approximately 30,000 employees. Approximately half were in the headquarters office. The rest were in ten major and several smaller subordinate field organizations at various sites throughout the country.

The incumbent advised top management and human resources (HR) technical experts throughout the agency on compensation issues. The position was responsible for devising new methods and policy for compensating employees who were covered by several different titles under United States Code. Regulations governing compensation for some positions were virtually nonexistent, but could be developed based on existing compensation systems for other positions. The incumbent believed that Level 1-9 could be satisfied if the position met any of the four listed criteria. The agency, however, maintained that Level 1-9 defined two separate work situations. It held that the first criterion stood alone since it is separated from the rest of the criteria by “or.” Since the three remaining criteria are joined by “and,” the agency said that all three remaining criteria had to be met to credit Level 1-9 for that work situation.

Resolution

OPM agreed with the agency that Level 1-9 identifies two situations. The first situation is a conceptual expert who is generating new concepts, principles, and methods to achieve HR goals. A position must substantially exceed Level 1-8 before this first situation at Level 1-9 can be considered. Level 1-8 describes applying a mastery of advanced HR management principles, concepts, regulations, and practices to resolve problems not susceptible to treatment by standard methods. One JFS illustration at Level 1-8 describes a staff-level advisor on compensation issues, who develops and provides policy guidance on a wide range of compensation programs, analyzes proposed legislation and regulations for impact on agency policies and programs, and develops broad policies and programs to implement these major changes. In contrast, Level 1-9 positions conceptualize new methods, principles and concepts to resolve broader systemic HR problems. These problems typically exist within the agency or are shared among agencies, and the new concepts and methods have broad impact within and possibly beyond the agency. Such

concept development and methods implementation may require new legislation and considerable resources.

The second situation is that of a functional program expert who conceives, plans, and manages broad, emerging, or critical large-scale agency programs; serves as an expert and consultant to top agency management officials; and advises other HR experts throughout the agency on major program issues. In order to exceed the Level 1-8 criteria and meet the second situation at Level 1-9, positions must possess all three of the identified characteristics since they are all inherent in positions serving HR programs which have the difficulty and breadth intended for that level. At Level 1-9, the program is nationwide or broader in scope. Issues are demanding because of intense Congressional interest, unprecedented factual concerns, the need to balance conflicting interests of extreme intensity involving future application of the program's product or results, or because the extreme magnitude of the program ultimately affects the Nation's economy or foreign economies. The position in question had agency-wide responsibility (for approximately 30,000 employees) but did not routinely handle the large-scale and demanding issues found at Level 1-9. Therefore, OPM advised that the position was properly credited at Level 1-8.

Article No. 28-03

Standard: [Medical Technologist, GS-644](#) (May 1984)

Factor: Factors 1, 2, 3, 4 and 5

Issue: Evaluating testing and laboratory operation responsibilities

Identification of the Classification Issue

The appellants' positions were classified as Medical Technologists, GS-644-9. They were located in a medical center laboratory that also provided area referral services to other medical facilities. The appellants served as technical experts in their specialized areas and were responsible for all day-to-day operations in a laboratory section. The operations included handling and ensuring the integrity of specimens, performing clinical tests, verifying and reporting results, maintaining equipment, ensuring quality control, correlating data, advising hospital staff, and training employees. The appellants disagreed with the agency's evaluation of Factors 1, 2, 3, 4 and 5.

Resolution

The appellants conducted a full range of routine and specialized or nonroutine tests, which required a series of complex steps. They also evaluated new procedures, systems, and equipment and ensured quality control for the operating program. On the surface, the work appeared to meet Factor Level 1-7, where positions solve very complex problems; revise standard methods to improve or extend test systems; or evaluate, modify, or adapt new methods. The appellants, however, were not required to make significant departures from previously established approaches, and there was a limit to the modifications they could make in order to protect the integrity of the tests they performed. Instead of developing tests as found at Level 1-7, they used available tests and adapted or modified them to meet their needs.

The appellants worked in components of a major program area -- the pathology department. They worked independently, made day-to-day decisions on what procedures needed to be performed for the work, seldom had their work reviewed, and had significant responsibilities for conducting the work in their laboratories. However, the department's Laboratory Officer established the overall priorities and objectives of the department and determined the available resources. Therefore, the appellants' positions failed to fully meet Level 2-4 since they did not have the full range of responsibilities associated with carrying out a major program.

The appellants used sound professional judgment in interpreting and adapting instructions and protocols for new tests being introduced in the laboratory in accordance with established policies and accepted practices. However, because of the need for test and quality control integrity, there was a limit to how much the appellants could deviate from accepted practices and guidelines.

Unlike Level 3-4, they did not develop new procedures and methods nor substantially modify guidelines to resolve technical problems.

Because of cost, the laboratory seldom purchased state-of-the-art equipment. The manufacturers' representatives normally provided training on using new equipment. Because of limits on deviating from accepted practices and guidelines, the appellants did not frequently develop new methods, test new equipment, develop assays or quality control procedures for tests, nor perform equivalent functions found at Level 4-4.

The appellants' work affected the outcome of the tests performed, the diagnosis and treatment of patients, and the operation of the laboratory. The work did not meet Level 5-4 since it did not involve problems that were systemic in nature involving major testing or quality assurance systems and processes, and it did not affect total laboratory systems/programs related to the operation of other laboratories, e.g., developing reference methods.

In evaluating the positions, OPM found that the positions were limited by the nature of the tests, the extent of modification and adaptation permitted, and the overall direction provided by the department supervisor. OPM agreed with the agency's crediting of Levels 1-6, 2-3, 3-3, 4-3 and 5-3.

“Back to the Basics”

The total environment in which a position operates and the limitations imposed by oversight of other positions and guidelines or regulatory requirements must be considered when evaluating a position. In this situation, test and quality control standards limited the opportunity for more difficult testing and development of new procedures in the laboratories where the appellants worked.

Link to [C-0644-09-01](#)

Article No. 28-04

Standards: [Grade Evaluation Guide for Positions of Managers of Operating Education Programs \(August 1974\)](#)
[Education Services, GS-1740 \(October 1991\)](#)

Factor: Factor 1, Student Load

Issue: Alternative method for determining student load

Identification of the Classification Issue

The appellant's position was classified as Education Services Officer, GS-1740-12. Since the appellant managed an education services program, the position was graded using the Grade Evaluation Guide for Positions of Managers of Operating Education Programs (Guide). The program provided counseling and testing services; remedial courses, tutoring services, and special subject courses such as speed reading, military defensive driving, and courses to increase military occupational skills scores; college level courses, offered on post, off post, and through distance learning technology; undergraduate and graduate level degree programs; high school completion and general education equivalency programs; and tuition assistance for soldiers to attend college. The appellant negotiated and coordinated with universities and colleges for courses and programs that met the educational needs of individuals at his installation. At issue was calculating student load under Factor 1 of the Guide and assigning an appropriate title to the position.

Resolution

Normally, when evaluating Factor 1, the student load is measured by taking an average of the number of students simultaneously enrolled and participating in the facility's education and training program. In most cases, student load computation can be made by counting the number of students enrolled and participating in one or more courses at the beginning of each quarter of the fiscal year for a representative number of quarters and then dividing that number by the number of quarters used. In some instances, it may be necessary to use another date within the quarter to get a more representative picture of the student load of the program.

Consistent with the intent of the Guide, the facility tracked college courses by counting each student only once during each quarter. However, for two other categories of courses -- those taken in the learning centers on post and military subject correspondence courses taken through military or armed forces organizations, OPM found that the facility's tracking system counted the number of enrollments rather than enrollees. This meant that the fiscal year figures included a count for a student each time he or she enrolled in one of these other courses during the quarter. According to the Guide, each student can only be counted once. Since the agency counted only the number of enrollments, OPM could not conclude that each enrollment represented an

individual student. Therefore, OPM used an alternative method to determine the student load. Because enrollees frequently took courses in these two categories (learning centers on post and military subject correspondence courses) simultaneously, OPM estimated that half of the enrollments in each of the two categories might represent a single count for each student taking creditable courses during each of the four quarters. Using that method of estimation, OPM added the average number of students for those two categories to the average number of students enrolled in college courses to arrive at the student load for the appellant's position.

OPM also found that the title the agency assigned to the appellant's position of Education Services Officer did not meet the titling requirements prescribed in the standard for the Education Services Series, GS-1740. The standard for the Education Services Series, GS-1740, prescribes the title of Education Services Specialist for nonsupervisory positions that involve directing or managing an education services program. Since OPM found that the appellant's position also met the supervisory classification criteria in the General Schedule Supervisory Guide, the official title for the position was Supervisory Education Services Specialist.

Link to [C-1740-12-01](#)

Article No. 28-05

Standard: [Grade Evaluation Guide for Positions of Managers of Operating Education Programs \(August 1974\)](#)

Factor: Factor 2(a), Course Range and Variety

Issue: Determining what constitutes a creditable course

Identification of the Classification Issue

The appellant directed an in-residence adult vocational education facility. In applying the Grade Evaluation Guide for Positions of Managers of Operating Education Programs (Guide), the agency credited the appellant's position with 338 courses and assigned Degree D under Factor 2(a). At issue was determining what constitutes a creditable course in applying the Guide.

Resolution

In determining the number of creditable courses, the Guide indicates that the total number of courses offered during a school or calendar year is computed under Factor 2(a). Courses that are different in subject or level are creditable, but duplicates, repeats, or slight variations or modifications of courses are not creditable. An OPM Classification Programs Division Advisory Opinion on the issue noted that entire vocational training courses in separate trades are equivalent in intensity to a "discrete" course (typically defined as a college course). However, individual topics covered in a particular vocational trades training program (e.g., a limited segment of elementary algebra) are not "courses" as envisioned in the Guide. In addition, such topics as social skills training or dealing with stress in the workplace can only match the definition of "course" if the contents meet the same degree of intensity as the clear illustrations for creditable courses (e.g., Spanish I, II) that are referenced in the Guide.

In computing the number of courses offered by the installation, the agency credited individual topics covered in vocational trades training, duplicates or slight variations of courses, and individual subelements or training modules of social skills for disadvantaged students. Based on the Advisory Opinion, OPM declined to credit them as "courses." Consequently, 27 courses were credited and Degree A was assigned for Factor 2(a).

Link to [C-0340-13-01](#)

Article No. 28-06

Standard: [General Schedule Supervisory Guide \(June 1998\)](#)

Factor: Factors 2 and 3

Issue: Reporting to deputy positions
Crediting for subordinate supervisors

Identification of the Classification Issue

The appellant's position was classified as Support Services Supervisor, GS-342-12. He was responsible for providing materiel and related support services to line construction, maintenance, and repair missions controlled by other organizations. He reported to a Deputy Commander, who in turn reported to the District Commander, the latter position having been determined equivalent to an SES position. The Deputy Commander directly supervised the district's administrative support components. However, another Deputy Commander acted for the District Commander and provided program guidance and direction to district line mission managers. The appellant believed that his position should be credited at Level 2-3, under its provision that a position reporting to a deputy position be credited as reporting to the chief. He also believed that his position should be credited at Level 3-3b using the General Schedule Supervisory Guide (Guide).

Resolution

The Guide states that an assistant chief position that does not fully share in the authorities and responsibilities of the chief constitutes a separate, intervening reporting level. A supervisory position reporting to such a position is treated as if reporting to a position one level below the chief. Since the appellant's supervisor was not a full deputy within the meaning of the Guide because he did not act for the District Commander, OPM sustained the agency's crediting of Level 2-2 because the appellant reported to a position properly identified as one reporting level below the first SES or equivalent position in the direct supervisory chain.

The same general principle applies to the grading of deputy positions. In order to be classified one grade lower than the grade of the chief position to which it reports, a deputy position must share fully in the duties, responsibilities, and authorities of the chief. This may be either in the capacity of alter ego, where the deputy fully shares in the direction of all phases of the organization's work, or as manager of a major part of the overall program when the total authority and responsibility for the organization is equally divided between the chief and the deputy. By definition, only one full deputy position can exist at a given organizational level. If two (or more) positions are designated as "deputies," they are classified at least two grades lower than the grade of the chief position to which they report under the Guide.

Under Level 3-3b of the Guide, several responsibilities (e.g. 1, 3, 5, 6, 8) are only credited to supervisors who direct two or more subordinate supervisors, team leaders, or comparable personnel. To support these designations, these subordinate personnel must spend 25 percent or more of their time on supervisory, lead, or comparable functions. These responsibilities may only be credited in situations where the subordinate organization is so large and its work so complex that it *requires* managing through these types of subordinate positions.

The appellant supervised a GS-11 specialist who directed five staff years of full-time employee work, one year of contractor laboring work, and one student. Since it was reasonable to conclude that this GS-11 employee spent 25 percent of his time leading work, this position was credited as a subordinate supervisor/leader under the appellant's position. The appellant also supervised a GS-9 specialist, who oversaw the work of two full-time employee positions, a contractor, and a student. The PD's for the two full-time positions showed that the incumbents worked independently in their day-to-day duties. In addition, contractor oversight was limited to accepting or rejecting work. Therefore, this GS-9 position was not credited as a subordinate supervisor/leader under the appellant's position. Since only one subordinate supervisor/leader position was supportable, OPM concluded that the appellant's organization did not have the characteristics that would *require* using multiple team leaders or supervisors who devoted at least 25 percent of their time to leadership responsibilities. Because the position did not exercise a sufficient number of Level 3-3b responsibilities, OPM sustained the agency's crediting of Level 3-2c.

“Back to the Basics”

When evaluating a supervisory position, only the actual requirements of the organization supervised should be credited. Establishing multiple subordinate supervisory or leader positions with minimal corresponding responsibilities serves to dilute rather than magnify the actual management requirements of the organization and should not be treated as an indication of a more complex organization than actually exists. The authority to carry out supervisory functions that rarely if ever occur, such as approving costly training or extensive overtime, cannot be credited if the organization does not require the regular and recurring exercise of that authority. Only the actual demands that the organization places on the supervisor may be examined in assigning a factor level.

Link to [C-0342-12-03](#)

Article No. 28-07

Standard: [General Schedule Supervisory Guide \(June 1998\)](#)

Factor: N/A

Issue: Crediting term and temporary work

Identification of the Classification Issue

An agency requested guidance on how to credit term and temporary work when applying the General Schedule Supervisory Guide (Guide) in reviewing a classification request from a subordinate activity for one of its positions. The second-level supervisory position supervised approximately 21 staff years of permanent work, 13 to 16 staff years of temporary and term General Schedule work, 6 to 15 staff years of temporary Federal Wage System work, and fluctuating amounts of volunteer work. Seven of the 21 permanent positions were supervisory. The activity evaluated all supervisory positions as consisting of 25 percent supervisory and 75 percent nonsupervisory work. Given the time-limited nature of the work, the activity proposed excluding 12 staff years of term, 2 staff years of support, 2 staff years of student, and all temporary work from its base level analysis. Based on these exclusions, the activity credited a GS-12 base level (Level 5-7), and Level 6-5 based on coordinating and integrating the GS-12 level work credited under Factor 5. The agency, however, declined to exclude the term and temporary positions, based on the Guide's definition of supervisor.

Resolution

The Guide's definition of supervisor includes directing the work of temporary employees, unpaid volunteers, student trainees, and others. Both the agency and the activity credited the position at Level 3-3 because of its second-level supervisory responsibilities. However, organizational information showed that six of the seven subordinate supervisory positions met that designation based on directing nonpermanent work. Three permanent support positions were created to support both permanent and non-permanent workloads. Excluding the nonpermanent work would undermine the crediting of Level 3-3 to the second-level supervisory position. OPM agreed with the agency's rationale that temporary and term work must be considered in applying the Guide.

OPM also reviewed the activity's rationale for Factors 5 and 6. The organization's structure was based on the presence of temporary and term work. Because nonsupport term and temporary work had to be considered, OPM found that the base level of work (constituting 25 percent of the workforce) was below the GS-12 level. Six of the seven subordinate supervisory positions were classified using a base level of work representative of the predictable project workload performed by a mix of permanent, term and temporary staff. OPM advised using the same approach in

crediting the temporary and term work to the second-level supervisory position in applying all factors of the Guide.

Article No. 28-08

Standards: [Introduction to the Electronic Equipment and Maintenance Family 2600](#)
[Administrative Work in the Information Technology Group, GS-2200](#) (May 2001)

Factor: N/A

Issue: Distinguishing between Federal Wage System (FWS) and General Schedule (GS) Positions

Identification of the Classification Issue

The appellant's job was classified as Electronics Mechanic, WG-2604-11. He believed that his position was covered by the Information Technology (IT) Management Series, GS-2210, and should be evaluated using the Job Family Standard (JFS) for Administrative Work in the IT Group, GS-2200.

Resolution

The appellant supported networking hardware that used proprietary Internet operating systems (IOS's) and operating systems (OS's) that used different languages and command line interfaces (CLI's). He said that he used CLI's to analyze, diagnose, test, configure, and verify IOS/OS functionality and claimed that he analyzed and configured networking systems into local area networks (LAN's). He simulated operations, verifying that interfaces functioned and that the IOS could support any other interface that might be added. He claimed that he used GS-2210 skills to gain entrance to system software to perform his work and to restore root privileges.

The appellant's rationale relied on extracts from the definitions of network services and systems administration of IT Management, GS-2210, work in the JFS for Administrative Work in the IT Group, GS-2200. OPM found that GS-2210 network analysis, definition, and configuration involves making decisions on such matters as what networks will be fielded and supported, including the hardware to purchase and the system software used to operate the hardware, as well as determining if networks are achieving their performance objectives. It does not cover the appellant's connecting and testing hardware to assure that components communicate with one another, loading the correct version of operating software, and downloading and installing the most recent commercial off-the-shelf software release from the Web.

OPM found that the appellant's primary and paramount duties flowed from the mission and function of the organization in which he worked. Those duties entailed the fielding, upgrading, integration, and repair of computer and peripheral equipment in a depot level repair production environment. The work required trade knowledge of electronics principles and practices in

determining whether computer and peripheral equipment operating problems are hardware and/or software based and required trades skill and knowledge to make repairs, including replacing drives and other components. OPM sustained the agency's allocation to the FWS.

“Back to the Basics”

FWS 2600 Family mechanics and GS employees may possess and use similar knowledge to some degree. However, the distinction lies in the manner in which knowledge is applied. Work in the 2600 Family requires the ability to understand and use IT equipment and software to test and troubleshoot equipment that is increasingly IT-based, including knowledge of proprietary software to install LAN's. Other 2600 Family positions use this knowledge to initially upload systems and upload changes to equipment operations software, including weapons and comparable systems. They also use well documented and defined programming routines to set and adjust equipment operating parameters. However, the overall nature and purpose of the work is to install, maintain and repair equipment which is excluded from the General Schedule.

Link to [C-2604-00-01](#)