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DIGEST OF SIGNIFICANT CLASSIFICATION DECISIONS AND OPINIONS

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Note to Readers

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

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and regulation were expanded, typographical errors were corrected, leading zeros were added to 3-digit series numbers, outdated prefaces have been deleted, and the issuance date were added to the header of each page.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

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

Digest issues are also available on the Office of Personnel Management's website and electronic bulletin board. The website address is <http://www.opm.gov/classapp> and the ~~electronic bulletin board is OPM ONLINE. Using a modem, dial OPM ONLINE at 202-606-4800. Long distance telephone charges may apply.~~ [OPM ONLINE was discontinued July 1999. The *Digest* can also be found on OPM's CD-ROM entitled General Schedule Position Classification and Federal Wage System Job Grading Standards, which is issued by OPM's Classification Programs Division.]

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 1, Program Scope and Effect

Issue: Crediting Level 1-3 for supervision of complex professional, technical, or administrative services

Identification of the Classification Issue

This issue arose in connection with an appellant's request for reconsideration of an Office of Personnel Management appeal decision. The Office of Personnel Management region evaluated Factor 1 at Level 1-2, but the appellant argued that Level 1-3 was creditable because she directed the work of an organization that provided contracting and purchasing services for components of a military organization dispersed throughout a State. The work supervised directly supported a total of about 4,750 employees who were engaged in the performance of a variety of technical supply and maintenance activities, as well as various staff administrative functions. However, the majority of the total serviced employees were engaged in technical maintenance functions.

Resolution

Factor 1, Program Scope and Effect, has two components, Scope and Effect. To assign a particular factor level, the full intent of the criteria for *both* components must be *fully met*.

a. Scope

Scope 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.

The Office of Personnel Management found that the scope of the appellant's supervisory work matched Level 1-3. The work directed involved providing complex professional services directly affecting more than 4,700 employees comprising a group of activities comparable to a large military installation, as defined in the General Schedule Supervisory Guide (i.e., a total serviced employee-equivalent population exceeding 4,000 and engaged in a variety of serviced technical functions). Thus, Scope was evaluated at Level 1-3.

b. Effect

This element addresses the impact of the work, the products, and/or the programs described under Scope on the mission and programs of the customer(s), the activity, other activities within or outside of government, the agency, other agencies, the general public, or others.

The Office of Personnel Management found that the appellant's work did not meet the full intent of Level 1-3 for Effect. The criteria for this level include very specific conditions for positions providing supporting services at the field activity level: The work directly involves or substantially impacts the provision of essential support services to *numerous, varied, and complex technical, professional, and administrative functions*. Level 1-3 envisions credit for mission-supporting services that directly impact a group of activities that includes complex professional and administrative functions *as well as* complex, diverse technical functions, as would typically be found at a large or complex, multimission military installation or an installation with a very large serviced population.

The appellant's work primarily supported technical maintenance activities, including some depot-level repair of combat vehicles and complex weapon systems, such as sophisticated electronics and armament equipment. While some of these activities were found to be significantly complex and diverse, they were not comparable in complexity to those typically carried out at a large military installation, e.g., one where *large-scale* and diverse technical functions, such as depot-level repair and overhaul of complex weapons systems occur. Moreover, the professional and administrative functions supported by the appellant's organization were not as varied and complex as those that would typically exist at a large or complex, military installation with a very large serviced population. The administrative and professional functions supported by the appellant were relatively small and of limited complexity. Overall, the Office of Personnel Management found that the magnitude and complexity of activities supported by the appellant were not equivalent to those that generally comprise a large or complex, multimission military installation. Thus, the Office of Personnel Management found that the appellant's supervisory work did not have the level of impact intended for crediting Effect at Level 1-3. Consequently, the Office of Personnel Management credited this element at Level 1-2.

Since only Scope was credited at Level 1-3, the Office of Personnel Management's overall evaluation of Factor 1 was Level 1-2.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 4, Personal Contacts, Subfactor 4B,
Purpose of Contacts

Issue: Distinguishing between Levels 4B-2 and
4B-3

Identification of the Classification Issue

This issue arose in the Office of Personnel Management's adjudication of a position classification appeal. The agency credited Level 4B-2, but the appellant claimed that Level 4B-3 should be credited to his position. The appellant argued that his duties as a branch chief in a personnel office required him to represent the organization in gaining compliance with personnel management policies, rules, and regulations. The Classification Appeals Office sought advice from the Office of Classification on distinguishing between Levels 4B-2 and 4B-3.

Resolution

According to the General Schedule Supervisory Guide, the purpose of contacts at Level 4B-2 is:

- to ensure that information provided to outsiders is accurate and consistent;
- to plan and coordinate the work with outsiders; *and/or*
- to resolve differences of opinion (both inside and outside the immediate organization).

The purpose of contacts at Level 4B-3 is to justify, defend, or negotiate in:

- representing the project, program segment(s), or organizational unit(s) directed;
- obtaining or committing resources; *and*
- gaining compliance with established policies.

The Office of Classification advised that while any one of the three elements at Level 4B-2 would merit credit for this level, the criteria for Level 4B-3 are more stringent. This level

requires justifying, defending, or negotiating on behalf of the organization with the necessary level of authority to commit resources and gain compliance with established policies of the organization. In order to represent the organization in program defense or negotiations, a supervisor must necessarily have the requisite control over resources and the authority necessary to gain support and compliance on policy matters. In short, all three of the conditions listed under Level 4B-3 must be present in a position to award credit for this level.

The appellant did not have the responsibility and authority to obtain or commit resources for his organizational segment. The Classification Appeals Office found that this responsibility resided in positions at higher managerial levels, and therefore concluded that the appellant's position did not meet the full intent of Level 4B-3. Consequently, Level 4B-2, the highest level fully met, was assigned.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 1, Program Scope and Effect

Issue: Distinguishing between Level 1-3 and
Level 1-4

Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's adjudication of a classification appeal and the subsequent reconsideration of the decision. The appellant functioned as "Special-Agent-in-Charge" of an agency field office, directing a small staff of employees engaged in the performance of criminal investigative work and related administrative and clerical support work. The geographic area of responsibility encompassed a six-State area, including Massachusetts, Rhode Island, Maine, New Hampshire, Vermont, and eastern Connecticut. The appellant asserted that the program under his direction warranted evaluation at Level 1-4 because the work impacted "all of New England and other parts of the East Coast corridor," the programs supported were of "national significance," and the work had "national as well as worldwide ramifications." In addition, the appellant indicated that the assigned geographic area was equivalent to "numerous States," as mentioned at Level 1-4.

Resolution

a. Scope

At Level 1-3, the technical, administrative, protective, investigative, or professional work directed encompasses a major metropolitan area, a State, or a region of several States; or, when most of an area's taxpayers or businesses are concerned, coverage comparable to a small city.

At Level 1-4, the work directed consists of a segment of a professional, highly technical, or complex administrative program that involves the development of major aspects of key agency scientific, medical, legal, administrative, regulatory, policy development, or comparable highly technical programs; or includes major, highly technical operations at the Government's largest, most complex industrial installations.

The Office of Personnel Management found that the program segment directed by the appellant was comparable to Level 1-3. Corresponding to this level, the work directed was investigative, and it covered a small region of several States.

The scope of the appellant's program segment did not meet Level 1-4. The work directed by the appellant indirectly affected agency policy and regulations, but in contrast to Level 1-4, the appellant did not direct activities involving the development of agency policy or other activities impacting the development of major agency programs. These functions were assigned to positions at higher echelons within the agency. The geographic scope of the appellant's program also fell short of the intent of Level 1-4. The appellant's program encompassed only six States, a much narrower range than numerous States or a major segment of the Nation, as described at Level 1-4.

b. Effect

At Level 1-3, the work supervised directly and significantly impacts a wide range of agency activities, the work of other agencies, or the operations of outside interests, e.g., a segment of a regulated industry or the general public.

At Level 1-4, the work impacts an agency's headquarters operations, several bureauwide programs, or most of an agency's entire field establishment; or facilitates the agency's accomplishment of its primary mission or programs of national significance; or impacts large segments of the Nation's population or segments of one or a few large industries; or receives frequent or continuing congressional or media attention.

The Office of Personnel Management found that the effect of the work directed by the appellant met Level 1-3 because of its direct and significant impact on outside interests. The work directed involved investigating businesses for compliance with specific laws and regulations. During Fiscal Year 1993, business transactions totaling over \$30 million were intercepted, and transactions totaling over \$16 million were disapproved. This level of financial impact on businesses within a six-State area was considered equivalent to the level of impact contemplated by Level 1-3.

The Office of Personnel Management found that Level 1-4 was not met in that the work directed did not affect the agency's headquarters operations, several bureauwide programs, or most of the agency's entire field structure. Although important to an agency-specific enforcement program, the work directed did not facilitate accomplishment of the agency's primary mission or programs of national significance. The work did not affect large segments of the Nation's population; nor did the businesses investigated comprise segments of one or a few large industries, as described for Level 1-4. Further, there was no evidence that the work directed was the subject of frequent or continuing media interest.

In summary, the Office of Personnel Management found that both Scope and Effect were properly evaluated at Level 1-3.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 2, Organizational Setting

Issue: Determining Senior Executive Service
equivalency

Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's adjudication of a classification appeal. The appellant occupied a GS-12 Accounting Officer position, with servicing responsibility for approximately 300 employees in a small civil engineering activity. The agency determined that the head of the activity occupied a position equivalent to the Senior Executive Service level because he supervised subordinate GS-15 supervisors. Consequently, the appellant's position was evaluated at Level 2-2 because he reported to a position that was one reporting level below a position equivalent to the Senior Executive Service level. While the appellant did not question the agency's evaluation of Factor 2, the region examined the accuracy of the agency's determination on the Senior Executive Service-equivalency issue.

Resolution

The activity head was a colonel, a military rank one level below a Brigadier General. Organizational information indicated that two GS-15 positions, the Chief Counsel and one division chief, reported to the Executive Office, which consisted of the activity head and a full deputy. Two other division chief positions were classified at the GS-14 grade level, and eight staff organization heads reporting to the Executive Office occupied positions that were classified in grades ranging from GS-11 to GS-13.

According to the General Schedule Supervisory Guide, a position that directs a substantial GS-15 or equivalent workload, or a position that directs work through GS-15 or equivalent level subordinate supervisors, officers, contractors, or others, is to be considered equivalent to the Senior Executive Service level. The region found that the activity's organizational structure did not include a substantial GS-15 or equivalent workload; nor did it include an adequate GS-15 subordinate supervisory structure to justify recognizing the activity head position as equivalent to a Senior Executive Service position. Thus, the region concluded that the appellant did not report to a position that was one level below a position equivalent to the Senior Executive Service level; therefore, Level 2-2 could not be credited. Consistent with Level 2-1, the appellant reported to a position that was two or more levels below the first

Senior Executive Service level position in the direct supervisory chain. Accordingly, the region credited Level 2-1.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 1, Program Scope and Effect

Issue: Interpretation of "complex, multi-mission military installation" for crediting Scope at Level 1-3

Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's adjudication of an appeal. The agency's evaluation credited Level 1-3 to a position that involved supervision of complex administrative services by equating the employing installation to a "complex, multimission installation." This determination was based on the complexity of the installation's mission, which included multiple cargo, property storage and shipment, and other traffic management functions accomplished throughout a geographic area covering several States within the Continental United States (CONUS) and locations outside the United States, including Central America and Europe.

Resolution

The region's factfinding revealed that the total population directly serviced by the appellant's staff function consisted of approximately 1,800 employees. At the primary work site, the serviced organizations included a small garrison (205 authorized positions), a small command (502 authorized positions), and a small co-located terminal facility (104 authorized positions). The second major site had 321 employees, and the two largest European organizations were staffed with about 185 positions each.

According to the General Schedule Supervisory Guide, a "complex, multimission installation" or a group of several organizations (directly supported by the position under evaluation) includes four or more of the following: (1) a garrison; (2) a medical center or large hospital and medical laboratory complex; (3) annual multimillion dollar construction, civil works, or environmental cleanup projects; (4) a test and evaluation center or research laboratory of moderate size; (5) an equipment or product development center; (6) a service school; (7) a major command higher than that in which the servicing position is located or a comparable tenant activity of moderate size; (8) a supply or maintenance depot; or equivalent activities.

The region found that the scope of the installation's program exceeded that of a small or medium military installation referenced in the criteria for Level 1-2 and proceeded to examine

the intent of the criteria for a "complex, multimission installation" at Level 1-3. The region considered the varied components of the installation's transportation mission--freight traffic within CONUS, storage of personal property, sea lift cargo booking, and terminal facility operations. The region concluded that these varied program segments did not comprise an organization comparable to a "complex, multimission installation," primarily because of the limited size (i.e., employee population) and complexity of the organizations carrying out these programs. None of the individual components of the installation was found to be equivalent to any of the eight organizational components that typically comprise a "complex, multimission installation." Thus, despite the geographic dispersion and the variety of functions carried out by the components of the installation, the region found that the overall organization was not equivalent to a "complex, multimission installation." Consequently, the scope of the appellant's supervisory duties could not be credited at Level 1-3, and thus Level 1-2 was assigned.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 5, Difficulty of Typical Work Directed, and Factor 6, Other Conditions

Issues: (a) Identifying the level of typical work directed

(b) Linkage of Factors 5 and 6

Identification of the Classification Issue

These related issues arose in an Office of Personnel Management region's adjudication of an appeal. The appellant occupied the position of Personnel Officer, GS-0201-13, at a medium-size military installation. The appellant directed the work of: (1) several GS-12 program chiefs who, in turn, directed a sizable amount of GS-11 level specialist work, an equivalent amount of supporting technician work, and a small amount of clerical work; and (2) a military personnel officer. With respect to Factor 5, the appellant disagreed with the agency's conclusion that certain work was excluded from consideration, as well as the agency's assessment of the amount of creditable GS-12 level work. The level of work credited under Factor 5 directly impacts the evaluation of Factor 6.

Resolution

Issue (a): Identifying the Level of Work Directed

The region considered all of the work performed in the personnel office and reached the following conclusions:

--Interns: The work performed by these employees was excluded from consideration for two reasons. First, the interns performed work that was associated with a different occupational area not directly related to the mission of the personnel office. Second, the appellant exercised no technical supervision over the interns' work.

--Personnel clerical positions: The work of several GS-5 and GS-6 Personnel Clerical positions was excluded because it did not entail making substantive decisions in personnel work and was, therefore, considered supportive of the basic work of the unit.

--Personnel assistant positions: The work of two GS-6 and GS-7 Personnel Assistants was included because it involved the performance of substantive work directly related to the mission of the personnel office.

--Military personnel management work: The military personnel management work was found to be creditable, but at the GS-11 level rather than the GS-12 level, as claimed by the appellant.

--Program chief positions: Assuming the nonsupervisory work performed by the GS-12 program chiefs was correctly classified, the region credited this work at the GS-12 level, but excluded the supervisory work of these positions. The region also excluded the "trouble-shooter" work performed by the program chiefs since the grade assigned to that work was based on extraordinary independence. This work was credited at the grade that would have been assigned if the work were performed under normal supervision, i.e., GS-11.

By excluding work that was not appropriately considered, the region concluded that about 17 percent of the workload directed by the personnel officer was GS-12 level work. This did not meet the requisite 25 percent necessary to credit GS-12 work as the level of work most typical of the organizational unit directed.

According to the General Schedule Supervisory Guide, when there is a heavy supervisory or managerial workload related to work above the base level, and that workload requires at least 50 percent of the duty time of the supervisory position under evaluation, the grade of the higher level work may be used as the base level for second- and higher-level supervisors. The region considered this alternative method of base level determination, but concluded that there was not a sufficient GS-12 workload to credit this grade as the most representative level of work directed. The amount of GS-12 level work creditable (100.5 hours per week) did not constitute a heavy workload demanding half of the appellant's time.

Having considered both methods for determining the difficulty of typical work directed, the region found that GS-11 level work was creditable for Factor 5. This level of work represented 25 percent or more of the creditable work of the personnel office.

Issue (b): Linkage of Factors 5 and 6

Under the General Schedule Supervisory Guide, there is a direct linkage of the criteria for Factors 5 and 6. The latter factor measures the extent to which various conditions contribute to the *difficulty* and *complexity* of carrying out supervisory duties, authorities, and responsibilities. The difficulty of work is measured primarily by the level of work credited under Factor 5. Complexity is measured by the level of coordination required, and it increases as the base

level increases. The lettered paragraphs under Factor 6 are structured to cover positions that function as either first-, second-, or higher-level supervisors.

The region considered credit for Level 6-5. Paragraph a could not be credited because the work directed by the appellant did not meet the level of difficulty that characterizes this level (i.e., GS-12); nor did the appellant make major recommendations in at least three of the seven areas described in paragraph a. Paragraph b was not applicable because the work directed was not equivalent to the GS-13 level. Paragraph c was likewise not creditable. While the region credited GS-11 as the level of typical work directed by the appellant, the subordinate program chiefs did not *individually* direct a substantial workload of GS-11 level work. Each chief supervised only a few subordinates and did not expend a significant amount of time actually supervising GS-11 level or any other work of the unit. Rather, the majority of the chiefs' time was spent on personally performed work. Furthermore, the region concluded that no feasible redistribution of the work directed would result in an acceptable structure that would permit each subordinate supervisor to direct a substantial workload of GS-11 level work.

The appealed position met none of the criteria for crediting Level 6-5. The region credited Level 6-4a, as this was the highest level fully met by the appealed position. While Level 6-4a pertains to first-level supervision, the region concluded that this level was appropriate for the appellant's position because: (1) the appellant directly and indirectly supervised GS-11 level nonsupervisory work, and (2) the appellant performed coordination and integration activities comparable to those typical of Level 6-4a.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 4, Personal Contacts, Subfactor 4A,
Nature of Contacts

Issue: Interpretation of Level 4A-4

Identification of the Classification Issue

This issue arose in connection with an appellant's request for reconsideration of an appeal decision issued by an Office of Personnel Management region. The region evaluated Subfactor 4A, Nature of Contacts, at Level 4A-3, but the appellant argued that Level 4A-4 should have been assigned because he engaged in contacts with Senior Executive Service officials in other Federal agencies.

Resolution

According to the General Schedule Supervisory Guide, contacts credited under Subfactor 4A cover the organizational relationships, authority or influence level, setting, and difficulty of preparation associated with making personal contacts involved in supervisory and managerial work. To be credited, the contacts must contribute to the successful performance of the work, be a recurring requirement, have a demonstrable impact on the difficulty and responsibility of the position, and require direct contact.

Level 4A-4 is the highest level described in the General Schedule Supervisory Guide for Subfactor 4A and is reserved for employees who frequently engage in the most difficult and demanding contacts required by supervisory and managerial work. This level includes contacts with:

Senior Executive Service, flag or general officer, or Executive Level heads of bureaus and higher-level organizations in other Federal agencies.

A careful reading of the above example of Level 4A-4 contacts indicates that all of the contacts listed refer to *heads of bureaus and higher level organizations in other Federal agencies*, whether they be in the Senior Executive Service, a flag or general officer, or Executive level managers. Contacts with Senior Executive Service officials who are not heads of bureaus or higher level organizations in other agencies are not creditable at Level 4A-4. The appellant's contacts with Senior Executive Service officials in other agencies included division chiefs and

directors of administrative support organizations. The Office of Personnel Management found that these contacts were not creditable at Level 4A-4. Instead, the Office of Personnel Management found that the appellant's contacts with high-level officials in other Federal agencies did not exceed Level 4A-3, which includes contacts with:

high ranking military or civilian managers, supervisors, and technical staff at bureau and major organization levels of the agency; with agency headquarters administrative support staff; or with comparable personnel in other Federal agencies.

The appellant's contacts also matched Level 4A-3 in terms of the setting and required preparation; thus, the Office of Personnel Management credited Level 4A-3.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 3, Supervisory and Managerial
Authority Exercised

Issue: Crediting Level 3-4b

Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's adjudication of a classification appeal. The appellant was a personnel officer at a medium-size military installation with a total employee population of about 1,450 employees. The employing agency credited the appellant's supervisory responsibilities at Level 3-3b; however, the appellant contended that Level 3-4b was creditable because he exercised final authority for approving the full range of personnel actions and organization design proposals recommended by his subordinate supervisors.

Resolution

The region requested an advisory opinion from the Office of Classification on distinguishing between Levels 3-3b and 3-4b. The Office of Classification advised that Level 3-4b is creditable when all of the following conditions are met:

--The position involves responsibilities that are equivalent to or exceed *those described in both paragraphs a and b of Level 3-3*, i.e., both the managerial and supervisory responsibilities depicted at Level 3-3.

--The position fully meets Factor Level 3-4b. This level is met when the position exercises full authority, with one or two exceptions, for all of the following actions affecting supervisory *and* nonsupervisory subordinate employees: selections, performance ratings, promotions, high-cost awards and bonuses, resolution of serious group grievances (including those of subordinate supervisors), suspensions, removals, high-cost training and travel, classification, and other actions representing the full range of *final* authorities affecting human resources and pay management.

--The position has final authority to approve organization design recommendations submitted by subordinate supervisors.

--The organizations, program segments, and workload directed are of sufficient size and complexity to require and provide opportunities for fully exercising these responsibilities on a recurring basis.

The region found that the appellant's position did not meet all of the above conditions for crediting Level 3-4b. First, the region noted that the criteria in paragraphs *a* and *b* of Level 3-3 were not met. Specifically, the appellant's managerial authorities were not fully comparable to those that characterize Level 3-3a because he was not closely involved with agency-level officials in the development of the overall goals and objectives for the agency's personnel program. The level of involvement in program development and program management activities contemplated by Level 3-3a was not required of the appellant's position. Further, the region found that the appellant did not have the final authority to approve organizational design recommendations as required by Level 3-4b. In view of these findings, the region concluded that Level 3-4b could not be credited. Instead, the region credited Level 3-3b, since this was the highest level that the appellant's position fully met.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 2, Organizational Setting

Issue: Identifying deputy positions

Identification of the Classification Issue

This issue arose in connection with a request for reconsideration of an appeal decision issued by an Office of Personnel Management region. The appellant's position was located in an organization headed by a position that was recognized as equivalent to the Senior Executive Service level. The appellant reported to a position that was informally designated as "deputy" for a specific portion of the overall organization. The appellant contended that his position should be credited with Level 2-3, since, in his view, the "deputy" position to which he reported represented the same reporting level as the head of the organization.

Resolution

The General Schedule Supervisory Guide defines "deputy" as follows:

A position that serves as an alter ego to a manager of high rank or level and either fully shares with the manager the direction of all phases of the organization's program or is assigned continuing responsibility for managing a major part of the manager's program when the total authority for the organization is equally divided between the manager and the deputy. A deputy's opinion or direction is treated as if given by the chief.

The "deputy" concept used in the General Schedule Supervisory Guide is intended to cover a limited number of positions that fit one of two very specific situations. The first situation is the traditional organizational arrangement where a position is designated as a full assistant to the organization head and shares in the management of the entire organization. This "alter ego" arrangement requires that the deputy be authorized to make management decisions affecting the organization without prior clearance by the chief. The second situation describes an organizational arrangement where the chief and the deputy have responsibility for management of an equal (or nearly equal) portion of the total organization.

Only one position in an organization can meet the General Schedule Supervisory Guide definition of "deputy." Positions which do not share fully in the direction of the entire

organization or direct an equal half of the total organization do not meet the guide's definition of "deputy."

For work direction and performance appraisal, the appellant reported to a position referred to as "deputy." However, the day-to-day management responsibilities of this position extended to only a portion of the organization. The chief of the organization retained full authority for managing the total organization, and another subordinate position served as a full assistant to the chief, sharing fully in the direction of all phases of the organization's work. The appellant's supervisor exercised full managerial authority over the entire organization only in the absence of both the chief and the full deputy. Thus, the position occupied by the appellant's supervisor did not meet the General Schedule Supervisory Guide definition of "deputy."

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: N/A

Issue: Interpreting the alternative definition of "agency"

Identification of the Classification Issue

This issue arose in the reconsideration of a classification appeal decision. The appellant directed the work of an organization responsible for providing complex professional, technical, and administrative services for a major component of a bureau-level organization. The appellant argued that higher credit should be given under Factors 1 and 4 because the bureau in which his position was located met the alternative definition of "agency," as outlined on pages 3 and 4 of the General Schedule Supervisory Guide.

Resolution

When five or more of the conditions listed on page 3 of the General Schedule Supervisory Guide apply, an activity next below department level may be considered equivalent to an agency. The Classification Appeals Office determined that the bureau in question did not meet three of the required seven conditions and thus could not be considered an agency. Specifically, organizational information showed that items (1), (3), and (4) were not creditable. However, the intent of items (4) and (7) was not clear. Thus, the Classification Appeals Office sought interpretive guidance from the Office of Classification regarding the overall intent of the alternative definition and the specific intent of items (4) and (7).

The Office of Classification advised:

The alternative definition of "agency" was intended to apply to bureaus and bureau-equivalent organizations which, if removed from their location within departments and viewed as separate entities, would be comparable to independent agencies and some cabinet-level departments. Such organizations have staff, budget, worldwide installations and missions, and similar characteristics that clearly equal or surpass those of some cabinet-level departments and most independent agencies. Examples of organizations that merit treatment as agencies for the purpose of applying the General Schedule Supervisory Guide are the

Social Security Administration and the Internal Revenue Service. Only a handful of other organizations would merit such exceptional treatment.

The Office of Classification offered further clarifying guidance on the fourth and seventh items of the definition:

Item (4) mentions dealing directly with Congress on major budgetary, program, or legislative matters affecting large segments of the population or the Nation's businesses. While many organizations at the bureau level have direct contacts with interested members of Congress and their staffs concerning their programs, the General Schedule Supervisory Guide seeks a higher, extraordinary level of contact. There must be direct and continuing contact outside of the normal departmental processes, and the matters must be pervasive enough to affect large segments of the U.S. populace or a large block of U.S. businesses. Further, because of the importance of the issues to so many of their constituents, the interest of the Congress as a whole must be engaged in dealing with the organization's programs.

Item (7) is similar in the level and intensity envisioned by the General Schedule Supervisory Guide. It refers to directly-delegated or statutorily assigned programs with a Governmentwide or economywide impact and that receive frequent, intensive congressional and media scrutiny. Occasionally, Congress, wishing to exercise direct control and oversight of programs it deems of major importance, uses direct statutory authority to underscore the importance it attaches to a program. Such a program must be at a level which has a magnitude that stretches across the economy as a whole, or at least across all areas of Government. Programs such as this are highly visible and are under ongoing examination by the media because of their scope and impact.

Standard: [General Schedule Supervisory Guide](#)
(April 1993)

Factor: Factor 6, Other Conditions

Issue: Crediting Level 6-6b

Identification of the Classification Issue

This issue arose in connection with the reconsideration of an appeal decision issued by an Office of Personnel Management region. The appellant was a second-level supervisor who directed a major organization through five subordinate division chiefs, four of whom directed substantial workloads (i.e., sufficient for base level credit) of GS-12 level work. The Office of Personnel Management region denied credit for Level 6-6b because all of the subordinate supervisors did not direct a substantial workload of GS-12 level work. The appellant contested the Region's interpretation of Level 6-6b, arguing that it was too restrictive and placed undue emphasis on the requirement that *each* subordinate supervisor direct a substantial workload of GS-12 level work.

Resolution

The General Schedule Supervisory Guide defines Level 6-6b as follows:

They manage through subordinate supervisors and/or contractors who each directs a substantial workload comparable to the GS-12 or higher level. Such base work requires similar coordination as that described at Factor Level 6-5a above for first-line supervisors.

On the basis of guidance provided by the Office of Classification, the Classification Appeals Office adopted a more liberal interpretation of the criteria for Level 6-6b. Essentially, the Classification Appeals Office concluded that there are two conditions under which it would be appropriate to credit GS-12 level work for the purpose of crediting Level 6-6b when each subordinate supervisor does not direct a substantial workload of GS-12 level work. First, if the workload/personnel could be redistributed among the subordinate units so that a substantial workload of GS-12 level work *could* be assigned to each subordinate supervisor, then GS-12 level work would be creditable. Second, if all of the lower level work of the organization is assigned to one unit, and removing that unit from the organization left the requisite GS-12 base level work in each remaining subordinate unit, then GS-12 level work would be creditable.

The Classification Appeals Office determined that the second option was applicable in the appellant's situation. All of the lower level work of the organization (performed by four GS-9 and GS-11 level employees) was concentrated in one of the five subordinate divisions under the appellant's direction. Removing that division from the appellant's organization would have left the requisite GS-12 base level of work in the remaining units. Thus, the Classification Appeals Office concluded that the appellant could be credited with supervising an organization through subordinate supervisors who each directed a substantial workload of GS-12 level work. Because the appellant accomplished significant and extensive coordination and integration of a number of important projects carried out by the subordinate divisions and made recommendations in at least three of the areas listed under Level 6-5a, the Classification Appeals Office credited Level 6-6b.