



United States Office of Personnel Management

Office of Merit Systems Oversight and Effectiveness
Digest of Significant Classification Decisions and Opinions
March 1992
No. 16-05

Standard: N/A
Factor: N/A
Issue: Effective date of new or revised classification standards

Identification of the Classification Issue

The issue arose in connection with an agency request for reconsideration of an Office of Personnel Management region's adjudication of a classification appeal. The agency, in denying a requested upgrade, applied a classification standard that was superseded a few months after the agency had decided the appeal. The Office of Personnel Management region, in adjudicating the appeal, applied the new standard to the same work samples that had been reviewed by the agency in its initial evaluation of the position, and subsequently granted the employee's appeal. The agency argued that since this work had been assigned and performed before the new standard was issued, it could not be evaluated using that standard, and that the Office of Personnel Management should have considered only the work that was performed after the date of issuance of the new standard.

Resolution

Any Office of Personnel Management classification policy or standard supersedes its predecessor on the date of issuance, unless otherwise stated. There is no legal or regulatory basis for limiting the application of a new standard to work performed after the date of issuance. (Changes in grade that result from application of a new standard are not processed retroactively, however, and an employee who is promoted has no back pay entitlement.) The classification of a position typically involves considering the range of work performed over a period of time sufficient to capture cyclical duties or normal variations in the complexity of the work. Therefore, limiting the application of a new standard in this way would effectively preclude its use for a significant length of time.

Agencies are generally allowed 6 months from the date of issuance to apply new classification standards to encumbered positions. However, new standards are to be applied immediately to vacant positions and requests for reclassification of encumbered positions using the most recent work samples available, regardless of whether the work was completed before or after the date of issuance.