



## United States Office of Personnel Management

**Office of Merit Systems Oversight and Effectiveness**  
*Digest of Significant Classification Decisions and Opinions*  
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**Standard:** [General Attorney Series, GS-905](#) (April 1998)  
**Factor:** N/A  
**Issue:** Use of Grading Criteria for Cross-Series Comparison

### **Identification of the Classification Issue**

This issue arose in an OPM oversight division's adjudication of Hearing Officer, GS-930 appeals. In each case, the appellants objected to their agency's application of more specific criteria found in other position classification standards (PCS's). They preferred the more general criteria in the General Attorney Series, GS-905 PCS which their agencies had initially applied. They likened their work to a judge in a court of law and felt the GS-905 criteria most appropriate.

### **Resolution**

When an occupation, like the GS-930 series has no grading criteria of its own, grade level determinations are made by comparison to a PCS for a closely related kind of work. Normally, this involves finding a like category, e.g., professional, administrative, or technical PCS with grading criteria in the same occupational group or a related group. Crossing occupational groups is generally preferable to crossing categories in such searches, because the former involves adjusting for differing subject-matter fields while the latter requires adjusting for different perspectives. For example, Legal Clerical and Assistance, GS-986 work should be evaluated by applying the Grade Level Guide for Clerical and Assistance Work and/or other appropriate single-grade interval PCS's in other occupational groups. Evaluating GS-986 work with the Paralegal Specialist, GS-950 PCS would not be appropriate because it is structured to evaluate two-grade interval legal analytical work not requiring graduation from a recognized law school.

The *Classifier's Handbook* states that because of differences in the nature and qualifications required to do various kinds of work, only PCS's that are compatible with the work being evaluated should be used. Therefore, professional positions should be evaluated against PCS's for professional work that is comparable in scope and difficulty and as nearly equal in subject matter and function.

This is further complicated by the need for additional discernment in applying professional criteria to nonprofessional positions. This is illustrated in the Engineering Group, GS-800, VIII which cautions the use of professional engineering standards in the evaluation of technician positions in grades GS-9 and above:

Careful consideration needs to be given to any significant differences in required scope and intensity of the theoretical and practical knowledge and insight. There are some situations where the qualifications required for the work of professional classes described in the standards are so different from the qualifications required for the work of a nonprofessional position with somewhat similar duties and responsibilities that the differences have a marked impact on the grade level of the work performed.

Unlike GS-905 work, Hearings and Appeals Series, GS-930 work lacks full professional requirements. It does not require a degree, professional legal education, or admission to the bar. The differences in duties, responsibilities, qualification requirements, and screening processes between the two occupations make the GS-905 PCS a difficult comparison. Without suitable adjustments for these significant differences, erroneous grading of the work is likely.

OPM found the Paralegal Specialist series, GS-950 PCS a better match because it (1) addresses administrative work, rather than professional work, (2) belongs to the same occupational family, and (3) shares similar characteristics in terms of the required analytical, research, writing, and judgment skills. It accurately portrays the complexities of nonprofessional analytical legal-like work related to hearings and appeals at the lower- to mid-grade levels.

OPM recognized at the higher grade levels, however, other considerations apply that the GS-950 PCS does not adequately address. The PCS does not, for example, define Level 1-8 since it is rarely encountered in Paralegal work. Consequently, OPM looked to another PCS to evaluate the more complex elements of the appellants' work. It found the Social Insurance Specialist Series, GS-105 PCS most appropriate and fully adequate to the task since it covers administrative work involving analytical knowledge and skills related to those that the appellants exercise. Like the appellants, GS-105 employees determine benefit eligibility, analyze incomplete and conflicting data, and employ lay knowledge of professional fields to weigh the testimony of experts. Though the lower grade levels of this PCS were not as closely related to the appellants' work as the GS-950 PCS, the higher levels contained germane criteria appropriate to extend the factor levels not directly described in the GS-950 PCS. Between the two PCS's, applied separately and in full, an accurate assessment of the GS-930 duties was possible.