

# Position Classification Flysheet for Wage and Hour Compliance Series, GS-0249

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## SERIES DEFINITION

This series covers positions that involve performing or supervising (1) on-site efforts to obtain compliance by employers with wage and hour and related laws, or (2) the establishment, revision, and interpretation of wage and hour program policies and guidelines or the evaluation of enforcement operations. The work requires: (a) thorough knowledge of the laws enforced; (b) ability to apply the varied techniques used to obtain compliance, including investigation, negotiation and conciliation, education and persuasion, and litigation; and (c) understanding of business organization, records systems, and practices related to the laws administered.

This series coverage standard supersedes and is to be substituted for the Position Classification Standard for the Wage and Hour Compliance Series, GS-0249, issued in June 1973. It also supersedes the series definition for the Wage and Hour Law Administration Series, GS-1149, which is hereby abolished.

## EXCLUSIONS

1. Classify in the [Compliance Inspection and Support Series, GS-1802](#), or other one-grade interval series appropriate for the work performed, positions that involve the performance of clerical or technical support work in assuring compliance with or enforcement of Federal laws, regulations, and other mandatory guidelines.
2. Classify in the [Economist Series, GS-0110](#), the [Statistician Series, GS-1530](#), or the appropriate series in the [Legal and Kindred Group, GS-0900](#), positions involving wage and hour compliance work that require full professional competence in economics, statistics, or law.
3. Classify in the [Management and Program Analysis Series, GS-0343](#), the [Budget Analysis Series, GS-0560](#), or other appropriate series in the [GS-0300 General Administrative Group](#), positions involved in planning, analyzing, and evaluating the program management, administration, or budget aspects of wage and hour compliance programs, when the paramount qualification requirements are analytical skill and knowledge of operating programs, budget processes, or management principles.

## OCCUPATIONAL INFORMATION

Wage and hour compliance work encompasses a range of functional responsibilities performed at various organizational levels, including on-site enforcement operations and staff-level policy development and program evaluation.

National and regional offices establish policies and procedures for the uniform administration of the laws, rules, and regulations enforced; develop and implement programs and initiatives designed to achieve the objectives assigned by the Congress and Executive branch; and monitor accomplishment of program objectives and technical adequacy in the development of specific types of cases.

Field offices obtain compliance by business enterprises and State and local governments with Federal labor laws, regulations, and orders pertaining to minimum or prevailing wage rates, overtime pay requirements, child labor restrictions, wage garnishments, domestic service in households, employment eligibility, migrant safety and health protection, certain forms of employment discrimination, and similar matters related to conditions of employment, wages, and hours worked. The specific enforcement and compliance responsibilities assigned to wage and hour offices are subject to change by new legislation, amendments to existing laws, and court decisions affecting coverage and exemptions. The scope of these responsibilities extends beyond wages and hours of work into such issues as polygraph testing and "whistleblower" protection. The laws enforced cover Federal, State, and local governments and all types of industrial, agricultural, and business enterprises.

Acting on complaints or leads, operating-level compliance specialists visit State and local government entities, industrial, commercial, agricultural, construction, service, and other business establishments or job sites to determine whether the employer is in compliance with the enforced laws and regulations and to substantiate any violations. They talk to employers or their representatives, observe work operations, review pertinent business records, and interview current or former employees.

Where investigations indicate that violations have occurred, compliance specialists persuade the employer to recognize that there has been a violation of the law, and to take appropriate action to remedy the violation and comply in the future, including paying any back wages or civil money penalties due. Depending on the outcome of these investigations and negotiations, they recommend (1) closing the case, (2) taking further administrative action (for example, second-level negotiation by the supervisor, monitoring the payment of back wages or civil money penalties, issuing notifications to employees of their right to sue for wages due), or (3) requesting legal action against the employer.

Where voluntary compliance cannot be achieved, compliance specialists recommend civil or criminal action to compel compliance, settle a disputed issue of coverage, or prosecute willful violators. They work closely with attorneys to develop evidence and supporting documentation, and may testify in court.

Compliance specialists also participate in programs to encourage compliance through education and persuasion. They encourage business or trade associations to cooperate in educating their members on the requirements of the laws, make presentations before such groups, and encourage actions to prevent or correct any types of violations found to be prevalent in the trade. They persuade large firms to conduct internal audits to correct violations, and provide training and assistance to the firm's staff in the planning and methodology used. In addition, they inform employers during investigations how they can achieve and maintain compliance with all the provisions of the laws.

## TITLES

*Wage and Hour Compliance Specialist* is the title established for all nonsupervisory positions.

*Supervisory Wage and Hour Compliance Specialist* is the title established for positions that meet the minimum criteria for coverage under the [General Schedule Supervisory Guide](#).

## GRADING OF POSITIONS

Evaluate nonsupervisory positions by reference to the [Grade Evaluation Guide for Compliance Work](#).

Where work exceeds the highest level described for a factor in the Grade Evaluation Guide for Compliance Work, evaluate that factor by reference to the FES [Primary Standard](#) or FES standards for other series which require analogous knowledge and skills (for example, the [Equal Opportunity Compliance Series, GS-0360](#)).

Evaluate positions that meet the minimum criteria of the [General Schedule Supervisory Guide](#) by reference to that guide.