

U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs

Dallas Oversight Division
1100 Commerce Street, Room 441
Dallas, TX 75242

Classification Appeal Decision
Under section 5112 of title 5, United States Code

Appellant: [appellant]

Agency classification: Supervisory Social Science Program
Specialist
GS-101-12

Organization: Team 1
Outpatient Mental Health Service
Mental Health Service
[installation]
Department of Veterans Affairs
[city and state]

OPM decision: GS-101-12
Title at agency discretion

OPM decision number: C-0101-12-02

/s/

Bonnie J. Brandon
Classification Appeals Officer

October 17, 2002

Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the *Introduction to the Position Classification Standards*, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[appellant's name and address]

Director of Human Resources
Department of Veterans Affairs Medical Center
[installation address]

Chief, Compensation and Classification Division (051)
Human Resources Management
Department of Veterans Affairs
810 Vermont Avenue, NW.
Washington, DC 20420

Deputy Assistant Secretary for Human Resources Management (05)
Department of Veterans Affairs
810 Vermont Avenue, N.W., Room 206
Washington, DC 20420

Introduction

On June 27, 2002, the Dallas Oversight Division of the U.S. Office of Personnel Management accepted a classification appeal from [appellant]. We received the agency's administrative report on July 19, 2002. The appellant's position is currently classified as Supervisory Social Science Program Specialist, GS-101-12. The appellant requests that her position be classified as GS-101-13. The position is assigned to Team I, Outpatient Department, Mental Health Service, [installation], Department of Veterans Affairs, [city and state]. We have accepted and decided her appeal under section 5112 of title 5, United States Code.

To help decide the appeal, an Oversight Division representative initially conducted a telephone audit with the appellant on August 30, 2002, and a telephone interview with the appellant's first-level and second-level supervisors on September 12, 2002. In reaching our classification decision, we fully considered the audit and interview findings and all information of record provided by the appellant and her agency.

The appellant is assigned to position description number [number]. The appellant and her supervisor have certified that the position description is accurate.

Position information

The appellant supervises an interdisciplinary team of clinical and support staff delivering both inpatient and outpatient mental health care to more than 1500 veteran patients a year within the Mental Health Service (MHS). The appellant works under the immediate supervision of the Director, Outpatient Mental Health Service. She spends approximately 75 percent of her time performing supervisory duties. These duties include planning and assigning work, evaluating performance, identifying developmental and training needs, counseling employees, and hearing and resolving complaints. She also oversees two other sections of the MHS, the Mental Health Intensive Case Management Program (MHICM) and the Homeless and VA Supported Housing (VASH) Programs.

The appellant directly supervises a staff of three psychiatrists, two psychologists, four social workers, three registered nurses, an addiction therapist, a licensed practical nurse, and a medical clerk. The MHICM section includes a social worker who directly supervises a social worker, four registered nurses, and a program support assistant. The Homeless and VASH Program section includes a social worker who supervises a psychologist, two social workers, and a program support clerk.

Neither of the position descriptions for the employees who lead the work of the appellant's two subordinate organizations describes the supervisory responsibilities of the positions. However, during our interviews with the appellant and her supervisors, we learned that the supervisory responsibilities of the Director of the MHICM meet the lowest level of Factor 3 of the General Schedule Supervisory Guide (GSSG) and encompass at least 25 percent of the time. However, with a small staff of 3.5 full time equivalent employees, the supervisory and/or leader responsibilities of the Coordinator of the Homeless and VASH Programs do not constitute a major duty occupying at least 25 percent of the time. To officially recognize a position as a supervisor or leader, both the GSSG and Part II of the General Schedule Leader Grade-Evaluation Guide require that supervisory or leader duties and responsibilities occupy at least 25

percent of the duty time. The appellant and her supervisors indicated that the individual spends only between 15 and 20 percent of the time on supervisory or leader duties and responsibilities. Therefore, we have credited the appellant with having only one official subordinate supervisor in our evaluation.

The appellant devotes about 25 percent of her time personally performing clinical work. This work includes providing clinical assessment, case management, and therapeutic services to patients. She also provides clinical training to trainees in various disciplines, unlicensed social workers as a requirement for their licensure, and to others as requested.

Series, title, and standard determination

The agency placed the position in the Social Science Series, GS-101, and the appellant agrees with this determination. This series includes positions the duties of which are to advise on, administer, supervise or perform research or other professional and scientific work in one or any combination of the social sciences when such work is not classifiable in other series of this occupational group. The duties and responsibilities of the appealed position require advising on, administering, and supervising work in a combination of the social sciences. Accordingly, we find that the appellant's position is properly allocated to the GS-101 series.

Since OPM has not specified titles for positions in this series, the agency may construct a descriptive title by following the guidance in the *Introduction to the Position Classification Standards*. The word "Supervisory" should be added as a prefix to the title, since the appellant's position meets the requirements for coverage of the GSSG.

The appellant's supervisory responsibilities and clinical work that she personally performs must be evaluated separately because the same classification criteria do not apply to both. The overall grade of the position is the higher level of either her supervisory or clinical work.

The duties and responsibilities of the clinical work that she personally performs require applying knowledge in the behavioral and social sciences. The appellant assesses patients' backgrounds with psychiatric disorders, alcohol dependence, and substance abuse; manages cases; and conducts in-depth individual and group counseling and therapy. She participates on a multidisciplinary team with special emphasis on providing psychosocial assessment and treatment. Since the majority of her time spent on these duties involves work and functions similar to those carried out by positions classified in the GS-185 Social Worker series, we used the grading criteria in that series to grade this portion of her work.

The GSSG is properly used to evaluate the appellant's supervisory duties and responsibilities. These duties require the accomplishment of work through combined technical and administrative direction of others, occupy at least 25 percent of the appellant's time, and meet at least the minimum level of supervisory authority specified in Factor 3 of the GSSG.

Grade determination

Evaluation using the GS-185 standard

The appellant supervises, as well as serves as a member of a multidisciplinary treatment team. She personally sees patients and delivers social work services, among other behavioral and social science services, to those patients as necessary. She routinely provides group or individual therapies and consults with other team members if their unique skills are necessary. At the GS-12 level, the GS-185 standard states that there are two general types of positions. The first is a supervisory position that includes full technical and administrative responsibility for the accomplishment of the work of a unit of three or more subordinate professional workers when the base level of work supervised fully meets the description of grade GS-11 in this standard. The appellant supervises a unit with four subordinate Social Workers at the GS-11 grade level. Accordingly, the appellant's personal clinical work fully meets, but does not exceed, the GS-12 level.

Evaluation using the GSSG

The GSSG uses a point-factor evaluation approach with six evaluation factors specifically designed to assess supervisory positions. The points for all levels are fixed, and no interpolation or extrapolation of them is permitted. If one level of a factor is exceeded, but the next higher level is not met, the factor is credited at the lower level. Points accumulated under all factors are converted to a grade using the GSSG's point-to-grade conversion table.

The appellant believes that her position should be credited at Level 3-3, 4B-3, and 6-5, but agrees with her agency's crediting of factors 1, 2, 4A, and 5. After careful review of the record, we concur with the crediting of Levels 1-2, 2-1, 4A-2, and 5-6. Therefore, this decision will only address Factors 3, 4B, and 6, for which the appellant disagrees with the agency evaluation.

Factor 3, Supervisory and managerial authority exercised

This factor covers the delegated supervisory and managerial authorities which are exercised on a recurring basis.

The GSSG describes two situations for Level 3-3, either of which can be credited for this level. Level 3-3a describes a high level of managerial authority exercised over subordinate units and employees, and Level 3-3b describes supervisory authorities exercised on a regular basis, when those authorities surpass those described at Level 3-2c.

Level 3-3a is appropriate for a position that has delegated managerial authority to unilaterally set a series of annual or similar types of long-range work plans and schedules for the work supervised. The appellant is a member of the Mental Health Executive Board, which develops strategic goals for the Service, but she does not have the authority to independently determine long-range work plans. She develops an annual plan for her team. This level of program planning responsibility is not fully commensurate with Level 3-3a. Further, while the appellant participates with program officials within the Center in the development of goals and objectives for her program, she does not participate with high-level (i.e., agency-level) officials in the

development of the overall goals and objectives for the agency mental health program. Level 3-3a is not met.

Level 3-3b is appropriate for positions that exercise all or nearly all of the delegated supervisory authorities and responsibilities described at Level 3-2c and, in addition, exercise at least 8 of the 15 authorities specified in the factor description. The appellant exercises all 10 responsibilities described at Level 3-2c, and 4 of the 15 responsibilities listed under Level 3-3b. Specifically, she exercises responsibilities 2, 7, 14, and 15, as discussed below.

- The appellant meets responsibility 2 in that she exercises significant responsibilities in dealing with officials of other organizations and in advising management officials of higher rank. For example, as a member of the Mental Health Executive Board, she participates in planning, implementing, and evaluating the goals and operations of the Mental Health Service. She serves on and/or leads various Center-wide committees, such as the JCAHO Accreditation Committee that develops policies and procedures to monitor compliance with quality standards and the Data Validation Committee that develops coding policies consistent with national standards.
- The appellant meets responsibility 7 in that she has authority to approve selections for subordinate nonsupervisory positions.
- The appellant meets responsibility 14 since she has authority to recommend awards for nonsupervisory personnel and changes in position classification.
- The appellant meets responsibility 15 in that she finds and implements ways to eliminate or reduce significant bottlenecks and barriers to production, promote team-building, or improve business practices. For example, she was instrumental in revising medical triage guidelines to improve service delivery; she arranged a retreat for the staff designed to discuss issues encountered, devise solutions to problems, and promote cohesiveness among team members; and she has a major role on the Access Management Team that is standardizing treatment guidelines and processes among several Community Based Outpatient Clinics scheduled to merge with the [installation]. In addition, she advises the Director of MHICM on alternative treatment arrangements when the patient to staff ratio within the program reaches capacity and on the treatment of patients with complex issues. She advises the Coordinator of the Homeless and VASH Programs on actions needed when contractors do not meet acceptable standards and on negotiations with partnership agencies regarding housing responsibilities.

The appealed position does not meet responsibilities 1, 3, 4, 5, 6, 8, 9, 10, 11, 12, or 13 listed under Level 3-3b for reasons discussed below.

Under Level 3-3b of the GSSG, 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 be credited only 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 GSSG uses the plural when speaking of subordinate supervisors and leaders, rather than using a phrase such as “one or more subordinate supervisors, leaders....” This is deliberate. Level 3-3b is intended to credit only supervisors who direct at least two or three persons who are **officially** recognized as subordinate supervisors, leaders, or comparable personnel.

- As discussed earlier, we have credited the appellant with having only one official subordinate supervisor in our evaluation. The supervisory responsibilities of the Director of the MHICM meet the lowest level of Factor 3 of the GSSG and encompass at least 25 percent of the time. However, the supervisory and/or leader responsibilities of the Coordinator of the Homeless and VASH Programs do not constitute a major duty occupying at least 25 percent of the time. Since the appellant supervises just one person officially recognized as a subordinate supervisor, the appealed position cannot receive credit for responsibility 1.
- Under responsibility 3, a supervisor must assure reasonable equity among subordinate units of both performance standards and rating techniques developed by subordinates. Similarly to responsibility 1, responsibility 3 envisions that these performance standards and rating techniques are developed by at least two or three subordinate supervisors, team leaders, or comparable personnel. The appellant has only one subordinate supervisor, and, therefore, does not meet responsibility 3.
- Responsibility 4 requires direction of a program or major program segment with significant resources (for instance, a multimillion-dollar level of annual resources). While the appellant’s team and subordinate sections are allocated an annual budget for salaries and benefits of over one million dollars, the appellant does not have direct control over the budget. Her involvement primarily consists of recommending when vacancies should be filled. Since the appellant lacks direct control over a multimillion-dollar level of annual resources, responsibility 4 cannot be credited.
- Like responsibilities 1 and 3, responsibilities 5, 6, and 8 are intended to credit only supervisors who direct at least two or three subordinate supervisors, team leaders, or comparable personnel. Therefore, credit cannot be awarded for these three responsibilities.
- Under responsibility 9, a supervisor must hear and resolve formal group grievances or serious complaints from employees. The appellant hears and tries to resolve all grievances or complaints from her staff. However, we cannot grant credit for responsibility 9. Our interviews indicate that she lacks authority to resolve by herself grievances that go beyond the initial, informal stage. Beyond the informal level, higher-level supervisors would become involved. She therefore has less authority to resolve formal group grievances and serious employee complaints than intended under responsibility 9.
- Responsibility 10 requires that a supervisor review and approve serious disciplinary actions (for instance, suspensions) involving nonsupervisory subordinates. As with responsibility 9, higher-level supervisors would become involved with serious disciplinary actions; therefore, she has less authority to deal with them than intended under responsibility 10.

- Under responsibility 11, a supervisor must make decisions on nonroutine, costly, or controversial training needs and training requests related to the unit. The appellant develops competency plans and identifies appropriate training to meet the needs of the staff. However, she must obtain concurrence from the Service Chief for any unusual or costly training requests, with final approval by the Education Service. Accordingly, responsibility 11 is not fully met and is not credited.
- Responsibility 12 cannot be credited because the appellant does not determine whether contractor-performed work meets standards of adequacy needed to authorize payment.
- The appellant approves within-grade increases and travel related to employees' occasional attendance at conferences or training events that have been approved by the Education Service. She approves compensatory time for the staff, but does not grant extensive overtime. Her approval of compensatory time does not involve the complexities of managing budgetary resources, as intended in this responsibility. Because responsibility 13 is not fully met, it may not be credited.

Since the appellant's position is credited with only 4 of the 15 responsibilities listed under Level 3-3b, it does not meet that level. The appealed position is therefore evaluated at Level 3-2c, the highest level met. 450 points are credited.

Factor 4, Personal contacts

This is a two-part factor that assesses the nature and purpose of personal contacts related to supervisory and managerial responsibilities.

Subfactor 4B, Purpose of contacts

This subfactor includes the advisory, representational, negotiating, and commitment responsibilities related to the supervisor's contacts.

The purpose of the appellant's contacts warrants Level 4B-2. The record indicates that, as is characteristic at that level, the purpose of some of the appellant's contacts is to ensure that information provided to outside parties is accurate and consistent, to plan and coordinate the work directed with that of others outside her office, *and/or* to resolve differences of opinion among managers, supervisors, or employees.

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.

While any one of the three elements at Level 4B-2 would merit credit for that 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 does not have the responsibility and authority to obtain or commit resources for her organizational segment. This responsibility resides in positions at higher managerial levels. Further, her supervisor states that he represents the organization at meetings of the medical center services; therefore, the appellant's position does not meet the full intent of Level 4B-3.

Consequently, Level 4B-2, the highest level fully met, is credited. 50 points are assigned.

Factor 6, Other conditions

The appellant's position meets neither Level 6-5a nor 6-5b. These levels assume that the difficulty of typical work directed, as determined in Factor 5, is GS-12 or GS-13. By contrast, the difficulty of typical work directed by the appellant is GS-11. While she provides some technical direction to higher-level positions, her direction encompasses only those areas in which she is qualified. Level 6-5c involves managing work through subordinate supervisors or contractors who each direct substantial workloads comparable to the GS-11 level. Earlier, we discussed why certain responsibilities at Level 3-3b can be credited only for supervisors who direct at least two or three subordinate supervisors. For similar reasons, Level 6-5c can be awarded only for supervisors who manage work through at least two subordinate supervisors or contractors. The appellant's position does not meet this level.

The appellant's position meets Level 6-4a. Supervision at this level requires substantial coordination and integration of a number of major work assignments, projects, or program segments comparable in difficulty to the GS-11 level.

Level 6-4a is credited and 1120 points are assigned.

Summary

By application of the GSSG, we have evaluated the appellant's supervisory duties as follows:

Factor	Level	Points
1. Program Scope and Effect	1-2	350
2. Organizational Setting	2-1	100
3. Supervisory & Managerial Authority Exercised	3-2	450
4. Personal Contacts		
4A Nature of Contacts	4A-2	50
4B Purpose of Contacts	4B-2	75
5. Difficulty of Typical Work Directed	5-6	800
6. Other Conditions	6-4	<u>1120</u>
	Total	2945

A total of 2945 points falls into the GS-12 range (2755-3150) by reference to the point-to-grade conversion chart in the GSSG. Therefore, the appellant's supervisory duties are graded at the GS-12 level.

Decision

The appellant's position is properly classified in the GS-101 series at the GS-12 grade level. Selection of an appropriate title is at the agency's discretion and should include the Supervisory prefix.