

**CERTIFICATE OF
CLASSIFICATION APPEAL DECISION OF THE
OFFICE OF PERSONNEL MANAGEMENT
CHICAGO FIELD SERVICE OFFICE**

Incumbent: [the appellant]

POSITION NUMBER: 618-8474
Supervisory Orthotist-Prosthetist

AGENCY CLASSIFICATION: GS-667-11

POSITION LOCATION: Department of Veterans Affairs
Orthotic/Prosthetic Laboratory
Prosthetic and Sensory Aids Service (121)
Allied Health Services
Medical Center
Veterans Health Administration
[a large city]

OPM DECISION: GS-667-11
Supervisory Orthotist-Prosthetist

OPM decision number: C-0667-11-01 , 7/21/95

This appellate decision constitutes a certificate that is mandatory and binding on administrative, certifying, payroll, and accounting offices of the Government. It is the final administrative decision on the classification of the position, not subject to further appeal. It is subject to discretionary review only under the conditions and time limits specified in Part 511, Subpart F, of Title 5, U.S. Code of Federal Regulations.

STEVEN R. COHEN
FIELD SERVICE DIRECTOR

7/21/95

DATE

DECISION TRANSMITTED TO:

[the name and address
of the appellant]

[personnel officer]
Personnel Officer
Medical Center
Department of Veterans Affairs
[address of appellant's servicing
personnel office]

Mr. Ronald D. Cowles
Deputy Assistant Secretary for Personnel
and Labor Relations
Department of Veterans Affairs
Washington, DC 20420

INFORMATION CONSIDERED

- Appellant's letter of appeal dated December 28, 1994, with attachments, and subsequent letter of February 3, 1995, providing additional requested information
- Copy of the official description of the appellant's position, number 618-8474
- Copy of the official description of the appellant's supervisor's position
- Copies of the official descriptions of the appellant's subordinates' positions
- Copy of the appellant's performance standards
- Copy of the organizational and functional charts for the Prosthetic Treatment Center (currently the Prosthetic and Sensory Aids Service)
- Copy of the position evaluation statement, dated August 1, 1994, that reflects the Department of Veterans Affairs' application of published classification standards in reaching its decision for the appellant's position
- Copy of the appellate decision of the Department of Veterans Affairs, dated December 14, 1994, on the appellant's appeal of the agency's classification of his position
- Audit of the position by telephone with the appellant on July 10, 1995
- Discussion regarding the appellant's position by telephone with the appellant's second level supervisor on June 27, 1995

EVALUATION CRITERIA

- OPM position classification standard for the Orthotist and Prosthetist, GS-667, Series, dated June 1972
- OPM General Schedule Supervisory Guide, dated April 1993

INTRODUCTION

By letter dated December 28, 1994, the appellant submitted an appeal of the decision made by the U.S. Department of Veterans Affairs in classifying his position. The appellant is assigned to position number 618-8474, which was classified by the agency as a Supervisory Orthotist-Prosthetist, GS-667-11, on August 16, 1994. The position is located in the Orthotic/Prosthetic Laboratory, Prosthetic and Sensory Aids Service, Allied Health Services, Medical Center, Veterans Health Administration,

U.S. Department of Veterans Affairs, Minneapolis, Minnesota. The appellant has requested classification of his position at the GS-12 level. Initially, following the classification action regarding his position taken by the local installation last August, the appellant filed an internal appeal of this action with his agency's headquarters. The subsequent decision reached at the latter level, which was rendered on December 14, 1994, affirmed the local installation's earlier determination. In his appeal to the Office of Personnel Management, the appellant took specific exception only to the agency's determination of credit for the program scope and effect of his supervisory duties (Factor 1 under the supervisory classification guide). He does not dispute his agency's grade determination for classification of his non-supervisory duties.

JOB INFORMATION

The appellant's position, which carries the organizational title of Chief, Orthotic/Prosthetic Laboratory, involves carrying out of a range of responsibilities concerned with overseeing the provision of rehabilitative and therapeutic services to moderately to severely disabled veterans within a jurisdictional area covering two major metropolitan areas and including patient referrals from five states. In so doing, the appellant supervises a staff of seven subordinates, composed of five GS-9 employees (three Orthotists, one Prosthetist, and one Orthotist-Prosthetist - all of whom are classified in the GS-667 series) and two WG-7 Orthopedic Appliance Repairers. The appellant personally serves as a technical advisor to the Medical Center's Regional Prosthetic Appliance Clinic and Major Medical Equipment Clinic, as well as to Medical Center professional staff in general on issues that arise relating to prosthetic equipment and devices. He also serves as a member on or as technical consultant to a variety of Medical Center committees and working groups (e.g., the Extended Care Committee, Nursing Home Care Unit Team, etc.).

Approximately 25 percent of the appellant's time is devoted to carrying out personally projects that have been assigned by the Director, Prosthetic and Sensory Aids Service, VA Central Office.

ANALYSIS AND FINDINGS

Series and Title Determination

The Orthotist and Prosthetist, GS-667, series includes positions involved in designing, fabricating, or fitting orthotic or prosthetic devices in order to preserve or restore function to patients with disabling conditions of the limbs and spine or with partial or total absence of limbs. As Chief, Orthotic/Prosthetic Laboratory, the appellant oversees an ongoing function involving the processes characteristic of both specializations in this occupational series, as discussed in the section above, which renders appropriate the basic position title of *Orthotist-Prosthetist*. In this capacity, the appellant directs the work of seven subordinates, exercising a broad range of supervisory authorities and responsibilities. As such, the position meets the criteria for coverage under the General Schedule Supervisory Guide (GSSG). Positions in the GS-667 series requiring supervisory qualifications have the term "Supervisory" prefixed to their title. The appropriate title for the appellant's position is, therefore, *Supervisory Orthotist-Prosthetist*.

Grade Determination

The appellant's supervisory and non-supervisory work 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 supervisory or non-supervisory work. The Orthotist and Prosthetist, GS-667, series standard is used to evaluate the appellant's personally performed work and the GSSG is used to evaluate his supervisory duties and responsibilities. The appellant does not challenge the results of the agency applying the GS-667 classification standard to his personally performed work, which the agency equates to GS-11. Since GS-12 work involves a very high order of difficulty and responsibility not regularly demanded of the appellant in his personally performed work, that work cannot be higher graded than the GS-11 grade already assigned to his supervisory duties. Consequently, his personally performed work is not further examined in this decision.

The GSSG uses a point-factor evaluation approach where the points assigned under each factor must be fully equivalent to the factor-level described in the guide. If a factor is not equivalent in *all* respects to the overall intent of a particular level described in the Guide, a lower level point value must be assigned, unless the deficiency is balanced by an equally important aspect that meets a higher level.

Factor 1: Program Scope and Effect

This factor measures the general complexity, breadth, and impact of the program areas and work directed, including its organizational and geographic coverage. It also assesses the effect of the work both within and outside the immediate organization. All work for which the supervisor is both technically and administratively responsible, including work accomplished through subordinates or contractors, is considered. To receive credit for a given level, the separate criteria specified for both scope and effect must be met at that factor level.

Subfactor 1a: Scope

Scope addresses complexity and breadth of the program or work directed, including the geographic and organizational coverage within the agency structure. It 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.

In its discussion of Scope, Level 1-2 of the guide covers the direction of administrative, technical, complex clerical, or comparable work that has limited geographic coverage and supports most of the activities of a typical agency field office, a small to medium sized military installation, or comparable activities within agency program segments.

Level 1-3 covers the direction of a program segment involving technical, administrative, protective, investigative or professional work that typically encompasses a major metropolitan area, a State, or small region of several States.

The appellant supervises a work unit, the Orthotic/Prosthetic Laboratory, that is charged with providing service to a potential population pool of approximately 17,000 veterans (this being the estimate furnished by the appellant's second level supervisor; the appellant had cited an approximate figure of 14,000) who are recorded as having active disabilities requiring orthotic or prosthetic support. This group is spread across the installation's Clinic of Jurisdiction service area, which is comprised of 72 Minnesota and 16 Wisconsin counties. During FY 1994, the Laboratory provided service to about 5,800 patients, the great majority of which were drawn from this group, but which also included a small increment comprised of patient referrals from other VA installations over a five state area involving more difficult or complex cases beyond the capacity of their own staffs.

In its internal appellate decision, the agency credited the Scope subfactor at Level 1-2 on the rationale that, as a component within the installation's Prosthetic and Sensory Aids Service, the more constrained breadth of impact and complexity of the functions performed by the appellant's work unit and overseen by him were primarily "... technical, hav[ing] limited geographic coverage and support[ing] some of the activities of the medical center." The appellant in rejoinder contends that the functions of his work unit support the overall "multimission and complexity" of the Medical Center, citing such factors as the support given to specialized clinics and multidisciplinary teams at the installation, the installation's affiliation agreement with an educational technical institute that is one of the three such facilities in the nation specializing in providing orthotic/prosthetic education, and cites also his own work outside his supervisory role on the PSAS Council as having impact on the agency's entire prosthetic program.

In our analysis, we focused on the actual degree of impact the appellant's work unit has in terms of furthering implementation of the agency's prosthetic program goals. (His personally performed duties are outside the scope of GSSG coverage and were addressed earlier by reference to the GS-667 standard). While the scope of the work he directs exceeds the Level 1-2 threshold in some respects, it does not fully rise to that envisioned at Level 1-3, which conclusion is supported by the examples given in the GSSG of work situations typical of this level. These reflect broader organizational coverage than that in the instant case, which basically involves implementation at the field installation level of a program segment which comprises an element of the Medical Center's overall mission.

Although the appellant is somewhat dismayed by having been credited with the next to lowest level under Factor 1, the level he lays claim to (Level 1-3) is the highest level that the guide credits for less than bureauwide or entire field establishment-wide responsibilities. Level 1-3 criteria are explicit only regarding the geographic aspect of scope, which the appellant meets. However, the work he directs must be further evaluated against the three illustrations on pages 11 and 12 of the guide, which provide a key to determining whether other aspects of Level 1-3 scope, like organizational coverage, are also met. The first illustration pertains to managing substantive projects throughout a region, such as the civil works projects engineering organizations might carry out. The second pertains to

furnishing a significant portion of an agency's line program directly to the general public. The third pertains to providing support services to an organization or group of organizations like large or complex multimission military installations. Of the three, only the second is directly relevant to the appellant's work. It describes furnishing a significant portion of the agency's line program to a moderate-sized population of clients. The Medical Center delivers a range of health services, among them prosthetic and sensory aids. The Prosthetic and Sensory Service has responsibility for that single portion of the range of health services and the work the appellant directs, in turn, is part of this portion. While the work the appellant directs is undeniably important, it comprises but a small part of the health services delivered by the Medical Center and involves but a single unit of the agency structure, lacking any subordinate structure of its own. Unlike Level 1-3, its organizational coverage is of minimal breadth, comprising a limited, rather than significant, portion of the agency's line program. Consequently, we evaluate Scope at Level 1-2.

Subfactor 1b: Effect

Effect addresses impact of programs, products, or correctly performed work both within and outside the agency.

At Level 1-2, services significantly affect installation level or field office operations and objectives. (Directing budget, supply, protective, or similar services for a small base without extensive research, testing, or similar missions meets this level.)

At Level 1-3, services directly and significantly affect a wide range of agency activities, other agencies, outside interests, or the general public. At the field activity level (involving large, complex, multimission organizations and/or very large serviced populations) the work directly entails the provision of essential support services or products to numerous, varied, and complex technical, professional, or administrative functions.

The work the appellant directs affects the Medical Center operations and objectives, as at Level 1-2. It does not directly and significantly affect a wide range of agency activities or outside interests, nor does it involve support services, like budget or personnel. Therefore, any further effect of the work must be assessed against the moderate-sized population criterion of the single pertinent illustration in Level 1-3. The potential population affected by the Orthotic and Prosthetic Laboratory is estimated to be in the 14,000 - 17,000 range. The agency in its appellate decision concluded, based on illustrations provided in the GSSG, that this equated most closely to a service population size typical of a portion of a small city and did not meet Level 1-3 criteria, which in a relevant illustration describes a serviced population equivalent to a small city, a portion of a major metropolitan area, or a group of citizens in several rural counties. The appellant argues that the 14,000 figure should be considered to meet the definition of a "small city," citing definitions used by the State of Minnesota and the Rand McNally Company in support of his position. The appellant also posits a claim that the potential serviced population of his work unit could be based on the *total* veteran population of about 70,000 within the installation's Clinic of Jurisdiction, on the thesis that any of the members of this

group may at some point be in need of orthotic or prosthetic support, regardless as to their present status.

It is important to clarify that crediting decisions on this subfactor are not based solely on mechanistic determinations of serviced population size, although this is one element taken into account in arriving at such decisions. The impact of the work performed, products produced, or programs involved on the recipients of such output must be related to the degree of complexity and intensity of the product or service provided. Level 1-2's pertinent illustration involves furnishing a portion of a field office's services, often on a case basis, to a small population of clients, equivalent to all citizens in a portion of a small city. Level 1-3's pertinent illustration refers to a moderate-sized population of clients, equivalent to a small city, a portion of a larger metropolitan area, or a group of citizens in several rural counties. For the purposes of the GSSG, a population of about 70,000 veterans falls within range of the smallest cities that would likely be the focus of a Federal program aimed at the general public (e.g., Social Security). The Medical Center focuses its health services on this moderate-sized population rather than the considerably smaller population of about 17,000 in need of the Laboratory's services. Of these, only about 5,800 annually received some form of service from the appellant's staff and a smaller portion of these demanded complex and intensive service. Regardless of the level of service rendered, though, neither the entire 5,800 serviced nor the 17,000 potential clients constitute a moderate sized population for the purposes of the GSSG. Consequently, we evaluate Effect at Level 1-2.

To receive credit for Level 1-3, the work directed must fully meet both Level 1-3 Scope and Level 1-3 Effect. The appellant's work meets all the requirements of neither one. Therefore, we evaluate this factor at Level 1-2 and credit 350 points.

Factor 2: Organizational Setting

This factor considers the organizational position of the supervisor in relation to higher levels of management (the rank of the person to whom the supervisor reports for direction and appraisal).

Under this factor, if the position being classified reports directly to a Senior Executive Service (SES) member, flag officer, or the equivalent, it receives Level 2-3 credit. If not, but the second-level supervisor of the position being classified is a Senior Executive, flag officer, or the equivalent, it receives Level 2-2 credit. In all other cases, the position being classified receives minimum credit, Level 2-1.

The agency evaluation credited Level 2-1, because the appellant's position was determined to be two levels below the first SES position (the Medical Center Director) in the appellant's chain of command. Although the appellant initially questioned the agency's evaluation on this factor, he subsequently accepted this rationale. We concur with the agency's determination on this factor.

We accordingly evaluate this factor at Level 2-1 and credit 100 points.

Factor 3: Supervisory and Managerial Authority

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

On this factor, the agency evaluation credited Level 3-2 because while the appellant's position description documents that he exercises the full range of ten first line supervisory authorities described in paragraph 3-2c of the GSSG, the position does not function in a second or higher level supervisory capacity as envisioned at Level 3-3. The appellant agreed with agency's assessment on this factor and we concur with this determination as well.

We therefore evaluate this factor at Level 3-2 and credit 450 points.

Factor 4: Nature and Purpose of Contacts

This is a two-part factor that measures the nature and purpose of personal contacts related to supervisory and managerial responsibilities. To be credited, the contacts must be direct, contribute to the successful performance of the work, be a recurring requirement, and have a demonstrable impact on the difficulty and responsibility of the position. The contacts used to determine credit level under one subfactor must be the same used to determine credit under the other subfactor.

Subfactor 4A: Nature of Contacts

This subfactor covers the organizational relationships, authority or influence level, setting, and preparation difficulty involved in the supervisor's work. To be credited, contacts must be direct and recurring, contribute to the successful performance of the work, and have a demonstrable impact on the difficulty and responsibility of the position.

The agency evaluation credited Level 4A-3, as the appellant's position description documents that he has regular contact with supervisory peers, service chiefs, and comparable officials at VA facilities across the country, and with sources in the private sector, but not with the contact categories more typical of Level 4A-4 (e.g., SES or equivalent, Executive Level heads of bureaus and higher level organizations in other agencies, elected/appointed State or local governmental officials, etc.). Again, the appellant does not contest the agency's determination, with which we concur also.

Therefore, we evaluate this factor at Level 4A-3 and credit 75 points.

Subfactor 4B: Purpose of Contacts

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

The agency evaluation credited Level 4B-3, as the appellant's position description reflects that in the course of his contacts, the appellant is called upon to coordinate the implementation of prosthetic programs and the concomitant procurement of supplies and contractual services through negotiations and other meetings, as well as ensuring that regulatory and program policy compliance is being achieved. Such contacts can involve justifying, defending, or negotiating program resource allocations. There is no indication that the appellant must regularly cope with intense opposition or must otherwise overcome entrenched resistance, which is typical of Level 4B-4. On this factor element also, the appellant chose not to contest the agency's conclusion, with which we concur.

Accordingly, we evaluate this factor at Level 4B-3 and credit 100 points.

Factor 5: Difficulty of Typical Work Directed

This factor covers the difficulty and complexity of the basic work most typical of the organization directed, as well as other line, staff, or contracted work for which the supervisor has technical or oversight responsibility (either directly or through subordinate supervisors, team leaders, or others).

The level credited for this factor normally must constitute at least 25 percent of the workload of the organization supervised. Excluded from consideration are:

- . work of lower level positions that primarily support the basic work of the unit,
- . work that is graded based upon the supervisory or leader guides,
- . work that is graded higher than normal because of extraordinary independence from supervision, and
- . work not fully under the supervisor's authority and responsibility as defined under Factor 3.

As indicated above, the appellant supervises seven subordinates, five of whom are serving in GS-667-9 positions, while the remaining two are WG-7 employees, whom the agency equated to the GS-7 level for the purposes of its analysis under this factor. In its most recent evaluation of the appellant's position against GSSG criteria dated March 3, 1995, the agency concluded that 61 percent of his subordinates' workload was creditable at the GS-9 level, which was the highest base level of work supervised at which credit was allowed (the agency's earlier analysis on this same factor, dated August 1, 1994, had arrived at a comparable 71 percent figure). The appellant raised no objection to the agency's determination, and our own review of the appellant's subordinates' position descriptions resulted in our concurrence with the agency' determination that GS-9 was indeed the highest base level of work supervised by the appellant which constituted at least 25 percent of the workload found in his work unit.

We evaluate this factor at Level 5-5, and credit 650 points.

Factor 6: Other Conditions

This factor measures the extent to which various conditions add to the difficulty of supervision. For credit, the condition must be present and dealt with on a regular basis. Positions at Level 6-3 or below are boosted one level if they also meet at least three of the eight special situations described in the guide.

Stemming from its conclusion under Factor 5 above, the agency determined that the supervision and oversight provided by the appellant required the coordination of administrative, technical, or complex technician work comparable to the GS-9 level. This met the criteria for assignment of Factor Level 6-3. Crediting Level 6-4 would be inappropriate, as this involves either providing supervision over professional, administrative, or other work comparable in difficulty to the GS-11 level or work situations in which a supervisory incumbent directs subordinate supervisors who are themselves directing substantial workloads comparable to the GS-9 or 10 level. Regarding this factor as well, the appellant lodged no disagreement with the agency's basic conclusion crediting the appellant's supervisory duties at Level 6-3, with which we concur.

Special Situations

The GSSG lists eight work conditions, some or all of which may be present in individual supervisory positions. A position that has been credited at Level 6-3 is assessed against these eight criteria to determine whether three or more of them are present in the position in question. If so, the next highest factor level, 6-4, is credited.

Of the eight work conditions, four clearly are not relevant to the appellant's position, based on the documentation in his position description and our discussion with him (i.e., *Shift Operations*, *Physical Dispersion*, *Special Staffing Situations*, and *Impact of Specialized Programs* - numbers 2, 4, 5, and 6 respectively). Of the remaining four, at least two (*Variety of Work and Fluctuating Workforce/Deadlines* - numbers 1 and 3) are not met, for the reasons summarized below. Consequently, no additional credit applies.

Variety of Work

This condition concerns work situations when more than one kind of work, each requiring of the supervisor his/her possession of a distinctly different additional body of knowledge, is to be found in the work of the unit supervised. We concur with the agency's conclusion as to the inappropriateness of crediting this work situation, as the work of the unit supervised essentially requires knowledge of the principles of orthotics and prosthetics, which are treated in unitary fashion under the GS-667 occupational series.

Fluctuating Work Force or Constantly Changing Deadlines

The appellant's position description suggests that constantly changing deadlines frequently disrupt previously scheduled work assignments, thereby requiring adjustment to accommodate emergent demands in the field of assimilating body parts and assistive devices. However, it was not apparent that the appellant faced more workload disruption than would be roughly equivalent to that faced by supervisors in general in terms of coping with variability and unpredictability in the area of work deadlines. Also, there was no indication that the appellant faces large seasonal or other fluctuations in terms of the number of staff under his supervision, such that unusual demands were placed on him in terms of providing for staff training or workload management. We agree, therefore, with the agency decision not to credit this work condition.

We evaluate this factor at Level 6-3 and credit 975 points.

FACTOR LEVEL POINT SUMMARY

Factor	Level	Points
1	1-2	350
2	2-1	100
3	3-2	450
4A	4A-3	75
4B	4B-3	100
5	5-5	650
6	6-3	975
	Total:	2700

The above table summarizes our evaluation of the appellant's supervisory responsibilities found in his position. As shown on page 31 of the guide, a total of 2,700 points converts to grade GS-11 (2355-2750).

DECISION

As explained in the foregoing analysis, the proper classification of the appellant's position is Supervisory Orthotist-Prosthetist, GS-667-11.