

120 Howard Street, Room 760
San Francisco, CA 94105



**Classification Appeal Decision
Under Section 5112 of Title 5, U.S. Code**

Appellant: [the appellant]

Position: Transportation Operations Specialist
GS-2150-13

Organization: [branch]
[division]
Federal Supply Service
General Services Administration
Region 9
San Francisco, California

Decision: GS-2150-12;
title at agency discretion

OPM Decision Number: C-2150-12-01

Signed by Denis J. Whitebook _____
DENIS J. WHITEBOOK
CLASSIFICATION APPEALS OFFICER

July 3, 1997 _____
DATE

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision 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).

Since this decision lowers the grade of the appealed position, it is to be effective no later than the beginning of the sixth pay period after the date of this decision, as permitted by 5 CFR 511.702. The servicing personnel office must submit a compliance report containing the corrected position description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action.

The personnel office must also determine if the appellant is entitled to grade or pay retention, or both, under 5 U.S. Code 5362 and 5363 and 5 CFR 536. If the appellant is entitled to grade retention, the two-year retention period begins on the date this decision is implemented.

Decision sent to:

[CCs]

Introduction

On April 2, 1997, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant]. His position is currently classified as Transportation Operations Specialist, GS-2150-13. However, he believes his position should be titled Supervisory Transportation Operations Specialist and be graded at GS-2150-14. He works in [GSA].

To help decide the appeal, an Oversight Division representative conducted a telephone audit of the appellant's position. The audit included a telephone interview with the appellant conducted on June 20, 1997, and a telephone interview with the appellant's immediate supervisor conducted on June 23, 1997. In reaching our classification decision, we have carefully reviewed the audit findings and all the information furnished by the appellant and his agency, including his official position description (PD) 39F0872. We have accepted and decided his appeal under 5 U.S. Code 5112.

General Issues

The appellant notes that his supervisor's position was upgraded from a GS-14 Branch Chief to a GS-15 Division Chief when a reorganization changed Fleet Operations from a Branch to a Division. At the same time the appellant's position as a Section Chief went to a Branch Chief but without a change in grade. The appellant believes his position is undergraded based on the upgrade his supervisor received. The appellant also cites a number of other positions that have been upgraded without a change of individuals, or significant changes in duties and responsibilities. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S. Code 5106, 5107, and 5112). Since comparison to standards and guidelines is the exclusive method for classifying positions, we cannot use the upgrading of the appellant's supervisor's position, or compare the appellant's position to others, as a basis for deciding his appeal.

Position Information

The appellant's official PD states the position serves as Chief, [branch]. His official PD states that he has responsibilities for planning, directing and executing the Marketing, Alternative Fuel, and Interagency Motor Equipment Advisory Committee programs pertaining to GSA owned and leased vehicles operated by Government agencies and contractors in California, Arizona, Hawaii, Nevada and certain locations in the Pacific Basin. By percentage of time, the appellant's PD shows that he:

Coordinates efforts in developing a comprehensive marketing plan for Region 9's Interagency Fleet Management System (including Alternative Fuel Program), and directs and oversees the activities which implement the plan's objectives. Meets with top management officials to communicate policies, procedures, programs, and service provided. Maintains state-of-the-art knowledge of industry trends to identify new or enhanced services offerings. Evaluates potential in terms of improved services and economy in meeting the requirements of customers. Increases customer base by promoting Interagency Fleet Management System services through personal contact with major customers. Develops and implements a client feedback system to resolve problems and identify opportunities to better meet client needs and expectations. Assists Federal agencies in making studies

to improve motor equipment management policies, maintenance practices, operating methods, and record keeping systems. Provides assistance to Federal agencies in preparing specifications to acquire the equipment necessary to meet the agency's service requirements and standardize such equipment, to the extent practicable, for Government use. Aids, advises, and provides guidance in the most advantageous method for procurement and disposal of their equipment. Assists Federal agencies in making studies to improve their motor equipment management policies, maintenance practices, operating methods, and record keeping systems. Develops Federal Property Management Regulations and Bulletins regarding [branch]'s programs for customers and other interested parties. Supervises one specialist (35%)

Directs special Alternative Fuel Vehicle test projects involving motor vehicles and equipment. Obtains necessary information to implement test results, and consolidates information for transmittal to higher authority. Maintains knowledge of automotive industry trends. (35%)

Serves as advisor to the Regional Fleet Manager and other [GSA] officials on legislative and other issues that pertain to [branch]. (20%)

Directs the activities of the permanent Secretary of the Interagency Motor Equipment Advisory Committee (IMEAC). (10%)

The appellant's PD, the other material of record, and our audit findings furnish much more information about his duties and responsibilities and how they are performed.

Series and Title

We find that the appellant's position is best covered by the Transportation Operations Series, GS-2150. This series includes positions "... the duties of which are to administer, supervise, or perform work involving the planning, directing, or operating of rail, motor, air, or water transportation systems and service, including positions involving responsibility for operation of both transportation service and terminal facilities." Neither the agency nor the appellant disagrees.

OPM has prescribed no titles for positions in that series. The appellant believes his position should be titled Supervisory Transportation Operations Specialist.

As described on pages 7 and 8 of the General Schedule Supervisory Guide (GSSG), it is not permissible to use the words "Supervisory" or "Supervisor" in the official title of a position unless the position meets the minimum criteria for classification as a supervisor under the Guide. The GSSG provides evaluation criteria for determining the General Schedule (GS) grade level of supervisory positions in grades GS-5 through GS-15. In the GSSG statement of coverage, one criterion to be met for application of this guide is that the GS supervisory work and related managerial responsibilities to be evaluated must constitute a major duty occupying at least 25 percent of the position's time. There is no information in the record to support the conclusion that appellant spends at least 25 percent of his time on supervisory and related managerial work in (currently) supervising one staff

member, a GS-7 technician. The duty of supervising is included along with many other duties which together constitute about 35 percent of the appellant's time.

The appellant indicated that if a currently vacant Transportation Operations Specialist position is filled, substantial time would likely need to be spent in training the individual. Together with the supervision of a current technician, and direction and oversight given to individuals at Fleet Management Centers (FMC) involved in alternative fuel vehicles, total time in such circumstances for that training period may be 25 percent. However, supervisory responsibilities for employees in FMC's, such as preparing appraisals and approving leave, are not delegated to or exercised by the appellant. Further, if the vacant position is filled, additional time needed to initially train a new employee should diminish. In addition, as discussed on page 16 of Introduction to the Position Classification Standards, a position is classified on the duties actually performed. Since the position's supervisory work and related managerial responsibilities do not constitute at least 25 percent of the position's time on a continuing basis, it does not meet the criteria for classification under the GSSG and an official title of Supervisory or Supervisor is not appropriate. Therefore, according to page 18 of the Introduction to the Position Classification Standards, the appellant's agency may choose the official title for his position. In doing so, the agency should follow the titling guidance on that page.

Standard and Grade Determination

There are no specific grade level criteria for the appellant's work. According to pages 20-21 of the introduction of the classification standards, an appropriate general classification guide or criteria in a standard or standards for related kinds of work should be used.

The Administrative Analysis Grade-Evaluation Guide provides grade level criteria for evaluating nonsupervisory staff administrative, analytical, planning and evaluative work. Work covered requires a high degree of qualitative and/or quantitative analytical skills, the ability to research problems and issues, written and oral communication skills, and the application of mature judgement in problem solving. We find that this guide is properly used to evaluate the appellant's work.

The Administrative Analysis Grade-Evaluation Guide uses the Factor Evaluation System (FES), which employs nine factors. Under the FES, each factor level description in a guide or standard describes the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in a factor level description in any significant aspect, it must be credited at a lower level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. As explained above, because the factor level descriptions of the guide describe *minimum* criteria, positions assigned a certain factor level always meet or exceed the guide's criteria. Thus, it is expected that the appellant's actual duties and responsibilities will often exceed the criteria for the awarded level. The critical issue is whether the appellant's duties and responsibilities *meet or exceed* the criteria for the next higher level. Our evaluation with respect to the nine FES factors follows.

Factor 1, Knowledge Required by the Position -- Level 1-7 -- 1250 points

This factor measures the nature and extent of information or facts required to do acceptable work and the nature and extent of skill necessary to apply this knowledge. To be used as a basis for selecting a level under this factor, a knowledge must be required and applied. The agency assigned Level 1-7.

Level 1-7 requires knowledge of pertinent laws, regulations, policies, and precedents which affect the use of program and related support resources in the area studied. Projects and studies typically require knowledge of the major issues, program goals and objectives, work processes, and administrative operations of the organization. At Level 1-7, the knowledge is used to plan, schedule, and conduct projects and studies to evaluate and recommend ways to improve effectiveness and efficiency of work operations in a program or support setting. Knowledge is applied in developing new or modified work methods, organizational structures, records and files, management processes, staffing patterns, procedures for administering program services, guidelines and procedures, and automating work processes for the conduct of administrative support functions or program operations.

The appellant's coordination in developing and overseeing implementation of a comprehensive marketing plan for Region 9's Interagency Fleet Management System, including the Alternative Fuel Program requires the broad program knowledge comparable to that described at Level 1-7. As is typical of Level 1-7, the appellant's work requires knowledge of major issues, goals and objectives of fleet management, including alternative fuels, and related areas. His knowledge is used to plan, schedule, and conduct projects and studies to evaluate and recommend ways to improve the effectiveness and efficiency of fleet operations. We find that the appellant's position meets Level 1-7 criteria.

Level 1-8 criteria are not met. Level 1-8 is of an expert analyst who has mastered the application of a wide range of qualitative and/or quantitative methods for the assessment and improvement of program effectiveness or the improvement of complex management processes and systems. It requires comprehensive knowledge of the range of administrative laws, policies, regulations, and precedents applicable to the administration of one or more *important public programs*. Such knowledges may be applied to the design and conduct of *comprehensive management studies* where the boundaries of the studies are extremely broad and difficult to determine in advance, i.e., the actual limits of the project are developed as the study proceeds. Study objectives at Level 1-8 include those which identify and propose solutions to management problems which are characterized by their *breadth, importance, and severity*, and for which previous studies and established management techniques are frequently inadequate.

While appellant's knowledge may be applied in studies or projects where he can extend coverage, these knowledges are not regularly applied to problems of the magnitude intended at Level 1-8. His principal concern is with fleet management operations, including alternative fuels, within the region. His duties require him to plan, promote, and implement fleet related programs and assure compliance with applicable Executive Orders and laws, and in some cases to extend or clarify standard policies or other guidance to cover situations that may not be well described for use within the region.

Although the appellant is involved with persuading and negotiating with representatives of other Federal agencies on fleet management changes that may be in conflict with their desires, e.g., maintaining control of their own fleet resources, the appellant's supervisor has been credited with dealing with higher level Federal managers in controversial situations. It is our judgment that the nature and skill necessary to apply his knowledge is not consistent with that envisioned at Level 1-8.

This factor is evaluated at Level 1-7 and 1250 points are credited.

Factor 2, Supervisory Controls -- Level 2-4 -- 450 points

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the review of completed work. The agency evaluated this factor at Level 2-5. The factor level descriptions of the guide describe minimum criteria. If Level 2-5 is not fully met, the lower level must be awarded.

The factor relationship table on page 4 of the guide illustrates which FES factor levels are typically assigned at various grade levels for administrative analytical positions. Typically, Level 2-4 is the highest level assigned for administrative analytical positions. In *The Classifier's Handbook* on page 16 there is a factor relationship table for all administrative occupations. Level 2-5 is not assigned until the GS-14 level and only when Level 1-8 is also assigned. As discussed above, the appellant's work does not approach Level 1-8 knowledge requirements primarily because the Regional Fleet Management Program does not approach the scope of the important public programs or complexity of management problems studied at Level 1-8. A careful reading of the grade level criteria and these tables demonstrates that there is a direct correlation between the scope and importance of the subject studied and the factor levels assigned.

At Level 2-4, the employee works within a framework of priorities, funding, and overall project objectives, and consults with the supervisor in developing mutually acceptable project plans. The employee is responsible for planning, organizing, and conducting all phases of the studies and coordinating with others as necessary. This frequently involves the definitive interpretation of regulations and study procedures and the initial application of new methods. Completed projects and recommendations are reviewed for compatibility with organizational goals and effectiveness in achieving objectives. Completed work is also reviewed outside the employee's office by staff and line management officials whose programs and employees would be affected by implementation of the recommendations.

The appellant's PD shows that he consults with the supervisor in deciding scope and duration of projects, keeping his supervisor informed of unusual events or trends. He has responsibility and authority to plan and implement projects and studies concerned with program effectiveness and is expected to exercise independence in goal setting, work responsibility, and accomplishing the goals and mission of the program. This is most similar to Level 2-4, where the employee is responsible for planning and organizing the study, estimating costs, coordinating with staff and line management personnel, and conducting all phases of the project. This frequently involves the definitive

interpretation of regulations and study procedures, and the initial application of new methods. Also, as typical of Level 2-4, the appellant informs the supervisor of potentially controversial findings, issues, or problems with widespread impact.

The appellant's position does not meet Level 2-5. At that level, the employee is a recognized authority in the analysis and evaluation of programs and issues and is subject only to administrative and policy direction concerning overall project priorities and objectives. The employee is typically delegated complete responsibility and authority to plan, schedule, and carry out *major projects* concerned with the analysis and evaluations of *programs* or organizational effectiveness. Analysis, evaluations, and recommendations developed by the employee are normally reviewed by management officials *only for potential influence on broad agency policy objectives and program goals*. Findings and recommendations are normally accepted without significant change.

The appellant's responsibilities cover studies and projects regional in nature. Although the regional alternative fuels program may be growing and a relatively high profile program within FSS, in large part due to the State of California's status as a major national proponent of alternative fuels, the appellant's work is reviewed at the Region 9 level for promoting and implementing Region 9 level programs, and the appellant's position is responsible for administering the alternative fuels program in the Region. This does not meet the guide's intent of major project(s) from an agency perspective. Positions in other regions have similar responsibilities. In addition, while the appellant may exercise discretion and judgment in determining whether to broaden or narrow the scope of projects or studies, is a recognized authority, and his findings and recommendations are normally accepted without change, as at Level 2-5, it is in respect to projects of lesser magnitude than envisioned for Level 2-5; i.e., it is with respect to studies or projects at the regional not agency level. Also, there is not sufficient evidence to credit the appellant's completed work as normally *only reviewed for potential influence on broad GSA policy objectives and program goals* as is intended at Level 2-5.

Since the position does not fully meet the overall intent of Level 2-5, this factor is evaluated at the next lower level, Level 2-4, and 450 points are credited.

Factor 3, Guidelines -- Level 3-4 -- 450 points

This factor covers the nature of guidelines and the judgment necessary to apply them. The agency has awarded Level 3-5.

At Level 3-4, guidelines consist of general administrative policies and management and organizational theories which require considerable adaptation and/or interpretation for application to the issues and problems studied. Administrative policies and precedent studies provide a basic outline of the results desired, but do not go into detail as to the methods used to accomplish the project. Administrative guidelines usually cover program goals and objectives of the organization, such as agency controls on size of workforce, productivity targets, and similar objectives. Within the context of broad regulatory guidelines the employee may refine or develop more specific guidelines such as

implementing regulations or methods for measurement and improvement of effectiveness and productivity in the administration of operating programs.

Comparable to Level 3-4, the appellant's PD shows that there are a number of general guidelines, such as GSA, FSS, and Regional regulations, directives, policy, and related administrative guidelines. As at Level 3-4, some of these require considerable adaptation or interpretation for application to issues and problems studied.

In some respects, appellant's guidelines and the judgment needed in applying may exceed Level 3-4. For example, information from interviews indicates that in the Alternative Fuels Program, there is limited agency guidance and the appellant largely works from Executive Orders and basic legislation, such as the Clean Air Act and the Motor Fuels Act. In this area, he is a recognized expert, and uses judgment and discretion in studies, marketing and implementation of alternative fuels programs. He maintains knowledge of Federal and State legislative initiatives and their potential impact on regional programs, e.g., States' requirements applicable to alternative fuels and alternative fueled vehicles. He also provides clarifying information on program areas that affect management of the fleet and alternative fuels programs, including impact on agency customers in the region. However, this does not fully meet the intent of Level 3-5, the highest level described in the Guide. This is because the guidelines and the judgment in applying them for Level 3-5 credit are to programs or problems of greater magnitude than is characteristic of the appellant's assignments. Examples of Level 3-5 judgment in application include review of *proposed* legislation or regulations which would *change the basic character of agency* (vs. regional) programs, the way the *agency* conducts its business with the public or with private industry, or which modify important inter-*agency* relationships.

This factor is evaluated at Level 3-4 and 450 points are credited.

Factor 4, Complexity -- Level 4-5 -- 325 points

This factor covers the nature, number, variety, and intricacy of tasks, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work. The agency has evaluated the position at Level 4-5.

At Level 4-5 the work consists of projects and studies which require analysis of interrelated issues of effectiveness, efficiency, and productivity of substantive mission-oriented programs. Typical assignments require developing detailed plans for the long-range implementation and administration of the program. The work is complicated by such factors as conflicting program goals deriving from changes in legislation or regulatory guidelines or productivity, variations in the demand for program services, and the need to deal with subjective concepts such as value judgments that are not readily susceptible to verification (e.g., assessing the relative advantages and disadvantages). In some instances, the work may be complicated by the need to develop data about workload and program accomplishments which is currently unavailable, and current measurements of program effectiveness may be ambiguous and susceptible to widely varying interpretations.

As is comparable to Level 4-5, the appellant's PD shows that assignments involve the full spectrum of fleet management operations in the analysis of operations, effectiveness and development of systems or procedures for improvement in operations. He coordinates efforts in developing and implementing a comprehensive marketing plan for Region 9's Interagency Fleet Management System (including Alternative Fuel Program), and directs special Alternative Fuel Vehicle test projects involving motor vehicles and equipment.

As is also comparable to Level 4-5, the appellant assesses the impact of Executive Orders and other basic legislation on the Region 9 alternative fuels program. Although the Federal government is "fuel neutral," studies and promotion include consideration of variables beyond initial economic comparisons of various alternative fuel options, such as acquisition costs, to involve other potentially conflicting factors such as promotion of public policy initiatives, customer interest and demand, impact on customer satisfaction with vehicle(s) for accomplishing their mission and effect on relationships, performance characteristics and reliability of various alternative fueled vehicles, the accessibility, availability or establishment of supporting infrastructure (such as availability of alternative fuel sources and vehicle repair facilities), and predictive and volatility costs of various alternative fuels.

The appellant's work does not reach Level 4-6, where the employee plans, organizes, and carries through to completion analytical studies involving the substance of *key agency programs*. In these studies, there is extreme difficulty in identifying the nature of the issues or problems to be studied, and in planning, organizing, and determining the scope and depth of the study.

Factor 5, Scope and Effect -- Level 5-4 -- 225 points

This factor covers the relationship between the nature of the work and the effect of the work products or services.

At Level 5-4, the purpose of the work is to assess the effectiveness and productivity of program or administrative support activities at different echelons and different geographical locations within the organization. The work may also affect administrative work done in components of other agencies.

As is comparable to Level 5-4, the purpose of the appellant's position is to plan, direct and execute the Marketing, Alternative Fuel, and Interagency Motor Equipment Advisory Committee programs pertaining to GSA owned and leased vehicles operated by Government agencies and contractors in California, Arizona, Hawaii, Nevada and certain locations in the Pacific Basin. The appellant's PD indicates that his work affects the overall efficiency and effectiveness of the [branch] and the Federal Supply Service; additionally, it impacts the programs of other Federal agencies. It also affects the promptness and accuracy of vendor payments, public safety on the highways, the reputation of GSA in the eyes of customer agencies, and the morale, productivity, and job security of employees.

The scope of the programs does not reach Level 5-5 where the purpose is to analyze and evaluate *major administrative aspects of substantive, mission-oriented programs*. For instance, in the second

illustration at Level 5-5, the analyst serves as project officer responsible for the evaluation of the effectiveness and efficiency of major program operations *throughout* an agency (e.g., shipbuilding, aircraft overhaul and repair, or health care). The effect of the appellant's work does not reach the equivalent of Level 5-5, where study reports typically contain findings and recommendations of *major significance* to top management of the *agency*, and *often serve* as the basis for new administrative systems, legislation, regulations, or programs.

This factor is evaluated at Level 5-4; therefore, 225 points are credited.

Factor 6, Personal Contacts and Factor 7, Purpose of Contacts -- Level 3/c -- 180 points

Factor 6 includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain. Under Factor 7, the purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

Factor 6 is evaluated at Level 3. The appellant's contacts include regional and Central Office officials within the agency, vendors and manufacturers, customer agency representatives, business executives, and officials of State and local governments to exchange information, to resolve operational problems, to justify recommendations, and to obtain cooperation between all organizational elements. Appellant's highest level contacts are with representatives of other Federal agencies, and with State and local governments, which most closely matches Level 3 where the contacts are with persons outside the agency in moderately unstructured settings.

Factor 7 is evaluated at Level c. The appellant's PD shows that he exchanges information, resolves operational problems, justifies recommendations, and obtains cooperation between organizational elements. He promotes alternative fuels and GSA's fleet management programs, using persuasion. At Level c, the purpose of the contacts is to influence managers or other officials to accept and implement findings and recommendations on program effectiveness. Resistance may be encountered due to such issues as organizational conflict, competing objectives, or resource problems. The purpose of the appellant's contacts does not reach Level d where the purpose is to justify or settle matters involving significant or controversial issues, e.g., recommendations affecting major programs, dealing with substantial expenditures, or significantly changing the nature and scope of organizations.

Factor 6 is evaluated at Level 3 and Factor 7 at Level c. According to the chart on page 25 of the Guide a total of 180 points should be credited to the appellant's position based on this combination of levels.

Factor 8, Physical Demands -- Level 8-1 -- 5 points

This factor covers the requirements and physical demands placed on the employee by the work assignment. We find that Level 8-1 criteria are met. As is typical of Level 8-1, the appellant's work is primarily sedentary, although some slight physical effort may be required. Work does not regularly

involve long periods of standing, bending, and stooping to observe and study work operations in an industrial, storage, or comparable work area as described at Level 8-2.

This factor is evaluated at Level 8-1 and awarded 5 points.

Factor 9, Work Environment -- Level 9-1 -- 5 points

This factor considers the risks and discomfort in the employee's physical surroundings. We find that Level 9-1 criteria are met. As is typical of Level 9-1, the appellant typically works in an adequately lighted and climate controlled office. Work does not regularly require visits to manufacturing, storage, or other industrial areas which involve moderate risks or discomfort, and require protective clothing and gear, and observance of safety precautions as described at Level 9-2.

This factor is evaluated at Level 9-1 and awarded 5 points.

Summary

We have evaluated the appellant's position as follows:

Factor	Level	Points
1. Knowledge Required by the Position	1-7	1250
2. Supervisory Controls	2-4	450
3. Guidelines	3-4	450
4. Complexity	4-5	325
5. Scope and Effect	5-4	225
6/7. Personal Contacts/ Purpose of Contacts	6-3 7-c	180
8. Physical Demands	8-1	5
9. Work Environment	9-1	<u>5</u>
Total points:		2890

The appellant's position warrants 2890 total points. Therefore, in accordance with the grade conversion table on page 11 of the guide, his position is properly graded at GS-12.

Decision

The appellant's position is properly covered by the Transportation Operations Series, GS-2150, April 3, 1999 graded at GS-12, and titled at the agency's discretion.