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Office of Personnel Management

**Office of Merit Systems Oversight and Effectiveness**  
*Digest of Significant Classification Decisions and Opinions*  
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**Standard:** Factor Evaluation System Standards  
**Factor:** Supervisory controls  
**Issue:** Appropriateness of Level 2-5

**Identification of the Classification Issue**

This appeal concerned a "Small and Disadvantaged Business Utilization Specialist." The appellant performed various duties to ensure that small and disadvantaged business firms (as defined by law) were given full opportunity to compete for contracts being let by the agency. The position was classified in the GS-1102 series and evaluated by the GS-1102 standard. However, the concepts outlined below are equally applicable to other Factor Evaluation System standards.

The appellant believed that Supervisory Controls should be evaluated at Level 2-5. To support that level, he claimed that he received "only administrative direction in terms of broadly defined programs or functions." He further stated that his work products and advisory services were considered "technically authoritative."

The appellant worked with a great deal of independence in the performance of the small and disadvantaged business utilization functions, and worked with very little intervention by his supervisor in technical decisions. He resolved day-to-day problems in accordance with existing laws, regulations, policies and precedents. The supervisor set objectives, allocated resources, and established the policy framework for carrying out the assigned functions. The employee and supervisor jointly developed time frames and program emphases. Work was reviewed for overall effectiveness and achievement of goals.

### **Resolution**

The appellant's level of responsibility was found to fall significantly short of Level 2-5. That level reflects administrative supervision only, with full technical authority delegated to the employee. Typically, this level of authority is accompanied by responsibility for a significant program or function, etc. While the appellant had significant technical responsibility, his supervisor was ultimately responsible for administration of the small and disadvantaged business utilization program. Level 2-4 involves a high degree of independence and responsibility, and thus fully recognized the technical responsibility vested in the subject position.

When considering Level 2-5, the availability of a technically qualified supervisor must be considered. The existence of such a position in the management chain, while not in itself conclusive, makes Level 2-5 highly unlikely. When such a position exists, the supervisor generally exercises substantial program control, such as:

- analyzing policies from higher authority and determining their effect on the program;
- formulating and issuing policy statements governing the program;
- establishing procedures to provide for management needs and ensure efficient operations;
- exercising normal supervisory control, including planning and assigning work, setting priorities, and giving program guidance.

Such factors must be carefully analyzed in evaluating supervisory controls. Neither the absence of immediate supervision in day-to-day operations, nor the fact that technical recommendations are normally accepted, serves to support a level above 2-4.