



United States Office of Personnel Management

Office of Merit Systems Oversight and Effectiveness
Digest of Significant Classification Decisions and Opinions
August 1994
No. 19-03

Standard: [General Schedule Supervisory Guide](#) (April 1993)
Factor: Factor 1, Program Scope and Effect
Issue: Distinguishing between Level 1-3 and Level 1-4

Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's adjudication of a classification appeal and the subsequent reconsideration of the decision. The appellant functioned as "Special-Agent-in-Charge" of an agency field office, directing a small staff of employees engaged in the performance of criminal investigative work and related administrative and clerical support work. The geographic area of responsibility encompassed a six-State area, including Massachusetts, Rhode Island, Maine, New Hampshire, Vermont, and eastern Connecticut. The appellant asserted that the program under his direction warranted evaluation at Level 1-4 because the work impacted "all of New England and other parts of the East Coast corridor," the programs supported were of "national significance," and the work had "national as well as worldwide ramifications." In addition, the appellant indicated that the assigned geographic area was equivalent to "numerous States," as mentioned at Level 1-4.

Resolution

a. Scope

At Level 1-3, the technical, administrative, protective, investigative, or professional work directed encompasses a major metropolitan area, a State, or a region of several States; or, when most of an area's taxpayers or businesses are concerned, coverage comparable to a small city.

At Level 1-4, the work directed consists of a segment of a professional, highly technical, or complex administrative program that involves the development of major aspects of key agency

scientific, medical, legal, administrative, regulatory, policy development, or comparable highly technical programs; or includes major, highly technical operations at the Government's largest, most complex industrial installations.

The Office of Personnel Management found that the program segment directed by the appellant was comparable to Level 1-3. Corresponding to this level, the work directed was investigative, and it covered a small region of several States.

The scope of the appellant's program segment did not meet Level 1-4. The work directed by the appellant indirectly affected agency policy and regulations, but in contrast to Level 1-4, the appellant did not direct activities involving the development of agency policy or other activities impacting the development of major agency programs. These functions were assigned to positions at higher echelons within the agency. The geographic scope of the appellant's program also fell short of the intent of Level 1-4. The appellant's program encompassed only six States, a much narrower range than numerous States or a major segment of the Nation, as described at Level 1-4.

b. Effect

At Level 1-3, the work supervised directly and significantly impacts a wide range of agency activities, the work of other agencies, or the operations of outside interests, e.g., a segment of a regulated industry or the general public.

At Level 1-4, the work impacts an agency's headquarters operations, several bureauwide programs, or most of an agency's entire field establishment; or facilitates the agency's accomplishment of its primary mission or programs of national significance; or impacts large segments of the Nation's population or segments of one or a few large industries; or receives frequent or continuing congressional or media attention.

The Office of Personnel Management found that the effect of the work directed by the appellant met Level 1-3 because of its direct and significant impact on outside interests. The work directed involved investigating businesses for compliance with specific laws and regulations. During Fiscal Year 1993, business transactions totaling over \$30 million were intercepted, and transactions totaling over \$16 million were disapproved. This level of financial impact on businesses within a six-State area was considered equivalent to the level of impact contemplated by Level 1-3.

The Office of Personnel Management found that Level 1-4 was not met in that the work directed did not affect the agency's headquarters operations, several bureauwide programs, or most of the agency's entire field structure. Although important to an agency-specific enforcement program, the work directed did not facilitate accomplishment of the agency's primary mission or programs of national significance. The work did not affect large segments of the Nation's population; nor did the businesses investigated comprise segments of one or a few large industries, as described

for Level 1-4. Further, there was no evidence that the work directed was the subject of frequent or continuing media interest.

In summary, the Office of Personnel Management found that both Scope and Effect were properly evaluated at Level 1-3.