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**DIGEST OF SIGNIFICANT  
CLASSIFICATION DECISIONS  
AND OPINIONS**

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Oversight and Effectiveness**

## Preface

This is the twenty-ninth issue of the *DIGEST OF SIGNIFICANT CLASSIFICATION DECISIONS AND OPINIONS (Digest)*. In it we present summaries of decisions and opinions that we believe have Governmentwide applicability. It is designed to aid classifiers and others with delegated classification authority in exercising their judgment. For this reason, we have included some articles that address basic principles of position classification and, when possible, provided links to actual decisions.

*Digest* articles summarize significant interpretations that clarify the underlying intent of the classification or job grading standards. However, these articles must be read in context with the standard as a whole, rather than in isolation. Because the *Digest* synopses may not reflect all relevant information bearing on a decision, good judgment in their application is necessary. Some *Digest* synopses draw from several cases and/or related issues. In those instances, the facts in cases linked to the article may not coincide completely. For these reasons, *Digest* items do not supersede or supplement classification standards and do not constitute “case law.”

Suggestions for improving future issues of the *Digest* may be made via e-mail to [fedclass\\_appeals@opm.gov](mailto:fedclass_appeals@opm.gov) or fax to 202-606-2663, or by writing to the Director, Classification Appeals and FLSA Programs, U.S. Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415-0001. The telephone number is 202-606-2990.

*Digest* issues are available on the U.S. Office of Personnel Management’s (OPM’s) website. The website address is [www.opm.gov/classapp](http://www.opm.gov/classapp). The *Digest* can also be found on OPM’s CD-ROM with General Schedule Position Classification and Federal Wage System Job Grading Standards, which is issued by OPM’s Classification Programs Division.

This issue of the *Digest* was edited by Mr. Carlos Torrico (San Francisco Oversight Division). Contributions were provided by Ms. Bonnie Brandon (Dallas Oversight Division), Ms. Linda Kazinetz (Washington Oversight Division), Ms. Virginia Magnuson (Atlanta Oversight Division), and Mr. Robert Hendler (Philadelphia Oversight Division). The Classification Programs Division staff provided technical review and assistance.

Melissa A. Drummond, *Director*  
*Classification Appeals and FLSA Programs*

**Article No.** 29-01

**Standards:** Physical Science Technician Series, GS-1311 (April 1967)  
Job Family Position Classification Standard for Technical Work in the Physical Sciences Group, GS-1300 (August 2002) [[PDF](#)][[HTML](#)]

**Factor:** N/A

**Issue:** Selecting an appropriate standard when the work substantially exceeds the grading criteria in the occupational standard or Job Family Standard (JFS)

### **Identification of the Classification Issue**

The appellant's position was classified as Physical Science Technician, GS-1311-11, prior to development and issuance of the new JFS for Technical Work in the Physical Sciences Group, GS-1300 (GS-1300T). The appellant believed the position should be classified at a higher grade. Our analysis of the position, using the GS-1311 standard, supported the current grade level.

Although the appeal was adjudicated well before release of the GS-1300T JFS, we believe it is important to describe basic classification principles for application of the new standard and for evaluation of Factor 1. We did not do a complete analysis of the position against all of the factors in the new JFS.

### **Resolution**

The appellant utilized extensive knowledge of mass spectrometry to develop assay systems for the analysis of complex biochemical compounds. He also used highly complex equipment to perform state-of-the-art instrumental analysis of organic compounds. The appellant provided authoritative interpretations of the results of mass spectra and was called upon to judge the feasibility of using mass spectrometry in individual research studies. His supervisor and research scientists within and outside his facility asked for advice on the optimum use of this instrumental analysis on specific studies or problems. The appellant performed analyses on samples that perplexed others, identified substances previously unknown, and developed analytical techniques in the use of mass spectrometry that became the subject of articles and abstracts in professional literature. He subsequently authored, co-authored, or provided written contributions to many of the articles and abstracts. Since the appellant worked with analytical instrumentation and methods rather than research and theory of physical sciences, OPM found that the position was properly evaluated by application of the JFS for Technical Work. By themselves, contributions to scientific articles and abstracts would not be justification to use another standard, such as the JFS for Professional Work in the Physical Sciences Group (1300P), because technicians often make such contributions since they run the analytical testing.

With the combination of the appellant's level of responsibility and complexity of the work, OPM's original decision found that the position fully met, but did not exceed, the GS-11 level.

In reviewing the criteria in the GS-1300T JFS, we focused on Level 1-7 to determine its applicability to the appealed position. The paramount requirement in the appellant's technician work was practical knowledge of relevant scientific principles, along with expertise in refining and developing analytical techniques, methods, and approaches. We determined that the appellant possessed comprehensive knowledge of the use of instrumental analysis, including mass spectrometry, various complex equipment, and numerous processes, techniques, and procedures to analyze complex scientific data and develop new approaches and procedures. Level 1-7 best represents the level of knowledge required for the appealed position.

### **“Back to the Basics”**

Normally, technician positions are evaluated only against standards for technician work. The qualifications required for technician work are so different from those required for professional work that the distinctions have a marked impact on grade level. When the work of a position exceeds the grading criteria in the occupational standard or JFS, the work may be evaluated by cross reference to another appropriate standard. The selected standard should cover work as similar as possible to the work being evaluated in terms of the nature of assignments (e.g., the kind of work process, function, or subject matter involved); the qualifications (knowledge, skills, and abilities) required; the level of difficulty and responsibility; the intent of the position; and the combination of classification factors that have the greatest influence on the grade level.

With the issuance of the GS-1300T JFS, the GS-11 level can be reached by direct application of the criteria in the JFS. The “How to Use These Grading Criteria” section of that standard contains cautionary language regarding the use of a professional standard as a cross reference for evaluating technician work. In rare instances where the work may exceed the grade level criteria, a professional standard may be used to evaluate the technician position. However, the criteria in the professional standard must be applied in its entirety. The criteria must not be applied on a piecemeal basis or taken out of context. Using a standard in such instances requires a careful analytical comparison of the relationship of the position being evaluated with the intent of the criteria being used and sound classification judgment.

**Article No.** 29-02

**Standards:** Psychology Aide and Technician Series, GS-0181 [\[PDF\]](#) [\[Word\]](#)  
Rehabilitation Therapy Assistant, GS-636 (June 1969) [\[PDF\]](#) [\[WP5.1\]](#)

**Factor:** N/A

**Issue:** Selecting an appropriate standard when the assigned series has no published grade level criteria

### **Identification of the Classification Issue**

The appellants' position was classified in the GS-181 series, which does not have published grade level criteria. Therefore, a published standard for related kinds of work had to be used to determine the grade level of the appellants' position.

### **Resolution**

The three appellants were members of a multidisciplinary team that administered treatment to veterans enrolled in the chemical dependency outpatient program. The appellants provided technical work in support of the psychologists, social workers, and other professional health care providers. Major responsibilities involved screening and assessing patients to determine whether they met the criteria for admission to the chemical addiction program. The appellants interviewed the patients, collected information from them concerning their substance abuse and personal histories, and participated in the development of treatment plans for the patients. To perform their duties, the appellants had to possess a basic understanding of chemical dependency, behavior assessment, and counseling. They were not required to possess an academic knowledge of clinical psychology or a scientific understanding of addictive human behavior.

OPM found that the criteria in the standard for the Rehabilitation Therapy Assistant Series, GS-636, provided the best fit for determining the grade level of the appellants' position. Work in the GS-636 series involves treating, instructing, or working with patients in carrying out therapeutic activities prescribed for their physical or mental rehabilitation. Similar to work in the GS-181 series, work in the GS-636 series requires the ability to apply a practical knowledge of therapeutic methods and techniques, rather than full professional knowledge of the concepts, principles, and practices of the specialized field of therapy.

### **“Back to the Basics”**

When no directly applicable grade level criteria have been published, other standards must be selected for cross series comparison. The selected standard should cover work as similar as possible to the work being evaluated in terms of the kind of work process, function, or subject matter involved; the qualifications (knowledge, skills, and abilities) required; the level of difficulty and responsibility; and the combination of classification factors that have the greatest

influence on the grade level. Using a standard in such instances requires a careful analytical comparison of the relationship of the position being evaluated with the intent of the criteria being used and sound classification judgment.

**Link to C-0181-05-01** [\[PDF\]](#) [\[TXT\]](#)

**Article No.** 29-03

**Standard:** Secretary Series, GS-318 (January 1979) [[PDF](#)][[WP5.1](#)]

**Factor:** Factor 2, Supervisory Controls

**Issue:** Influence of organizational size and scope on freedom from supervision

### **Identification of the Classification Issue**

The appellant's position was classified as Secretary (Office Automation), GS-318-7. The appellant provided clerical and administrative support to her supervisor and a small staff of Federal employees. She also provided limited support to an agency committee and members of county offices associated with her employing agency. The agency credited Factor 2 at Level 2-3; she believed that her position should be credited at Level 2-4.

### **Resolution**

The appellant supported a small organization that the supervisor controlled primarily through face-to-face contacts. In this case, the supervision provided to the appealed position was directly related to the complexity of the organization served. Work issues did not require consultation with the supervisor on developing deadlines and the work to be done. The supervisor made most staff assignments and representational commitments herself. Representational substitutions were based on established program responsibility. Each of the small number of program components maintained its own technical records. While the appellant occasionally provided materials from her office files, e.g., maps and historical records, those duties did not require extensive fact gathering and review of information. She occasionally drafted letters of acknowledgement; however, they were limited in number and frequency and did not involve review of periodicals, publications, and speeches. The appellant disseminated procedural instructions and notices issued by other organizations. The small size of the staff did not present the opportunity for or the necessity of devising and installing formal office procedures or developing the notices and instructions. An administrative branch was responsible for all complex administrative matters and program issues. These conditions limited the appellant's ability to exercise the discretion and judgment on complex issues required to meet Level 2-4. OPM agreed with the agency's crediting of Level 2-3.

### **“Back to the Basics”**

When evaluating a secretarial position, the actual requirements of the organization supported control the factor levels that can be credited. For example, supervisory controls for a position cannot be viewed in isolation from the work situation credited in Factor 1. For the appealed

position, the limited size of the staff, the nature of the organization supported, and the supervisor's involvement in administrative issues precluded crediting Level 2-4.

**Link to C-0318-07-04** [PDF](#) [TXT](#)



**Article No.** 29-04

**Standard:** Secretary, GS-318 (January 1979) [\[PDF\]](#)[\[WP5.1\]](#)

**Factor:** Factor 6, Personal Contacts

**Issue:** Level of Personal Contacts

### **Identification of the Classification Issue**

The appellant's position was classified as Secretary, GS-318. The appellant worked in a field office that was a division of a bureau-equivalent agency. She believed her position met the criteria for classification as Program Analyst, GS-343, and should be classified at a higher grade level.

### **Resolution**

The appellant performed the full range of secretarial duties to support the division chief and associate chiefs in management of a division with over 600 employees. She screened calls and mail, handled and resolved various administrative matters, attended meetings and followed up on actions, and performed a variety of other functions. Contacts included officials such as the U.S. Attorney General, the State governor, foreign ambassadors, members of Congress, congressional staffers, diplomatic staff, journalists from all over the world, and other representatives from Federal, State and local agencies.

OPM found that the appellant performed secretarial duties and not analytical and evaluative duties indicative of work in the GS-343 series. It also found that under Factor 6, Personal Contacts, the position did not meet Level 6-4 which was credited by the agency. In reviewing contacts, OPM noted that, similar to Level 6-3, the appellant's contacts were not made on a routine basis, and the appellant discerned the importance and purpose of the callers or visitors during the course of the contact. The appellant regularly had contacts with high level officials and dignitaries who normally initiated the contacts in order to talk to or meet with the supervisor. Although, like Level 6-4, she made contacts with high-ranking officials from outside her agency, these were not made in highly unstructured settings, also typical of that level. OPM found that Level 6-3 was a better representation of the position.

### **“Back to the Basics”**

When evaluating a position in the Factor Evaluation System, the full intent of a factor level must be met in order to credit the level. Although a secretary may have contacts with high-level officials and dignitaries as identified at Level 6-4, they must take place in the highly unstructured settings that are also described at that level.

**Article No.** 29-05

**Standard:** Paralegal Specialist, GS-950, (August 1986) [\[PDF\]](#) [\[WP5.1\]](#)

**Factor:** N/A

**Issue:** Classifying FOIA coordinator positions

### **Identification of the Classification Issue**

The appellant's position was classified as Information Release Specialist, GS-301. She believed that her position should be classified at a higher grade level.

### **Resolution**

The appellant processed Freedom of Information Act (FOIA) requests for material contained in Office of the Inspector General (OIG) investigative files and inspection reports at the agency level. She determined what information was not releasable, redacted it from the material, and prepared the response to the requestor. The appellant was regarded as the agency expert on the FOIA as it relates to IG records, and she regularly answered questions from field personnel on redaction issues. She updated agency instructions on IG records release, and conducted training for new IG action officers and other field personnel on processing FOIA requests.

The agency used the Administrative Analysis Grade Evaluation Guide (AAGEG) to evaluate the position. OPM found that this was not the best source of grade-level criteria given that the AAGEG is designed specifically to evaluate staff analytical, planning, and evaluative work unrelated to the type of work performed by the appellant. References to evaluating requests for information under the FOIA are found in the GS-950 standard, allowing for direct grade level comparison to the appellant's duties. The position was found supportable at its current grade level.

### **“Back to the Basics”**

The Administrative Analysis Grade Evaluation Guide is a useful tool for evaluating work for which no directly-applicable grade level criteria are available. However, if it is used to evaluate work that is functionally very different from the type of project-oriented evaluative work for which it is intended, there may not be enough common elements in the work to make a valid comparison. Also, the classification analysis will be so generalized that the basis for the conclusions may not be convincing or understandable to the employee. In such instances, it is preferable to use a standard that addresses work in either a related occupation or that involves the performance of directly analogous functions.

**Article No.** 29-06

**Standard:** Agricultural Program Specialist, GS-1145 (October 1968) [[PDF](#)] [[WP5.1](#)]

**Factor:** Nature of assignments

**Issue:** Fully meeting the GS-13 criteria

### **Identification of the Classification Issue**

The appellant, whose position was graded at the GS-12 level, was the conservation program specialist at the State Office level of a Federal agricultural agency. She planned, coordinated, adapted, and directed implementation of conservation programs and related activities throughout the State. She believed her duties and program fully met the GS-13 criteria.

### **Resolution**

For a position to be credited at the GS-13 level, the scope and complexity of assignments have to meet five criteria. The program must cover a major commodity or variety of commodities or practices that significantly affect national agricultural policies. The State has to be a primary producer of a major commodity or group of commodities, and the program must have a considerable effect on the economy for both the State and the nation. The rate of participation must be very high in all active, major programs. Administration of the program involves a high degree of innovation and extension of guidelines to unprecedented or critical situations. Strong influential interests toward program operations and changes are evident and frequently involve major farm organizations with considerable power throughout a State or a geographic region.

The appellant's position met the third criterion in that over 90 percent of the available farming acreage in the State was enrolled in the program. However, the position fell short of the other four criteria. Unlike the first criterion, the practices devoted to conservation of soil, water, wetlands, and wildlife in the State did not affect national conservation/agricultural policies. The second criterion was not met because the State was not a primary producer of a major commodity or group of them. The agency identified six major commodities that could critically impact a State's *and* the national economy: peanuts, tobacco, wheat, feed grains, cotton, and rice. Although the appellant's State produced one type of feed grain (barley) accounting for 24 percent of the nation's barley, its national economic value amounted to only 1.5 percent of the total national value of feed grains in 1999. All the other commodities were either not produced or were in such small quantities that they had no impact on the national economy.

Regarding the fourth criterion, OPM found that while the appellant interpreted, clarified, and supplemented national program guidelines for State use in administering the conservation program, she did not apply a high degree of innovation and extension of guidelines to unprecedented or critical situations. Such situations were referred to program specialists at the agency headquarters level. In contrast to the fifth criterion, the appellant's relationship with various agricultural organizations in the State was generally positive with only an occasional

operating practice or procedure contested at the local level. Based on the preceding analysis, the grade of the appellant's position was sustained at the GS-12 grade level.

**Link to C-1145-12-01** [PDF](#) [TXT](#)

**Article No.** 29-07

**Standards:** Freight Rate Series, GS-2131 (February 1962) [\[PDF\]](#)[\[WP5.1\]](#)  
Traffic Management Series, GS-2130 (July 1991) [\[PDF\]](#)[\[WP5.1\]](#)

**Factor:** N/A

**Issue:** Distinguishing between freight rate and traffic management work

### **Identification of the Classification Issue**

The appellant's position was classified as Freight Rate Specialist, GS-2131-7. In his rationale, the appellant stated that his work required broad knowledge of traffic management principles and transportation industry practices to develop new methods and recommend changes typical of traffic management work. He, therefore, wanted his occupational series changed to GS-2130.

### **Resolution**

The appellant's primary duties involved procuring common carrier and other transportation services by water, motor, air, rail, and other means for moving freight. The paramount requirement was knowledge of published classification guides, rate tariffs, agreements, contracts, and related carrier and Federal publications in the classification of freight and the determination of appropriate rates and routes. That knowledge and skill matched those needed to perform work in the Freight Rate Series, GS-2131.

The appellant and his organization were not involved in the type or level of work covered by the GS-2130 series. Another activity organization retained traffic management program responsibility. The appellant implemented local policies and practices developed by that organization. His input on potential program changes and comments arose from his role as a major program user and did not require applying the full range of knowledge and skill typical of positions classified in the GS-2130 series.

### **“Back to the Basics”**

Each position performs part of the mission of the organization in which it is located. Since GS-2130 series functions were found in another activity and, therefore, could not be ultimately assigned to the appellant's organization, they could not be credited to his position.

**Link to C-2131-07-01** [\[PDF\]](#)[\[TXT\]](#)

**Article No.** 29-08

**Standard:** General Schedule Supervisory Guide (June 1998) [[PDF](#)][[WP5.1](#)]

**Factor:** N/A

**Issue:** Coverage under the General Schedule Supervisory Guide (GSSG)

### **Identification of the Classification Issue**

The appellant's position was classified as Regional Support Group (RSG) Commander, GS-301-14, in a military reserve organization. He managed support, plans and programs, and health services squadrons consisting of air reserve and active guard technicians, and civilian employees. His job required membership in the military reserve. The appellant claimed that he supervised GS-13 level employees at separate geographic locations. Thus he believed the agency should have increased the base level of work directed by his position.

### **Resolution**

The appellant's position description stated that the appellant planned and coordinated specific functions needed to manage the support of the command and the RSG. It also stated that this support complemented command direction over assigned geographically separated units. The appellant had oversight responsibilities for all these units and personally, or through division personnel, reviewed their recruiting and training operations and their ability to go to war.

For active guard technicians in flight test groups (and other staff in geographically dispersed areas), the appellant provided personnel administrative supervision to include such activities as approving travel, performing mid-year reviews, signing ratings, taking disciplinary action, recommending removals, providing officer performance reports to agency headquarters, and advising through periodic visits and weekly telephone discussions. Different commands outside the line of the appellant's authority provided technical supervision, established the performance standards, evaluated member proficiency, established policy, and had operational control. As such, the appellant's supervision over this group did not meet one of the minimum coverage requirements for evaluation under the GSSG, which requires that the position under review accomplish work through combined technical and administrative direction of others. Therefore, those employees were excluded from consideration under the GSSG. Upon review, OPM determined that the appellant provided only administrative, rather than technical, supervision over the higher graded employees he claimed to supervise. OPM advised the agency that it should review the appellant's lines of authority and personnel administrative responsibilities to ensure proper classification under the GSSG.

**Article No.** 29-09

**Standard:** General Schedule Supervisory Guide (June 1998) [[PDF](#)][[WP5.1](#)]

**Factor:** Factor 3, Supervisory and Managerial Authority Exercised

**Issue:** Crediting work assignment and review as supervision

### **Identification of the Classification Issue**

The appellants' position was classified as Supervisory Program Analyst, GS-343-13, and was located at an agency headquarters office. Each of the three appellants directly supervised four subordinate employees. They believed that they should also be credited with supervising the regional office investigators, based on their responsibility for assigning investigations and reviewing completed cases for quality control.

### **Resolution**

The three appellants were responsible for overseeing the operation of designated regional components of the agency's national data collection system. This system comprised extensive case data on product-related injuries and deaths collected from hospitals, medical examiners and coroners, the States, and other sources. The appellants were responsible for screening the cases for predetermined categories of incidents, assigning these cases to the regional offices for follow-up investigation, monitoring completion of the investigations, and reviewing completed investigative reports for acceptability prior to their entry in the database.

Supervisory work creditable under the General Schedule Supervisory Guide specifically refers to "accomplishment of work through combined technical and administrative direction of others." The appellants assigned investigations as coordinators, not as supervisors. The types of cases to be investigated were identified by the agency program and compliance staffs. The appellants transmitted these case assignments to the regional offices, whose management was responsible for individual staff assignments. Completed reports were technically reviewed by supervisory investigators at the regional office level for content. The appellants' review was more from the standpoint of whether the reports met requirements for inclusion in the database in terms of format, clarity, and completeness of documentation. As such, the appellants did not technically supervise the regional staffs, nor did they have administrative supervisory authority over the investigators to assign work, approve leave, evaluate and reward performance, or effect discipline. Thus, they could only be credited with supervising their own immediate staffs and not the regional office investigators.

**Link to C-0343-13-02** [[PDF](#)][[TXT](#)]