

U.S. Office of Personnel Management  
Office of Merit Systems Oversight and Effectiveness  
Classification Appeals and FLSA Programs

Philadelphia Oversight Division  
600 Arch Street, Room 3400  
Philadelphia, PA 19106-1596

**Classification Appeal Decision**  
**Under section 5112 of title 5, United States Code**

**Appellant:** [appellant's name]

**Agency classification:** Secretary (OA)  
GS-318-7

**Organization:** Office of the Executive Director  
[name] State Farm Service  
Agency  
Deputy Administrator for Program  
Delivery and Field Operations  
Farm Service Agency  
U.S. Department of Agriculture  
[location]

**OPM decision:** Secretary (OA)  
GS-318-7

**OPM decision number:** C-0318-07-04

/s/ Robert D. Hendler

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Robert D. Hendler  
Classification Appeals Officer

April 4, 2002

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Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a certificate that 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* (PCS's), appendix 4, section G (address provided in appendix 4, section H).

## **Decision sent to:**

[appellant's name]  
[appellant's address]

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## **Introduction**

On January 9, 2002, the Philadelphia Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a position classification appeal from [appellant's name]. We received the complete appeal administrative report on February 4, 2001. Her position is currently classified as Secretary (OA), GS-318-7. She believes the classification should be Secretary (OA), GS-318-8, based on crediting Level 2-4 to her position. The appellant works in the Office of the Executive Director, [name] State Farm Service Agency, Deputy Administrator for Program Delivery and Field Operations, Farm Service Agency (FSA), U.S. Department of Agriculture (USDA), [location]. We have accepted and decided this appeal under section 5112(b) of title 5, United States Code (U.S.C.).

## **General issues**

In her appeal letter, the appellant stated that her position description (PD) is accurate except for Factor 2, Supervisory controls. She questioned the adequacy of the agency's audit of her position and the decision to credit her position at Level 2-3 rather than 2-4. She referred to guidance issued on April 26, 2000, by the Executive Director for State Operations on the distinction between GS-7 and GS-8 secretarial work, claiming that she is working at the GS-8 grade level as described in that guidance and the GS-8 standard PD that she enclosed with her appeal. The appellant provided a copy of a memorandum, signed and dated by her and her previous supervisor on October 18, 2000, attesting that the appellant was performing functions classifiable above the GS-7 grade level.

The appellant's rationale relies, in part, on the description of work in the GS-8 PD to which she is not assigned. Agency management has certified that the appellant's PD of record ([number]) is complete and accurate. A PD is the official record of the major duties and responsibilities assigned to a position by an official with the authority to assign work. A position is the duties and responsibilities that make up the work performed by an employee. Position classification appeal regulations permit OPM to investigate or audit a job and decide an appeal on the basis of the actual duties and responsibilities assigned by management and performed by the employee. An OPM appeal decision grades a real operating position and not simply the description of work in the PD. Therefore, this decision is based on the actual work assigned to and performed by the appellant and sets aside any previous agency decision.

During the fact-finding process, the appellant raised other issues, including how management has structured work in her office. It is management's prerogative to create positions and to assign duties to those positions (5 U.S.C. 5102(a)(3) and 7106(a)(2)(B)). These actions are not reviewable under the classification appeal process.

The appellant stated that she is performing the same work as other FSA secretarial positions classified at the GS-8 grade level. OPM is required by law to classify positions on the basis of their duties, responsibilities, and qualification requirements by comparison to the criteria specified in the appropriate PCS or guide (5 U.S.C. 5106, 5107, and 5112). The law does not authorize use of other methods or evaluation, such as comparison to other positions that may or may not be classified correctly, or agency interpretive guidance. Like OPM, the appellant's agency must classify positions based on comparison to OPM PCS's and guidelines. Section

511.612 of 5 CFR, requires that agencies review their own classification decisions for identical, similar, or related positions to insure consistency with OPM certificates. Thus, the agency has the primary responsibility for insuring that its positions are classified consistently with OPM appeal decisions. If the appellant believes that her position is classified inconsistently with those of other State FSA secretarial positions, she may pursue this matter by writing to her agency headquarters human resources office. In so doing, she should specify the precise organizational location, series, title, grade, duties, and responsibilities of the positions in question. The agency should explain to her the differences between her position and the others or grade those positions in accordance with this appeal decision.

We conducted a telephone audit with the appellant on March 19, 2002, follow-up discussions with her on March 22 and April 1, and a telephone interview with her supervisor, [name], on March 21. At the appellant's request, we conducted telephone interviews with her former supervisor, [name], on March 27 and with the former Chair of the [name] State Committee, [name], on March 28. On April 2 we interviewed [name], Regional Public Affairs Specialist, to clarify the appellant's communications coordinator duties. We fully considered information provided by the appellant in voice mail messages and work samples that she provided at our request.

### **Position information**

The appellant serves as the secretary to the State Executive Director (SED) and provides clerical and administrative support services to the State office that consists of approximately 20 Federal employees. While the PD states that she controls the SED's calendar, our audit found that the SED makes many of her own appointments as was the case with the former SED. The appellant processes time and attendance records, makes travel arrangements, processes vouchers, and prepares correspondence and internal memoranda. This includes drafting short cover or similar letters distributing information, invitations, or requests for appointments. The appellant answers the telephone, provides general information on FSA programs, and refers callers to the appropriate program official on more technical matters. She refers callers to other Federal and/or State agencies based on her knowledge of their functions and programs, e.g., USDA's Rural Development handles rural housing loans. The appellant controls correspondence, prepares periodic reports, e.g., the number of newsletters and press releases issued, the number of radio show appearances, and the number of speeches given by the State office and each county office, and serves as backup to the employee who handles start-of-day and end-of-day functions for the computer system.

She provides similar services to members of the State FSA Committee by making arrangements for their meetings, preparing the meeting agenda, and assembling material requested by participants or discussed in current or previous agenda items. The appellant takes minutes and prepares meeting reports, and includes items referenced in the meeting requiring distribution. When FSA is the lead agency, she supports the State Food and Agricultural Council and State Outreach Council by making meeting arrangements, taking minutes and preparing meeting reports, and assuring that materials referenced are included in and distributed as necessary with the report. She furnishes similar services to the State Emergency Board. The appellant provides travel and other support services to county offices. This includes making reservations for county

office employees when they attend meetings and/or training sessions and for [state name] and [state name] FSA and county personnel when they attend joint meetings.

Our fact-finding confirmed that the appellant's GS-7 PD of record contains the major duties and responsibilities of the appellant's position and is adequate for classification purposes. It contains much more information about her duties and responsibilities and how they are performed, and we incorporate it by reference into this decision.

### **Series, title, and standard determination**

The agency placed the appellant's position in the Secretary Series, GS-318, for which there is a published PCS, and titled it Secretary (OA). The appellant has not disagreed with the series and title of her position, and we concur.

### **Grade determination**

The GS-318 PCS is written in the factor evaluation system (FES) format. Positions graded under the FES format are compared to nine factors. Levels are assigned for each factor and the points associated with the assigned levels are totaled and converted to a grade level by application of the Grade Conversion Table contained in the PCS. Under the FES, factor level descriptions mark the lower end; i.e., the floor, of the ranges for the indicated factor level. If a position fails in any significant aspect to meet a particular level in the PCS, the next lower level and its lower point value must be assigned unless the deficiency is balanced by an equally important aspect that meets a higher level.

Work must be performed on a regular and recurring basis for 25 percent or more of the appellant's work time to control the application of a PCS and the classification of the position. The appellant agrees with her agency's crediting of Levels 1-4 (Knowledge Type III, Work Situation B), 3-3, 4-3, 5-2, 6-3, 7-2, 8-1, and 9-1 but believes that her position she be credited at Level 2-4. Based on our review of the appeal record, we concur with the crediting of the uncontested factors. Therefore, our analysis focuses on Factor 2.

#### *Factor 2, Supervisory controls*

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the secretary's responsibility, and the review of completed work. Controls are exercised by the supervisor in the way assignments are made, instructions are given, priorities and deadlines are set, and objectives and boundaries are defined. The responsibility of the secretary depends upon the extent to which the supervisor expects the secretary to develop the sequence and timing of various aspects of the work, to modify or recommend modifications of instructions, and to participate in establishing priorities and defining objectives. The degree of review of completed work depends upon the nature and extent of the review, e.g., close and detailed review of each phase of the assignment; detailed review of the finished assignment; spot-check of finished work for accuracy; or review only for adherence to policy.

The appellant's supervisory controls meet Level 2-3. She works within the overall objectives and priorities of the office as defined by the SED. The appellant plans and carries out the work

of the office and handles problems and deviations based on established instructions, priorities, policies, commitments, and program goals of the SED and accepted occupational practices. Typical of Level 2-3, she receives and screens callers, refers technical issues to the appropriate staff members, and personally handles inquiries that do not need the SED's intervention. For example, the appellant refers callers to other Federal or State agencies based on manuals and her knowledge of their functions. This includes referring callers seeking rural housing loans to the USDA's Rural Development and technical soil conservation issues to the Natural Resources Conservation Service. She reviews incoming correspondence, sends technical requests to the appropriate staff member, and drafts replies to general inquiries that do not require the SED's involvement. She reviews outgoing correspondence and newsletter articles for grammar and conformance with general policy.

As at Level 2-3, the appellant assembles information on the FSA program from office files based on her knowledge of the organization. Using information from the SED or other requestor concerning the purpose of conferences and the people expected to attend, she makes conference arrangements, including time, space, contacting people, assembling background material, and reporting on the proceedings. Her work in writing and assembling State FSA newsletters based on topics identified by the SED, program initiatives, and/or regional public information program direction reflects an equivalent exercise of judgment. Typical of Level 2-3, she advises the staff of new instructions, e.g., changes in travel procedures and reimbursement rates. The appellant assembles workload and other reports for the State and county offices, e.g., public information contacts. She signs routine nontechnical correspondence for the SED, e.g., requests for appointments sent to members of the state Congressional delegation. Her work receives the limited review found at Level 2-3.

The appellant deals with many FSA external program coordination demands. However, the position does not meet Level 2-4 where the organization is of such size and scope that many complex office problems arise that cannot be brought to the supervisor's attention. The FSA State office is small, and the SED controls the staff primarily through face-to-face contacts. The Operations Branch's responsibilities for the office's more complex administrative matters and program issues, e.g., contracting and agricultural programs, and the SED's involvement in significant administrative issues reflect conditions that do not permit the appellant to exercise the discretion and judgment on complex issues required to meet Level 2-4.

Unlike Level 2-4, the appellant's work issues are not so demanding and complex that she must **consult** with the SED on developing deadlines and the work to be done. While secretaries at Level 2-4 inform the staff of commitments made by the supervisor at meetings and arrange for the staff to implement them, the SED deals directly with her subordinates and makes most assignments herself. Although the appellant prepares letters requesting meetings for her supervisor, the SED usually makes her own speaking and other representational commitments. The continuing functions of the office do not routinely require the appellant to arrange for subordinates to represent the supervisor at conferences based on knowledge of the supervisor's views. Any substitutions would be based on established program responsibility, e.g., the Supervisory Loan Specialist would represent the office on farm loan issues. The appellant also does not regularly obtain information that is difficult to locate dealing with subject matter that is generally specialized, not a matter of widespread knowledge, or complicated because it is scattered in numerous documents. Each of the small number of State program components

maintains its own technical records. While the appellant occasionally provides materials from her office's files, e.g., maps and historical records, the appellant is not required to perform the extensive fact gathering and review of information found at Level 2-4.

The appellant states that she is responsible for the luncheons and social arrangements and letters described at Level 2-4 in the GS-318 PCS. The record shows that the appellant planned an awards luncheon under the previous SED, making all room, food, lodging, award plaques, and other arrangements. Because this work is performed infrequently, it cannot be considered a regular and recurring function for classification purposes. While the appellant occasionally drafts letters of acknowledgement, they are limited in number and frequency and do not involve the review of periodicals, publications, speeches, or periodicals as discussed in the PCS. The appellant disseminates procedural instructions and notices issued by other organizations, e.g., mileage reimbursement rates. The small FSA office staff and limited number of county offices, i.e., eight with fewer than 35 staff members, do not present the opportunity for or the necessity of devising and installing formal office procedures or developing the notices and instructions found at Level 2-4. Because of the SED's direct involvement in office administrative issues, her review of the appellant's more complex work is more detailed than the review **only** for overall effectiveness found at Level 2-4. Therefore, the position is evaluated properly at Level 2-3 (275 points).

### *Summary*

In summary, we have credited the position as follows:

<b>Factor</b>	<b>Level</b>	<b>Points</b>
1. Knowledge Required by the Position	1-4	550
2. Supervisory Controls	2-3	275
3. Guidelines	3-3	275
4. Complexity	4-3	150
5. Scope and Effect	5-2	75
6. Personal Contacts	6-3	60
7. Purpose of Contacts	7-2	50
8. Physical Demands	8-1	5
9. Work Environment	9-1	<u>5</u>
	<b>Total Points</b>	1,445

A total of 1,445 points falls within the GS-7 grade level point range of 1,355-1,600 points on the Grade Conversion Table.

### **Decision**

The position is properly classified as Secretary (OA), GS-318-7.