

U.S. Office of Personnel Management
Division for Human Capital Leadership and Merit System Accountability
Classification Appeals and FLSA Programs

Center for Merit System Compliance
1900 E Street, NW., Room 6484
Washington, DC 20415-6000

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

Appellant: [name]

Agency classification: Budget Analyst
GS-560-14

Organization: [division]
[office]
[agency]
Department of Defense
[city and State]

OPM decision: Budget Analyst
GS-560-14

OPM decision number: C-0560-14-01

/s/ Marta Brito Perez

Marta Brito Pérez
Associate Director
Human Capital Leadership
and Merit System Accountability

11/7/04

Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a classification 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 the conditions and time limits specified in title 5, Code of Federal Regulations, sections 511.605, 511.613, and 511.614, as cited in the *Introduction to the Position Classification Standards*, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[appellant]

[servicing HR office]

Ms. Janice W. Cooper
Chief, Classification Appeals
Adjudication Section
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Civilian Personnel Management Service
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Introduction

On November 3, 2003, the Center for Merit System Compliance of the U.S. Office of Personnel Management (OPM) accepted a position classification appeal from [appellant], who is employed as a Budget Analyst, GS-560-14, in the [division] of the [office], [agency], Department of Defense (DoD), in [city and State]. [Appellant] requested that his position be classified at the GS-15 level. This appeal was accepted and decided under the provisions of section 5112 of title 5, United States Code.

We conducted a desk audit with the appellant on June 17, 2004, and a subsequent telephone interview with the appellant's supervisor, [name]. This appeal was decided by considering the audit findings and all information of record furnished by the appellant and his agency, including his official position description [number], and other material received in the agency administrative report on January 22, 2004.

Position information

The primary responsibility of the appellant's position is the financial management of the \$57M operating budget for Unified Command and Security Assistance Organization (SAO) security cooperation programs. These security assistance programs consist of grant aid to foreign nations in the form of military financing, training funds, and direct sales of military equipment and services. There are over 100 SAO overseas offices with about 650 personnel, most of whom are stationed at U.S. consular and diplomatic posts. The funds managed by the appellant include the \$30M SAO account supporting their exclusive (i.e., non-shared) operating expenses, such as supplies, vehicles, housing costs, salaries and expenses, and similar cost categories. They also include the \$14.5M internal [agency] account for International Cooperative Administrative Support Services (ICASS), which is the mechanism by which the cost of shared administrative services is distributed among the user agencies co-located at these overseas posts. This covers the DoD share of such expenses as utilities, security, medical services, computer support, motor pools, and building maintenance and renovations. The appellant also manages several smaller accounts covering other expenses that are paid centrally, including C-12 aircraft flying hours, residential local guards, U.S. Coast Guard salaries for personnel at U.S. embassies, and the Foreign Service National Separation Trust Fund.

The appellant is currently serving as Chairman of the ICASS Budget Committee. ICASS is an interagency cost-sharing program administered by the State Department, whose various working committees are comprised of representatives of the participating agencies. The Budget Committee is primarily responsible for reviewing and approving post ICASS budgets and requests for contingency funds. The appellant is also a member of the ICASS Training and Awards Committees.

Series determination

The appellant's position is properly assigned to the Budget Analysis Series, GS-560, which covers work in any of the phases of budget administration. Neither the appellant nor the agency disagrees.

Title determination

The authorized title for nonsupervisory positions in this series is Budget Analyst. Neither the appellant nor the agency disagrees.

Grade determination

The position was evaluated by application of the criteria contained in the Job Family Position Classification Standard for Professional and Administrative Work in the Accounting and Budget Group, GS-500. This standard is written in the Factor Evaluation System (FES) format, under which factor levels and accompanying point values are to be assigned for each of the following nine factors, with the total then being converted to a grade level by use of the grade conversion table provided in the standard. The factor point values mark the lower end of the ranges for the indicated factor levels. For a position to warrant a given point value, it must be fully equivalent to the overall intent of the selected factor level description. If the position fails in any significant aspect to meet a particular factor level description, the point value for the next lower factor level must be assigned, unless the deficiency is balanced by an equally important aspect that meets a higher level.

The appellant disputes his agency's evaluation of Factors 1, 4, 5, and 7. The appellant believes that the agency evaluation gave insufficient consideration to his external ICASS duties. For classification purposes, grade-controlling duties must be regular and recurring and comprise at least 25 percent of a position's time. The appellant's external ICASS work, i.e., the work associated with his participation on the ICASS interagency committees, comprises only about 10 percent of his time. However, that work is addressed in the factor-level analyses below in response to specific points raised by the appellant:

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information an employee must understand in order to do the work, and the skills needed to apply that knowledge.

The agency assigned Level 1-8 under this factor. The appellant believes that Level 1-9 should be credited. He cites his responsibility for providing "the Department of State, the Office of Management and Budget, and Members of Congress and their staffs with analyses of overseas support costs and staffing requirements during the budget request process and as issues arise throughout the budget cycle." He presented as examples his participation on an interagency group charged with developing procedures to establish an interagency organization to review overseas staffing at individual U.S. diplomatic posts, and his independent development of a proposed administrative funding request to accompany an increase in Security Assistance program funding in countries supporting operation Enduring Freedom. He also stated that through his efforts, "Security Assistance Organizations are functioning today in places such as Afghanistan, Tajikistan, and Yemen, and planning is under way to staff and fund a new office in Iraq."

The knowledge required by the appellant's position matches Level 1-8 in that the work he describes is directly addressed at that level. Specifically, Level 1-8 requires mastery of budgeting and of the financial and budgetary relationships *between the organization and programs of other Federal, State, and local governments*, corresponding to the budgetary relationship between [agency] and the Department of State on cost-sharing under the ICASS system. It covers such work as analyzing *national level programs* and exceptionally large and complex programs; projecting the *potential effects* of budgetary actions on program viability; rendering *authoritative interpretations* of Executive Orders, OMB guidelines and directives, and policies and precedents within and across agency lines; and developing new methods and techniques of budgeting to forecast *long-range funding needs*. These budgetary functions fully represent the work performed by the appellant in evaluating current and future budget requirements, allocating funds, identifying the need for additional funding (e.g., in response to increased program funding or the establishment or relocation of SAO offices), and providing policy guidance on the use of funds.

The position does not meet Level 1-9. At that level, work requires mastery of budgeting to generate new concepts and methodologies in the field, *or* to theorize, plan, and direct entire financial or budgeting systems for broad, emerging, or similarly critical large-scale department/agencywide programs of national or international scope where no precedents exist. The appellant does not generate new budgeting concepts and methodologies, but rather utilizes and/or adapts established DoD budgetary processes and protocols. Neither does the appellant plan and direct an entire *agencywide* budget program of the scale expected at this level. Rather, he is responsible for certain designated accounts within the overall [agency] budget. Further, the international scope of his work notwithstanding, his budget responsibilities extend only to the *administrative services* required to support the SAO offices and personnel who carry out the multi-billion dollar grant aid programs. These administrative services do not in themselves constitute the type of "broad or critical large-scale programs" addressed at this level. The appellant has played a role in setting up new SAO offices by determining the administrative funds needed for them to operate and carrying out the actions necessary to obtain that funding. However, this work does not confer credit for the establishment of those offices, which are programmatic decisions made by line elements of the organization.

Level 1-8 is credited (1550 points).

Factor 2, Supervisory controls

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 assigned Level 2-5 (the highest level described) under this factor, citing the appellant's independent responsibility for the SAO budget, his recognition as the technical authority for all budgetary issues related to security assistance programs, and the broad administrative and policy direction under which he works. This is the appropriate level to represent the appellant's delegated authority and his supervisory relationships, particularly in relation to the [agency] ICASS account and his associated participation on the ICASS interagency committees.

Level 2-5 is credited (650 points).

Factor 3, Guidelines

This factor covers the nature of the guidelines used and the judgment needed to apply them.

The agency assigned Level 3-5 (the highest level described) under this factor. At that level, employees use broad policy statements and basic legislation, often originating with more than one Federal Department, in developing agency-specific policies, standards, and guidelines. This is the appropriate level to credit the appellant's responsibility for interpreting Congressional and State Department requirements in developing policies and guidelines for use by other budget analysts within the Combatant Commands.

Level 3-5 is credited (650 points).

Factor 4, Complexity

This factor covers the nature, number, variety, and intricacy of the tasks or processes in the work performed, the difficulty involved in identifying what needs to be done, and the difficulty and originality involved in performing the work.

The agency assigned Level 4-5 under this factor. The appellant believes that Level 4-6 should be credited, stating that he "deals with major interagency issues on a continuing basis, working with colleagues from other Executive agencies to evaluate the effect of new legislation or Administration initiatives." As an example, he described the work he did in response to a report issued by the Overseas Presence Advisory Panel (OPAP), which was commissioned by the State Department and which addressed overall security issues relative to U.S. diplomatic missions. This work consisted of providing information to State, GAO, and OMB explaining [agency] methodology for evaluating SAO manpower requirements, and analyzing State's proposal for a capital security cost-sharing program, developing recommendations, and identifying potential costs to [agency]. The appellant noted that "the OPAP report identified issues that will have long-term effects on the budgets of all executive agencies with personnel stationed overseas." The appellant also cited his work as a member of the ICASS Interagency Working Group in reviewing and approving budget requests from participating agencies for administrative expenses at overseas diplomatic posts, and in developing an improved planning process to allow for earlier identification of target funding by the State Department.

The complexity of the appellant's work is comparable to Level 4-5. At that level, work consists of using many different and unrelated analytical methods relative to substantive agency programs with widely varying needs that relate to many echelons and components within a large Federal department or agency. It includes budget execution work involving the most difficult funds control activities, such as multi-year procurement of major weapons systems, construction projects, law enforcement activities, and delivery of payments and benefits to the public. At this level, the employee analyzes budget requirements in relation to program needs, recommends changes in funding that may require program revisions, develops proposals for alternate sources

of funding, and develops the strategy for presenting the budget and narrative justification for requested funds. The work is further complicated by such conditions as continually changing program plans and funding requirements resulting from new legislation or expansion of services, or varying economic and fiscal circumstances such as fluctuations in the monetary exchange rate. This fully represents the appellant's work in performing the full range of budgetary functions covering the widely varying operating requirements of more than 100 SAO overseas offices. This includes reviewing budget requests from the individual geographic Combatant Commands and developing annual budget requests to Congress. He carries out this work in an operational environment that is constantly changing, requiring that funds be shifted as part of "right-sizing" efforts or as overseas SAO missions change in response to world events.

The position does not meet Level 4-6. At that level, work consists of analyzing, planning, scheduling, and coordinating the budgets for multi-year *substantive* (i.e., mission-oriented) programs. Such programs have *extensive* budgetary and financial impacts on the budgets and programs of other Federal agencies, State and local governments, major industrial firms, and/or foreign countries. The appellant's budgetary work relates exclusively to the administrative services needed to support numerous small office staffs at overseas posts rather than to the substantive, direct mission-related programs of the agency. Given that Level 4-6 is the highest level of complexity described in the standard, the complexity inherent in forecasting budget requirements for common administrative services can be considered relatively less difficult than forecasting the direct costs for such substantive programs as research and development or major construction or procurement activities. Further, the appellant's work does not have an extensive impact on the budgets and programs of other Federal agencies. He provides comments on State Department proposals regarding changes in ICASS cost-sharing on behalf of [agency], as do other affected agencies. However, his level of influence over the structure of this State Department system, which in itself has only a peripheral impact on the overall budgets of the participating agencies, is indirect and certainly not tantamount to the *extensive* impact envisioned at Level 4-6.

Level 4-5 is credited (325 points).

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work, and the effect of the work products or services both within and outside the organization.

The agency assigned Level 5-5 under this factor. The appellant believes that Level 5-6 should be credited, citing his management of a \$57M annual resource program to provide Embassy administrative support, including responding to changing national priorities requiring supplemental funds to start-up or expand offices and providing for emergency security upgrades. He states that his work directly affects the quality of life of SAO personnel overseas.

The scope and effect of the appellant's work match Level 5-5. At that level, work involves resolving budgetary problems in all phases of budget/financial administration, often where specialists at subordinate echelons have been unable to resolve them or lack the delegated authority. The work affects major aspects of programs or missions and/or the well-being of

substantial numbers of people. Correspondingly, the appellant has full budgetary responsibility for all phases of the SAO accounts, including providing policy guidance and regulatory interpretation to the Unified Commands on authorized uses of funds. His work directly affects the operation and security of the over 100 SAO overseas offices by provision of the financial support needed to acquire essential services.

The position does not meet Level 5-6. At that level, work involves planning, developing, and carrying out vital programs essential to the mission of the agency or that affect large numbers of people on a long-term or continuing basis. For example, this would involve responsibility for the total budget program of an entire Federal agency or major military command, where the work affects the development of wide-ranging policies that affect the overall efficiency and economy of major agency programs. In contrast, the appellant is responsible for designated accounts within the overall [agency] budget and affects the provision of administrative services to the approximately 650 SAO personnel stationed overseas. His work does not even approach the degree of scope and impact described at Level 5-6.

Level 5-5 is credited (325 points).

Factor 6, Personal contacts
and
Factor 7, Purpose of Contacts

These factors include face-to-face and remote dialogue with persons not in the supervisory chain. The relationship between Factors 6 and 7 presumes that the same contacts will be evaluated under both factors.

The agency assigned Level 3D under this factor, based on the appellant's responsibility for managing the \$57M [agency] SAO budget, requiring substantial negotiation with officials from State Department and the Combatant Commands on budgetary problems.

Under *Personal Contacts*, the appellant's contacts meet Level 3, where contacts are with various levels of agency management and representatives of other Federal agencies. However, under *Purpose of Contacts*, Level D is not met. At that level, the purpose of these contacts is to present, justify, defend, negotiate, or settle matters involving *significant or controversial issues*. Thus, negotiating with others is not in itself sufficient to support this level without the accompanying degree of magnitude of the issues being negotiated. For example, at Level D, work may involve defending alternative methods of financing substantive program operations or the redistribution of appropriated funds and programs among components immediately below agency level, negotiating controversial financial and program issues of considerable significance, or justifying the overall direction to be given for the organization's financial management. Within [agency]CA, the appellant explains restrictions on the use of security assistance funds and advises on alternative funding sources. However, the expenses being funded are not "substantive program operations" or financial issues of the magnitude expected at that level. As such, Level C fully represents the purpose of the appellant's contacts in its description of such activities as persuading decision-making officials to follow a recommended course of action consistent with budget policies and regulations. Similarly, within the ICASS Budget Committee,

the appellant reviews and approves the ICASS budgets proposed by individual diplomatic posts. Although the aggregate ICASS budget is substantial, the individual post budgets are relatively small and the expenditures relate to operating expenses rather than the “substantive program operations” normally dealt with at Level D.

Level 3C is credited (180 points).

Factor 8, Physical demands

This factor covers the requirements and physical demands placed on the employee by the work situation.

The position matches Level 8-1, which covers sedentary work.

Level 8-1 is credited (5 points).

Factor 9, Work environment

This factor considers the risks and discomforts in the employee’s physical surroundings or the nature of the work assigned and the safety regulations required.

The position matches Level 9-1, which describes a typical office environment.

Level 9-1 is credited (5 points).

Summary

<u>Factors</u>	<u>Level</u>	<u>Points</u>
Knowledge Required	1-8	1550
Supervisory Controls	2-5	650
Guidelines	3-5	650
Complexity	4-5	325
Scope and Effect	5-5	325
Personal Contacts/Purpose of Contacts	3C	180
Physical Demands	8-1	5
Work Environment	9-1	<u>5</u>
Total		3690

The total of 3690 points falls within the GS-14 range (3605-4050) on the grade conversion table provided in the standard.

Decision

The appealed position is properly classified as Budget Analyst, GS-560-14.

