

OPM Decision Number: C-1105-05-01, 6/6/97

PH:OD:97-7

PERSONAL

[appellant's name]

U.S. Department of Veterans Affairs (VA)

Medical Center

Prosthetics and Sensory Aids Service

[address/location]

Dear [appellant's name]:

This is our decision on the classification appeal filed with our office that we accepted under the authority contained in section 5112 (b) of title 5, U.S. Code.

This appellate decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing and accounting officials of the Government. It is the final administrative decision on the classification of this position, and is not subject to further appeal. It is subject to review only under the limited conditions and time limits specified in title 5, Code of Federal Regulations (CFR) 511.603 and 511.613, and in the Introduction to the Position Classification Standards (Introduction), Appendix 4. It must be implemented according to the provisions contained in 5 CFR 511.612.

Position Information

Appellant:	[appellant's name]
Current Classification:	Purchasing Agent (OA), GS-1105-5
Position Description Number:	8972-A
Requested Classification:	Purchasing Agent (OA), GS-1105-6
OPM Decision:	Purchasing Agent, GS-1105-5
Organizational Information:	U.S. Department of Veterans Affairs VA Medical Center (VAMC) Prosthetics and Sensory Aids Service [location/address]

Analysis and Decision

In considering your appeal, we carefully reviewed all of the information submitted by you or on your behalf; information obtained during telephone audits with you on May 21 and May 22, 1997, and an interview with your supervisor, [name], on May 28, 1997; and other pertinent classification information provided by your employing activity at our request.

It is our decision that your position is classified properly as Purchasing Agent, GS-1105-5. Accordingly, your appeal is denied for the reasons discussed below.

In your appeal letter dated January 15, 1997, you requested “the classification decision rendered by [name] of Human Resources in VA Central Office” be rescinded and that an upgrade of your present position be awarded. You provided the following as the basis for your appeal:

- a partial merit promotion vacancy announcement for Purchasing Agents, GS-1105-6 position, located in the Acquisition & Materiel Management Service (A&MMS) (position number 7301-A);
- a position description for a Purchasing Agent, GS-1105-6 position (number 1259L) located in the A&MMS;
- a “Network Director’s Directive” (i.e., isolated sections from the **Implementation Team**, Report to the ELC) to support your claim of direct patient care; and
- a partial listing of VA Medical Centers’ (VAMC) Purchasing Agent positions, at the GS-6 and GS-7 grade levels you claim are performing prosthetics purchase work. You provided the list to support your claim that throughout the VA System decisions for upgrading Purchasing Agent positions in the Prosthetics’ field are based on arbitrary and non-merit factors at the local level. As a result, the number of GS-1105-5 positions in the Prosthetic Service across the nation are declining because positions are being upgraded to GS-6 and GS-7.

You stated your agency’s decision was “unwarranted, unjust, and unfair.” In addition, you also requested that your “counterparts in the VA Prosthetic System nationwide be also upgraded.”

You stated:

Since my original appeal was submitted for consideration, the workload, levels of responsibilities and direct patient contacts have quadrupled for all of the Prosthetic Services throughout the VA System. This is partially due to the restructuring and reorganization of the VA Medical Centers nationwide. Also

factoring into this change is the Eligibility and Entitlement Reform Act of 1996 which had a direct bearing on Prosthetic Service nationwide.

You explained during the audit that the Eligibility and Entitlement Reform Act of 1996 lowered the threshold for disabled veteran entitlements, i.e., from 50 percent to 10 percent service connected disability. You claimed the impact of this act has directly affected the volume of your work and patient contacts.

In your letter dated February 12, 1997, you stated the position description (PD), rewritten in July 1996, and the background information obtained from a desk audit conducted by your agency, did not express fully the magnitude and complexity of your position. You explained the guidelines used to evaluate your grade and the position “are outdated as the VA continues to change and the demand on the Prosthetic Service is becoming more demanding and complex.” You said the grading factors the agency used were dated back to 1990.

You also claimed in your letter a position description was written and submitted to your Human Resources in July 1995 to reclassify your position to a Health Technician. You stated you were informed “Human Resources Service would not support a Health Technician position in Prosthetics.”

You stated in your letter you “totally disagree with the grading determinations.” You provided several points as the basis of your disagreement including:

1. “As the Coordinator for the Home Oxygen Therapy Program, I deal directly with the patient in the Home Oxygen Therapy Clinic. I perform home inspections for the participating patients in conjunction with a Respiratory Therapist. Also, I participate as a liaison between the patients, their care givers and the Home Oxygen Contractor. It is also required that I counsel the patient and his/her caregiver(s) in the proper use of the Oxygen tank storage. On various occasions, I have worked as a liaison between local law enforcement facilities, the caregiver(s) and the Home Oxygen Contractor to provide emergency services to the patient.”
2. You disputed the agency’s claim that you are not involved in negotiating vendor issues on a regular and recurring basis. You said you had “sat in on and been involved and will continue to be a participant in the contract negotiations for i.e. Durable Medical Goods, Home Oxygen, Eyeglasses contracts & H.I.S.A. (Home Improvement & Structural Alterations) awards.”
3. You described the process in verifying a patient’s eligibility for goods/services rendered by Prosthetics. You claim this process “is NOT simply as easy as going through the computer data entry screen per patient - as I have found that most of the data entry has been erroneous.” Later in your letter, you said you verified medical documentation and

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at times military discharge papers, i.e., DD-214, and coordinate between the adjudication offices at VA Regional Offices.

4. You have disputed the statement in your agency's appeal decision concerning the guidelines used in your position. You stated that in your field, you must deal with each patient as an individual with their own set of problems.
5. As coordinator for the H.I.S.A. Program, you believe you are required to be familiar with the various procedures "that are required to be performed by the contractor, i.e., wheelchair accessible ramping systems, bathroom alterations, etc., that fall within the VA guidelines." On various occasions you are required to make home site inspections, to ensure that the work being performed is as required. You are also responsible for processing the necessary paperwork so that the contractor(s) receives prompt payment.

In your letter, you described various duties and responsibilities you believe are a part of your position and required further clarification. We have considered these points in our decision. In conclusion, you stated your position entails and encompasses such a wide variety of options and processes:

It is hard for me to fathom how someone who has NO MEDICAL knowledge of what I do nor what my job entails can simply make a determination based on a 15-minute conversation over coffee in the Canteen Services as to the grade and classification of my job.

For me to sit here and try to describe what my position entails and do justice is virtually impossible. Each patient, caregiver/family member, physician, nurse, therapist, vendor, etc. that I deal with on a daily basis varies in length, time and complexity. No where in my present position description does it state that we have contact with the terminally ill patient nor his/her family/caregiver who are having to cope with the saddening situation.

Your appeal rationale has raised several procedural issues warranting clarification given your concern regarding the similarities of your position to other positions in the same occupational series classified at higher grade levels. All positions subject to the Classification Law contained in title 5, U.S. Code, must be classified in conformance with the published position classification standards issued by the U.S. Office of Personnel Management (OPM) or, if there are no directly applicable position classification standards (PCS's), consistently with PCS's for related work. Therefore, other methods or factors of evaluation, such as comparison to other positions that may or may not be classified correctly, or using an agency guide in deciding this appeal, are not authorized for use in determining the classification of a position. The classification appeals process is a de novo review that includes a determination as to these

duties and responsibilities. Thus, the classification review methodology and conclusions drawn by your agency previously have no bearing on our adjudication of your appeal.

We believe there is some misunderstanding concerning the basis of classifying a position. A **PD** is the official record of the major duties and responsibilities assigned to a position by a responsible management official, i.e., a person with authority to assign work to a position. A **position** is the combined duties and responsibilities that make up the work performed by an employee. Title 5, U.S. Code, section 5106 prescribes the use of these duties and responsibilities, and the qualifications required by these duties and responsibilities, as the basis for determining the classification of a position. The Introduction further provides that "As a rule, a position is classified on the basis of the duties actually performed." Additionally, 5 CFR 511.607(a)(1), in discussing PD accuracy issues, provides that OPM will decide classification appeals based on the actual duties and responsibilities assigned by management **and** performed by the employee. The point here is that it is a real operating position that is classified, and not simply the PD. The duties classified must be assigned to the position and performed by its occupant(s).

You objected to your agency's use of 1990 grading factors that you believe are outdated. 5 CFR 511.607(b)(5) states that the accuracy of grade level criteria contained in an OPM classification standard is neither reviewable nor appealable. The OPM Purchasing Series, GS-1105 PCS was issued in 1993. All OPM standards are consistent with the definitions of work in each of the 15 grades established in the law. These definitions are based on the difficulty and responsibility of the work at each level and the qualifications required to do that work. All occupations change over time, some more rapidly and profoundly than others, but the fundamental duty and responsibility patterns and qualifications required within an occupation generally remain stable. Thus careful application of the appropriate PCS(s) to the work you perform should yield the correct grade for your position.

The Introduction states in most instances, the highest level work assigned to and performed by the employee for the majority of time is grade-determining. When the highest level of work is a smaller portion of the job, it may be grade-controlling only if:

- The work is officially assigned to the position on a regular and continuing basis;
- It is significant and substantial part of the overall position (i.e., occupying at least 25 percent of the employee's time); and
- The higher level knowledge and skills needed to perform the work would be required in recruiting for the position if it became vacant.

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Work which is temporary or short-term, carried out only in the absence of another employee, performed under closer than normal supervision, or assigned solely for the purpose of training an employee for higher level work cannot be considered paramount for grade level purposes.

You stated during the telephone audits you are required to relay and clarify physicians' and/or manufacturers' instructions to the veteran or the veteran's caregiver. You claimed during home visits you take notes and report any potential safety hazards relating to the purchase of the medical equipment (i.e., oxygen tanks) or construction services (i.e., wheelchair ramps) to your supervisor. You claimed in your appeal you perform several duties in the absence of the Orthotist, e.g., schedule appointments, obtain medical records, and document patients' history. These duties and responsibilities are not grade controlling as discussed in the Introduction.

Also not considered in determining the grade level of a position are issues such as volume of work, quality of work, or efficiency of performance. These are issues dealt with under the performance management and incentive awards programs.

You did not certify that your PD of record was current and accurate. Your supervisor certified on June 6, 1996, that PD No. 8972-A, Purchasing Agent (OA), GS-1105-5, was an accurate statement of the major duties and responsibilities of the position. In a letter dated January 21, 1997, your supervisor stated that your "PD is a more accurate reflection of the duties of a Prosthetic Purchasing Agent at VAMC, [location]," than your former PD (position number 08289A). Based on our fact-finding and review of the entire appeal record, we find your PD of record accurately reflects the major duties and responsibilities assigned to your position and performed by you and is hereby incorporated by reference into this decision.

Your position is located in the Prosthetic and Sensory Aids Service of the Medical Center. Your position supports the acquisition of items for disabled eligible veterans. You determine that each patient for whom an appliance is prescribed is eligible for that particular item. You ascertain whether the appliance is to be purchased from a commercial source. You initiate procurement action, inspection upon delivery, and maintain prosthetic records.

Your PD states that you are designated Contracting Officer with the purchasing authority not to exceed \$2,500 for open market purchases and \$25,000 against established Federal Supply Schedule and Decentralized and Local Service Contracts. You spend a good portion of each day in the procurement process searching for equipment from mandatory or open market sources. The PD defines the principle duties of your position as:

- accomplishing all purchasing actions to acquire supplies and services to meet the needs of the disabled veteran which may include common commercial supplies, medical equipment and aids in a proper and timely manner;

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- receiving and reviewing prescriptions and requests from physicians, therapists, and other medical center personnel for completeness, comparing diagnosis or disability to equipment and/or services normally provided for the condition for which they are requested and/or proper documentation has been provided to justify the issuance;
- researching information on prosthetic appliances, services, and medical equipment from local and national sources;
- obtaining necessary product information, price information and procedures for written or verbal orders;
- researching compatibility of a product from one manufacturer to another for product improvements and/or enhancements;
- determining differences between similar products from different manufactures to obtain standard, custom made, esoteric, or little known equipment;
- verifying veterans' entitlements for prosthetic items and/or services;
- conducting follow-up inquiries of all patients who have received items or services to determine: (1) if the patient has received a satisfactory item/service promptly, and (2) if they are knowledgeable and successful in using the item/service;
- coordinating all details of procurement, cost comparisons, discounts, appropriateness of equipment, data entry of the purchase order, obligating purchase order prosthetic funds and coordinating shipping and/or delivery of items purchases;
- maintaining accurate accounting of all purchasing transactions, ensuring payments to vendors are made in a timely manner;
- coordinating the administration of the Home Oxygen Therapy, Durable Medical Goods, and Home Improvements and Structural Alterations (H.I.S.A.) Programs to include the maintenance of accurate records that comply with JCAHO (Joint Commission Accreditation of Healthcare Organization) standards, ensuring patients are evaluated for follow-up care, conducting home visits (a 10 percent sample) to ensure delivery, training, set up, maintenance, and repair of equipment are carried out by vendors, and to ensure the contractors comply with all state and local regulations.
- conducting quarterly inventory of all prosthetic appliance stock items; and,
- issuing from prosthetic appliance stock and initiating orders to replenish stock.

Series and Title Determination

Your agency has determined your position is classified properly to the Purchasing Series, GS-1105, with which you have not disagreed, and with which we concur. The GS-1105 series is defined as including positions that involve supervising or performing work to acquire supplies, services, and construction by purchase, rental, or lease through (a) delivery orders and/or (b) small purchase procedures. The work requires knowledge of commercial supply sources and common business practices related to sales, prices, discounts, units of measurement, deliveries, stocks, and shipments.

Characteristics of Purchasing Agent work include the following.

- Purchasing agents keep informed of available goods and services by checking commercial catalogs, contact files, and listings of firms offering particular goods, and through informal contacts with sales representatives, suppliers, and buyers from other Federal activities. They are expected to have sufficient knowledge of the market to advise requisitioners on products available, sources, prices, and vendor reputation.
- While others are responsible for determining what is needed and defining critical characteristics, i.e., the requirements, the purchasing agent must understand the general characteristics of the required supplies or services and associated markets. Purchasing agents are expected to know, for example, that a particular product comes in different brands, sizes, shapes, weights, and packaging and to know how these things affect price. They need to know if interacting components and compatibility issues are involved and if there are few or many sources. This knowledge assists purchasing agents in recognizing when critical information is missing in the purchasing request. It also enables them to provide the information or advice that requisitioners need to make intelligent choices about desired products. The purchasing agent provides support by obtaining the goods and services requested.
- Purchasing agents determine how the requirement will be purchased and advise customers on the status of the purchase. Using Federal and agency guidelines, the purchasing agent first screens the purchase request for completeness and adequacy and to determine how the purchase should be made.

We find the most complex functions you perform on a regular and recurring basis for a sufficient part of your work time to control the classification of your position are fully covered by the Purchasing Series, GS-1105.

Your position also requires knowledge of general office automation software, practices, and procedures sufficient to enter data on all purchase orders, maintain electronic files, prepare

standard memoranda, correspondence, appointment letters, meeting minutes, and letters for the Director and others as directed. Your agency determined your position warranted the parenthetical title Office Automation because “your position contains the requirement for an individual qualified in the use of various office machines and equipment, including word processors, ADP equipment, computer terminal, printers, and typewriters.” Your supervisor stated that you provide all typing services for the office, e.g., you type lengthy correspondence and prepare reports requiring charts and graphs. The Office Automation Clerical and Assistance Series, GS-326 PCS stipulates that the parenthetical position title Office Automation is added to titles when such positions require “significant knowledge of office automation systems and a fully qualified typist [a minimum of 40 words per minute] to perform word processing duties.” Your position does not require you to develop textual documents with a variety of contents and varying formats, nor does your work involve the extent of keyboard use that would require the skills of a fully qualified typist. Therefore, because your position does not require both a significant knowledge of office automation and competitive level typing proficiency, it is allocated properly as Purchasing Agent, GS-1105.

Grade Level Determination

The Purchasing Series, GS-1105 PCS are written in Factor Evaluation System (FES) format. Under the FES, positions are placed in grades based on the duties, responsibilities and qualifications required as evaluated in terms of nine factors. Each factor is assigned a point value based on a comparison of the position’s duties and responsibilities with the factor level descriptions and/or benchmarks in the PCS. The factor level descriptions assign point values that 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 factor level description. If the position fails in any significant aspect to satisfy a particular factor level description in the PCS, the point value for the next lower level must be assigned unless the deficiency is balanced by an equally important aspect that meets a higher level. The total points assigned are converted to a grade level by use of the Grade Conversion Table in the PCS.

Before we discuss the application of the PCS to your position, both you and your supervisor raised an issue that warrants clarification. Your PD shows you have been designated Contracting Officer with the purchasing authority not to exceed \$2,500 for open market purchases and \$25,000 against established Federal Supply Schedule and Decentralized and Local Service Contracts. Both you and your supervisor indicated your purchasing authority will be increasing. The GS-1105 PCS clarifies the impact of signatory authority on the grade level worth of GS-1105 work. Increased signatory authority does not, by itself, mean that the grade of a position should be increased automatically. The grade of a position must be evaluated in terms of all of the factors levels, and must consider the effect of any limits on signatory authority. The number and complexity of regulations that apply to a small purchase are in part a function of (1) the dollar value of the purchase and (2) the type of deliverable being acquired. The grading criteria in the GS-1105 PCS focus on the complexity of the

process required to carry out and complete the assignment rather than the purchasing authority.

Factor 1, Knowledge Required by the Position

Factor 1 measures the nature and extent of information or facts that a worker must understand to do acceptable work; e.g., steps, procedures, practices, rules, policies, theories, principles, and concepts, and the nature and extent of the skills needed to apply this knowledge. To be used as a basis for selecting a level under this factor, a knowledge must be required and applied.

Your PD states, and our fact-finding confirmed, you spend a good portion of each day in the procurement process (nearly 80 percent of your time). You coordinate all details of procurement, cost comparisons, discounts, appropriateness of equipment, data entry of the purchase orders; obligate purchase order prosthetic funds; and coordinate shipping and/or delivery of items purchased. The work of your position includes the following duties:

- You search for equipment from mandatory or open market sources such as, local vendors, catalogs, sales brochures, small or large businesses or manufacturers. You obtain price quotations for equipment. Items are usually in good supply. You “often search in non-local markets because of obsolence or unique characteristics of some items needed.”
- You select the appropriate procedure to obtain the most cost effective item that can be expeditiously obtained and meet the requirements for the disabled veteran as prescribed. You keep informed of available goods and services by checking commercial catalog, contract files, and listings of firms offering particular goods, and through informal contacts with sales representatives, suppliers and buyers from other Federal activities. You advise users on products available, mandatory sources, prices and vendor reputation. You remain in contact with the user and/or technical and supply personnel to discuss quotes that differ from the original request. Differences may involve substitution of items, delay in delivery dates, or increase in price.
- You receive and interpret requests for services, goods, and medical supplies. You review the prescriptions for completeness, comparing diagnosis or disability to equipment and/or services normally provided for the condition for which they are requested and/or proper documentation has been provided to justify the issuance.
- You authorize and prepare complex orders for a wide variety of prosthetic and orthotic devices, medical supplies, durable medical equipment, home oxygen, home improvements and structural alterations in the disabled veterans’ homes and/or automobile.

- You purchase specific appliances, supplies or services both basic and highly technical, such as, manual and power custom wheelchairs de-signed for individual patient needs, customized artificial legs, orthotic devices (orthosis), speciality hospital beds, breathing equipment and a wide variety of other medical equipment used in providing for the required care of the veteran.
- You accomplish the procurement of supplies, services and equipment from a variety of purchasing procedures, e.g., open market and delivery orders against established contracts. Procurements are accomplished by solicitation of quotes (orally or through written requests). Small purchase orders are also placed against established contracts that are set up by the Purchasing and Contracting function at Hines, Illinois, or with certain other government agency sources of supply; i.e., Denver Distribution Center, National Foot Wear Center, Eye Restoration Center, Orthotic Shoe Service, and Orthotic Laboratories.
- You conduct home visits for the Home Oxygen Therapy and Durable Medical Equipment programs to ensure the patient's needs are being met, the vendor provided the services according to their contracts, and the patient's safety is being adhered to. A minimum of 10 percent of the patients on the Home Oxygen and Durable Medical Equipment Programs are visited during the current fiscal year. You note any discrepancies and bring them to the attention of the Chief, Prosthetic and Sensory Aids Service for further action.

In your letter dated February 12, 1997, you provided further clarification of your duties and responsibilities:

With regards to the Major Medical Speciality Equipment, I research various equipment, appliances and/or services that have been requested by the veteran or physician to be presented to the committee for review. This can be very time consuming depending upon the type of item/services being requested.

With regards to the Durable Medical Goods Equipment, I am directly responsible for the procurement of the various types of hospital beds, wide variety of wheelchairs, over-the-bed tables, etc. These items are issued on a direct patient need/request. I coordinate between the various clinics, speciality services and with our Durable Medical Goods Contractor to ensure that delivery is made in a prompt/timely manner and that the equipment is what was requested for the patient. I am also responsible for the home site visits/inspections to ensure that the DME Contractor has set up the required equipment and that safety measures are being adhered to. Any discrepancies are noted and reported to the Chief of Prosthetics.

You also described your responsibilities in the absence of the Orthotist and duties required occasionally to assist the Orthotist; and your responsibilities for the Clothing Allowance, Adaptive Equipment, and the Eyeglass Procurement programs. These responsibilities include the verification for entitlement, data entry for the programs, and amount of time it takes you to process a complex eyeglass request. As stated earlier in this decision, work that is temporary or short-term or carried out only in the absence of another employee cannot be considered paramount for grade level purposes. During the audit, you stressed your responsibility to ensure the safety of the patient. For example, during the home visits, you note if the vendor has installed/set up the equipment, especially an oxygen tank, according to safety requirements.

Your PD notes that you are required to purchase supplies and services to meet the needs of the disabled veterans that may include common commercial supplies available off-the-shelf, technical medical equipment and aids as prescribed by the attending physician. Items are usually in good supply, but you must often search in non-local markets because of obsolescence or unique characteristics of some items needed. During our telephone audit you provided the following examples of items purchased: (1) manual and motorized custom wheelchairs; (2) adaptive equipment in vans; (3) wheelchair ramps; (4) wheel-evators; (5) prosthetic appliances; (6) home oxygen therapy; and, (7) durable medical goods.

One major issue requiring clarification is the definition of the term “specialized” as it relates to equipment and services. The GS-1105 PCS contains the following definitions:

- Specialized supplies are commercial products that have been modified or altered in some way to meet Government specifications. These products typically are made-to-order, accompanied by detailed specifications or purchase requests, and available from a limited number of potential suppliers. Specialized supplies include, for example, specific machine parts, modified medical or scientific equipment, and special purpose test equipment. Some specialized supplies are similar to commercial supplies because they are also well-stocked and can be purchased off-the-shelf.
- Specialized services include scientific or medical studies and testing.
- Specialized construction projects include engineering and design studies and alterations and repairs to roads and buildings.

None of the examples you provided fully meets the definition for specialized supplies, services or construction projects. They are commercial supplies and services since they are available from a number of suppliers in their respective industries. They are not made-to-order, accompanied by detailed specifications or purchase requests, or available from a limited number of potential suppliers. For example, wheelchairs and durable medical goods are offered by several sources (as compared to a much smaller number of sources available to perform

unusual blood or other medical tests). Our fact-finding revealed customized wheelchairs have ready available parts in supply to meet the disabled veterans' needs without modification. The wheelchair ramp, wheel-evators, prosthetic appliances, home oxygen therapy and equipment, and durable medical goods that you purchase on a regular and recurring basis do not require the development of extensive specifications. Thus purchases procured do not support the definition of specialized supplies, services, and construction projects.

The knowledges and skills required of your position compare most closely to Level 1-3. At this level, purchasing work requires knowledge of a body of standardized purchasing regulations, policies, and procedures; established commodities and markets; and common business practices to make purchases involving commercial requirements and average complexity. Examples include:

- knowledge of solicitation and purchasing methods, such as oral solicitations, calls against BPA's, delivery orders, or priced purchase orders, to make (a) noncompetitive open market purchases, (b) purchases under established contracts, or (c) competitive open market purchases when specifications or statements of work are standardized, price and product characteristics are stable, and repeat vendors are used;
- knowledge of frequently used and easily understood regulations, such as those related to required sources, the use of mandatory schedules, or ordering and documentation procedures for routine purchases, to ensure regulatory compliance throughout the purchasing process;
- knowledge of basic price evaluation techniques to assess price reasonableness using well-established references, such as price lists, Government estimates, and previous history files;
- knowledge of commercial commodities and established reference, such as price lists, Government estimates, and previous history files;
- knowledge of commercial commodities and established markets to advise requisitioners of various product characteristics (e.g., available sizes, quantities, brand names, packaging quality), identify sources of supply, and determine the appropriateness of adequacy of item descriptions;
- knowledge of basic arithmetic used in business to make simple comparisons of price, discounts, transportation costs, or similar terms;
- knowledge of post-award procedures sufficient to resolve typical problems with deliverables, such as differences in price or quantity, or to recommend and prepare, for example, no-cost cancellations of purchase orders; and

- knowledge of automated or manual small purchase systems sufficient to locate, add, and retrieve information.

For example, purchasing agents at this level may purchase commercial supplies and services through competitive open market procedures or through orders against established contracts. They identify sources from established lists, history files, catalogs, newspaper ads, etc. They determine whether the requirement is available from a mandatory source or whether to solicit vendors on the open market. They negotiate with vendors on a limited variety of issues, such as: (1) price breaks for items ordered before a sale date; (2) accelerated delivery; (3) reduction of service charges; and, (4) waiver of restocking fees.

For items not on mandatory schedules, they may request price lists to ensure the Government is being accorded “best customer” status. They award orders primarily based on comparing price and delivery terms. Prices quoted among competing vendors may be based on differing terms, such as different units of measurement, transportation costs, and discounts. Purchasing agents determine the best offer and make the award through review and comparison of the different terms.

In contrast, Level 1-4 purchasing agent work requires in-depth or broad knowledge of a body of purchasing regulations, methods, procedures, and business practices to make purchases involving (1) specialized requirements and/or (2) commercial requirements that have unstable price characteristics, hard-to-locate sources, many critical characteristics, or similar complicating factors.

Examples of knowledge required by the position at Level 1-4 are:

- knowledge of solicitation or purchasing methods, such as would be acquired through extended training or experience, to make competitive or sole source small purchases that involve, for example, collecting data to determine price reasonableness for new items, preparing detailed written solicitations, tailoring special terms and conditions, or other matters of similar complexity;
- skill in analyzing descriptions that have unique aspects and many critical characteristics to identify problem areas in specifications or work statements, determine if quotations are responsive, or decide if substitutions are acceptable or should be referred to other personnel for further review;
- knowledge of price analysis techniques to evaluate prices or costs for requirements with inadequate price history or evaluate allowable charges for requirements involving special cost features (e.g., per diem, lodging rates, and airfares for purchases that requires on-site repair services by non-local vendors);

- knowledge of various acquisition clauses, such as those pertaining to inspection, acceptance, packaging or testing to select or tailor clauses for purchases that require special handling; and,
- knowledge of post-award procedures to discuss equitable price adjustments for modifications to a purchase order, determine whether to recommend termination of an accepted purchase order for convenience, or perform similar actions.

For example, purchasing agents at this level may purchase modified equipment or equipment repair services. The repairs or modifications typically involve the use of detailed Request for Quotes (RFQ's). For repair services, purchasing agents select or tailor various purchasing provisions, such as clauses stating the value of the item, warranty terms, standby provisions for periods of downtime, and special tests or inspections involved. Purchases of modified equipment may involve many parts and more than one vendor. Purchasing agents consider factors such as number of parts involved, which part, if any has to be built first, the need for compatibility of parts, and number of manufacturers involved, to determine lead time for the vendor's performance and coordinative efforts necessary to ensure timely completion. Purchasing agents monitor vendor performance through contacts and review of progress reports. They discuss reasons for delays, testing failures, or price changes. They negotiate for price reductions or other remedies.

The appeal record indicates your work does not meet Level 1-4. Your purchases do not normally require detailed written solicitations or collection of data to determine price reasonableness. In addition, the examples you provided do not evidence the need to tailor special terms and conditions. These examples contain standard clauses and checklists. The examples do not show a requirement for analysis of descriptions with unique aspects and many critical characteristics. Price analysis techniques are normally not required for your purchases since the items purchased deal with recurring needs or can be found on an established contract or schedule; i.e., they have established prices or an adequate price history. Your work does not require knowledge of acquisition clauses that approaches Level 1-4. Most of your contacts in the post-award stage are to return defective products and follow up on delays in delivery. Your work examples do not indicate significant involvement in price adjustments for modifications to purchase orders or termination for convenience actions. Therefore, your position is assigned Level 1-3 (350 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. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the employee, priorities and deadlines are set, and objectives and boundaries are defined. Responsibility of the employee depends upon the extent to which the employee is expected to

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develop the sequence and timing of various aspects of the work, to modify or recommend modification 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.

Your PD states that within policies and guidelines established for the Prosthetic and Sensory Aids Service, you have considerable independence in the day-to-day procurement of equipment and services carrying assignments to point of completion, referring only those requests requiring costly or difficult procurement to your supervisor. Management is generally available to provide advice and assistance on atypical problems. Formal documents receive general review for completeness and conformity to appropriate laws and regulations.

At Level 2-2, supervisors assign work with standing instructions on applicable procedures and policies to follow performance expected, and priorities and deadlines to meet. For example, standing instructions may provide information on how to decide if the requirements should be purchased against an established contract or through open market procedures. This guidance may include an explanation of the applicable Federal Acquisition Regulations (FAR) parts and sections, forms required to prepare delivery or purchase orders, and any documentation required to justify the method of purchase. The supervisor provides additional specific guidance on new, difficult, or unusual assignments, including suggesting work methods or source material available. The employee uses initiative to make or recommend purchases for recurring requirements independently. The employee refers situations not covered by instructions or practice to the supervisor for decision or help. The supervisor reviews recommended awards and completed purchase files to ensure that the methods used by the employee are technically accurate and that they comply with established procedures.

In contrast, positions at Level 2-3 are assigned work with standing instructions on objectives, priorities, and deadlines. The supervisor indicates special considerations or unusual requirements. The employee plans and carries out successive steps necessary to make purchases and uses accepted practices or procedures to resolve problems and deviations. Problems and deviations include, for example, requirements that have fluctuating price and item characteristics, are sole source, and are urgently needed, or items that are new to the market. The employee independently performs tasks, such as negotiating price with a sole source vendor, persuading reluctant vendors to bid, and collecting data to determine price reasonableness for requirements not acquired previously or recently. In other work situations, problems may result from the specialized nature of the requirement. For example, the employee may have to identify loopholes in specifications or statements of work that are very lengthy, detailed, or otherwise difficult to understand. The employee independently suggests revisions or additions to ensure information pertaining to the contractor's obligations is clear and adequate. After searching precedents, the employee consults with the supervisor or others to resolve major problems, e.g., how to prepare information that will be used to respond to

written protests from nonselected vendors. The supervisor periodically evaluates completed work for results achieved and effectiveness in meeting requirements within the legal and regulatory constraints.

Your position appears to meet aspects of Level 2-3 in that your work is assigned with standing instructions, and your supervisor indicates special considerations or unusual requirements. Your position, however, does not routinely deal with problems and deviations entailing the application of judgment required at Level 2-3, e.g., requirements that have fluctuating price and item characteristics, are sole source, and are urgently required, or items that are new to the market. The majority of items purchased are standard items such as durable medical goods, wheelchair ramps, wheel-evators, adaptive equipment, oxygen therapy, and prosthetic appliances and other items that are relatively stable in terms of cost and supply source. The appeal record does not support the conclusion that your work entails frequent negotiation with sole source vendors, persuading reluctant vendors to bid, and collecting data to determine price reasonableness for requirements not acquired previously or recently. In addition, there is no evidence that your work routinely requires identifying loopholes in specifications or statements of work that are very lengthy, detailed, or otherwise difficult to understand. Most of the specifications discussed during our fact-finding as examples of your most complex work were developed directly by the requesting physician. There is no evidence that you had a material part in revising or modifying specifications.

The GS-1105 PCS description of Level 2-2 notes that some employees work more independently than others, having become familiar with the purchasing methods and procedures used to make purchases for a variety of standardized requirements at varying dollar levels. These employees may be assigned and may carry out work with less supervision than typically is found at this level because of their extensive purchasing experience. This is the case with your position. Therefore, because your position does not fully meet Level 2-3, it is evaluated properly at Level 2-2 (125 points).

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them. Guides used in General Schedule occupations include, for example, desk manuals, established procedures and policies, traditional practices, and reference materials, such as dictionaries, style manuals, engineering handbooks, the pharmacopeia, and the Code of Federal Regulations.

At Level 3-2, guidelines are in the form of a number of established procedures and specific guidelines that are available and apply to work assignments. These include: (1) procurement history files; (2) Federal Supply Schedules and other established contracts; (3) standard operating practices; and, (4) regulations governing small purchases and delivery orders. Guidelines cover areas such as required and optional sources of supply, types and use of purchase orders, maximum ordering limitations, and forms to use when making purchases.

Guidelines also explain, for example, how to order from schedules, when documentation (waivers, sole source justifications, and verifications of price reasonableness) is required, and when it is appropriate to establish blanket purchase agreements. At this level employees use judgment in selecting the appropriate reference and procedure to make purchases. There may be minor gaps in guidelines, and the employee may be expected to use some judgment and initiative in resolving aspects of the work not fully covered by instructions (e.g., when determining whether the important characteristics of an item match an item description in a mandatory schedule, judging whether quotes are for equal items, suggesting item substitutes, or preparing waivers). The employee refers situations that require significant deviations to the supervisor for guidance or resolution.

In contrast, positions at Level 3-3 deal with unique or complicating requirements or circumstances that are not always discussed in available guidelines. The employee uses judgment to interpret guidelines, adapt procedures, decide approaches, and resolve specific problems. This includes, for example, reviewing detailed nonstandardized statements of work for adequacy, developing technical ranking factors for award determinations, or negotiating terminations for convenience of default.

Your position does not deal with the kinds of unique or complicating requirements or circumstances envisioned at Level 3-3. Problems in determining whether the important characteristics of an item match an item description provided by some mandatory vendors, judging whether quotes are for equal items, and suggesting item substitutes are handled either by consulting with the requestor or by using the level of judgment envisioned at Level 3-2. Your work does not normally require the exercise of judgment to interpret guidelines, adapt procedures, decide on approaches, or review specific problems such as negotiating termination for convenience or default. As at Level 3-2, you have written policies, periodic technical clarifications from physicians and therapists, lists of contractors and other trade suppliers, equipment lists, catalogs, shipping lists, stock inventory books and precedent copies of orders to previous procurement of like items to guide the purchasing that you do. Therefore, your position is evaluated properly at Level 3-2 (125 points).

Factor 4, Complexity

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

At Level 4-2, the work involves performing a variety of related tasks using primarily simple noncompetitive purchasing methods. Methods include, for example, placing orders against single award Federal Supply Schedules and other similar contracts, or using imprest fund or credit card accounts. The employee makes decisions, such as whether to solicit additional sources or question a price, based on a review or knowledge of similar purchases and basic

procedures. The employee selects purchasing methods by considering a few factors, such as price, available sources, and urgency of the requirement. The employee recommends awards using primarily price and/or delivery as determining factors.

In addition to using the procedures described at Level 4-2, work at Level 4-3 involves using different processes and methods to (1) make a variety of competitive or sole source small purchases and/or (2) make a variety of purchases against various established contracts and agreements (e.g., multiple award schedules, BPA's, requirement contracts). The employee uses different solicitation methods, ordering or reporting procedures, purchasing methods, or clauses and provisions depending on the type, quantity, dollar value, or urgency of the requirement. The employee makes choices, such as whether to meet requirements by ordering against an existing contract or through open market procedures, whether to solicit quotes, or what terms and conditions apply based on a review of factors, such as the nature of the requirement, urgency, estimated amount of the purchase, and availability of sources. The employee decides on a purchasing strategy by analyzing a variety of information, such as specifications, FAR reports, history files, item characteristics, or catalogs.

You do not make a variety of competitive or sole source purchases, nor are you involved in making a variety of purchases against various contracts and agreements. The purchases are limited by the type of products you purchase and by the processes available. You accomplish the procurement of supplies, services and equipment using open market or delivery of orders against established contracts (set up by the Purchasing and Contracting functions at Hines, Illinois) purchasing procedures. Your PD states that you spend a good portion of each day in the procurement process searching for equipment from mandatory or open market sources, such as local vendors, catalogs, sales brochures, small or large businesses or manufacturers obtaining price quotations for equipment, then selecting the most appropriate cost-effective item that can be expeditiously obtained. Procurements are accomplished by soliciting quotes (orally or through written requests). Small purchase orders are also placed against established contracts or with certain other Government agency sources of supply, e.g., Denver Distribution Center, National Foot Wear Center, Eye Restoration Center, Orthotic Shoe Service, and Orthotic Laboratories. Therefore, your position is evaluated properly at Level 4-2 (75 points).

Factor 5, Scope and Effect

This factor covers the relationship between the nature of the work; i.e., the purpose, breadth, and depth of the assignment, and the effect of work products or services both within and outside the organization.

At Level 5-2, the work involves providing purchasing services that are covered by well-defined and precise procedures and regulations (e.g., repeat orders for commercial requirements). The employee clarifies what is needed and when, and selects purchasing methods and sources from

a range of available options. The employee's work products, such as recommendations for awards, affect the smooth flow of everyday operations.

In contrast, Level 5-3 work involves resolving a variety of purchasing problems; e.g., inadequate or restrictive specifications, lack of multiple suppliers, urgent need, and insufficient price history. At this level purchasing advice and decisions directly affect the ability of serviced programs to conduct business adequately. Specifically, in cases such as your own, the work may affect the physical well-being of persons; e.g., arranging for the timely delivery of urgently needed medical supplies or equipment.

Your work consists of purchasing various types of commercial supplies, consisting of medical supplies and equipment, and commercial services that include maintenance work and equipment repairs. These purchases may pose problems such as when dealing with an urgent need, an emergency admittance, or a limited number of suppliers in a particular area; e.g., oxygen suppliers near the home of an oxygen patient. The physical well-being of a patient may be affected if there are delays in the delivery of items and services such as oxygen; or in the acquisition of needed equipment such as ventilators, wheelchairs, braces, and/or eyeglasses. While the variety and number of purchasing problems you face minimally meet the level envisioned at Level 5-3, the potential impact your work has on patient care is as significant as envisioned at that level. Therefore, your position meets, but does not exceed, Level 5-3 (150 points), the highest level described in the PCS.

Factor 6, Personal Contacts

This factor includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain. Levels described under this factor are based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting in which the contacts take place; e.g., the degree to which the employee and those contacted recognize their relative roles and authorities. Points may be credited under this factor only for contacts that are essential for successful performance of the work.

Your position closely resembles Level 2, where contacts include employees in the same agency or activity but outside the immediate organization. Examples of these contacts include conversations with inpatients, outpatients, patient family members, VA and private physicians, nurses, therapists, medical technicians, prosthetists, orthotists, business people, contractors, sales people, delivery staff, co-workers, and VA personnel from other stations.

In contrast, at Level 3, contacts include technical or legal representatives of firms who are negotiating substantial purchase order changes or terminations for default or convenience, or who are protesting the basis for nonselection for award. You do not routinely deal with external contacts in these types of settings. Rather, you primarily communicate with other

employees, physicians, therapists, patients, and outside suppliers via the telephone or by face-to-face contacts. Therefore, your position is properly evaluated at Level 2.

Factor 7, Purpose of Contacts

In General Schedule occupations, the purpose of personal contacts ranges from factual exchanges of information, to situations involving significant or controversial issues and differing viewpoints, goals, or objectives. The personal contacts that serve as the basis for the level selected for this factor must be the same as the contacts that are the basis for the level selected for Factor 6.

Your PD states that the purpose of your contacts is to make clear commitments for goods and services; gain information regarding the patient's physical condition and home environment; establish his or her need for equipment; and exchange the status of a procurement action with associated medical staff. You exchange information on appropriateness of the item, prices, discounts, delivery and the issuance of authorizations for payment. You communicate with patients to elicit or clarify information, such as model numbers, sources, discounts, delivery information, cost centers and eligibility for the procurement of equipment and/or services from private and governmental suppliers. You often have intense communication with management, A&MMS, physicians, interns, residents, nurses, social workers, rehabilitation therapists, manufacturers of equipment, vendors, company representatives as well as patients and their family members to resolve issues of concern regarding prescribed items, coordinate delivery of items, to help comfort and assure patients and their families that their problems will be resolved in a timely manner. During the audit you said you discuss specifications such as special requirements written on prescriptions, type of equipment requested, realistic lead times, and prices with the physicians and/or therapists.

Your PD closely resembles Level a. At Level a, the purpose of contacts is to clarify or exchange information related to purchasing routine requirements. Contacts with customers are to obtain missing information, advise on status of work, and get approval for substitutions or changes in delivery dates, prices, or quantities. Contacts with vendors are to obtain information on items, prices, discounts, and delivery dates.

The information you provided by both you and your supervisor compares closely to Level b. At Level b, the purpose of the contacts is to plan and coordinate actions to prevent, correct, or resolve delays or misunderstandings in the purchasing process. This includes contacts with physicians or veterans to discuss specifications that may be inadequate, too restrictive, or outdated, realistic lead times or prices, or other avenues for filling needs (e.g., renting vs. purchasing). Contacts with vendors are to clarify requirements and at times negotiate issues, such as modifying delivery dates, certain terms, or items. In some situations, a moderate amount of persuasive skill may be needed to resolve minor conflicts, or get agreement on changes affecting product, price, or delivery. Because your work requires you to clarify

requirements, negotiate issues or discuss inadequate specifications, the intent of Level b is met in your position.

In contrast, the purpose of your contacts does not meet Level c. At this level, the purpose of contacts are to settle conflicts or disputes that arise during the course of small purchases or to respond to and explain decisions through negotiation and persuasion. The individuals or groups are frequently uncooperative and have different negotiation viewpoints. The employee must be skillful in negotiating issues, such as termination settlements or other significant changes in the small purchase. Contacts also may be with protesting vendors to justify award decisions that are based on greatest value determinations rather than on price or delivery. Your contacts are cooperative and conflicts or disputes do not require respond or explanation through negotiation and persuasion. Therefore, your position is evaluated properly at Level b.

The combination of Level 2b results in the crediting of 75 points.

Factor 8, Physical Demands

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

Level 8-1 is met but not exceeded in that the work requires no special physical demands. Level 8-2 is not met in that the work does not require above average physical agility to walk around or over building materials, excavation sites and heavy equipment found at construction sites or similar areas on a regular and recurring basis. Your position entails normal office activity such as sitting, bending, standing, and walking. Therefore, your position is properly evaluated at Level 8-1 (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.

Your work is performed in an office setting. The work environment does not require special safety precautions. Therefore, your position is properly evaluated at Level 9-1 (5 points).

Summary

In summary, we have credited your position as follows:

<u>Factor</u>	<u>Level</u>	<u>Points</u>
1	1-3	350
2	2-2	125
3	3-2	125
4	4-2	125
5	5-3	150
6&7	2b	75
8	8-1	5
9	9-1	<u>5</u>
		960 Total Points

The total of 960 points falls within the GS-5 grade level point range of 855-1,100 points on the Grade Conversion Table in the GS-1105 PCS.

Based on the above analyses, we find that your position is properly classified as Purchasing Agent, GS-1105-5. Our analysis of your office automation duties by application of the office automation grade evaluation guide are at a lower grade level than your GS-1105 work.

Fundamental to your appeal rationale is your belief that you are performing the same work as employees in other VAMC offices whose positions have been classified as Purchasing Agent, GS-1105-6 or GS-7. You did not provide sufficient information on these positions, however, to warrant our tasking a classification consistency review. While your agency, the Department of Veterans Affairs, has the primary responsibility for applying published PCS's for intra-agency consistency, including consistency with OPM decisions, your agency may not change the classification certified in an OPM decision, nor may your agency classify a position based on position-to-position comparison. If you consider your position so similar to others that they warrant the same of similar classification, you may pursue the matter by writing to your agency personnel office. In doing so, you should specify the precise organizational location, classification, duties, and responsibilities of the positions in question. Your agency may be able to explain the differences between your position and the other positions or, if the positions are essentially the same, your agency will correct the classification of the other positions to achieve internal consistency.

This decision represents the current facts regarding the duties, responsibilities and qualification requirements of the position and is the basis for its classification. This decision constitutes a classification certificate under the authority of section 5112(b) of title 5, U.S. Code. This certificate is mandatory and binding on all administrative, certifying, payroll, disbursing and

accounting officials of the Government. According to 5 CFR 511.702, it must be implemented no later than the beginning of the sixth pay period following the date of this decision. The servicing personnel office must submit a compliance report containing copies of the action taken with respect to your position, e.g., SF 50. The compliance report must be submitted to this office no later than 30 days following the effective date of the SF 50. You may contact your servicing personnel office for information about the implementation of this decision.

This decision represents the current facts regarding the duties, responsibilities and qualifications requirements of your position and is the basis for its classification. Please be assured that this decision is not intended to reflect on your ability, qualifications, or the quality of your performance. Rather, it reflects our evaluation of your position based on a comparison of your duties and responsibilities with the appropriate standards.

Sincerely,

/s/ 6/6/97

cc: Robert D. Hendler
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