

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 7675
Washington, DC 20415-6000

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

Appellant: [name]

Agency classification: Program Analyst
GS-343-12

Organization: [branch]
[division]
[directorate]
7th Army Training Command
Headquarters, U.S. Army, Europe,
and Seventh Army
Department of the Army
[city and country]

OPM decision: Program Analyst
GS-343-12

OPM decision number: C-0343-12-05

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

June 25, 2004
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 personnel officer]

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Introduction

On June 17, 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 Program Analyst, GS-343-12, in the [branch] of the [division], [directorate], Seventh Army Training Command (ATC), United States Army, Europe, and Seventh Army, in [city and country]. [Appellant] requested that his position be classified as Military Training Strategist/Planner, GS-13. This appeal was accepted and decided under the provisions of section 5112 of title 5, United States Code.

We conducted a telephone audit with the appellant on February 9, 2004, and a subsequent interview with the Deputy Chief (currently Acting Chief), [division], [name]. We decided this appeal 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 August 4, 2003.

General issues

The appellant contends that his position description is not accurate. He states that the position description focuses on resourcing 7th ATC training programs and projects, whereas his actual duties involve training strategy formulation and planning. Specifically, the appellant bases this claim on his work in the development of the USAREUR Digital Training Strategy (UDTS) and Plan. However, this was a one-time, non-recurring project that the appellant was assigned last year and worked on (albeit not exclusively) for approximately six months. This work was not intended to constitute the appellant's position on an ongoing basis, nor would there be an organizational requirement for such. The appellant's supervisor has clearly stated that resource management tasks associated with funding justification for theater training programs is required of the position, and in fact constitutes the primary purpose of the position. A position description is not rendered inaccurate or outdated by the performance of temporary duties or occasional special projects outside the normal scope of the position. A position description documents the regular, recurring duties and responsibilities assigned by management that serve as the basis for the classification of the position. Occasional special projects and other non-recurring duties, as a practical matter, are not included in the position description and do not impact the classification of the position. The assignment of work to a position is within the exclusive control of management and is not subject to employee prerogative.

The appellant submitted a draft position description which he believes more accurately depicts his duties. However, most of the work described in this draft position description was not supported in the telephone audit or by our review of the appellant's work samples, nor was it corroborated by the appellant's supervisor. Much of the verbiage in this draft position description is based on programs and activities that the appellant encounters only within the context of doctrinal review, i.e., providing comments on training program material prepared at higher organizational levels for theater training impact. Given that the appellant is not responsible for the development of this material or its ultimate content, his position cannot be credited with the associated knowledge requirements, degree of complexity, or impact, nor should it be described as such. Although some of the terminology in the appellant's position

description of record is outdated, the duties described are basically accurate and were used as the basis for this decision.

Position information

The appellant is primarily responsible for analyzing ongoing and projected USAREUR training programs for the purpose of developing resource requirements as input to program and budget documents; identifying program capabilities and shortfalls and current and future conditions that may affect training mission accomplishment; preparing narratives, justifications, and impact statements to support program requests; and developing strategies to acquire and allocate training resources.

Series determination

The appellant's position is properly assigned to the Management and Program Analysis Series, GS-343. This series covers staff analytical and evaluative work related to program operations. Work in this series requires knowledge of the missions, policies, and objectives of the organization, methods and techniques for assessing program development and execution, and understanding of budgetary and financial management principles and techniques as they relate to long range program planning. This accurately represents the primary responsibilities of the appellant's position and his staff support role in the organization.

The appellant requested that his position be classified as Military Training Strategist/Planner. There is no occupational series specifically identified with this constructed title. Further, this title would identify the appellant's position exclusively with work he performed on a temporary project, which is not a recurring assignment and thus not representative of the ongoing work of his position or the needs of his organization.

Title determination

The authorized title for nonsupervisory positions primarily involved in planning, analyzing, and/or evaluating the effectiveness of line or operating programs is Program Analyst.

Grade determination

There are no grade-level criteria specific to the GS-343 series. Nonsupervisory positions in this series are evaluated by application of the criteria contained in the Administrative Analysis Grade Evaluation Guide. This guide 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 guide. 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.

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 knowledge required by the appellant's position matches Level 1-7. At that level, the assignments require knowledge and skill in analyzing and evaluating program operations or substantive administrative support functions (such as budget, procurement, or personnel) which facilitate line or program operations. This includes knowledge of the laws, regulations, and policies which affect the use of resources (people, money, or equipment) in the area being evaluated. This knowledge is used to plan and conduct projects and studies to recommend ways to improve the effectiveness and efficiency of work operations. The following illustration of Level 1-7 knowledge requirements is provided in the guide:

Knowledge of qualitative and quantitative techniques for analyzing and measuring the effectiveness, efficiency, and productivity of administrative and technical programs, along with knowledge of the mission, organization, and work processes of programs throughout a military command, complex multi-mission installation, or equivalent, and the relationships of administrative support activities (e.g., data processing, accounting, budget) to such missions. Knowledge is applied in conducting studies, analyzing findings, and making recommendations on substantive operating programs, e.g., weapons testing or commodity management. The work requires skill in preparing project papers and staff reports and skill in organizing and delivering briefings to managers to encourage understanding and acceptance of findings and recommendations.

This accurately characterizes the appellant's responsibility for analyzing and evaluating USAREUR training programs to identify, prioritize, and articulate long-range training plans and needs and the associated resource requirements, utilizing primarily knowledge of programming and budgeting techniques and processes. As in the illustration cited above, this involves collecting data on training program performance and accomplishments, relating training needs to operational requirements throughout the European theatre (i.e., military command), and preparing and presenting training resource requests and justifications to higher levels of management.

The position does not meet Level 1-8. At that level, the work requires mastery of a wide range of qualitative and/or quantitative methods for assessing program effectiveness, and comprehensive knowledge of the range of laws, policies, and regulations applicable to the administration of one or more important public programs. These knowledges are applied to such assignments as designing and conducting comprehensive management studies where the boundaries are extremely broad and difficult to determine in advance; preparing recommendations for legislation to change the way programs are carried out or evaluating new legislation for projected impact on agency programs or resources; or directing team study work and negotiating with management in developing program recommendations involving substantial agency resources or requiring extensive changes in established procedures.

The appellant's work focuses on analyzing training programs in relation to their resource requirements rather than the broader review of overall program effectiveness described at Level 1-8. The appellant is not responsible for assessing training effectiveness. He does not design and conduct the types of broad, open-ended studies described at this level, but rather is given specific tasks to complete using established formats. He does not develop legislative proposals or major program recommendations. Rather, he collects information on training initiatives developed by others and compiles and presents this information within the context of costs and implementation plans.

Level 1-7 is credited (1250 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 level of responsibility under which the appellant works is comparable to Level 2-4. At that level, within the framework of funding and overall project objectives, the employee and supervisor develop a mutually acceptable project plan identifying the scope of the work to be done. Within the parameters of the approved project plan, the employee is responsible for planning and organizing the work, estimating costs, coordinating with staff and line management, and conducting all phases of the project. Work is reviewed for compatibility with organizational goals and effectiveness in achieving objectives.

This basically expresses the manner in which the appellant operates. The appellant is assigned tasks with objectives and presentation formats defined. Within these parameters, he is responsible for planning his approach, contacting the appropriate staff to collect information, and compiling cost data. All work products are reviewed by the first and second line supervisors before release.

The position does not meet Level 2-5. At that level, as a recognized authority in the analysis and evaluation of programs and issues, the employee is subject only to administrative and policy direction concerning overall project priorities and objectives. The employee is typically delegated complete responsibility and authority to plan, schedule, and carry out major projects concerned with the analysis and evaluation of programs, and exercises discretion and judgment in determining whether to broaden or narrow the scope of the studies. The employee's analyses and recommendations are reviewed by management officials only for potential influence on broad agency policy objectives and program goals, and are normally accepted without significant change.

The appellant is not delegated this degree of authority or freedom of operation. He does not plan and conduct major studies to evaluate training program effectiveness, subject only to broad policy direction. This is not the nature of the role he occupies in the organization, nor is it within the mission parameters of his immediate unit.

Level 2-4 is credited (450 points).

Factor 3, Guidelines

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

The guidelines used by the appellant match Level 3-4. At that level, administrative policies and precedent studies provide a basic outline of the results desired, but do not go into detail as to the methods used to accomplish the project. Within the context of broad regulatory guidelines, the employee may refine or develop more specific guidelines, such as implementing regulations or methods for measuring and improving effectiveness and productivity in the administration of operating programs. The principal guidelines used by the appellant are budgeting and programming regulations and guidelines. Although these outline the basic processes to be conducted, the methods to be used to complete individual tasks may vary considerably.

The position does not meet Level 3-5. At that level, guidelines consist of basic administrative policy statements and may include reference to pertinent legislative history, related court decisions, State and local laws, or policy initiatives. The employee interprets and revises existing policy and regulations for use by others both within and outside the organization and is recognized as an expert in the development or interpretation of guidance on program planning and evaluation. Policy and regulatory development work is not conducted at the USAREUR level and thus is not an aspect of the appellant's position.

Level 3-4 is credited (450 points).

Factor 4, Complexity

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

The complexity of the appellant's work is comparable to Level 4-4. At that level, the work involves gathering information, identifying and analyzing issues, and developing recommendations to resolve substantive problems of effectiveness and efficiency of work operations in a program or program support setting. The projects assigned usually consist of issues that are not susceptible to direct observation and analysis, such as projected missions and functions, and require compiling, reconciling, and interpreting large amounts of data. Correspondingly, the appellant assembles information on training plans and projections, identifies associated resource requirements and timelines, and integrates this material into consolidated resource requests, planning documents, impact statements, and other materials.

The position does not meet Level 4-5. At that level, the work consists of projects requiring analysis of interrelated issues of effectiveness, efficiency, and productivity of substantive mission-oriented programs, such as developing criteria for the long-range implementation and administration of the program, or developing criteria for evaluating the effectiveness of the program. The projects are complicated by conflicting program goals deriving from legislative or

regulatory changes and the need to make value judgments and other highly subjective conclusions. The appellant is not responsible for training program implementation or evaluation. He is not responsible for making recommendations regarding the relative merits of differing training strategies or determining the effectiveness of training activities.

Level 4-4 is credited (225 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 scope and effect of the appellant's work match Level 5-5. At that level, the purpose of the work is to analyze and evaluate major administrative aspects of substantive, mission-oriented programs, such as developing long-range program plans and milestones or evaluating the effectiveness of programs conducted throughout a bureau or a regional structure of equivalent scope. For example, the employee may develop criteria for measuring program accomplishments (e.g., the level or costs of services provided). The work affects the quality and quantity of services provided to the agency's clients. Correspondingly, the appellant develops long-range plans and milestones for the budgeting and programming of training activities throughout the European theater.

The position does not meet Level 5-6. At that level, the purpose of the work is to perform very broad and extensive study assignments related to Government programs which are of significant interest to the public and Congress. The programs typically cut across or strongly influence a number of agencies. Recommendations involve highly significant program or policy matters and may impact several departments or agencies, and may result in substantial redirection of Federal efforts or policy related to major national issues. The work is critical to the mission of the agency or affects large numbers of people on a long-term, continuing basis. The appellant's work is confined to training issues within USAREUR. His work does not have the cross-Governmental impact expected at this level.

Level 5-5 is credited (325 points).

Factor 6, Personal contacts
and

Factor 7, Purpose of contacts

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

Persons contacted

The appellant's personal contacts match level 2, where contacts are primarily within the same agency. Correspondingly, the appellant's contacts are with other staff offices throughout the

command. The position does not meet level 3, where contacts are with persons outside the agency such as consultants, contractors, or business executives. This level may also include contacts with the head of the employing agency or program officials several managerial levels removed from the employee when such contacts occur on an ad-hoc basis. The appellant has no external contacts of this nature, nor does he have direct personal contact with top management within the command.

Purpose of contacts

The purpose of the appellant's contacts is consistent with level b, where contacts are for such purposes as identifying decision-making alternatives and resolving administrative problems. The appellant's contacts with other USAREUR staff are for the purposes of gathering information, identifying resource problems, and coordinating the preparation of materials. The position does not meet level c, where contacts are for the purposes of influencing managers or other officials to accept and implement findings and recommendations on program improvement or program effectiveness. The appellant provides comments on doctrinal materials as a common expectation throughout the organization, i.e., for possible impact on his work activities. However, he is not responsible for performing substantive reviews of these documents or for personally and directly advocating for the adoption of particular recommendations.

Level 2b is credited (75 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	1-7	1250
Supervisory Controls	2-4	450
Guidelines	3-4	450
Complexity	4-4	225
Scope and Effect	5-5	325
Personal Contacts		
Purpose of Contacts	2b	75
Physical Demands	8-1	5
Work Environment	9-1	<u>5</u>
Total		2785

The total of 2785 points falls within the GS-12 range (2755-3150) on the grade conversion table provided in the standard.

Decision

The appealed position is properly classified as Program Analyst, GS-343-12.