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

Dallas Oversight Division
1100 Commerce Street, Room 441
Dallas, TX 75242

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

Appellant:	[appellant]
Agency classification:	Supervisory Social Science Program Specialist GS-101-12
Organization:	Team II Outpatient Mental Health Service Mental Health Service [installation] Department of Veterans Affairs [city and state]
OPM decision:	Title at agency discretion GS-101-12
OPM decision number:	C-0101-12-01

/s/

Bonnie J. Brandon
Classification Appeals Officer

October 17, 2002

Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the *Introduction to the Position Classification Standards*, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

Appellant's name and address]

Director of Human Resources
Department of Veterans Affairs Medical Center
[installation address]

Chief, Compensation and Classification
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Introduction

On June 27, 2002, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant]. We received his agency's administrative report on July 19, 2002. The agency has classified the appellant's position as Supervisory Social Science Program Specialist, GS-101-12. However, the appellant believes that his duties should be classified as GS-101-13. The appellant's position is assigned to Team II, Outpatient Department, Mental Health Service (MHS), Department of Veterans Affairs Medical Center (VAMC), Department of Veterans Affairs, in [city and state]. We have accepted and decided this appeal under section 5112(b) of title 5, United States Code.

To help decide the appeal, an OPM representative conducted telephone interviews with the appellant, his immediate supervisor and his second-level supervisor. In deciding this appeal, we fully considered the interview findings and all information of record provided by the appellant and the agency.

Position information

The [installation] is a major referral hospital providing tertiary medical, surgical, neurological, rehabilitation, and psychiatric care. It provides a wide range of primary care and community based outpatient mental health services. The appellant is assigned to position description (PD) [number]. The appellant and his supervisor have certified that the PD is accurate.

The appellant supervises an interdisciplinary team of clinical and clinical support staff delivering both inpatient and outpatient mental health care to more than 1500 veteran patients a year within the MHS. The appellant works under the supervision of the Director, Outpatient Mental Health Service. He spends about 75 percent of his time performing supervisory duties. These duties include planning and assigning work, evaluating performance, counseling employees, hearing and resolving complaints, and identifying training needs. He also oversees two other sections of the MHS, the Post Traumatic Stress Disorder (PTSD) Day Hospital and the [name] Outpatient Mental Health Clinic.

He directly supervises a staff of three psychiatrists, a psychologist, four social workers, three nurses, and two medical clerks. The PTSD Day Hospital includes a psychologist who supervises a psychiatrist, two psychologists, two social workers, two social science program specialists, an addiction therapist, and a clerical assistant. The [name] Clinic staff consists of a social worker and a psychiatrist.

The appellant devotes about 25 percent of his time personally performing clinical work. This work includes providing clinical assessment, case management, and therapeutic services to patients. He also provides clinical training to trainees in various disciplines, unlicensed social workers as a requirement for their licensure, and to others as requested. The appellant's PD, the other material of record, and our interview findings furnish much more information about his duties and responsibilities and how they are performed.

Title and series determination

The appellant does not contest the agency's determination of the series and title for his position. We agree that the position is appropriately assigned to the Social Science Series, GS-101. The duties and responsibilities of the appealed position require advising on, administering, and supervising work in a combination of the social sciences, where such work is not classifiable in other series of the occupational group. Since OPM has not specified titles for positions in this series, the agency may construct a descriptive title following the guidance in the *Introduction to the Position Classification Standards*.

The General Schedule Supervisory Guide (GSSG) is a cross-series guide used to determine the grade level of supervisory positions in the General Schedule. The appellant's position meets the criteria for coverage of the GSSG and therefore properly has the prefix "Supervisory" appended.

Standard and guide determination

The appellant's supervisory duties and the clinical work that he personally performs must be evaluated separately because the same classification criteria do not apply to both. The overall grade of the position is the higher level of either his supervisory or clinical work.

The duties and responsibilities of the personally performed clinical work require applying knowledge in the behavioral and social sciences. The appellant assesses patients' backgrounds with psychiatric disorders, alcohol dependence, and substance abuse; manages cases; and conducts in-depth individual and group counseling and therapy. He participates on a multidisciplinary team with special emphasis on providing psychosocial assessment and treatment. Since the majority of his time spent in clinical duties involves work and functions similar to those carried out by positions classified in the GS-185 Social Worker series, we used the grading criteria in this series to grade this portion of his work.

The GSSG is used to evaluate the appellant's supervisory duties and responsibilities. Those duties require the accomplishment of work through combined technical and administrative direction of others, occupy at least 25 percent of the position's time, and meet at least the minimum level of supervisory authority specified in Factor 3 of the GSSG.

Grade determination

Evaluation using the GS-185 standard

The appellant supervises, as well as serves as a member of, a multidisciplinary treatment team. He personally sees patients and delivers social work services, among other behavioral and social science services, to those patients as necessary. He routinely provides group or individual therapies and consults with other team members if their unique skills are necessary. At the GS-12 level, the position classification standard states that there are two general types of positions. The first is a supervisory position that includes full technical and administrative responsibility for the accomplishment of the work of a unit of three or more subordinate professional workers when the base level of work supervised fully meets the description of grade GS-11 in this

standard. The second is a position which has program responsibilities that are significant enough to justify grade GS-12 with or without the presence of professional subordinates. The appellant supervises a unit with four subordinate Social Workers at the GS-11 grade level; thus, he meets this first example of GS-12 work.

Evaluation using the GSSG

The GSSG uses a point-factor evaluation approach with six evaluation factors specifically designed to assess supervisory positions. The points for all levels are fixed, and no interpolation or extrapolation of them is permitted. If one level of a factor is exceeded, but the next higher level is not met, the factor is credited at the lower level. Points accumulated under all factors are converted to a grade using the GSSG's point-to-grade conversion table.

The appellant does not contest the agency's determination for Factors 1, 2, 4A, and 5. We have reviewed those factors and agree with the agency evaluation of Factor Levels 1-2, 2-1, 4A-2, and 5-6. Therefore, this decision will only address those factors with which the appellant disagrees, that is, Factors 3, 4B, and 6.

Factor 3, Supervisory and managerial authority exercised

This factor covers the delegated supervisory and managerial authorities that are exercised on a recurring basis. To be credited with a level under this factor, a position must meet the authorities and responsibilities to the extent described for the specific level.

The GSSG describes two situations for Level 3-3, either of which can be credited for this level. Level 3-3a describes a high level of managerial authority exercised over subordinate units and employees, and Level 3-3b describes supervisory authorities exercised on a regular basis, when those authorities surpass those described at Level 3-2c.

Level 3-3a is appropriate for a position that has delegated managerial authority to unilaterally set a series of annual or similar types of long-range work plans and schedules for the work supervised. The appellant is a member of the Mental Health Executive Board, which develops strategic goals for the Service, but he does not have the authority to independently determine long-range work plans. He develops an annual plan for his team. Further, while the appellant participates with program officials within the Center in the development of goals and objectives for his program, he does not participate with high-level (i.e., agency-level) officials in the development of the overall goals and objectives for the agency mental health program. The appellant's level of program planning responsibility is not fully commensurate with Level 3-3a.

Level 3-3b requires exercising all or nearly all of the delegated supervisory authorities and responsibilities described at 3-2c, and in addition, at least 8 of the 15 responsibilities described under 3-3b. The appellant exercises all 10 responsibilities described at Level 3-2c and 4 of the 15 responsibilities listed under Level 3-3b. Specifically, he exercises responsibilities 2, 7, 14, and 15. For instance, he carries out responsibility 2 in serving as a key advisor to the Chief of the Service and the Chief, MHS. He carries out responsibility 7, since he approves selections for subordinate nonsupervisory positions. Responsibility 14 is exercised under his authority to

recommend awards for nonsupervisory personnel and changes in position classification. Responsibility 15 is met as he finds and implement ways to eliminate or reduce significant bottlenecks and barriers to production, promote team-building, or improve business practices. For example, he redesigned emergency psychiatric urgent care ensuring immediate follow-up of cases, which were languishing due to disconnection between the then emergency unit and the outpatient units.

The appellant's position cannot receive credit for responsibilities 1, 3, 4, 5, 6, 8, 9, 10, 11, 12, and 13 for the reasons discussed below.

Under Level 3-3b of the GSSG several responsibilities (e.g. 1, 3, 5, 6, and 8) are only credited to supervisors who direct two or more subordinate supervisors, team leaders, or comparable personnel. To support these designations, these subordinate personnel must spend 25 percent or more of their time on supervisory, lead, or comparable functions. These responsibilities may be credited only in situations where the subordinate organization is so large and its work so complex that it *requires* managing through these types of subordinate positions.

The GSSG uses the plural when speaking of subordinate supervisors and leaders, rather than using a phrase such as "one or more subordinate supervisors, leaders…." This is deliberate. Level 3-3b is intended to credit only supervisors who direct at least two or three persons who are **officially** recognized as subordinate supervisors, leaders, or comparable personnel.

The [name] Outpatient Mental Health Clinic consists of a part-time psychiatrist and a social worker. The individual who coordinates the work, the social worker, is not assigned to a PD that denotes him as a supervisor, leader, or comparable position, nor did our fact-finding indicate that he is functioning in any of these capacities. Since the appellant supervises just one person officially recognized as a subordinate supervisor, the supervisor of the PTSD Day Hospital, the appellant cannot receive credit for responsibility 1.

Under responsibility 3, a supervisor must assure reasonable equity among subordinate units of both performance standards and rating techniques developed by subordinates. Similarly to responsibility 1, responsibility 3 envisions that these performance standards and rating techniques are developed by at least two or three subordinate supervisors, team leaders, or comparable personnel. The appellant has only one subordinate supervisor and does not meet responsibility 3.

Responsibility 4 requires direction of a program or major program segment with significant resources (for instance, a multimillion-dollar level of annual resources). The appellant holds that this criterion is met because his team and the subordinate elements he oversees have an annual budget for salaries and benefits of over one million dollars. The appellant does not have direct control over the budget. Since the appellant lacks direct control over a multimillion-dollar level of annual resources, responsibility 4 cannot be credited.

Like responsibilities 1 and 3, responsibilities 5, 6, and 8 are intended to credit only supervisors who direct at least two or three subordinate supervisors, team leaders, or comparable personnel. Therefore, credit cannot be awarded for these three responsibilities.

Under responsibility 9, a supervisor must hear and resolve formal group grievances or serious complaints from his employees. The appellant hears and tries to resolve all grievances or complaints from his staff. However, we cannot grant credit for responsibility 9. Our interviews indicate that he lacks authority to resolve by himself grievances that go beyond Step 1. Beyond the informal level, higher-level supervisors would become involved. He therefore has less authority to resolve formal group grievances and serious employee complaints than intended under responsibility 9.

Responsibility 10 requires that a supervisor review and approve serious disciplinary actions (for instance, suspensions) involving nonsupervisory subordinates. As with responsibility 9, higher-level supervisors would become involved with serious disciplinary actions; therefore, the appellant has less authority to deal with them than intended under responsibility 10.

Under responsibility 11, a supervisor must make decisions on nonroutine, costly, or controversial training needs and training requests related to the unit. The appellant develops competency plans and identifies appropriate training to meet the needs of the staff. However, he must obtain concurrence from the Service Chief for any unusual or costly training requests, with final approval by the Education Service. Thus, responsibility 11 is not fully met and is not credited.

Responsibility 12 cannot be credited because the appellant does not determine whether contractor-performed work meets standards of adequacy needed to authorize payment.

The appellant approves within-grade increases and travel related to employees' occasional attendance at conferences or training events that have been approved by the Education Service. He approves compensatory time for the staff, but does not grant extensive overtime. His approval of compensatory time does not involve the complexities of managing budgetary resources, as intended in this responsibility. Because responsibility 13 is not fully met, it may not be credited.

Since the appellant's position could receive credit for only four of the 15 responsibilities listed under Level 3-3b, it did not meet that level. It was therefore evaluated at Level 3-2c, the highest level met. 450 points are credited.

Factor 4, Personal contacts

This is a two-part factor that assesses the nature and purpose of personal contacts related to supervisory and managerial responsibilities.

Subfactor 4B, Purpose of contacts

This subfactor includes the advisory, representational, negotiating, and commitment responsibilities related to the supervisor's contacts.

The purpose of the appellant's contacts warrants Level 4B-2. The record indicates that as is characteristic at that level, the purpose of some of the appellant's contacts is to ensure that information provided to outside parties is accurate and consistent, to plan and coordinate the

work directed with that of others outside his office, *and/or* to resolve differences of opinion among managers, supervisors, or employees.

The purpose of contacts at Level 4B-3 is to justify, defend, or negotiate in representing the project, program segment(s), or organizational unit(s) directed; obtaining or committing resources; *and* gaining compliance with established policies.

While any one of the three elements at Level 4B-2 would merit credit for that level, the criteria for Level 4B-3 are more stringent. This level requires justifying, defending, or negotiating on behalf of the organization with the necessary level of authority to commit resources and gain compliance with established policies of the organization. In order to represent the organization in program defense or negotiations, a supervisor must necessarily have the requisite control over resources and the authority necessary to gain support and compliance on policy matters.

In short, all three of the conditions listed under Level 4B-3 must be present in a position to award credit for this level. The appellant does not have the responsibility and authority to obtain or commit resources for his organizational segment. This responsibility resides in positions at higher managerial levels. Further, his supervisor states that he represents the organization at meetings of the medical center services; therefore, the appellant's position does not meet the full intent of Level 4B-3.

Level 4B-2, the highest level fully met, is assigned. 75 points are assigned.

Factor 6, Other conditions

The appellant’s position meets neither Level 6-5a nor 6-5b. These levels assume that the difficulty of typical work directed, as determined in Factor 5, is GS-12 or GS-13. By contrast, the difficulty of typical work directed by the appellant is GS-11. While he provides some technical direction to higher-level positions, his direction encompasses only those areas in which he is qualified. Further, one of the GS-13 psychologists on his team serves as the functional specialist for the psychologists within the MHS.

Level 6-5c involves managing work through subordinate supervisors or contractors who each direct substantial workloads comparable to the GS-11 level. Earlier, we discussed why certain responsibilities at Level 3-3b can be credited only for supervisors who direct at least two or three subordinate supervisors, team leaders, or comparable personnel. For similar reasons, Level 6-5c can be awarded only for supervisors who manage work through at least two subordinate supervisors or contractors. The appellant’s position does not meet this level.

The appellant’s position meets Level 6-4a. Supervision at this level requires substantial coordination and integration of a number of major work assignments, projects, or program segments comparable in difficulty to the GS-11 level.

Level 6-4 is credited and 1120 points are assigned.

Summary

By application of the GSSG, we have evaluated the appellant's supervisory duties as follows:

Factor	**Level**	**Points**
1. Program Scope and Effect	1-2	350
2. Organizational Setting	2-1	100
3. Supervisory & Managerial Authority Exercised	3-2	450
4. Personal Contacts		
4A Nature of Contacts	4A-2	50
4B Purpose of Contacts	4B-2	75
5. Difficulty of Typical Work Directed	5-6	800
6. Other Conditions	6-4	1120
Total		2945

A total of 2945 points falls into the GS-12 range (2755-3150) by reference to the point-to-grade conversion chart in the GSSG. Therefore, the appellant's supervisory duties are graded at the GS-12 level.

Decision

The appellant’s position is properly classified in the GS-101 series at the GS-12 grade level. Selection of an appropriate title is at the agency's discretion and should include the Supervisory prefix.