

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

Appellant: [appellant's name]

Agency classification: Human Resources Specialist
(Employee Benefits)
GS-201-9

Organization: Human Resources Management Service
Administrative Services
[name]Veterans Affairs
Medical Center
Veterans Health Administration
Department of Veterans Affairs
[city and state]

OPM decision: Human Resources Specialist
(Parenthetical titles at agency discretion)
GS-201-9

OPM decision number: C-0201-09-04

/s/ Jeffrey E. Sumberg

Jeffrey E. Sumberg
Deputy Associate Director
Center for Merit System Accountability

May 14, 2008

Date

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

Since this decision changes the title of the appealed position, it is to be effective no later than the beginning of the fourth pay period after the date of this decision, as permitted by 5 CFR 511.702. The servicing human resources office must submit a compliance report containing a revised position description and Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action to the U.S. Office of Personnel Management location that accepted the appeal.

Decision sent to:

[appellant's name and address]

[servicing HR office name and address]

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Introduction

The Dallas Oversight and Accountability Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal on December 28, 2007, from [appellant's name]. The appellant's position is currently classified as a Human Resources (HR) Specialist (Employee Benefits), GS-201-9, and is located in the Human Resources Management Service, Administrative Services, [name] Veterans Affairs Medical Center (VAMC), Veterans Health Administration (VHA), Department of Veterans Affairs (VA), in [city and state]. The appellant does not dispute the series of his position, but believes it should be classified to the GS-11 or GS-12 grade level. We received the agency's administrative report on January 23, 2008. We have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

Background and general issues

The appellant previously occupied an HR Assistant (Office Automation), GS-203-7, position before being selected for an HR Specialist (Employee Benefits), GS-201-9, position at the same VAMC. The promotion was effected on April 29, 2007. As part of the staffing action, the Veterans Integrated Service Network (VISN) [number]'s Consolidated Classification Team (V[number]/CCT) evaluated the position; and their April 10, 2007, evaluation statement determined it was appropriately classified as GS-201-9. The appellant later forwarded a classification appeal to VA's Office of Human Resources Management. Their November 20, 2007, decision evaluated the appellant's employee benefits and staffing responsibilities separately, but the factor levels assigned for each specialty were identical. While sustaining V[number]/CCT's overall findings, VA's appeal decision lowered the level assigned for Factor 7, Purpose of Contacts, from 7-c to 7-b.

The appellant believes his position is appropriately classified to at least the GS-11 level, in part, because he said he performs recruitment and placement work similar to that assigned to four GS-11 HR specialists in his HR office. Like OPM, VA must classify positions based on comparison to OPM standards and guidelines. Under 5 CFR 511.612, agencies are required to review their own classification decisions for identical, similar, or related positions to ensure consistency with OPM certificates. Consequently, VA has primary responsibility for ensuring its positions are classified consistently with OPM appeal decisions. If the appellant believes his position is classified inconsistently with others, then he may pursue this matter by writing to VA headquarters' HR office. He should specify the precise organizational location, series, title, grade, and responsibilities of the positions in question. VA should explain to him the differences between his position and the others, or classify those positions in accordance with this appeal decision.

Position information

The HR Management Service, staffed with 15 employees, is responsible for providing a variety of HR services to the VAMC, with its approximately [number] hospital beds, and the Community Based Outpatient Clinic in [city and state]. The appellant's Service is comprised of the Office of the Chief, Staffing and Benefits, and Labor/Employee Relations sections. As a member of the Office of the Chief, the appellant spends 50 percent of his time managing the

claims filed against the VAMC under the Federal Employees' Compensation Act (FECA), which provides benefits to employees who incur work-related injuries or occupational diseases. FECA is administered by the Department of Labor's (DOL) Office of Workers' Compensation Programs (OWCP). The appellant spends the remaining 50 percent of his time on recruitment and placement work for an assigned group of Services. The appellant is organizationally assigned to the Office of the Chief and under the immediate supervision of the Human Resources Officer (GS-201-13), but his staffing work falls under the Staffing and Benefits section and occasionally receives direction from the Assistant Human Resources Officer (GS-201-13), who is responsible for the section's work.

The appellant's mornings are spent providing workers' compensation (WC) program services to assist employees injured during night shifts. Briefly, his WC work entails receiving, processing, submitting, maintaining, and monitoring OWCP claims; advising employees, supervisors, and medical offices on injury claims; and working collaboratively with agency officials to return injured employees to work or, if warranted, to remove them from the VAMC's employment rolls. The appellant occasionally attends administrative hearings (four in 2007), requiring him to prepare OWCP case documentation and respond to questions on the factual aspects of the case during hearings. He provides initial and refresher training to supervisors on WC issues including supervisory responsibilities, OWCP claims processing, disputing claims, and safety issues. Due to OWCP's impact on the budget, the appellant projects program expenditures by factoring in variables including current claims, costs from employees on long-term rolls, expected pay offs, and worsening medical conditions. To keep costs down, he also identifies anomalies with OWCP claims and takes corrective action to the extent possible (e.g., in reviewing claims from several employees in the same Service and tracing injuries to a violent patient, the appellant consulted with the Service to prevent future injuries).

The appellant's afternoons are spent on recruitment and placement work for actions other than delegated examining which are handled by VISN [number] Delegated Examining Unit in [city and state]. His staffing work entails preparing and distributing vacancy announcements, screening applications for proper documentation, evaluating applicant qualifications, convening ranking panels, preparing certificates of eligibles, drafting and mailing letters of non-selection to applicants, and scheduling selectees' physical examinations whenever necessary. The appellant does not regularly develop job analyses or crediting plans; if needed, he will usually contact other VAMCs to locate usable documents. He participates in recruitment fairs for professional organizations, colleges, and universities approximately five times a year. The appellant currently provides staffing services to approximately 156 title 5 General Schedule (GS), Federal Wage System (FWS), and title 38 Hybrid employees in the following five Services: Nutrition and Food, Prosthetics, Fiscal, Facilities Management, and Veterans Canteen. By far, the largest is Facilities Management with 90 employees, representing 58 percent of the appellant's servicing population.

The appellant and supervisor certified to the accuracy of the duties described in the official position description (PD) of record, number [number]. The PD and other material of record furnish more information about the appellant's duties and responsibilities and how they are performed. However, our review of the appellant's PD found it also includes several misleading, inaccurate, or unclear statements. For example, the PD describes developing policies for and/or

evaluating OWCP activities. In contrast to policy development work, the appellant's work in this area is generally limited to updating the VAMC's OWCP policies to reflect changes in processes or procedures (e.g., when VA transitioned from a paper to electronic claims filing system). The PD also describes providing *agency management* with interpretations on policy and procedures when issues involved are new, highly controversial, precedent setting, or involve more than one area of personnel policy. The appellant advises VAMC management on local WC program activities, but his position does not require communicating with higher-level VA management on interpretations of policies and procedures characterized as new, highly controversial, precedent setting, or involving more than one personnel policy area. Furthermore, after careful review of the HR Officer's PD, we also find the position's scope of responsibility is limited primarily to VAMC management and is not vested with the level of authority required to advise VA-level management to the extent described in the appellant's PD.

A PD is the official record of the major duties and responsibilities assigned to a position by an official with the authority to assign work. Classification appeal regulations permit OPM to investigate or audit a position and decide an appeal on the basis of the duties assigned by management *and* performed by the employee. OPM classifies a real operating position and not simply the PD. The appellant's current PD does not meet the standard of adequacy for classification purposes as discussed in the body of this decision and must be revised to reflect the actual duties and responsibilities assigned to and performed by the appellant. The appellant's PD should be carefully examined to ensure it describes only those duties currently assigned, observable, identified with the position's purpose and organization, and expected to continue or recur on a regular basis over a period of time. A copy of the revised PD must be provided to this office as part of the compliance report.

To help decide this appeal, we conducted telephone audits with the appellant on March 7 and 10, 2008, and a telephone interview with the immediate supervisor on March 5. In reaching our classification decision, we carefully considered all of the information gained from these interviews, as well as the written information furnished by the appellant and his agency.

Series, title, and standard determination

The agency assigned the appellant's position to the GS-201, Human Resources Management Series, and used the grading criteria in the Job Family Position Classification Standard (JFS) for Administrative Work in the Human Resources Group, GS-200, to evaluate the appellant's work. After careful review of the record, we concur.

VA titled the appellant's position as HR Specialist (Employee Benefits). Based on the grade-level analysis that follows, we find the appellant's employee benefits and recruitment and placement work are classifiable to the same grade level. In contrast to the VA-constructed title, the GS-201 JFS allows using the basic title, HR Specialist, without a parenthetical specialty title when a position includes two or more specialized HR functions with none predominating. At the agency's discretion, the basic title may be used with any combination of parenthetical specialty titles in the official position title (e.g., HR Specialist (Employee Benefits/Recruitment and Placement)).

Grade determination

The GS-201 JFS is written in the Factor Evaluation System format, under which factor levels and accompanying point values are assigned for each of the nine factors. The total is converted to a grade level by use of the grade-conversion table provided in the JFS. Under this system, each factor-level description demonstrates the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in a factor-level description in any significant aspect, it must be credited at a lower level.

The JFS provides specialty-specific illustrations as a frame of reference for applying factor-level concepts. The illustrations describe examples of work meeting or exceeding the threshold for a particular factor level while still falling within the coverage of the factor level. Comparisons to illustrations may not be solely relied upon to exclude credit at a factor level, because they do not necessarily describe the minimum threshold of the factor level. If the work being evaluated is fully comparable to an illustration at a particular factor level, that factor level may be assigned. Each illustration is to be used in its entirety in conjunction with the factor-level description.

The appellant provided OPM with an evaluation statement he prepared for his position, crediting his position at Levels 1-7, 2-4, 3-4, 4-4, 5-4, 6-3, 7-c, 8-1, and 9-1. The resulting points fell within the GS-12 range in the JFS's grade conversion table. In reviewing V[number]/CCT's evaluation statement and VA's appeal decision, we noted the appellant agreed with his agency's evaluation of Factors 8 and 9. We reviewed the agency's determination for Factors 8 and 9; concurred; and have credited the position accordingly. Therefore, our evaluation will focus on Factors 1, 2, 3, 4, 5, and 6 and 7.

Factor 1, Knowledge Required by the Position

This factor measures the nature and extent of information or facts that an employee 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 necessary to apply that knowledge.

The appellant's position meets Level 1-6, where work requires knowledge of, and skill in applying, fundamental HR management laws, principles, systems, policies, methods, and practices; as well as interviewing, analytical, and research techniques sufficient to conduct fact-finding and recommend solutions to moderately difficult but well-precedented and/or recurring issues and problems. The appellant's employee benefits and recruitment placement specialties also require knowledge of, and skill in applying, fundamental HR methods, principles, and practices of the specialization; and standardized analytical and evaluative methods and techniques sufficient to do the following: advise on and/or resolve moderately complex, non-controversial, well-precedented factual, procedural, and/or recurring issues for which there are one or more readily apparent solutions; make informed judgments on problems and issues; perform management advisory services related to immediate problems of limited scope; and analyze segments of broader HR issues or problems.

The JFS's illustrations for Level 1-6 closely resemble the appellant's duties and responsibilities. For example, the illustration for an HR Specialist (Employee Benefits) describes an employee applying knowledge of standardized principles, practices, and procedures of injury compensation, and standardized research and fact-finding techniques sufficient to administer an organization's injury compensation program; analyze information related to on-the-job injuries or illnesses provided by supervisors and employees in support of on-the-job WC claims; act as liaison between supervisors and employees to facilitate claims; evaluate suspected fraud cases; and provide training to supervisors and employees on practices and regulations of the injury compensation program.

Another Level 1-6 illustration similar to the appellant's position is for an HR Specialist (Recruitment and Placement), where work involves applying knowledge of, and skill in applying, a wide range of methods, principles, and practices commonly used in the recruitment and placement process; and knowledge of the occupational design of positions within assigned organizations sufficient to advise management officials on various types of appointments and their appropriate application in both the competitive and excepted services; advise on the procedural and regulatory requirements governing the merit promotion process; develop rating factors and crediting plans for vacancy announcements; use a variety of standardized internal/external recruitment strategies to aid in strategic recruitment planning; and advise on position career patterns.

In contrast, Level 1-7 work requires skill in applying a wide range of HR concepts, laws, policies, practices, analytical, and diagnostic methods and techniques sufficient to solve a wide range of complex, interrelated HR problems and issues. In addition, the WC and staffing specialties require knowledge of, and skill in applying a wide range of HR concepts, practices, laws, regulations, policies, and precedents sufficient to provide comprehensive HR management advisory and technical services on substantive organizational functions and work practices; analytical and diagnostic techniques and qualitative and quantitative techniques sufficient to identify, evaluate, and recommend to management appropriate HR interventions to resolve complex interrelated HR problems and issues; techniques for developing new or modified HR work methods, approaches, or procedures for delivering effective HR services to clients; consensus building, negotiation, coalition building, and conflict resolution techniques sufficient to interact appropriately in highly charged emotional situations; and written and oral communication techniques sufficient to develop and deliver briefings, project papers, status/staff reports, and correspondence to managers to foster understanding and acceptance of findings and recommendations.

The appellant's WC work does not meet Level 1-7. His work requires applying knowledge of established laws, principles, systems, policies, methods, practices, procedures, and the interpretive guidance provided by DOL, VA, VHA, VISN, and the VAMC. To administer VAMC's WC program, the appellant's duties entail advising injured employees on filing an OWCP claim, the benefits the employee may be entitled to receive, returning to work, seeking medical attention, and appeal rights if a claim is denied; advising supervisors when disputing claims; participating with VAMC's safety office to investigate the employee's allegations by identifying potentially hazardous issues (e.g., with engineering, faulty equipment, inattentive supervisors, etc.); and electronically forwarding OWCP claims for DOL's adjudication. The

appellant performs other claims monitoring work in this process; but the WC program is well-established, and most claims will follow a similar, if not identical, set of steps without deviation. This environment does not allow for the development of new or modified HR work methods, approaches, or procedures for delivering effective HR services as expected at Level 1-7. The appellant provides monthly briefings to the VAMC Director on the status of OWCP cases and projected costs. Unlike Level 1-7, this information is considered factual, not findings or recommendations requiring the appellant to defend or justify. The appellant has decreased VAMC's annual OWCP costs in the past few years, but the increase in the program's effectiveness and efficiency is less a result of in-depth analytical processes than they are practical improvements resulting from insights developed from day-to-day performance typical of Level 1-6.

The appellant's staffing work also does not require applying knowledge at Level 1-7. His work requires knowledge of Federal personnel laws and regulations, as well as standard staffing principles and requirements, to conduct recruitment and placement activities for the assigned Services. This work requires the appellant to draft vacancy announcements, screen applications for appropriate documentation to prove eligibility status determinations, make minimum qualification determinations, assemble ranking panels, prepare certificates, audit certificates for compliance with hiring procedures and requirements, and contact individuals to make job offers. In contrast to Level 1-7, his work does not involve applying a wide range of HR laws, rules, and regulations sufficient to solve a wide range of complex, interrelated HR problems and issues.

An illustration at Level 1-7 describes an employee applying knowledge sufficient to consider career ladders, career development and training, management practices, working conditions, recruitment and retention incentives, organizational design, and position classification and position management into problem solving efforts; providing internal/external placement services to recruit for highly specialized and hard-to-fill positions resulting from technological advances in these fields; and planning and executing creative recruitment campaigns to locate and identify highly qualified candidates involving numerous public contacts. This and other JFS illustrations at Level 1-7 describe positions requiring a more system-oriented, holistic viewpoint to providing customers with HR advice, education, and planning services on complex and complicated issues. In contrast, the appellant primarily recruits for vacancies in the Services experiencing high turnover with lower-graded positions (i.e., GS-6 and below), especially housekeeping aids in the Facilities Management Service. Also unlike Level 1-7, the appellant's staffing work is more reactive and driven largely by customer demands.

Level 1-6 is credited for 950 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.

The appellant's position meets Level 2-3. As at this level, his supervisor outlines or discusses possible problem areas (e.g., when there are complaints, inquiries, or incomplete information) and defines his work objectives, plans, and deadlines. His staffing work has clear precedents involving successive steps in planning and execution, and is guided by well-established laws, regulations, policies, procedures, interpretive guidance, and timeframes. For example, his staffing work requires filling vacancies quickly, reviewing applications and sending applicant letters within VAMC-prescribed timeframes, preparing paperwork prior to an employee's start date, and adhering to OPM's 45-day hiring model. The appellant's completed staffing work is evaluated for conformity to these prescribed deadlines, as well as to the accepted OPM and agency-specific policies and procedures. As a matter of procedure, the HR Officer or Assistant HR Officer review the appellant's finished work products such as Standard Form 52s for coding errors, appointment letters, offer letters, etc. Like Level 2-3, how the appellant completes his work and the technical methods he uses (e.g., in framing accurate and adequate vacancy announcements, making qualification determinations, ensuring the validity of the ranking panels' conclusions, confirming the hiring officials' selections are consistent with laws and regulations, etc.) are normally not reviewed. The supervisor evaluates the quality, timeliness, and effectiveness of the appellant's staffing work through ad hoc feedback from his Services' supervisors and managers.

The appellant's dual program responsibilities complicate his ability to set daily priorities to meet the programs' established timeframes. However, the appellant's work priorities are normally readily apparent as he is required to take prompt action when an employee is injured at the VAMC to ensure he or she receives the appropriate medical care and benefits. Like Level 2-3, the appellant independently directs the daily activities of the VAMC's WC program while adhering to established DOL, VA, VHA, and VISN processes, policies, and procedures. OWCP is one of the VAMC Director's performance measures; the appellant's monthly briefs to the Director on the program's activities and associated costs are considered accurate and technically correct.

The appellant's position does not meet Level 2-4, where the supervisor outlines overall objectives and the resources available. In consultation with the supervisor, Level 2-4 employees discuss timeframes, scope of the assignment including possible stages, and possible approaches. They also determine the most appropriate principles, practices, and methods to apply in all phases of the assignment including the approach to be taken, degree of intensity, and depth of research in management advisories; apply new methods to resolve complex and/or intricate, controversial, or unprecedented issues and problems, and resolve most conflicts that arise; frequently interpret regulations on his or her own initiative; and keep the supervisor informed of progress and of potentially controversial matters.

The appellant's WC and staffing work involves implementing existing guidance to ensure his work is being carried out in compliance with established requirements. It is not just the degree of independence from supervision that is evaluated but also the degree to which the nature of the work permits exercising judgment and making independent decisions and commitments. His WC work regularly requires judgment and decision-making in identifying potentially fraudulent claims and challenging questionable medical reports, assessments, and bills (e.g., a doctor prescribing medication unsuitable for the injury claimed). However, this work does not require

the level of judgment described at Level 2-4, where the work involves independently interpreting regulations and applying new methods to resolve complex and/or intricate, controversial, or unprecedented issues and problems. These issues are instead referred for guidance to VISN [number] OWCP Coordinator, who is responsible for overseeing and coordinating the VISN's OWCP activities. The appellant receives guidance from the Coordinator on complex, difficult, or unusual situations (e.g., if an employee reports an on-the-job injury after receiving a notice of removal) and when DOL is unresponsive to the appellant's requests for information. The Coordinator is also responsible for establishing, monitoring, and ensuring accomplishment of program goals; hosting regular conference calls and providing training to VISN [number] OWCP staff; and conducting on-site audits of local operations.

Also unlike Level 2-4, the appellant's staffing work involves implementing well-established, comprehensive guidance to ensure personnel actions for his assigned Services are carried out in compliance with established requirements. This type of environment limits the appellant's opportunities to negotiate with the supervisor on already pre-defined, concrete timeframes, assignment scope, and work approaches as expected at Level 2-4.

Level 2-3 is credited for 275 points.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment employees need to apply them.

The appellant's position meets Level 3-3. Similar to this level, the appellant's work involves applying a wide range of readily available reference materials, manuals, and handbooks. Performing title 5 and title 38 Hybrid staffing work, the appellant selects and interprets the laws, rules, and regulations found in the U.S.C.; CFR; OPM's qualification standards and other published guidance; VA, VHA, VISN, and VAMC handbooks, directives, and instructions; and bargaining unit agreements. Performing WC work, the appellant selects and interprets laws, rules, and regulations found in the FECA; title 20; DOL's published guidance; and VA, VHA, VISN, and VAMC handbooks, directives, and instructions. OWCP is administered by DOL, but VA is responsible for initiating and maintaining case management. DOL provides extensive guidance to agencies, including the OWCP Publication, Compensation Act (CA) 810, Injury Compensation for Federal Employees, and the CA-550 booklet on commonly asked FECA questions and answers. Other DOL guidance includes commonly used forms including: CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation; CA-2, Notice of Occupational Disease and Claim for Compensation; CA-7a, Time Analysis Form; CA-7b, Leave Buy Back Worksheet; CA-16, Authorization for Examination and/or Treatment; and CA-17, Duty Status Report. The appellant's work involves reviewing decisions from the Employees' Compensation Appeals Board, which hears and decides cases on appeal from FECA determinations and awards. As at Level 3-3, the appellant uses judgment, initiative, and resourcefulness to identify potential WC fraud by reviewing case files for common indicators (e.g., previous OWCP claims, anonymous tips from other sources, employees filing prior to having an adverse action taken, etc.). This involves using judgment in researching, selecting, interpreting, modifying, and applying available guidelines to specific problems or issues.

Unlike Level 3-4, guidelines used by the appellant are specific and readily available. At Level 3-4, guidelines and precedents are very general regarding agency policy statements and objectives. Guidelines available to assignments are often scarce, inapplicable, or have gaps in specificity requiring considerable interpretation and/or adaptation for application to issues and problems. In contrast, the appellant's OWCP work is guided by detailed plans, instructions, and handbooks, making innovation in planning and conducting work unnecessary. In contrast to Level 3-4, the appellant's work does not require interpreting scarce, inapplicable, or incomplete guidelines. His work also does not require modifying, adapting, or refining broader guidelines to resolve specific complex and/or intricate issues and problems; treat specific issues or problems; research trends and patterns; develop new methods and criteria; and/or propose new policies and practices as expected at Level 3-4. Such responsibilities are reserved at higher levels both within and outside the appellant's employing agency. The WC and staffing services provided by the appellant are well-established HR programs covered by extensive laws, rules, regulations, standards, and instructions. The appellant generally encounters problems that are recurring (e.g., retention problems for lower-graded jobs), not unusual or unique problems for which guidelines or precedents would be unsuitable.

Level 3-3 is credited for 275 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.

The appellant's position meets Level 4-3, where work consists of applying established analytical techniques to problems and issues more of a technical than an advisory nature. Issues and problems encountered are typically of the same or similar type. The JFS's illustrations for Level 4-3 closely resemble the appellant's duties and responsibilities. For example, an HR Specialist (Employee Benefits) example describes an employee as executing the FECA program for serviced facilities at numerous widely dispersed locations. The employee evaluates and ensures the prompt submission and processing of compensation claims; maintains close surveillance of each compensation claim through medical reports and other sources; validates claims and controverts those considered questionable; initiates investigation of all accident reports showing signs of possible fraud or abuse and inform appropriate agencies of the findings; recommends corrective action if the investigation substantiates fraud or abuse; and works in close liaison with DOL to expedite adjudicating and paying legitimate claims and disallowing fraudulent, abusive, or unsubstantiated claims. Typical of Level 4-3, the appellant deals with problems or situations associated with local, day-to-day WC program operation matters. For example, the appellant is responsible for facilitating the return of employees to work as soon as possible after injuries to reduce OWCP costs. Once the physician clears the employee for light duty, the appellant determines if a position is available based on the medical restrictions identified by the attending physician. VAMC maintains two or three light duty positions to expedite the process of returning employees to work. After identifying an appropriate position, the appellant takes necessary steps to return the employee to the Service from which he or she left.

Another Level 4-3 illustration tracks the appellant's recruitment and placement duties. The work involves conducting HR recruitment, examination, selection, and/or placement program at a facility or at the regional level of an agency or bureau. The employee analyzes and identifies experience, training, education, and other background information to develop crediting plans for common, easily-understood positions using standard merit promotion policies and procedures. Within previously established parameters, the employee exercises limited judgment in performing work such as deciding which previously-established crediting plans are appropriate to use in various recruiting efforts; and applying established, fundamental recruiting and placement principles, practices, and techniques.

In contrast, Level 4-4 work consists of resolving problems and issues often involving conflicting or incomplete information; applying analytical techniques frequently requiring modification to accommodate a wide range of variables; and addressing substantive technical issues that are characterized by complex, controversial, and/or sensitive matters containing several interrelated issues.

The complexity of the appellant's WC duties does not meet Level 4-4. Unlike Level 4-4, the appellant's work does not involve resolving problems or issues with oftentimes conflicting or incomplete information. To identify discrepancies in OWCP claims, the appellant will research and gather sufficient information to determine whether the claim is likely fraudulent and should be forwarded to the Office of the Inspector General (OIG). For example, an employee asserted in an OWCP claim that she had injured herself by slipping on the rain-slicked parking lot several months in the past. After calling several individuals, the appellant located a weather bureau which recorded the local rainfall and confirmed it had not rained on the date as claimed by the employee. The appellant's preliminary review and fact-gathering is essential to weeding out fraudulent claimants, but this work, again unlike Level 4-4, does not involve the *resolution* of problems involving conflicting or incomplete information as his initial findings are forwarded to the OIG which is responsible for conducting the more thorough investigation in pursuit of prosecuting fraudulent claimants. Unlike Level 4-4, these program/case situations are straightforward and do not require the appellant to modify analytical techniques to accommodate a wide range of variables or addressing substantive technical issues characterized by complex, controversial, and/or sensitive matters containing several interrelated issues.

The complexity of the appellant's recruitment and placement work also does not meet Level 4-4. His staffing work involves evaluating the completeness of applications, making basic qualification determinations, convening ranking panels, and preparing certificates of eligibles for primarily lower graded FWS positions. The agency's appeal decision indicated the appellant, in Fiscal Year 2007, handled 59 announcements where 38 were for FWS, 18 for GS one-grade interval support occupations, three for GS two-grade interval administrative positions, and five for title 38 Hybrid positions.

A Level 4-4 illustration describes work similar, on the surface, to the appellant's with regard to rating and ranking applicants, preparing and issuing referral lists for action, coordinating with staff on selecting subject-matter experts, and overseeing a rating panel process. However, this work is performed in the context of providing input to serviced commands from a regionalized operations center on short- and long-range analyses of recruitment and placement requirements.

The employee performs duties such as evaluating trends in missions, technology, manpower, fiscal resources, and other factors influencing future needs; coordinating with advisory center staff to obtain management information; and advising advisory center staff on difficult and unusual recruitment and placement issues or problems, who, in turn, provide this advice to management officials of the serviced activities. The appellant's work does not include these functions and responsibilities.

Level 4-3 is credited for 150 points.

Factor 5, Scope and Effect

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.

The appellant's position meets Level 5-3, where work involves applying accepted criteria, principles, and standard methods to resolve a variety of conventional issues and problems; and/or portions of larger studies requiring developing detailed procedures and guidelines to supplement existing guidance. The JFS's illustrations for Level 5-3 closely resemble the appellant's duties and responsibilities. For example, an illustration describes work involving providing management advisory services in conformance with established criteria to resolve conventional problems arising from administering a recruitment program for a serviced facility. Another Level 5-3 illustration, although not specifically addressing WC-type work, describes work involving administering an employee benefits program throughout a local facility with work impacting the facility's benefits and salary costs. Like that described through Level 5-3 illustrations, the appellant's work directly influences VAMC's management decisions on WC- and staffing-related issues, and affects customer perceptions of the overall quality and services of the HR program for the local facility.

The appellant's position does not meet Level 5-4, where work involves resolving or advising on complex problems and issues typically requiring analyzing and/or troubleshooting a wide range of unusual conditions. Work at this level affects the objectives and effectiveness of agency HR activities, missions, and programs. The assessment, analysis, and ultimate resolution of problems promote the overall quality, effectiveness, and efficiency of program operations. The appellant works independently in providing recruitment and placement functions to his assigned Services' managers, supervisors, and employees; applicants; and universities, colleges, and professional organizations in attracting potential applicants. His staffing work immediately impacts the 156 employees assigned to his five Services; but this level of impact falls short of that expected at Level 5-4, where the broad impact of the work affects the objectives and effectiveness of agency HR activities, missions, and programs. Moreover, the appellant encounters various problems and issues within his Services (e.g., recruitment and retention problems, disciplinary issues, pay questions, etc.), but these situations would not be considered particularly complex or unusual as they are regularly found at installation-level organizations. Albeit important to the Service, resolution of these problems would not directly affect VA's HR activities, mission, or programs as a whole.

DOL's OWCP adheres to a "chargeback year," from July 1 to June 30, to report the number of claims created during that time period. The appellant estimates handling approximately 200 claims during 2007's chargeback year. He also reduced program costs from \$1 million to an estimated \$650,000, by working with VAMC's safety office to prevent injuries; assisting employees with returning to work as soon as possible by providing light or modified work duties; and providing advice to VAMC staff. For example, the appellant reviewed OWCP claims from several employees in the same Service, identified the potential cause, and provided advice on properly ensuring employee safety. However, the appellant's is one of 10 VAMC WC activities comprising VISN [number] overall WC program. His work directly impacts the efficiency and effectiveness of the local WC program but not the broad agency policy objectives and program goals expected at Level 5-4.

Level 5-3 is credited for 150 points.

Factor 6 and 7, Personal Contacts and Purpose of Contacts

Personal contacts include face-to-face and telephone contacts 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 contact takes place. These factors are interdependent. The same contacts selected for crediting Factor 6 must be used to evaluate Factor 7. The appropriate level for personal contacts and the corresponding level for purpose of contacts are determined by applying the point assignment chart for factors 6 and 7.

Personal Contacts

At Level 2, contacts are primarily with employees and managers in the agency, both inside and outside the immediate office or related units, as well as employees, representatives of private concerns, applicants, retirees, beneficiaries, and/or the general public, in moderately structured settings. Contact with employees and managers may be from various levels in the agency such as headquarters, regions, districts, field offices, or operating offices at the same location.

At Level 3, contacts are primarily with persons outside the agency, including consultants, contractors, or business executives, in moderately unstructured settings. This level may also include contacts with agency officials who are several managerial levels removed from the employee when such contacts occur on an ad hoc basis. They must recognize or learn the role and authority of each party during the course of the meeting.

The appellant's personal contacts meet Level 2. As at this level, his staffing contacts primarily include managers, supervisors, and employees from his assigned Services. He also has contact with the general public as job applicants or recruitment fair participants; but, like Level 2, these occur in moderately structured settings. The appellant's OWCP contacts meet Level 2 as his work requires dealing with DOL's OWCP claims examiners, attending physicians and/or their staff, and private rehabilitation service providers. Similar to Level 2, these contacts usually occur in moderately structured settings. Although the contact may not be established on a routine basis, the appellant's role, authority, and purpose of the call is readily and easily

established. Unlike Level 3, neither his WC nor staffing work requires dealing with VA officials who are several managerial levels removed from him. The appellant has contact with attorneys when attending administrative hearings and OIG staff when reporting fraudulent claims. These contacts are generally limited, are directed to primarily reporting factual information, and the roles and responsibilities of each party are clear from the hearing process and procedures. Therefore, the appellant's personal contacts do not fully meet Level 3 and must be credited at Level 2.

Purpose of Contacts

At Level b, the purpose of contacts is to plan, coordinate, or advise on work efforts, or to resolve issues or operating problems by influencing or persuading people who are working toward mutual goals and have basically cooperative attitudes. Contacts typically involve identifying options for resolving problems.

At Level c, the purpose of contacts is to influence and persuade employees and managers to accept and implement findings and recommendations. They may encounter resistance due to organizational conflict, competing objectives, or resource problems. This requires the employee to be skillful in approaching contacts to obtain the desired effect; e.g., gaining compliance with established policies and regulations by persuasion or negotiation.

The appellant's position meets Level b, as the purpose of his WC and staffing contacts range from exchanging factual information to resolving issues with individuals typically working towards the same goals. He occasionally deals with an unresponsive DOL claims representative, but this is not characteristic of his relationship with most of his contacts. The appellant does not normally encounter resistance like that described at Level c, requiring him to gain compliance with established policies and regulations through persuasion or negotiation. Overall, the purpose of the appellant's contacts meets Level b.

Level 2-b is credited for 75 points.

Summary

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Knowledge Required by the Position	1-6	950
2. Supervisory Controls	2-3	275
3. Guidelines	3-3	275
4. Complexity	4-3	150
5. Scope and Effect	5-3	150
6. & 7. Personal Contacts and Purpose of Contacts	2-b	75
8. Physical Demands	8-1	5
9. Work Environment	9-1	<u>5</u>
<i>Total</i>		1,885

A total of 1,885 points falls within the GS-9 range (1,855 to 2,100) on the JFS's grade conversion table.

Decision

The position is properly classified as Human Resources Specialist (Parenthetical titles at agency discretion), GS-201-9.