

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



Dallas Oversight Division  
1100 Commerce Street, Room 4C22  
Dallas, TX 75242

**Classification Appeal Decision**  
**Under Section 5112 of Title 5, United States Code**

**Appellant:** [appellant's name]

**Agency classification:** Investigative Assistant  
GS-1802-7

**Organization:** [appellant's organization]  
Bureau of Land Management  
Department of the Interior  
[city, state]

**OPM decision:** GS-1802-7  
title at agency discretion

**OPM decision number:** C-1802-07-03

/s/ Bonnie J. Brandon  
Bonnie J. Brandon  
Classification Appeals Officer

4/1/99  
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]

[appellant's representative and address]

Personnel Officer

[name of state] State Office

Bureau of Land Management

[address of servicing personnel office]

Director

National Human Resources Management  
Center

Bureau of Land Management

Department of the Interior

Denver Federal Center, Building 50

P. O. Box 25047

Denver, CO 80225-0047

Director of Personnel

Department of the Interior

Washington, DC 20240

## **Introduction**

On December 7, 1998, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [appellant], an employee in the [appellant's activity], Office of the State Director, [state] State Office, Bureau of Land Management (BLM), Department of the Interior, [city,state]. [The appellant] is currently employed as an Investigative Assistant, GS-1802-7. [The appellant] believes [the] position should be classified as Investigative Review Specialist, GS-1801-9.

The appeal has been accepted and decided under section 5112 of title 5, United States Code (U.S.C.). To help decide the appeal, an Oversight Division representative conducted telephone audits with the appellant and her immediate supervisor. In reaching our classification decision, we have reviewed the audit findings and all information of record furnished by the appellant and her agency, including her official position description 04922.

## **General issues**

In February 1996, a proposal was approved to merge [two states] law enforcement programs with the [appellant's state] law enforcement program. The newly formed organization would come under the jurisdiction of the [appellant's state] Special Agent-in-Charge. In order to determine the appropriate titles, series, and grades of the staff after the merger, a BLM position classification specialist was given the assignment to perform a position classification review. The specialist concluded that the appellant's position was appropriately evaluated as Law Enforcement Technician, GS-986-7, and proposed reviewing the appellant's duties in 6 months to assess any impact on the classification of the position as a result of any change in duties and responsibilities that may occur during that time. The agency's subsequent audit conducted in August 1997 resulted in reclassification of the appellant's position as Law Enforcement Assistant (OA), GS-1802-7. The appellant appealed this classification to BLM. In September 1998, BLM sustained the series and grade of the position. During our interviews with the appellant and [the] supervisor, they stated that the appellant performs duties they consider complex and analytical in nature which go beyond the clerical or support function. They believe these duties are more in line with those of GS-1801 general inspection, investigation, and compliance work because the appellant assists with investigations by gathering information and intelligence data which [the appellant] evaluates, interprets, and analyzes for inclusion in investigative cases.

The supervisor stated that [the supervisor] has reviewed a number of position descriptions that are identical or similar to the work being performed by the appellant. [The supervisor] indicates that these position descriptions are in the General Inspection, Investigation, and Compliance Series, GS-1801. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's current duties to other positions as a basis for deciding [the] appeal.

## Position information

The appellant's position is responsible for the law enforcement and resource protection program for the [three-state] region. Duties are performed in a Regional Office setting having regionwide oversight responsibilities. The appellant is one of 37 employees on the Law Enforcement and Resource Protection Staff, which is headed by a GS-14 Supervisory Criminal Investigator and includes two GS-13 Supervisory Criminal Investigators, twenty-three Law Enforcement Rangers (one GS-13 Staff Law Enforcement Ranger, two GS-12 Supervisory Rangers, eleven GS-11 District Rangers, and nine GS-9 Rangers), eight GS-12 Criminal Investigators, and two GS-1802-7 positions (a Law Enforcement Assistant position and the appellant's Investigative Technician position). The appellant works in the [state] State Office which is headed by [the appellant's] immediate supervisor who is the GS-14 Supervisory Criminal Investigator (Special Agent-in-Charge) and also includes the GS-13 Staff Law Enforcement Ranger, a GS-13 Supervisory Criminal Investigator, four GS-12 Criminal Investigators, and a GS-7 Law Enforcement Assistant. The appellant is not assigned to a standard position description. Duties of [the appellant's] position are designed specifically for the Arizona State Office. The appellant agreed with the description of duties identified in the position description. Duties currently assigned to the appellant include the following:

- ▶ queries the National Crime Information Center (NCIC) and the [state] Criminal Justice Information System ([abbreviation for state]CJIS) for criminal intelligence data;
- ▶ serves as primary regional evidence custodian for transactions involving evidence seized during an investigation;
- ▶ serves as custodian and cashier of the regional special funds account for the purchase of information and evidence;
- ▶ serves as System Security Officer for computer linkage operations with the NCIC and the [state]CJIS, providing training and testing for regional BLM personnel who operate the computer terminals;
- ▶ prepares and maintains files on the criminal history of informants; and
- ▶ maintains and monitors the casework of approximately 400 cases per year.

## Series, title, and standard determination

As previously stated, the appellant and [the] supervisor believe that [the appellant's] position should be classified in the GS-1801 General Inspection, Investigation, and Compliance Series. This series includes positions that primarily administer, coordinate, supervise, or perform inspectional, investigative, analytical, or advisory work to assure understanding of and compliance with Federal laws, regulations, or other mandatory guidelines. It is a general series for the Investigation Group, GS-1800. Included in the group are occupations established primarily to effect compliance of

individuals or organizations with laws, rules, regulations, executive orders, or other mandatory guidelines. Compliance is assessed by such means as inspections, investigations, and analysis of reports. Compliance may be obtained by methods such as persuasion, negotiations, and technical assistance. Compliance may also require actions such as citation of violations, drafting of complaints, and referral of cases for administrative or legal proceedings. This general series covers positions having these kinds of functions when such work is not more appropriately classifiable in another series.

The GS-1801 is a two-grade interval series. A position is properly considered two-grade interval when there is a requirement for analysis and exercise of judgment beyond matching situations found to well-established precedents or clear-cut guidelines. Inspections where the work is of the two-grade interval variety generally combine several phases including, but not necessarily limited to, observation, interview, and examination of records. Judgments made by inspectors engaged in work typical of the two-grade interval pattern are ordinarily based on the interpretation and application of pertinent law and regulations to situations found during the course of an inspection. Situations found in inspections of the two-grade interval pattern are not susceptible to instant determinations of compliance or noncompliance. They require subsequent evaluation of inspection data, and findings are generally recorded in a written narrative. The appellant's position is not of a two-grade interval nature. Querying various law enforcement data bases for the purpose of extracting intelligence information, cataloging evidence, maintaining case files, and overseeing a special funds account requires making decisions that are clear-cut and more readily apparent than those encountered in two-grade interval inspections. Regulations and guidelines used by the appellant in performing duties in support of law enforcement personnel are well established and do not require significant interpretation or adaptation to accomplish the work. Therefore, the appellant's position does not meet the criteria for the GS-1801 series.

We agree with the agency's allocation of the appellant's position to the GS-1802 Compliance Inspection and Support Series. This series includes positions which perform or supervise technical support work in assuring compliance with or enforcement of Federal law, regulations, or other mandatory guidelines and which are not classifiable in another, more specific occupational series. The work requires a knowledge of prescribed procedures, established techniques, directly applicable guidelines, and pertinent characteristics of regulated items or activities. The primary purpose of the appellant's position is to gather information on different subjects who are being investigated by law enforcement officers in a regional law enforcement and resource protection program. [The appellant] accomplishes this task by querying the [state]CJIS and the NCIC for criminal intelligence data to determine if warrants or prior criminal activity is apparent. The information extracted from the automated data systems becomes a part of investigative case reports for which the appellant maintains approximately 400 in a given year. This work is of a one-grade interval nature in that technical support is being provided to investigations in a prescribed method such as searching for, gathering, screening, and providing factual information or explanations related to the subject of an investigation. These tasks are performed following prescribed or established procedures to assist investigators in their fact-finding or program administration responsibilities. The work includes activities such as obtaining background information on subjects of investigations by means of records

searches, structured interviews, automated information retrieval, telephone inquiries, or correspondence; providing information to authorized persons concerning the status of particular investigations; compiling final investigative reports with necessary exhibits; and maintaining required administrative reports on topics such as manpower, case load, and case status.

OPM has no prescribed titles for positions in the Compliance Inspection and Support Series, GS-1802. As such, the agency has discretion to determine the title of the position following general guidelines on titling practices in the Introduction to the Position Classification Standards. The agency assigned the title of Investigative Assistant to the appealed position, and we do not disagree with this.

The standard for the GS-1802 Compliance Inspection and Support Series does not include grade level criteria. The Introduction to the Position Classification Standards explains that if there are no specific grade level criteria for the work, an appropriate general classification guide or criteria in a standard or standards for related kinds of work should be used. The appellant's position, therefore, must be classified by reference to standards that are as similar as possible to the subject position considering the kind of work performed, qualification requirements of the work, level of difficulty and responsibility, and the combination of classification factors which have the greatest influence on the grade level. We used two standards to determine the grade level: the Grade Level Guide for Clerical and Assistance Work and the GS-344, Management and Program Clerical and Assistance Series, standard.

## **Grade determination**

### ***Evaluation using the Grade Level Guide for Clerical and Assistance Work***

The Grade Level Guide for Clerical and Assistance Work provides general criteria for use in determining the grade level of nonsupervisory clerical and assistance work. *Assistance* work is defined as technical work performed to support the administration or operation of the programs of an organizational unit. This work requires a working knowledge of the work processes and procedures of an administrative field and the mission and operational requirements of the unit. The appellant's duties of gathering intelligence data to include in case files; acting as evidence custodian, and custodian/cashier of the regional special funds account for the purchase of information and evidence; and monitoring casework for timely disposition and closure are consistent with that defined as assistance work. Her work is performed in support of the Arizona State Office, Law Enforcement and Resource Protection Staff. A working knowledge of the work processes and procedures involved in collecting, evaluating, and interpreting intelligence data retrieved from various law enforcement databases is needed to provide accurate input for case files which are used in criminal and civil proceedings. The work requires a knowledge of applicable laws, policies, and regulations relating to collecting evidence.

The guide provides a general description of the characteristics of each grade level from GS-1 through GS-7 in a three-part format:

- (1) the definition of the grade level as spelled out in the law (5 U.S.C. 5104);
- (2) a description of grade level criteria pertaining to clerical and *assistance* work written in narrative format as expressed in two evaluation factors: *Nature of assignment* (which includes the elements of knowledge required and complexity of the work), and *Level of responsibility* (which includes the elements of supervisory controls, guidelines, and contacts); and,
- (3) general work examples to illustrate each grade level.

The appropriate grade level is determined by applying the total criteria (i.e., the law, the evaluation factors, and the work examples) and assigning the highest level that matches the work being evaluated. Weaknesses as well as strengths are considered in matching work to the grade level criteria. The following is our evaluation of the appellant's position in terms of this guide.

#### *Nature of assignment*

At the GS-6 level, the work requires considerable evaluative judgment within well-defined, commonly occurring aspects of an administrative program or function. The work involves continuing processes based on direct application of established policies, practices, and criteria. Assignments consist of a relatively narrow range of case situations that remain stable and resemble past problems or situations. The work requires practical knowledge of guidelines and skill to recognize the dimensions of a problem and express ideas in writing.

At the GS-7 level, the work consists of specialized duties with continuing responsibility for projects, questions, or problems that arise within an area of a program. Work assignments involve a wide variety of problems or situations common to the segment of the program of responsibility. Decisions or recommendations are based on the development and evaluation of information that comes from various sources. The work involves identifying and studying factors or conditions and determining their interrelationships as appropriate to the defined area of work. The work requires knowledge and skill to recognize the dimensions of the problems involved, collect the necessary information, establish the facts, and take or recommend action based upon application or interpretation of established guidelines.

The nature of the appellant's assignments exceeds the GS-6 level in that the work involves a broader range of situations and problems than described at this level. As at the GS-7 level, the appellant's work is specialized and involves continuing responsibility for ensuring that all pertinent and required documentation is present in each highly confidential case file. Many of these cases involve complex, multiagency investigations conducted in conjunction with numerous Federal, State, and local agencies. It is imperative that all information provided to the files is accurate because evidence retained in the files is used in criminal prosecutions and civil proceedings which often result in prison terms, criminal fines, administrative penalties, and forfeiture or restitution. A technique employed by the appellant when retrieving information is telephone toll charting. [The appellant] uses this

method to establish a link or pattern between frequency of calls made from one telephone listing to another in order to find a number common to both listings. The appellant then uses various charting methods to determine associations of persons, organizations, and their relationships to link them to illegal activity. Using the Criminal Network Analysis computer program, the appellant compiles network charts to link relationships among individuals and organizations. In this instance, it is important for the appellant to analyze facts and draw proper conclusions concerning what is germane to the case. As evidence custodian for the [state] and [state] BLM Regional Law Enforcement office, the appellant maintains and provides a chain of custody for all evidence seized, ensuring that collected evidence is in accordance with BLM policy, laws, and the Constitution of the United States. [The appellant] must ensure that all relevant material is obtained and preserved in the condition which it was found. The appellant has been subpoenaed to testify in Federal Court regarding collected evidence. Maintaining proper material proof is crucial to the admission of evidence in court. Cases can be jeopardized if the appellant mishandles these duties. The nature of the appellant's work does not exceed the GS-7 level.

#### *Level of responsibility*

At the GS-6 level, the supervisor assists with precedent assignments by providing an interpretation of policy. Completed work is evaluated for appropriateness and effectiveness in meeting goals. Guidelines are available but often are not completely applicable to the assignment or have gaps in specificity. The employee uses judgment in interpreting and adapting guidelines and bases decisions and recommendations on facts and conventional interpretations of guidelines rather than on theory or opinion. Personal contacts are with employees in the agency or in other agencies, with management, or with those using the services. The contacts are for the purpose of providing, receiving, or developing information in order to identify problems, needs, or issues or coordinate work efforts and resolve problems.

At the GS-7 level, the supervisor makes assignments in terms of objectives, priorities, and deadlines. The employee independently completes assignments in accordance with accepted practices, resolving most conflicts that arise. Completed work is evaluated for appropriateness and conformance to policy. Guidelines for the work are more complex than at the GS-6 level because the employee encounters a variety of problems and situations which require choosing alternative responses. Guides tend to be general and descriptive of intent, but they do not cover all aspects of the assignments. Employees must use significant judgment and interpretation to apply the guides to specific cases. The contacts and purpose of contacts are generally the same as at the GS-6 level. However, to a greater degree, the employee serves as a central point of contact to provide authoritative explanations of requirements, regulations, and procedures and resolve operational problems or disagreements affecting assigned areas.

The appellant's level of responsibility exceeds the GS-6 level in that she operates with more independence and receives less assistance from the supervisor than described at that level. Based on overall program objectives, the appellant independently plans and carries out assignments and resolves problems in accordance with general directions, previous training, or accepted organizational



practices. When operating guidelines or instructions do not apply, the appellant refers to the agent responsible for the case. If the agent is out, [the appellant] confers with [the] supervisor, the Special Agent-in-Charge. Completed work is reviewed in terms of the soundness of conclusions and consistency with established objectives. Guidelines used by the appellant consist of laws, regulations, precedent court decisions, and BLM policies, procedures, and objectives. The appellant is a central point of contact within her office for searching out criminal intelligence data and being knowledgeable of the status of cases in progress. Contacts are established with representatives from other Federal agencies, State employees, suspects, solicitors, and private sector individuals. The appellant's level of responsibility is consistent with that depicted at the GS-7 level.

### *Summary*

Based on application of this guide, GS-7 is determined to be the proper grade of the position since both factors, *Nature of assignment* and *Level of responsibility*, meet that level.

### *Evaluation using the GS-344 standard*

The GS-344 series includes positions involved in supervising or performing clerical and *technical* work in support of management analysis and program analysis, the purposes of which are to evaluate and improve the efficiency, effectiveness, and productivity of organizations and programs. The grading criteria in the GS-344 standard may be used to determine the grade of a position in another series when the nature of the work is equivalent to the intent of the factor level descriptions and work illustrations in this standard. Although the appellant's work is not appropriately classified in this series, the kind of work processes and functions involved in the appellant's duties, as well as the level of difficulty and responsibility of her work, are sufficiently comparable to those outlined in the GS-344 standard to support application of the criteria.

The GS- 344 standard is published in the Factor Evaluation System (FES) format. Under the FES, positions are evaluated by comparing the duties, responsibilities, and qualifications required with nine factors common to nonsupervisory General Schedule positions. A point value is assigned to each factor in accordance with the factor-level descriptions. For each factor, the full intent of the level must be met to credit the points for that level. The total points assigned for the nine factors are converted to a grade by reference to the grade conversion table in the standard. A factor-by-factor analysis of the appealed work is provided.

### *Factor 1, Knowledge required by the position*

This factor measures the nature and extent of information or facts a worker must understand in order to do acceptable work and the nature and extent of skills needed to apply these knowledges.

Work at Level 1-3 requires a practical knowledge of a body of established clerical or *technical* procedures and requirements related to the assigned management and/or program analysis duty or task. It also requires a general knowledge of one or a few similar, established, and relatively stable

management or program operations. In addition, some of the work requires one or more of the following: skill in compiling readily available data from prescribed sources and recognizing and correcting obvious discrepancies and data omissions; knowledge of the basic principles of arithmetic to use established formulas to make routine calculations such as standard production rates, staff hours, or funding use; or familiarity with one or more established automated systems to enter, correct, and retrieve factual information, compile reports, produce charts and graphs, or monitor project or program status. Employees use this knowledge to perform a full range of standard duties, tasks, or assignments and to resolve recurring problems.

Level 1-4 requires knowledge of an extensive body of management and/or program analysis technical rules, guidelines, regulations, and precedents. It also requires knowledge of the basic objectives and policies governing various management or program operations. Some work also requires skill in basic data gathering methods, such as standard interviewing, to collect various types of factual information. Some employees also apply knowledge of the standardized processes and procedures for evaluating management or program operations to perform duties such as planning the steps to take to complete assignments, identifying problems from collected data, and selecting solutions from alternatives in guidelines and precedent cases. Some employees also use writing skills to prepare clear, concise reports that describe the data collection techniques and other processes and procedures used, conditions of management or program operations, and recommended improvements. Employees apply this knowledge to individual, nonstandard technical assignments whether the nature of these assignments stems from a changing mix of work or represents diversity within a defined management or program operation. Assignments may involve limited aspects of higher level work.

The knowledge required and nature of skills needed by the appellant to perform her work fully meet but do not exceed Level 1-4. The appellant uses her knowledge of the laws of evidence when querying automated information retrieval systems to gather intelligence data, assemble and analyze facts, draw conclusions, and devise solutions to assigned problems. She has to be knowledgeable of the different areas of criminal violation, BLM jurisdiction and authority, and the judicial system. The appellant collects and catalogs evidence seized during investigations and is responsible for assuring that the chain of custody is maintained. She also maintains a special funds account which is used by agents to purchase information and evidence from informants, and she is responsible for monthly reports of expenditures from the fund. To gather and report information concerning the data, the appellant must correspond both orally and in writing.

Level 1-4 is credited for this factor, and 550 points are assigned.

### *Factor 2, Supervisory controls*

This factor considers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the review of completed work.

At Level 2-2, the supervisor provides general instructions on what is to be done, procedures and methods to follow, data and information required, quality and quantity of work expected, and

deadlines. The employee independently carries out recurring tasks or assignments without specific instructions. The supervisor assures that finished work and methods used are technically accurate and in compliance with established instructions, methods, procedures, and deadlines.

At Level 2-3, the supervisor defines the objectives, priorities, and deadlines for projects or assignments and assists the employee with unusual situations, problems, or studies that do not have clear precedents. The employee plans and carries out the successive steps of technical projects and assignments and handles problems in accordance with policies or accepted practices. The supervisor evaluates completed work for technical soundness, appropriateness of conclusions or recommendations, consistency, relevance of support material, and compliance with policies and requirements. The methods used in arriving at the end results are not reviewed in detail.

The appellant's position fully meets but does not exceed the supervisory controls described at Level 2-3. The supervisor makes the assignments as established in the overall goals. The appellant independently plans, establishes priorities, and carries out assignments by setting deadlines, and determining the scope and intensity of their effort based on the needs and objectives of the agents. The supervisor does not review the specific methods used by the appellant but evaluates completed work in terms of the soundness of conclusions and consistency with established objectives.

This factor is evaluated at Level 2-3, and 275 points are assigned.

### *Factor 3, Guidelines*

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

At Level 3-2, a number of established instructions and procedures for doing the work are readily available and clearly applicable to most assignments. The number and similarity of guidelines and work situations require the employee to use judgment in locating, selecting, and applying the most appropriate instructions, references, or procedures to technical assignments. The employee refers situations involving significant deviations from established guidelines to the supervisor for guidance or resolution.

At Level 3-3, guidelines lack specificity or are not completely applicable to the work requirements, circumstances, or problems because of the unique or complicating characteristics of the assignments. The employee uses judgment in interpreting and adapting guidelines to apply to specific situations such as determining the cause or extent of deviations from established production rates or resource use or determining whether an organization's proposed directives, publications, or functional statements are within the scope of its established delegated authority or assigned function.

The guidelines used and the judgment required to apply them in the appellant's position fully meet but do not exceed Level 3-3. Guidelines used by the appellant include laws, regulations, criminal status, precedent court decisions, Department of the Interior and BLM policies, procedures, and

objectives. The appellant is required to use judgment in applying the guidelines to the specifics involved in each unique case in order to identify and determine what is germane to the investigation.

This factor is evaluated at Level 3-3, and 275 points are assigned.

#### *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 work at Level 4-2 consists of duties involving related procedures, processes, or methods to perform individual technical assignments or tasks. The employee decides what needs to be done by identifying easily recognizable differences in the basic characteristics and nature of one or a few similar program operations. The operations involve easily identifiable steps and procedures or clear-cut processes, structures, and workflow. The employee identifies the basic instructions and procedures to follow from among a few established procedural alternatives related to the specific function. The employee considers the nature of the duty, basic purposes and other characteristics of the operations involved, or readily available sources of information to complete routine or standard assignments.

At Level 4-3, the work consists of various duties, projects, or assignments involving different and unrelated technical processes and procedures. Assignments involve various actions or steps that are not completely standardized or prescribed in precedent cases; adaptation or modification of established procedures and methods; various types and sources of information; and nonrecurring problems, trends, or issues. The employee decides what needs to be done by considering the characteristics, practices, objectives, and interrelationships of various program operations. The employee studies and analyzes issues such as the nature of the assignments; the various sources of information; the nature and requirements of the operations; and the applicability of precedent cases, rules, and objectives. The employee selects, adapts, and applies the most suitable practices, procedures, methods, and precedents to collect and analyze various types of information, formulate conclusions, define needs, and/or make recommendations for resolving problems to higher level employees.

The complexity of the appellant's work fully meets but does not exceed that described at Level 4-3. The appellant uses established procedures and methods to conduct fact-finding on various cases and to report the results. Problems encountered in her assignments involve analyzing facts and selecting and applying appropriate legal and regulatory guidelines. She reviews extensive amounts of technical data which requires using prudent judgment in identifying and isolating investigative issues. The appellant must determine when sufficient information has been gathered to substantiate findings.

Factor 4 is evaluated at Level 4-3, and 150 points are assigned.

*Factor 5, Scope and effect*

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

At Level 5-2, the purpose of the work is to apply specific rules, regulations, or procedures to perform a full range of clerical and *technical* tasks, duties, and assignments. These assignments typically comprise a complete segment of a broad project, study, or process. The work affects the accuracy, reliability, quality, and timeliness of products, recommendations, studies, projects, and processes.

At Level 5-3, the purpose of the work is to plan and carry out assignments or projects to improve the efficiency and productivity of program operations. Employees use established methods, practices, and criteria to identify, study, and recommend solutions for resolving conventional problems or questions. The work affects the evaluation and improvement of operating program efficiency and effectiveness and the use and management of staff, funding, equipment, and other resources.

The scope and effect of the appellant's position fully meet but do not exceed that depicted at Level 5-3. The appellant retrieves criminal intelligence data and analyzes evidence to be included in investigative files which impacts ongoing investigations and court cases.

This factor is evaluated at Level 5-3 and assigned 150 points.

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

These factors include face-to-face contacts and telephone dialogue with persons not in the supervisory chain and pertain to the reasons the contacts are made.

The standard describes two levels of persons contacted. At Level 1, contacts are with employees within the immediate organization, office, project, or work unit. The contacts typically include other support personnel, management analysts, program analysts, administrative officers, or managers. Some positions at this level may involve contacts with members of the general public in very structured situations. At Level 2, contacts are with employees in the same agency, but outside the immediate organization. Persons contacted are managers, employees, and other representatives of the programs involved or organizations served. Some positions at this level may involve contacts with members of the general public, as individuals or groups, in moderately structured settings.

The standard also describes two levels for the purpose of contacts. At Level a, the purpose of the contacts is to obtain, clarify, or provide facts or information. At Level b, the purpose of the contacts is to plan, coordinate, or advise on work efforts; discuss significant findings; or resolve operating problems by influencing or motivating individuals or groups who are working toward mutual goals.

The appellant has contacts with employees from the BLM [state], [state], and [state] State Offices; offices of U.S. Attorneys; Federal, State, and local law enforcement offices; members of the criminal

justice system; attorneys; witnesses; suspects; informants; and members of the public. These contacts are comparable to those described in Level 2 under Persons Contacted. The purpose of the appellant's contacts is to exchange information concerning evidence for criminal prosecution or civil action, report progress on investigative problems, establish cooperative agreements, and exchange information relative to case workload. The purpose of the appellant's contacts is equivalent to Level b.

Reference to the chart outlined in the standard reflects that 75 points are credited for these factors when Level 2b is assigned.

#### *Factor 8, Physical demands*

This factor covers the requirements and physical demands placed on the employee by the work assignments. This includes physical characteristics and abilities and the physical exertion involved in the work.

The physical requirements involved in the appellant's work are a match for Level 8-1. Although the appellant's position description (PD) reflects that the work requires some walking, running, or standing when accompanying law enforcement officers outside the office, the appellant confirmed that these occasions occur three to four times a year. Therefore, the work is primarily sedentary. Level 8-1 and 5 points are assigned.

#### *Factor 9, Work environment*

This factor considers the risks and discomforts in the employee's physical surroundings and the safety regulations required.

The work environment of the appellant's position compares to Level 9-1 because the work is mostly performed in an office setting. As in Factor 8, the appellant's PD reflects that the appellant is required to travel with law enforcement officers on search warrants and other investigative field operations. As previously stated, this type of work takes the appellant out of the office three to four times a year. Level 9-1 and 5 points are assigned.

#### *Summary*

In accordance with the criteria published in the standard for the GS-344 series, the appellant's position is evaluated as follows:

<b>Factor</b>	<b>Level</b>	<b>Points</b>
<b>1. Knowledge Required by the Position</b>	1-4	550
<b>2. Supervisory Controls</b>	2-3	275
<b>3. Guidelines</b>	3-3	275
<b>4. Complexity</b>	4-3	150
<b>5. Scope and Effect</b>	5-3	150
<b>6. and 7. Personal Contacts and Purpose of Contacts</b>	2-b	75
<b>8. Physical Demands</b>	8-1	5
<b>9. Work Environment</b>	9-1	5
<b>TOTAL POINTS</b>		1485

The total of 1485 points falls within the range of GS-7 (1355-1600 points) in the grade conversion table published in the standard.

### **Decision**

Application of both the Grade Level Guide for Clerical and Assistance Work and the Management and Program Clerical and Assistance Series, GS-344, standard results in a determination that GS-7 is the appropriate grade level. Accordingly, the appellant's position is properly classified as GS-1802-7. OPM has prescribed no titles for positions in that series. Therefore, according to section III.H.2. of the Introduction to the Position Classification Standards, the appellant's agency may choose the official title for the position. In doing so, the agency should follow the titling guidance in that section.