

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

San Francisco Oversight Division
120 Howard Street, Room 760
San Francisco, CA 94105-0001

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

Appellant: [The appellant]

Agency classification: Administrative Support Assistant (OA)
GS-303-5

Organization: [The appellant's organization]
U.S. Border Patrol
Immigration & Naturalization Service
U.S. Department of Justice

OPM decision: GS-303-5
Title at agency's discretion

OPM decision number: C-0303-05-14

Carlos A. Torrico
Classification Appeals Officer

February 26, 2001
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:

[The appellant's address]

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Introduction

On September 26, 2000, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a position classification appeal from [the appellant]. Her position is currently classified as Administrative Support Assistant (Office Automation), GS-303-5. However, she believes the classification should be Administrative Support Assistant (Office Automation), GS-303-5/6/7. The appellant works in the [name of appellant's organization and installation], U.S. Border Patrol, Immigration and Naturalization Service (INS), U.S. Department of Justice. We accepted and decided this appeal under section 5112(b) of title 5, United States Code (U.S.C.).

General issues

This appeal decision is based on a careful review of all information submitted by the appellant and the agency. In addition, an OPM representative conducted separate telephone interviews with the appellant and her immediate supervisor to gather more information about the duties and responsibilities of the position. Both the appellant and her supervisor have certified to the accuracy of the appellant's official position description (PD).

The appellant makes various statements about her agency and its lack of responsiveness to her position review requests. She also compares her position to other administrative support assistant positions at the GS-5/6/7 grade levels within the Border Patrol and suggests her position be classified similarly. In adjudicating this appeal, our only concern is to make our own independent decision on the proper classification of the appellant's position. 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 position to others as a basis for deciding this appeal. Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison.

Position information

The Border Patrol has as its mission the detection and prevention of smuggling and illegal entry of aliens into the United States. The [appellant's organization] is a service station under the [higher level unit]. The main function of the Station is to enforce all criminal provisions of the Immigration and Nationality laws and related statutes, including seeking out employers who knowingly employ unauthorized workers, and apprehend illegal aliens, criminal aliens, alien smugglers, and drug smugglers. The primary purpose of the appellant's position is to assist with the administrative support requirements of the [appellant's organization]. Although the Patrol Agent-in Charge of the Station is the official and immediate supervisor, 3 patrol shift supervisors may also assign work to the appellant.

At the [appellant's organization], the appellant independently accomplishes a wide variety of clerical tasks in support of the work done by 40 Border Patrol Agents. Major duties of the position include screening and referring mail, calls, or visitors to appropriate locations, compiling and calculating simple statistical data from daily activity reports, drafting and

preparing various types of reports and correspondence, assisting and counseling employees with employee benefits registrations, preparing and maintaining time and attendance records for all station employees, and managing and maintaining credit card logs, purchase statements, and office supplies. In compiling data or maintaining time and attendance records, the appellant enters and extracts data from the computer system. She uses word processing and spreadsheet software packages when preparing reports.

The results of our interviews, the appellant's PD, and other material of record furnish more information about the appellant's duties and responsibilities and how they are performed.

Series, title, and standard determination

The agency has classified the appellant's position in the *Miscellaneous Clerk and Assistant Series, GS-303*, and she does not disagree. We concur with the agency's determination of the series. As specified in the classification standard for the *Miscellaneous Clerk and Assistant Series, GS-303* (dated January 1979 and reissued in HRCD-7, July 1999), work in that series includes positions that perform or supervise clerical, assistant, or technician, one-grade interval work for which no other series is appropriate. Work in the series requires knowledge of the procedures and techniques involved in carrying out the work of an organization and involves application of procedures and practices within the framework of established guidelines. Comparable to jobs in the GS-303 series, the appellant performs clerical work involving the processing or maintenance of records or documents which represent the transactions of her organization. She is also responsible for the inventory of standard supplies, initiation of forms for purchases of supplies and services, tracking credit card expenditures, and preparation of various reports. In carrying out her duties, she follows specific procedures and uses established methods.

The agency has titled the appellant's position as Administrative Support Assistant (Office Automation). No titles are specified for positions classified in the GS-303 series. Nevertheless, the standard for that series cautions against use of the word "administrative" in order to avoid confusion with the Administrative Officer (GS-341) series. Therefore, although the title is at the agency's discretion, in constructing the title for this position the agency should avoid using that term and follow the titling guidance discussed in the *Introduction to the Position Classification Standards*. We agree with the addition of the parenthetical title "Office Automation" to the position title. This is because the appellant's position requires significant knowledge of office automation systems (e.g., computer hardware and software) and a qualified typist to perform word processing duties. Thus, in accordance with the titling instructions of the *Office Automation Grade Evaluation Guide* (dated November 1990 and reissued in HRCD-7, July 1999), the parenthetical title "Office Automation" should be added to the position title.

Our fact-finding disclosed that the appellant's Office Automation (OA) duties occupy no more than 20 percent of her time. However, only duties that occupy at least 25 percent of an employee's time can affect the grade of a position (Introduction to the Position Classification Standards, section III.J). Since the OA duties represent lower level work and do not comprise a significant and substantial part of the overall position, they are neither series nor grade controlling. Therefore, we have not evaluated the grade of those duties in this decision.

The standard for the GS-303 series does not include grade-level criteria. The standard instructs that positions in that series be evaluated by reference to other standards for analogous knowledge and skills. We find that the appellant's work is best evaluated by application of the grading criteria in the *Grade Level Guide for Clerical and Assistance Work* (dated June 1989 and reissued in HRCD-7, July 1999). Administrative support work of the kind described in this guide is performed in offices, shops, laboratories, hospitals, and numerous other settings in all Federal agencies.

Grade determination

The *Grade Level Guide for Clerical and Assistance Work* (hereafter referred to as the "guide") provides general criteria for use in determining the grade level of nonsupervisory clerical and assistance work following a one-grade interval pattern of progression. For purposes of applying the guide, clerical work is described as work such as preparing, receiving, reviewing, and verifying documents; maintaining office records; locating and compiling data or information from files; compiling information for reports; and informing others of deadlines and other important dates. Such work requires knowledge of the clerical requirements and processes involved in maintaining the functional programs of the unit. Assistance work is defined as performing technical work 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 (e.g., office administration, communications, and security) and the mission and operational requirements of the unit.

Our fact-finding disclosed that the focus of the appellant's job is clerical in nature. Her work includes such duties as preparing, receiving, reviewing and verifying documents, maintaining office records, locating and compiling data or information from files, compiling information for reports, and informing others of deadlines and other important dates. Her position is not technical in nature. It does not require a working knowledge of the processes and procedures of an administrative field and the mission and operational requirements of the [name] Station. Therefore, we have evaluated this position by reference to the clerical work described at various grade levels in the guide.

The guide describes the general characteristics of each grade level and uses two evaluation factors for grading purposes: *Nature of Assignment* (which includes the knowledge required and complexity of the work) and *Level of Responsibility* (which includes supervisory controls, guidelines, and contacts).

Nature of Assignment

As described on page 12 of the guide, at the GS-5 grade level work consists of performing a full range of standard and nonstandard clerical assignments and resolving a variety of nonrecurring problems. Work includes a variety of assignments involving different and unrelated steps, processes, or methods. The employee must identify and understand the issues involved in each assignment and determine what steps and procedures are necessary and the order of their performance. Completion of each transaction typically involves selecting a course of action from a number of possibilities. The work requires extensive knowledge of an organization's

rules, procedures, operations, or business practices to perform the more complex, interrelated, or one-of-a kind clerical processing procedures.

Clerical work at the GS-6 level (page 14) typically entails processing a wide variety of transactions for more than one type of assigned activity or functional specialization. Assignments are subject to different sets of rules, regulations, and procedures. Selection of a course of action has substantive impact on the outcome of the assignment. Work at this level requires comprehensive knowledge of rules, regulations, and other guidelines relating to completing assignments in the program area assigned. This knowledge is usually attained through extensive, increasingly difficult, and practical experience and training in the subject matter field. The work requires ability to interpret and apply regulatory and procedural requirements to process unusually difficult and complicated transactions.

The appellant's assignments favorably compare to the GS-5 level. Like that level she performs a full range of standard and nonstandard clerical assignments and resolves a variety of nonrecurring administrative problems at the [appellant's organization]. She carries out a variety of assignments that involve different and unrelated steps, processes, or methods. For example, she

- receives and directs visitors or incoming telephone calls and mail to appropriate personnel;
- inputs data and searches in-house computer programs for required information;
- maintains station files on varied subjects in accordance with INS filing system;
- researches employee benefits information;
- logs and tracks various credit card expenditures;
- compiles information for T&A or vehicle seizure, detention, and/or apprehension reports;
- tracks and reports uniform balances, overtime accounts, and vaccination dates;
- verifies and resolves billing discrepancies for small purchases; and
- inventories and maintains station office equipment, supplies, and food, drink, and utilities used by detained aliens.

Like the GS-5 level, the appellant must identify and understand the issues involved in each assignment and determine what steps and procedures are necessary and the order of their performance. For example, besides receiving subpoenas and maintaining the subpoena log, the appellant gathers documents related to each case, collects authorizations for agents to testify, and informs agents and supervisors of subpoenas so schedules can be adjusted and travel arrangements made. She compiles necessary documents and gathers necessary authorizations based on her knowledge of program operations and staffing patterns. When gathering supporting documents, she notifies shift supervisors and/or station personnel about conflicting or missing information.

Characteristic of the GS-5 grade level, each transaction processed by the appellant typically involves selecting a course of action from a number of possibilities. For example, she receives and logs reports of alien apprehension, illegal immigrant detentions, or vehicle seizures, and prepares specific reports on such activities monthly, or as requested. To compile these reports, she must organize the data submitted by Patrol Agents or retrieve figures from various computer data files or written logs. She may need to verify or confirm figures with agents at the

[appellant's organization] or from the Vehicle Seizures department. Other examples of transactions that may involve selecting a course of action from a number of possibilities include maintaining credit card draw down logs and balance statements, arranging towing or storage of vehicles, or coordinating return of seized rental vehicles. Typical of the GS-5 grade level, the work requires extensive knowledge of an organization's rules, procedures, operations, or business practices to perform the more complex, interrelated, or one-of-a kind clerical processing procedures, e.g., receiving, logging, and compiling apprehension, detention, or seizure reports. The appellant generally reviews individual records or reports to verify complete and accurate information for her data entry work. She assures that prepared correspondence adheres to [higher level unit] requirements and that her monthly apprehension and seizure tabulations are accurate and complete, meeting report guidelines issued by the [higher level unit].

The appellant's clerical work does not meet the GS-6 grade level. Unlike that level, she does not process a wide variety of transactions for more than one type of assigned activity or functional specialization. Rather, she processes singular transactions within a full range of standard and non-standard single function clerical assignments, e.g., screening and referring mail, calls, or visitors, logging data, maintaining credit logs, preparing monthly reports, handling T&A related information. Work requiring interpretation or application of regulations to process difficult and complicated transactions is forwarded to the [higher level unit] for handling, e.g., processing contracts, paying credit card charges, processing personnel or benefit actions, and resolving pay or benefit problems. Unlike the GS-6 grade level where deciding on a course of action has a substantive impact on the outcome of the work, the appellant's assignments affect [the appellant's organization] procedural and process issues only, e.g., assuring timely submission of Station reports, or ensuring credit card charge limits are not exceeded. In contrast to the GS-6 grade level where the work requires comprehensive knowledge of rules, regulations and other guidelines relating to completing assignments, her work requires only extensive knowledge of the organization's rules, procedures, operations, or business practices to perform the more complex, interrelated, or one-of-a kind clerical processing procedures, e.g., receiving, logging, and compiling apprehension, detention, or seizure reports. Contrary to the GS-6 grade level, while she performs a range of standard and non-standard assignments, her assigned work does not require an ability to interpret and apply regulatory and procedural requirements to process unusually difficult and complicated transactions. Her work decisions are based on information readily available, such as forms, records, and instructions from [higher level unit] specialists or Station supervisors.

Level of Responsibility

At the GS-5 grade level (page 12), the supervisor assigns work by defining objectives, priorities, and deadlines and provides guidance on assignments that do not have clear precedents. Work is performed in accordance with accepted practices, and completed work is evaluated for technical soundness, appropriateness, and effectiveness in meeting goals. Extensive guides in the form of instructions, manual, regulations, and precedents apply to the work. Employees use judgment in locating, selecting, and adapting the most appropriate guidelines. Procedural problems may arise which require interpretation and adaptation of established guides. At the GS-5 level, the employee often must determine which of several alternative guidelines to use. If existing guidelines cannot be applied, the employee refers the matter to the supervisor. At this level,

contacts are from within and outside the agency for the purpose of receiving or providing information, or for resolving operating problems in connection with recurring responsibilities.

At the GS-6 level (page 14), the supervisor reviews completed work for conformance with policy and requirements. The clerical employee is recognized as an authority on processing transactions or completing assignments within a complicated framework of established procedures and guidelines, often when there are no clear precedents. This recognition typically extends beyond the immediate office or work unit to the overall organization or outside the organization. The employee is regarded as an expert source of information on regulatory requirements for the various transactions, and is frequently called upon to provide accurate information rapidly on short notice. Guidelines for the work at the GS-6 level are numerous and varied, making it difficult to choose the most appropriate instruction and decide how the various transactions are to be completed. Guidelines often do not apply directly, requiring the employee to make adaptations to cover new and unusual work situations. Contacts are with employees in the agency, in other agencies, or with management or users or providers of agency services. The purpose of contacts is to provide information, explain the application of regulations, or resolve problems relating to the assignment.

The appellant's level of responsibility fully meets the GS-5 level, but overall falls short of the GS-6 level. Like the GS-5 level, the appellant's supervisor assigns work by defining objectives, priorities, and deadlines and provides guidance on assignments which do not have clear precedents. Supervisory review of the appellant's work approaches the GS-6 level in that assignments are generally reviewed only for soundness and conformance to established policies. However, like the GS-5 level her work is covered by extensive guides in the form of instructions, manuals, regulations, computer usage guidelines, procedures, and precedents. Many of these are in the form of instructions based on discussions with [higher level unit] specialists and [the appellant's organization] patrol staff, e.g., which form should be used to prepare specific reports or transactions for the [higher level unit]. As at the GS-5 grade level, the appellant uses judgment in locating and selecting the most appropriate guidelines for application, and adapts them according to the circumstances of the specific report or transaction. For example, based on her familiarity with apprehension or seizure reporting requirements, the appellant tracks appropriate case forms or logs from Patrol Agents to assure complete documentation and accurate reporting.

Like the GS-5 level, the appellant is frequently faced with procedural problems that require interpreting and adapting established guides. For example, during T&A or travel voucher data entries, the appellant decides whether work codes, reported overtime, and/or travel reimbursement information are correct. She may decide which work codes best reflect the work done by the Patrol Agents, or how best to correct work code or reimbursement problems. At times, she must determine which of several alternative guidelines to use, e.g., which travel reimbursement rate applies to which location, assignment, or situation. She reviews error analysis reports and makes corrections as necessary. As at the GS-5 grade level, the appellant's supervisor or the station shift supervisor is available for guidance if existing guidelines and practices do not cover a given situation. Typical of this grade level, her contacts are with a variety of persons within and outside the agency to receive or provide work related information

(e.g., arranging return of seized rental vehicles), or to resolve problems in connection with recurring responsibilities, e.g., following up on travel orders.

The level of responsibility of the appellant's position fails to meet the GS-6 grade level. Unlike that level, she does not work within the complicated framework of established procedures, often having no clear precedents, typical of the GS-6 level. Instead, she works in accordance with accepted practices where extensive guides in the form of instructions, manuals, regulations, and precedents apply to the work. In contrast to the GS-6 level, she is not considered as an authority on processing transactions where there is frequently no clear precedent. Additionally, she is not recognized as an expert source of information on regulatory requirements for the various transactions, and is not frequently called upon to provide accurate information rapidly on short notice. Her co-workers at the [appellant's organization] are Patrol Agents who perform a range of Border Patrol program duties, and they do not rely on the appellant for technical assistance or program advice. These co-workers are often individuals to whom the appellant turns for guidance or clarifications to accomplish her clerical work. Unlike the higher level, the appellant does not work with numerous and varied guidelines from which it is difficult to choose the most appropriate instruction and decide how the various transactions are to be completed. Moreover, she is not required to adapt guidelines to the extent discussed at the GS-6 level. As discussed previously, a well-developed collection of written and instructional guidelines and procedures covers her work at the [appellant's organization]. She does not deal with the range of interpretive and adaptive issues or provide the depth of advice envisioned at the GS-6 grade level. The appellant's work contacts do not meet the scope and complexity described at the GS-6 level. As previously mentioned, like the lower level her contacts are limited to persons both within and outside her agency to resolve operating problems relating to recurring responsibilities.

Summary

By application of the grading criteria in the Grade Level Guide for Clerical and Assistance Work we have determined that both the nature of the appellant's assignments and her level of responsibility meet the GS-5 grade level. Therefore, the position is graded at that level.

Decision

The appellant's position is properly classified in the GS-303 series and graded at the GS-5 level. Selection of an appropriate title is at the agency's discretion.