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Office of Personnel Management

Office of Merit Systems Oversight and Effectiveness
Digest of Significant Classification Decisions and Opinions
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Standard: [Introduction to the Position Classification Standards](#) (August 1991)
Factor: N/A
Issue: Classification of mixed-grade positions

Identification of the Classification Issue

The issue arose in connection with an agency request for reconsideration of an Office of Personnel Management region's adjudication of a classification appeal. The appellant contended that his position should be classified at the GS-12 level based on his performance of GS-12 work for a significant percentage of his time. Both the agency and the Office of Personnel Management region agreed, in evaluating and grading the appellant's completed cases from the preceding year, that he was performing work at the GS-12 level for more than 25 percent of his time. On this basis, the Office of Personnel Management region granted the appeal.

The agency, in its request for reconsideration, contended that in order for the GS-12 work to be grade-controlling, it should be performed for a majority of time, i.e., more than 50 percent. The guidance in the Introduction to the Position Classification Standards allows for the highest level of work to be grade-controlling if it is performed 25 percent of the time. The agency argued that this guidance is restricted by the additional requirement that the higher level knowledge and skills be required in recruiting for the position if it becomes vacant. The agency noted that, since the appellant's position was originally recruited at the GS-11 level and would be filled at that grade again if it were vacated, the 25 percent rule did not apply. The agency also noted that the performance standards for the GS-11 and GS-12 positions were identical, thus indicating that there was no appreciable difference in knowledge requirements at the two grades.

Resolution

The Introduction to the Position Classification Standards allows for work that is performed for less than a majority of time to be grade-controlling if the following conditions are met:

- The work is officially assigned to the position on a regular and continuing basis;
- It is a significant and substantial part of the overall position (i.e., occupying at least 25 percent of the employee's time); and
- The higher level knowledge and skills needed to perform the work would be required in recruiting for the position if it became vacant.

Work which is temporary or short-term, carried out only in the absence of another employee, performed under closer than normal supervision, or assigned solely for the purpose of training an employee for higher level work cannot be considered paramount for grade level purposes.

The first condition excludes from consideration higher level work that is not a recurring part of the position, e.g., work that is performed on a special project basis and is not expected to be repeated. The third condition excludes from consideration higher level work that does not truly require the higher level knowledge and skills normally associated with the grade. There are two basic principles underlying this requirement. First, in almost all cases an increase in the complexity of the work assigned is accompanied by an increase in the knowledge and skills needed to perform it. Second, the requirement applies to the work actually assigned and performed, rather than to management's intent when the position was originally advertised and filled or any redistribution of duties that may occur after it is vacated.

When the incumbent of a GS-11 position is regularly being assigned GS-12 level work for at least 25 percent of the time, it is reasonable to conclude that the employee is applying the level of knowledge and skills associated with that grade, since these would be required for continued successful performance of that work. If the employee were to leave the position, and the position were to be recruited for exactly as previously constituted, with the same percentage of higher graded duties, it is again reasonable to conclude that the higher level knowledge and skills would be required. Although management has the option of dropping the GS-12 duties from the position when vacated and recruiting for the job at the GS-11 level, it would then no longer be the same job. Hence, projections of this nature are not a valid basis for denying an upgrade. The 25 percent rule in regard to grade-controlling duties applies to the work being performed at the time the position is evaluated, and is not mitigated by management's original intent in filling the position or any projected restructuring upon vacancy. Further, similarity of performance standards at different grade levels cannot be taken as an indication of the degree of knowledge required, as these documents are not designed to reflect or measure relative job complexity. Therefore, the position was correctly classified at the GS-12 level.

The Introduction also points out that position management considerations are important responsibilities of agency managers and supervisors. They are responsible for organizing the work in an efficient, cost-effective manner and for ensuring that the skills and abilities of employees are used to the fullest extent possible. Assignment of work that results in a higher grade based on duties performed less than a majority of time generally is neither efficient nor cost effective.