

U.S. DEPARTMENT OF AGRICULTURE
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	OPI: Office of Human Resources Management	

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1. PURPOSE

This Directive outlines policies, requirements and responsibilities for the administration of the Department's position classification program and promotes accurate and consistent position classification throughout the Department. This Directive supplements the Office of Personnel Management (OPM) regulations, rules, and policies.

2. SPECIAL INSTRUCTIONS/CANCELLATIONS

This Directive supersedes USDA Personnel Bulletin Number 511-1, *Position Classification Policy*, dated March 8, 1999; USDA Personnel Bulletin 511-2, *Team Leader Positions*, dated November 3, 1998; and USDA Personnel Bulletin Number 511-3, *Departmental Policy for Filling Vacant or Establishing New Secretary Positions for Senior Career Management Officials*, dated January 19, 1999.

3. REFERENCES

[5 United States Code \(U.S.C.\) Chapter 51](#)
[5 C.F.R., Part 511](#)
[5 C.F.R., Part 532](#)
[5 C.F.R. §1201.21 through 1201.24](#)

4. COVERAGE

This Directive covers all General Schedule (GS) and Federal Wage System (FWS) positions in grades 1 through 15. This Directive does not cover Senior Executive Service (SES), Senior Level (SL), Scientific and Technical (ST), Senior Scientific and Technology Service (SSTS) or Administratively Determined (AD) positions.

5. ABBREVIATIONS

ASA	Assistant Secretary for Administration
CFR	Code of Federal Regulations
CHCO	Chief Human Capital Officer
DM	Departmental Management
DR	Departmental Regulation
FES	Factor Evaluation System
FPL	Full Performance Level
FWS	Federal Wage System
GS	General Schedule
HRO	Human Resources Operations
IA	Identical/Additional

MAHRD	Mission Area Human Resources Director
OHRM	Office of Human Resources Management
OPM	Office of Personnel Management
PD	Position Description
PMSO	Position Management System Operation
GSSG	General Schedule Supervisory Guide
USC	United States Code

6. DEFINITIONS

Agency: For purposes of this directive, agency is defined as a major program organizational unit of the Mission Area with delegated authorities to deliver agricultural or food programs, activities, benefits and services. The Agricultural Research Service (ARS) is an example of an agency within Research, Economics and Education.

Appeal or Group Appeal: A written request by an employee, or group of employees occupying identical positions, asking the MAHRD, the CHCO or OPM to change the official pay plan, title, series, and/or grade of a position.

Classification Action: Any official action taken under proper authority to establish a new position or to change an existing position by assignment to the appropriate series and grade under the provisions of 5 U.S.C. 51.

Consistency Review: A review directed to determine the impact of an appeal decision on similar, identical or related positions when there is a probability that identical, similar, or related positions may be inconsistently classified.

Desk Audit: The classifier's interview with the employee and the supervisor to gather and evaluate information about his/her position.

Deciding Official: The person with delegated authority to make classification and/or job grading appeal determinations. This person is also referred to as the Adjudicating Officer and can be at the agency level, the Department level or OPM.

Fair Labor Standards Act (FLSA): FLSA establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the Federal, State, private sector and local governments. HR Servicing Office staff determines the exemption or non-exemption status of a position based on the occupational group of the classification and the actual work performed as certified by the supervisor.

Factor Evaluation System (FES): A classification system within an occupational standard for nonsupervisory GS positions under which positions are described and evaluated in terms of the nine aspects or "factors" in an OPM specified numerical point rating system.

Federal Wage System (FWS): A uniform pay setting system that governs Federal appropriated and non-appropriated trades and labor positions, and ensures those located within the same local wage area and performing the same duties and responsibilities receive the same hourly pay. This includes Wage Grade (WG), Wage Leader (WL) and Wage Supervisor (WS) positions.

Full Performance Level (FPL): The highest level of classified duties certified by the supervisor to successfully carry out the objectives of the position and the mission of the organization.

General Schedule (GS): A Federal civilian pay system that covers white collar federal professional, technical, administrative and clerical positions.

Identical/Additional (IA) Position: A position the duties and responsibilities of which are identical to classified duties in a position in the same activity, and the same organization.

Mixed-Grade Position: A position which requires the performance of work classifiable at more than one grade level.

New Position: Establishment of a position which has not previously been classified.

Position Description (PD): An official written statement of the major duties, responsibilities and organizational relationships of a position certified by the supervisor and classified by the HR Servicing Office. An OF-08, AD-332 (or equivalent cover sheet) shall be attached to document the certification and classification as well as pertinent position information. It in no way interferes with a supervisor's authority to assign an employee to different work on a temporary basis or to change an employee's work assignment.

Position Maintenance Review: A formal, periodic review of all positions in an organization, or portion of an organization, to ensure that PDs are current and accurate and that obsolete PDs are abolished. This review does not negate the responsibility of managers to keep PDs up to date at all times, but rather serves as a systematic approach to ensure gradual changes in assignments have not been overlooked.

Reclassification: Any official action taken under proper authority to change the title, series, pay system, and/or grade of an existing position.

Stacking: The classification of a subordinate position at the same grade level as that of the supervisor's position.

Staff Office: An administrative office with a specialized support function, the head of which is a General Officer or Staff Office Executive. The Office of the Inspector General (OIG) is excluded. The Office of the Chief Financial Officer (OCFO) and the Office of Procurement and Property Management (OPPM) are examples of staff offices.

Standardized Position Description: A classified PD that describes routine and recurring work assignments that is general enough to cover identical positions in a particular occupation. PDs are standardized at different grade levels to describe varying levels of responsibility, knowledge, complexity and supervision required.

Statement of Difference: A Statement of Difference (SOD) is an abbreviated position description that may be used in lieu of a fully described PD when the target position will be filled at a lower grade level and no standard PD is appropriate. The target position or the FPL of the position shall always be fully described. It is recommended that a Statement of Difference be used for no more than one grade level below a fully described PD.

7. AUTHORITY

The *Classification Act of 1949*, as amended and codified at 5 U.S.C. §5101-5115 and §5346, is the primary legal authority for the classification of GS and FWS positions. This law assigns Government wide authority for position classification to Executive Heads of Departments (USDA).

OPM regulations for classification are published at 5 C.F.R., Part 511 for GS positions and 5 C.F.R., Part 532 for FWS positions.

8. DELEGATION OF AUTHORITY

The Secretary's authority for position classification is delegated to the Assistant Secretary for Administration (ASA) by [7 C.F.R. §2.24](#). The ASA's classification authority is delegated to the Director OHRM (also referred to as the CHCO) by [7 C.F.R. §2.91](#).

The CHCO's authority is delegated through the agency heads to the MAHRD.

MAHRD's may delegate classification authority to Human Resources (HR) Servicing Office within their servicing area who have successfully completed formal training in position management and classification and have demonstrated a high level of proficiency. This authority shall only be re-delegated to non HR Servicing Office upon written approval from the CHCO. The MAHRD shall request approval in writing and certify that the non HR Servicing Office employee has completed formal training and demonstrated a high level of proficiency sufficient to classify positions. The request shall also certify that the proposed delegation will not reduce classification accuracy and that the MAHRD shall conduct compliance reviews of classifications affected by delegates to ensure consistency and accuracy. Authority shall not be delegated to individuals to classify positions for persons in direct line of supervision above them or to classify their own positions. Agencies and staff offices shall maintain records of delegations of classification authority, including jurisdictional area. Position descriptions shall not be certified/approved by non-Federal employees.

The CHCO may revoke or suspend a MAHRD's delegation of classification authority if, in the CHCO's judgment, classification authority is not being exercised consistently or accurately.

9. POLICY

It is the policy of the Department that pay shall be based on the principle of equal pay for substantially equal work. Differences in pay shall be in proportion to substantial differences in the difficulty, responsibility and qualification requirements of the work performed and the position's contribution to the efficiency and economy of services performed. A properly classified PD shall be established prior to the appointment, promotion, reassignment, demotion, or transfer of an employee.

Positions which are excluded by the provisions of 5 U.S.C. Chapter 5102(c) shall to the fullest extent practicable, be classified to their appropriate series and grade in the GS. This does not affect the status of their exemption from the GS. This includes: experts or consultants when employed temporarily under [5 U.S.C. 3109](#); emergency or seasonal employees who are employed temporarily or at intervals and not otherwise excluded; cooperative agents whose pay is fixed under a cooperative agreement or an individual or organization outside the service of government of the United States or; employees whose positions are excluded under the provisions of [5 U.S.C. 5102\(c\)\(8\),\(11\),\(13\),\(14\),\(20\),\(21\)](#).

10. RESPONSIBILITIES

- a. The CHCO is responsible for developing, administering, and evaluating position classification policies and programs, and shall provide overall management and oversight of the Department's classification program by:
 - (1) Issuing Department-wide classification policies and guidance;
 - (2) Providing information and guidance to the MAHRDs and agency classification points of contact;
 - (3) Coordinating the Department's response to OPM's guidance and standards development activities; and
 - (4) Reviewing and adjudicating classification appeal cases upon request by employees in the appellant process.
- b. MAHRDs are responsible for ensuring classification programs within their serviced areas are carried out consistently within the law, regulations, policies, requirements, delegated authorities, and OPM classification standards and guides by:
 - (1) Providing advice and support to their managers and employees to ensure compliance with classification policies and programs;

- (2) Ensuring accuracy and consistency in the classification of positions;
 - (3) Designating position suitability risk levels and national security clearance requirements according to OPM regulations;
 - (4) Designating FLSA exemption status of positions, bargaining unit and competitive level, cybersecurity, financial disclosure and supervisory codes;
 - (5) Delivering sound position classification and position management services;
 - (6) Establishing procedures for reviewing and deciding classification appeals within the Mission Area and at the agency level;
 - (7) Conducting desk audits and position reviews;
 - (8) Developing position descriptions and interpreting OPM standards;
 - (9) Issuing classification appeal decisions. Implementing any required action as determined by the decision; and
 - (10) In the appellant process where the CHCO or OPM is the deciding official, providing all position information as requested by the deciding officials.
- c. Supervisors and managers are responsible for:
- (1) Ensuring effective and efficient management of individual positions in their organizations; and
 - (2) Ensuring that all PDs are prepared for each employee are kept up to date and accurate and that the PD provides a clear and definitive description of the primary duties of each position under their scope of responsibility.

Mission Areas, agencies and staff offices shall not supplement this Directive without prior approval of the CHCO. Approved supplemental regulations, policies or internal guides, which are integrated into the standard operating procedures, issued by Mission areas, agencies and staff offices shall not conflict with the contents of this Directive. Negotiated bargaining agreements are the exception. Bargaining unit employees shall comply with negotiated agreements pertaining to classification appeal and grievance procedures. HR Servicing Offices shall make this Directive, and any approved supplemental regulations or guidance, available to all employees.

11. APPOINTMENTS AND ASSIGNMENTS TO POSITIONS

Organizational changes covered by [Departmental Regulation \(DR\) 1010-001](#), *Organization*, that affect the proposed classification of position(s) shall be approved prior to officially reclassifying the position. A position shall be properly classified prior to the approval of a recruitment action.

12. UNCLASSIFIED DUTIES

Unclassified duties are those tasks and responsibilities to which an appropriate classification authority has not yet assigned an occupational series, title and grade level. An employee may be detailed to unclassified duties, but shall not be officially assigned to unclassified duties. When necessary to detail an employee to unclassified duties, management is responsible for the describing duties and responsibilities that will be performed. Details to unclassified duties should be made only on rare occasions.

13. COLLATERAL DUTY ASSIGNMENTS

Collateral duty assignments are separate, yet official duties and responsibilities that are assigned to an employee in addition to the primary duties of the position the employee occupies. An example of a collateral duty assignment is Contracting Officer's Technical Representative (COTR). Collateral duties have the following characteristics with respect to position classification:

- a. Assignments are distinct and separate from the primary duties and responsibilities of the affected position and do not constitute the primary purpose for establishing or continuing the position;
- b. Assignments do not constitute a grade-controlling duty or responsibility;
- c. Assignment is not a primary duty of the position (it constitutes less than 25% of the employee's work time); and
- d. Assignments are specific to the affected individual employee, not to all incumbents of the same PD.

Management is responsible for initiating and completing collateral duty statements. The HR Servicing Office is available to provide guidance and assistance. The approved collateral duties will become part of the official PD of the impacted employee. An official change to a PD is required when the collateral duty requires a specific skill that is different from those in the original PD and is paramount in influence and weight, or when the collateral duty results in a change to the series, grade and/or job elements and performance standards of the original PD.

14. CLASSIFICATION STANDARDS AND FUNCTIONAL GUIDES

Position classification standards and functional guides define Federal white collar, trade, craft and labor occupations, establish official titles, and describe various levels of work. All positions shall be classified consistent with OPM position classification standards and guides.

HR Servicing Offices may develop internal classification guides to supplement OPM classification standards, but only with advance approval from the Department. The Department's approval will be contingent on the Mission Area showing that the proposed guide is consistent with controlling OPM standards.

15. POSITION DESCRIPTIONS

PDs serve as the official record of a classified job and document the major duties, responsibilities, and organizational relationships of the position certified by the supervisor and classified by the HR Servicing Office. The PD is the basis for developing performance standards and job assessments to fill vacant positions. Positions shall be classified in accordance with the position classification standard(s) published by OPM. They are written in the FES format, or FWS framework in accordance with pertinent classification standards, principles, and policies. Employees shall be provided with a current classified PD upon appointment, reassignment, or detail and thereafter when changes are made. The following guidelines apply when developing PDs:

- a. It is an accepted practice to include special education, skills or licensures in the PD only if they are required qualifications and directly tied to the knowledge, skill and abilities required to be appointed to the position.
- b. Before a classification action can take place, the supervisor shall certify as to the accuracy of the PD by signing the OF-8, [AD-332](#) (equivalent) cover sheet. A position is not to be considered established until it has been properly classified by the HR Servicing Office or those with the delegated authority to classify.
- c. A classified PD does not negate a supervisor's authority to assign an employee to different work on a temporary basis or to change an employee's work assignment.
- d. Standardized PDs can be used to cover identical positions in multiple locations of the organization. They follow the same format as the basic PD and generally describe a specific set of duties and responsibilities, at various grade levels that exist in different parts of an organization. If it is appropriate to use a standard PD it shall be implemented consistently within an organizational unit or agency. They are generally not appropriate for supervisory positions or positions at the grade 13 and above.

- e. When a new position will be identical to one or more positions in the same organizational unit, it is an Identical/Additional (I/A) position. The identical position has the same major duties, responsibilities, qualification requirements, organizational patterns and reporting relationships. Standard PDs, classified at various grade levels, may be used for I/A positions. Any proposed classification action that impacts one I/A position will impact all I/A positions in the organization. Therefore the classifier shall review all impacted positions as part of the position evaluation and before effecting any action.
- f. Mixed series position involves work covered by more than one occupational series. Usually the grade controlling work determines the series however the title of the grade controlling work may not relate to the basic purpose of the position. Sometimes the lower graded duties constitute the purpose for the position. In this case the position should be titled to identify the purpose of the position with grade controlling duties from a different series. When the work of the position is covered by more than one series and no one predominates, use the general series for that group. (Refer to OPM's [*Classifier's Handbook*](#))
- g. The Interdisciplinary approach is an alternate method for determining the series for some professional positions where the duties and responsibilities of more than one professional series are closely related. Related disciplines often have a common core of education and experience where the qualifications can be met by persons in either professional series. Interdisciplinary classification is used principally for positions in mathematical, scientific, or engineering disciplines and not appropriate for Administrative positions. Generally, when a position involves work or knowledge pertaining to more than one profession, classification to the predominant series is preferable and the most practical solution. (Refer to OPM's *Classifier's Handbook*)
- h. Establishing subordinate positions at the same grade of the supervisor is inconsistent with sound classification and position management principles unless the subordinate positions are classified based on the [*Research Grade Evaluation Guide*](#) (RGEG). This practice is referred to as "grade stacking" and shall not be used in a non-research organization unless a complete narrative evaluation statement has been prepared, approved by the HR Servicing Office and authorized by the MAHRD.
- i. When the major duties of a PD have undergone changes which are material but not sufficient to warrant a complete rewrite of the description, the changes are reported by preparing a PD amendment. Amendments can be used if there is no change in title, series or grade as a result. PDs are amended by means of an OF-8, AD-332 (equivalent) and an attached statement containing only what is necessary to explain what has been taken from or added to the original PD.
- j. PDs shall be kept current and revised for accuracy annually. The review requires the supervisor to determine whether the employee's PD is an accurate and complete description in relation to work assignments, and ensures that necessary adjustments are made to the PD where deficiencies are found. As positions are vacated the accuracy and propriety of the classification shall be evaluated.

16. FULL PERFORMANCE LEVEL AND CAREER LADDERS

Positions are established at the highest level of work available, the full performance level (FPL). The FPL of a position is the highest grade at which enough work exists on a continuing basis to support all employees in the position at that grade level. When a position is filled at lower than the FPL, the employee can be non-competitively promoted to the FPL. The sequence of lower graded positions leading to the FPL is a career ladder. Career ladders are established to allow for entry at a lower grade level than the full performance level of the position and are used to develop candidates for the target position. The career ladder refers to the range of grades to which the employee may be promoted non-competitively up to the classified target grade or the FPL of the position. Establishing career ladder positions can optimize efficiency, productivity and organizational effectiveness by broadening the pool of applicants when filling vacant positions.

If an organization is establishing a career ladder position, the target position or FPL shall be fully described in an official classified PD before it is advertised. However, if an organization plans to fill the position at a lower or entry grade level, a Statement of Difference (SOD) may be used in combination with the next higher level PD, which is fully described, to be considered a complete PD. The SOD shall summarize the duties and requirements at the lower grade level and:

- a. State how the duties and responsibilities in the target position grade or the FPL are modified for developmental levels.
- b. Address individual factors that are affected at the entry level, if the occupational series standard is written in FES format.
- c. Only be used to establish positions no more than one grade level below a fully described classified PD in the career ladder.
- d. Be attached to the fully described classified target PD.

17. IMPLEMENTING NEW CLASSIFICATION STANDARDS

New or revised OPM classification standards and guides become effective when issued. HR Servicing Offices shall review all affected positions and make necessary changes within one year after the date of OPM issuance. Requests for extensions require the approval of the CHCO, and shall be in writing, explaining the reason for the request and the time frame requested.

18. DESK AUDITS/POSITION REVIEWS

A desk audit or position review is an interview conducted by a Human Resources Specialist or personnel with delegated classification authority, with an employee and the supervisor to discuss the employee's major duties and responsibilities and determine the proper classification, title, series and grade of a position. Grade controlling duties must occupy at least 25% of the employee's time, and be regular and recurring. Personnel conducting the audit/review are required to write a complete narrative evaluation statement and maintain the original with the official files.

If an employee has reason to believe that there are continuing differences between the work assignments and the PD which substantially affect the accuracy of the official PD, s/he should first discuss this with their supervisor. It is the supervisor who certifies the accuracy of the content of the PD and s/he will be able to explain the assigned duties and responsibilities. If the supervisor believes the classification of the position should be reevaluated as a result of duties that have significantly and naturally evolved since the position was last classified or the position was initially classified, s/he can request that the HRO conduct an audit/review.

If the supervisor decides not to request an audit/review, the employee may file an administrative grievance grieving that decision in accordance with [DR 4070-771](#), *Administrative Grievance System*, or file a classification appeal with the Director of OHRM (CHCO) at the Department. Bargaining unit employees shall comply with negotiated agreement classification appeal and grievance procedures.

19. EVALUATION STATEMENTS

An evaluation statement shall be prepared for all newly established positions. In addition, an evaluation statement shall be prepared in any occupation for which:

- a. There is no OPM classification standard or guide published;
- b. The duties and responsibilities of a position are classified above or below the grade level criteria provided in the OPM classification standard or guide; or
- c. More than one classification series is applicable (mixed series/grade).

For FES and non-FES standards, the evaluation shall contain a detailed analysis of the duties and responsibilities of the position in comparison to an appropriate OPM classification standard or guide. All evaluations shall reflect the basis for the chosen title and series. They shall also show how the assigned grade level is met, how it exceeds the next lower grade level, and how it does not meet the next higher grade level. In addition, for FES standards, the [Primary Standard](#) (Appendix 3 of OPM's *Introduction to Classification Standards*) may be referenced to evaluate factor levels in accordance with the instructions provided. Evaluations shall be signed and dated by

individuals who are authorized to exercise delegated classification authority of the positions.

20. RECLASSIFYING ENCUMBERED POSITIONS TO LOWER GRADES

An audit/review of a position may result in the classified duties of position at a lower grade level. If the position is encumbered and the reclassification will result in loss of grade or pay, the HR Servicing Office shall advise the employee in writing of the position action and proposed date of the change to lower grade, prior to taking the action. The memo to the employee must also advise that s/he may file a classification appeal in accordance with the agency/staff office and OPM policy and specify the time limits for doing so.

Reclassification to a lower graded position shall not interfere with employee's rights under the laws and regulations governing reduction in force, adverse or performance based actions. Reduction-In-Force (RIF) regulations do not apply when the down grading of a position is the result of the application of new classification standards; the correction of a classification error or the erosion of duties. Mission Areas and staff offices shall either affect the downgrade within six (6) pay periods of the determination or reassign the employee to a position that is accurately classified at the employee's original grade level. A classification action cannot be made retroactive unless an employee was wrongfully demoted as the result of a prior misclassified action and filed an appeal within 15 calendar days of the effective date of the demotion in accordance with 5 C.F.R. 532.703(b)(3).

All position reviews that result in reclassification of the position shall be documented in an Evaluation Statement or an equivalent document.

If the audit resulted in a lower grade level determination, the HR Servicing Office shall review all identical or similar positions in the organization for consistency prior to taking any action. As appropriate, all identical (I/A) or similar positions shall be reclassified consistent with the decision and in accordance with classification standards and principles.

21. RECLASSIFYING ENCUMBERED POSITIONS TO HIGHER GRADES

An audit/review of a position may result in the classified duties of a position at a higher grade level or basic rate of pay. This can occur as the result of an evolution or accretion in the level of work, new/revised classification standards, or a misclassified position. The policy of classifying a position based on "impact of the person" on the job is based on the premise that the special knowledge, skills, abilities and accomplishments of the incumbent may have an effect on the duties, responsibilities and expectations of the job. As such, the "impact of the person" on the job is reflected in the classification when the performance of a particular individual actually makes the job materially different from what it otherwise would be, i.e., a higher-graded position.

If the classification decision is that there is an accretion in the level of work performed, management has the option of assigning that higher level work to an appropriate position (same grade and duties); reassigning the incumbent to an equivalent position at the current grade level; or promoting the incumbent to the higher grade level. An accretion of duties is the result of a natural evolution of higher level work required to perform the duties of the position over an extended period of time and is not the result of a planned management action. Management shall work with the HR Servicing Office to effect an accretion of duties promotion within four (4) pay periods of the date of the classification decision in accordance with [DR 4030-335-002](#), *Merit Promotion and Internal Placement*.

If the audit resulted in a higher grade level determination, the HR Servicing Office shall review all identical or similar positions in the organization for consistency prior taking any action. If required, as a result of a position review, all identical (I/A) or similar positions shall be reclassified consistent with the decision and in accordance with classification standards and principles.

22. ACCRETION OF DUTIES PROMOTIONS

All of the following conditions shall be met before approving a non-competitive promotion action based on an accretion of duties:

- a. The new duties are grade controlling and are regular and recurring (performed at least 25% of the time);
- b. There is demonstrated evidence of higher level duties/responsibilities;
- c. The major duties and basic functions of the former position are absorbed in the new position;
- d. The accretion action will not result in the creation of a new position and the former position is abolished;
- e. The successor position must not have any known promotion potential beyond the accreted grade level;
- f. The addition of higher level duties/responsibilities shall not result in the abolishment of another position, reduce the FPL of a vacant position or otherwise adversely impact another occupied position;
- g. No other employee, in the same organizational unit/functional area who occupies an identical or similar position, is performing identical or similar duties;
- h. The GS employee meets time-in-grade and qualification requirements;
- i. The FWS employee meets qualification standard requirements; and

- j. For GS positions the grade level shall not be more than one grade level above the position under review.

However the non-competitive promotion shall not be based on:

- k. Promotion from one-grade interval position to a two-grade interval position;
- l. Promotion from one occupational series to another occupational series;
- m. Movement to a vacant, higher level position;
- n. Promotion from an I/A position in the same organizational unit/functional area;
- o. Promotion from a non-supervisory to a supervisory position;
- p. Promotion from a non-leader to a leader position; or
- q. Promotions based on accretion of duties that crosses organizational units/functional areas.

The servicing MAHRD, in consultation with the supervisor of record for the audited position, has the authority to approve non-competitive promotions based on an accretion of duties.

23. COVER SHEETS (OF-8, AD-332)

The HR Servicing Office shall complete all PD coversheets with accurate and consistent information to include; Bargaining Unit status, Fair Labor Standards Act (FLSA) exemption status, Competitive Level, Position Risk/Sensitivity Level, Cybersecurity, Title, Supervisory codes and Full Performance Level.

- a. Competitive Level codes are used to document competitive levels which are groups of interchangeable positions in the agency that have the following characteristics: they are in the same grade and occupational series; they are sufficiently alike in duties, responsibilities, pay schedules, working conditions, terms of appointment, and qualification requirements; and the incumbent of any one position could be moved to any other position without undue interruption. Agencies/staff offices shall assign competitive level codes at the time the position is classified and reviewed when there is a change in the classification or amendment of the PD. These codes shall be accurately assigned prior to implementing a RIF.
- b. Position Risk/Sensitivity Level codes are used to document the designated level of security risk and required background investigation based on the duties of the classified PD. [OPM's Position Designation Tool](#) shall be used to make an accurate and

consistent assessment of all classified positions. An accurate and consistent entry of this information is vital to security.

- c. Cybersecurity codes are used to document the designated type of cybersecurity work required in the performance of the duties in the classified PD. An accurate and consistent assessment of all classified positions is required in determining if this code is appropriate and if so, determining the type of cybersecurity work and code required.
- d. Title codes are used to document the designated official and/or working (organizational) title for the classified PD. Titles shall be consistent with prescribed titles as required for certain occupational series in OPM's classification standards. Titles created for classified PD without a prescribed title will be created consistent with sound classification and agency (USDA) titling practices.

24. TITLING PRACTICES

HR Servicing Offices shall follow OPM instructions for constructing official titles. Certain occupational series have prescribed official titles and/or parenthetical titles to identify the line of work within a job family that shall not be modified. Occupational series, for which there is no prescribed official title, shall be titled in a way that is most descriptive of the work. OHRM shall approve and provide oversight in the establishment of all titles to ensure adherence to occupational series with prescribed official titles, prevent redundancy and ensure consistency in titling practices across agencies and staff offices.

Working/Organizational titles such as "Branch Manager," "Division Director" or "Chief" shall not be used as official titles in lieu of "Supervisory" prefixes. The word, "Supervisor" shall not be used as an Official/Working/Organizational title. To identify a position classified using the [*General Schedule Supervisory Guide*](#) (GSSG), use the appropriate code in the system to code the position as a Supervisor and the prefix, "Supervisor" will be annotated on the Standard Form (SF) 50, *Notification of Personnel Action*. Likewise parenthetical modifiers to official titles shall not be used in official titles unless the OPM instructions specifically permit them.

"Confidential Assistant," "Executive Assistant" or "Special Assistant" are titles reserved for use with Schedule "C" positions that provide principal support to political appointees and shall not be used to refer to any other position.

25. CLASSIFICATION AND JOB GRADING APPEALS

- a. Appellate Process: Each Mission Area having an HR Servicing Office with delegated classification authority is encouraged to establish an internal appellant system for classification and job grading appeals. If a system is established, written procedures shall be available to all employees and shall not conflict with any instruction contained herein. Agency appellate procedures shall not in any way interfere with the right of the

employee to appeal directly to the Director of OHRM at the Department or OPM but not both at the same time. All employees, grades 1 through 15, unless excluded by 5 U.S.C. 5102(c), may appeal the classification of their current position at any time. The filing of a classification appeal does not affect any other rights or privileges the employee may have under other provisions of law or regulation. A GS employee need not have a Department appellate decision in order to appeal to OPM. An FWS employee must have an agency level decision before filing an appeal with the Department or OPM. Bargaining unit employees shall comply with appellate procedures in the negotiated agreement. Generally, the employee has the following appeal rights: *(See 5(d), Notice of Appeal Rights)*.

- (1) Employees in agencies with a classification appeal process who choose to file an appeal with their agency must follow their agency appellant process. If there is no appellant process or, if dissatisfied with the agency's decision, the employee may file an appeal with either the Department or OPM.
 - (2) Employees in agencies with no classification appeal process or employees who elect not to use their agency appeal process may file their appeal directly to the Department. Decisions issued by the Department are final unless the employee files a subsequent appeal to OPM no later than 15 calendar days following the date of the Department's decision. If the employee does not file a subsequent appeal with OPM, the Department's decision shall be implemented.
 - (3) GS employees may forego an agency and/or Department process and file an appeal directly with OPM in accordance with OPM classification appellant procedures. However, all OPM decisions are final – there is no further appeal process. The agency reserves the authority to assign duties and persons who perform those duties. All OPM decisions shall be effected within four (4) pay periods if it results in a higher graded position and; six (6) pay periods if it results in a lower graded position.
 - (4) FWS employees must use the agency appellant process prior to filing an appeal with the Department or OPM. If the employee is dissatisfied with the agency decision, s/he may file a subsequent appeal with the Department or OPM within 15 calendar days of receiving the decision.
 - (5) An employee of the Department may appeal their own position directly to the Department by addressing a letter of appeal to the Director of OHRM.
- b. Appealable Items: Employees may appeal decisions made by their agencies and/or the Department relative to: the grade, occupational series, title or pay plan of their official position.
- c. Non-Appealable Items: Employees may not appeal: the content or accuracy of the duties assigned in their official PD, the accuracy of a classification standard, rate of pay, propriety of a wage schedule, an agency's proposed classification decision, the

classification of positions to which an employee is not officially assigned, the classification of an employee's position based on comparison with other positions, or the classification of positions to which an employee is detailed or temporarily promoted for a period of less than two years.

d. Notice of Appeal Rights: When a decision results in a loss in grade or pay, the agency must notify the affected employee of its decision promptly and in writing. The notice must tell the employee about his or her appeal rights to the agency and to the Department or OPM, and specify the time limits within which the employee must file his or her appeal if he or she is to establish or preserve his or her rights to retroactive adjustment. If not entitled to grade retention, the employee must be notified of the right to appeal the action to the Merit Systems Protection Board. Procedures for such an appeal are in [5 C.F.R. §1201.21 through 1201.24](#). Such appeals are appropriate only if the appealed action does not comply with the law or regulations; disagreement with technical classification decisions should be addressed under this appeal process.

e. How to Request a Department Appeal

(1) Basis for an Appeal: The Department will decide appeals based solely on the application of published position classification standards. Issues such as position to position consistency (e.g., an employee cites higher-graded positions which appear to the employee to possess substantially similar duties and responsibilities to his or to her own position), will not be addressed through the appeals process since this process only deals with the actual duties being performed by the appellant.

(2) Designating Representatives: The appellant may file personally or through a designated representative of his/her choice unless the selected person results in a potential conflict of interest or position. The appellant's representative shall not be:

- (a) A supervisor, whether line or staff, with authority over the position;
- (b) Any official of the agency who has classification authority over the position, i.e., MAHRD or HR Servicing Office Specialist; or
- (c) Any official or other employee of the agency whose position involves the performance of duties in the human resources management.

The appellant shall notify the Department in writing of the selection of a personal representative. A representative bears the same obligation to cooperate with the Department in processing the appeal as does the appellant. This includes the requirement to provide information in a timely fashion and in the manner specified. The selection of a representative does not convey a right to the representative to be present during any fact finding sessions, nor determine the best method to gather facts about duties, responsibilities and qualification

requirements of the appealed position. The representative may submit any information concerning the position which is significant to its classification.

The employee or a representative from the agency may review the official Appeal file maintained at the Department by contacting the deciding official. The Director OHRM will establish the date, time and place where the file can be reviewed.

Upon receiving notice of a Department appeal, an acknowledgement letter will be sent to the employee (or representative). OHRM will request documents relative to the position evaluation from the MAHRD within a specified time frame. Agencies will forward copies of the all information in connection with the adjudication of an appeal to the Department and make it available to the appellant or the appellant's representative. In the event the documents, such as an evaluation statement or current PD are not available, the MAHRD will prepare the missing documents within 30 calendar days of the OHRM notice of appeal.

If, during the review of the appeal, the Deciding Official uncovers substantial information indicating inconsistent classification practices, Mission Areas and staff offices will be directed to conduct a review of potentially similar positions. In such instances, a formal written report will be required for submission to the Director OHRM outlining findings on the consistency issue and corrective actions. The Director will work with Mission Area staff offices to establish mutually acceptable time frames for any actions to be taken.

(3) Classification appeals shall contain the following information:

- (a) The employee's name and the address at which the employee desires to receive information concerning the appeal;
- (b) The current classification of the employee's position and the requested classification;
- (c) The employing agency name, division, branch, work address and work telephone number of the employee's immediate supervisor;
- (d) A copy of the official PD and a statement indicating which portions, if any, the employee feels are inaccurate or insufficiently detailed; and
- (e) A narrative explaining why the employee feels that the current classification should be changed and any additional information that explains.
- (f) Department Management employees must address a letter to the Director, OHRM and shall include; the employee's name, office, organizational unit, position, title, series and grade level. The appeal shall state the reason he/she believes the position is incorrectly classified and the requested title, series, and/or grade.

Classification appeals should be submitted in writing to the following address:

U.S. Department of Agriculture
Office of Human Resources Management, Chief Human Capital Officer
Human Resources Policy Division
1400 Independence Avenue, S.W.
Jamie L. Whitten Building
Washington, D.C. 20250-9603

- (4) Cancellation of an Appeal: The Department will cancel an employee's appeal when the employee requests a cancellation in writing, when it is learned that the employee is no longer officially assigned to the position, when the employee dies, when the position is abolished and/or when the employee appeals to OPM. The appeal may be cancelled if the employee, or the representative does not exercise due diligence in moving the appeal forward to final resolution. A cancelled appeal cannot be reopened unless the appellant is able to show that circumstances beyond his or her control prevented timely movement of the appeal forward.
- (5) Retroactive Actions: A classification appeal decision will only be made retroactive if it corrects an error in a classification decision that resulted in an actual decrease in pay. For a decision to be effected retroactive, the employee must appeal the classification decision to either the Department or OPM no later than 15 calendar days after the effective date of the demotion action.
- (6) Appeal of a Pay System: When an appellant requests a determination by the Department as to the proper pay system of his/her current position, the appeal will be decided on the pay system coverage issue only. Following the determination, the appeal will be returned to the agency for a classification determination within the specified pay system. If the employee disagrees with either determination, the employee may then file an appeal with OPM.

The filing of an appeal to the Department or OPM does not automatically stop the classification action taken by the agency on its own motion. The agency's policies govern in such cases. Agencies are encouraged to not postpone, delay or take alternative personnel actions solely because an employee has filed an appeal.

Implementation of an appellate decision made by the Department is mandatory. The Deciding Official will set an effective date for implementing the decision. Agencies are expected to comply with the decision. Upon request agencies shall indicate the nature of action taken with respect to the appellant and the appealed position, the effective date and a copy of the SF-50. Agencies shall conduct a consistency review of similar positions to insure that their classification determinations are consistent with the Department's decision.

- (7) Reconsideration of Department Appeal Decision

A Department appeal decision may be reopened when information is presented, in writing, that establishes a basis such as new, relevant and substantive facts which were not previously considered are identified. The Director OHRM may, at his/her discretion, reopen and reconsider any decision. Requests for reconsideration shall be submitted in writing to the Department no later than 45 calendar days following the date of the original decision. If either the appellant or an agency/staff office wants to request a stay of the final decision (pending the outcome of the reconsideration request), the reconsideration request must say so in writing along with the reasons why the request should be granted. If, after reconsideration, the Director sustains the original decision, it must be implemented by the Mission Area as of the date specified in the original decision unless it directs the downgrading of an employee who was not entitled to retained grade or pay. In such situations, a new effective date will be established in the reconsideration decision.

26. APPEALS FOR RESEARCH POSITIONS

The Department appellate process for research and development positions is intended as a review of agency classification determinations. The work situation changes frequently in such positions and appellate decisions should be based on the current work situation. When the classification of such a position is appealed, the Department will direct the appellant's agency to review the work situation to determine if it has changed since the most recent peer review by the agency. If no change has occurred the agency will be expected to issue an administrative report reaffirming the accuracy of their original decision. However, if there are changes that affect the classification, the agency has the obligation to act on them, e.g., re-panel the case and issue an explanatory administrative report.

The Department will coordinate with the agency HR Servicing Office to obtain a list of peers and schedule a peer review of an appealed position. The appellant's agency will be required to submit a copy of the following documentation for the Department's use in adjudicating the appeal:

- a. The appellant's current official PD certified by the supervisor and agency classification specialist;
- b. A classification evaluation summarizing the recommendations of the agency peer panel and explaining the rationale for the series, title and grade level allocations by comparing the position to the applicable OPM standards and guides;
- c. The certified PD and evaluation statement for the appellant's immediate supervisor;
- d. Applicable function statements and organization staffing charts;

- e. The official project description covering the research which the appellant conducts and/or leads. The project description should address the basic objective of the project, the expected outcome, the approaches to be taken, and milestones and should any official progress reports of the work;
- f. Copies of three to five (3-5) publications which best demonstrate the appellant's overall qualifications and contributions. More than five (5) may be reviewed if the appellant is convinced they are needed to adequately characterize the contributions;
- g. The official, certified PDs for research and development positions supervised by the appellant and for other positions supervised if they are graded at GS-11 or higher; and
- h. Any other pertinent information which the Department, the agency or the appellant wish to have considered and which existed at the time of the agency's most recent review of the position.

27. SPECIAL PROVISIONS

- a. Agencies that have research and development as a function of their mission have established research positions. Research positions require basic and applied research in biological, medical, agricultural, physical, mathematical, engineering or social science, as defined in the OPM RGEG. The process for classifying research positions recognizes the person-in-the-job concept which is based on the principle that the qualifications of the incumbent have a profound impact on the dimensions of a position as actually performed. Classification of these positions provides for consideration of the work situation, or assignment, as well as the total qualifications, professional standing, recognition and contributions of the scientist or engineer.

It is widely accepted that classification determinations of this nature have more validity if based on recommendations of a panel of peers. Research organizations shall obtain Department approval and delegated position classification authority to establish Research Panel Evaluation Systems to determine Research Grade Evaluation coverage and proper grade level of positions under review.

- b. Attorney positions shall not be established in an organization outside of the Office of the General Counsel (OGC) without the concurrence of OGC. OGC is responsible for providing legal services for all activities of the Department. When classifying GS-0905 attorney positions in the OGC, officials with classification authority shall accept certification from OGC concerning the type of cases and the level of independence at which the attorney is operating. OGC has the sole authority to rescind any concurrence provided to an organization outside of OGC regarding attorney positions. If OGC rescinds its concurrence, it will provide notice to the affected organization and positions will be subject to review and reclassification to a different series.

- c. Criminal investigator positions shall not be established in an organization outside of the Office of the Inspector General without concurrence of OIG. OIG's mission is to conduct, supervise and coordinate audits and investigations of USDA programs and operations. When classifying the GS-1811 criminal investigator positions in OIG, officials with classification authority shall accept certification from OIG concerning the nature of the work and the level of independence which the Investigator is operating.
- d. Positions carrying out secretarial or administrative responsibilities as described in the GS-0318 classification standard to support one of USDA's senior career management officials, shall be titled "Secretary" and placed in the GS-0318 series. Senior Career management officials are defined as career agency heads, career Deputies of Subcabinet Officials or political appointees. To be included in this series the position must be the principle office clerical or administrative support position in the office. Secretarial or clerical support duties are defined as duties requiring knowledge of clerical and administrative procedures and requirements, various office skills, and the ability to apply such skills in a way that increases the effectiveness of others (i.e. USDA senior career management officials). The duties do not require technical or professional knowledge of specialized subject matter area. Secretary positions shall be graded according to the criteria contained the classification standard for the Secretary series, GS-0318. If the support position includes responsibilities that extend beyond the 0318 series, the position will be classified in the appropriate series and graded accordingly. Using the OPM GS-0318 classification standards, Secretary positions in the office of a career agency head may be classified no higher than the GS-10 level. Secretary positions for the Deputy appointee may be classified no higher than the GS-09 level.

If encumbered positions are misclassified, managers shall make every effort to reassign the incumbent to properly graded positions for which they qualify. When misclassified positions are vacated, they must be reclassified to the correct title, series and grade. Titles of "Confidential Assistant", "Executive Assistant", or "Special Assistant" are titles reserved for use with Schedule "C" positions that provide principle support to political appointees and should not be used to refer to Secretary positions.

- e. As a separate process, upon classifying a Firefighter or Law Enforcement Officer (LEO) PD the HR Servicing Office must assess the classified duties to determine eligibility for special retirement coverage in accordance with [5 C.F.R. 831.901 and 842.801](#) . Firefighter positions require the performance of rigorous work. The Firefighter's primary duties are to perform work directly connected with the control and extinguishment of fires. LEO positions require the performance of rigorous work. LEO's primary duties are the investigation, apprehension or detention of individuals suspected or convicted of offenses against criminal laws of the U.S., or if a FERS employee, the protection of officials of the U.S. against threats to personal safety. The fact that a position requires a law enforcement commission is not sufficient evidence that their position is a primary LEO position. The LEO duties must be performed a substantial amount of time and be the primary purpose for the existence of the position.

Generally, a PD that is amended to add firefighting or LEO duties, these additional duties, by definition of an amendment, do not constitute the basic reason for the existences of the position and would not meet the definition of a primary position.

- f. The establishment of a Team Leader position is not appropriate unless it is part of a team-based organizational structure in which managers have implemented a change in the work process to empower front line employees and eliminate supervisory layers. Team leaders are not supervisors or management officials. These positions shall not be established merely to address an individual pay issue. Establishing very small teams, three to four members (3-4) can adversely affect the grades of team members by reducing their level of responsibility for classification purposes. Team members cannot generally receive higher levels of grade credit in situations where both supervisors and team leaders are available for assistance, even if assistance is not routinely sought. No employee shall be non-competitively promoted into a team leader position.

28. RECORD KEEPING

HR Servicing Offices shall maintain a record copy of position descriptions which include information on title, series, grade, duties and responsibilities and related documents. All records pertaining to position information must be retained and disposed of in accordance with the current editions of [DR 3085-001](#), *Vital Records Management Program*, and [DR 3080-001](#), *Records Management*. The National Archives and Records Administration (NARA) General Records Schedule requires that records pertaining to position descriptions may be destroyed no sooner than two (2) years after the position is abolished or description is superseded, or longer as applicable until related complaint, grievance or appeal is formally closed. Contact your agency Records Officer for your agency's retention schedule.

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