

HR Desk Reference

Classification

HR Desk Reference: 410-01-01

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1. Purpose & Background

This HR Desk Reference implements Section 7.1 - Position Classification of BPA HR Directive 410-01: Managing Positions, Organizations, and Workforce Restructuring.

A. Introduction

1. **HR Governance Model:** This HR Desk Reference is part of a tiered approach to BPA's Human Resources governance model. The first tier is the BPA Human Resources Policy, which provides broad BPA-wide guidelines and standards for making specific human resources-related decisions and specifies who in BPA is delegated the authority to make them.

The second tier consists of HR Desk References covering more detailed instructions concerning program administration and processes. These second tier documents will be authorized in the "Related HR Desk References" section of the BPA HR Directives when they are published as an extension of a specific HR directive.

The third tier consists of Standard Operating Procedures applicable to a specific business process. Standard Operating Procedures may stand alone or be encompassed in a Desk Reference. Note that SOPs are internal group documents and do not impact working conditions or negotiated BPA HR Directives or HR Desk Reference guides.

2. **Design of the HR Desk Reference:** In order to support the overarching guidance contained in the relevant HR Policy, this HR Desk Reference provides a standardized and consistent approach to HCM's and BPA Management's administration of the programs and processes contained in this HR Desk Reference.
3. **Using the HR Desk Reference:** Recorded information is an integral part of all business functions at BPA and, as such, is an asset of the agency that is handled and managed based upon content and the circumstances surrounding the function. Users of this HR Desk Reference are likely to reference a specific function or procedure rather than reading it in its entirety and it is therefore structured to reflect this type of use.

B. Purpose/Objectives:

The purpose of this Desk Reference is to provide guidance, instructions, and responsibilities for requesting and classifying General Schedule (GS) positions and for processing position classification appeals.

C. Background:

Title 5, United States Code, governs the classification of General Schedule positions in the federal service. This law states that positions shall be classified based on the duties and responsibilities assigned and the qualifications required to do the work. Section

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5104 of Title 5 defines the grade levels of the General Schedule. These grade level definitions are the foundation upon which the position classification standards are built.

The law requires the Office of Personnel Management (OPM) to define federal occupations, establish official position titles, and describe the grades of various levels of work. To fulfill this responsibility, OPM issues position classification standards agencies must use to determine the title, series, and grade of positions covered by Title 5.

Agencies are required to classify positions consistent with the criteria and guidance issued by OPM. Agencies must use official titles published in classification standards for personnel, budget, and fiscal purposes; however, agencies may construct and use organizational or “working” titles for internal administration, public convenience, law enforcement, or similar purposes.

Classification standards are public documents and are available for review by anyone interested in their content.

2. Applicability

This guidance covers General Schedule (GS) positions at BPA.

This Guide does not provide guidance for classifying positions represented by bargaining units that negotiate wage rates with BPA under the provisions of 16 U.S.C. 832, Bonneville Project Act of 1937; positions of experts and consultants; or positions above GS-15, including positions in the Senior Executive Service (SES).

3. Terms & Definitions

- A. **Accretion of Duties:** An evolutionary process or specific occurrence that management did not plan, but which causes the duties and responsibilities of a position to expand sufficiently to warrant a higher grade level. The situation results in the non-competitive promotion of the incumbent to the higher grade level, but multiple criteria must be met in order to promote an employee on this basis.
- B. **Classification:** The systematic process of assigning the proper titles, occupational series, and grades to positions.
- C. **Classification Appeal:** An employee’s request to the Department’s human resources organization or to OPM to review the classification of the employee’s position of record.
- D. **Classification Certification:** Certification by one authorized to classify a position that the position has been classified as required by Title 5, U.S. Code, in conformance with OPM standards or consistently with the most applicable published standards if no published standards apply directly.

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- E. **Classification Conflict Resolution process:** An internal DOE procedure for resolving disagreements with classification determinations between servicing human resources staffs and managers/supervisors, as described by DOE O325.2 Appendix A.
- F. **Classification Standards:** Guidelines issued by OPM to relate the grade level definitions in Title 5 to specific work situations and to provide the basis for assigning each position the appropriate title, series, and grade. This includes series-specific standards, Job Family Standards and Functional Guides.
- G. **Classifier:** A member of a human resources staff who is authorized to make position classification determinations, i.e., determine the title, series, pay plan, and grade of positions.
- H. **Desk Audit:** An interview and/or observation of work operations in order to gain information about the work of a position. The classifier conducts the interview with the employee who occupies the position and later confirms the information with the supervisor. It is the work actually being performed, not the employee, that is being evaluated.
- I. **Employee:** An individual employed in or under an agency.
- J. **Evaluation statement:** A formal, written determination explaining the rationale for the classification of a position.
- K. **General Schedule:** The General Schedule, the symbol for which is "GS," is the basic pay schedule to which Title 5 applies. The General Schedule is divided into grades of difficulty and responsibility ranging from GS-1 to GS-15. (Most positions above grade GS-15 are included in the Senior Executive Service (SES) which is outside the General Schedule.)
- L. **Grade:** The numerical designation, GS-1 through GS-15, that identifies the range of difficulty and responsibility required of positions included in the General Schedule.
- M. **Incumbency Only:** The designation that a position description is not to be used at the same title, series, and/or grade or level when the incumbent vacates the position. This designation is also referred to as "red lining" a position.
- N. **Position:** The work, consisting of the duties and responsibilities assignable to the employee.
- O. **Position Description (PD):** The official description of management's assignment of duties and responsibilities to a position.
- P. **Standard of Adequacy:** The OPM standard that defines the criteria to determine if a position description is adequate for classification purposes. The OPM standard of adequacy states, "A position description is adequate for classification purposes when it is considered so by one knowledgeable of the occupational field involved and [knowledgeable] of the application of pertinent classification standards, principles,

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and policies; and supplemented by otherwise accurate, available, and current information on the organization, functions, programs, and procedures concerned.”

- Q. **Supervisory Audit:** An interview with the supervisor of a position. The purpose of a supervisory audit is the same as described for a desk audit.
- R. **Supervisory Certification:** The supervisor’s signed certification that the position description is an accurate statement of the major duties and responsibilities of the position and its organizational relationships, and that the position is necessary to carry out government functions for which the supervisor is responsible. The certification also states that the supervisor certifies the accuracy of the position description with the knowledge that the information is used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.
- S. **Acronyms:**
1. **BPA:** Bonneville Power Administration
 2. **CFR:** Code of Federal Regulations
 3. **DOE:** Department of Energy
 4. **GS:** General Schedule
 5. **HCM:** Human Capital Management
 6. **HRD:** Human Resources Director
 7. **OPM:** Office of Personnel Management
 8. **PD:** Position Description
 9. **USC:** United States Code

4. Responsibilities

A. **BPA Human Resources Director or designee:**

1. Administers the classification program;
2. Delegates the appropriate levels of classification authority to subordinates based on individual competencies;
3. Advises managers, supervisors, and employees of the provisions of this Desk Reference and assuring its implementation;
4. Provides technical advice and assistance on applying laws, regulations, and other guidance to the classification of positions to promote effective human resources decision-making that supports BPA’s mission in accordance with merit system principles;

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5. Assists supervisors in writing PDs;
6. Evaluates and classifies positions by applying criteria in published OPM position classification standards and guides and in accordance with delegated classification authority;
7. Ensures evaluation statements fully explain why a position was placed in a specific pay plan and series and assessed at the grade or level;
8. Administers re-certifications of positions;
9. Resolves disagreements between supervisors and classifiers as the Deciding Official for individual positions or groups of BPA positions;
10. Assesses the effectiveness of the position classification program and initiating improvement, as warranted;
11. Reviews proposed new positions, requests to fill vacated positions, and changes in the duties or organizational relationships of existing positions before final classification action is taken;
12. Applies new position classification standards and guides to covered positions in a timely manner and reclassifying such positions as appropriate;
13. Ensures any required follow-up audits are tracked and conducted;
14. Assists supervisors and managers in addressing classification issues in planning and implementing reorganizations and in establishing new positions; and
15. Develops and implements additional operational policies, guidelines, and procedures concerning position classification.

B. BPA Managers and Supervisors:

1. Ensures positions are properly aligned within their organizations;
2. Determines the need for positions;
3. Determines the duties and responsibilities of positions, and ensuring position structures are consistent with the principles of sound position management;
4. Prepares and maintaining position descriptions for subordinate positions;
5. Certifies that PDs accurately reflect the duties and responsibilities of positions;
6. Assists classifiers in the successful conduct of position classification and position management reviews and surveys; and
7. Works with classifiers to resolve differences of opinions regarding classification determinations, including realigning duties and responsibilities to support positions determined to be over-graded to the extent possible, and establishing new positions at lower grades when positions determined to be over- graded are vacant.

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8. Provides supporting documentation when utilizing the conflict resolution process described in Appendix B of DOE O325.2;
9. Ensures subordinate employees receive adequate information regarding classification principles, policies, and rights of appeal;

5. Program Administration Requirements and Guidance

A. Position Descriptions:

1. Policy:

Position descriptions must be kept up to date and meet OPM's standard of adequacy. (See Definitions)

2. Management Responsibility

Management is exclusively responsible for assigning duties and responsibilities to each subordinate position and for adding, removing, or changing assignments at any time. It is management's responsibility, with the assistance of the classifier, to prepare current and accurate position descriptions and to ensure position descriptions are updated as soon as possible after permanent changes in individual assignments occur.

3. Preparing Position Descriptions

Supervisors prepare position descriptions with the advice and assistance of the HCM classifier.

NOTE: Except for reorganization actions, employee input is required under the Agreement between the Administrator, Bonneville Power Administration, and the Professional Division of Laborer's International Union (PDL) when the duties of PDL bargaining unit positions are modified.

For a nonsupervisory position, the description should include enough information so that proper classification can be made when the description is supplemented by other information about the organization's structure, mission, and procedures. The position description should define clearly the major duties assigned and the nature and extent of responsibility for carrying out those duties. Qualification requirements should be evident from reading the description, and specialized requirements not readily apparent from the description should be specifically mentioned and supported by the described duties.

Position descriptions must be written at least at the full performance-level and every second grade level below that level. Statements of differences may be used at intervening levels providing that meaningful distinctions are described.

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Pen and ink changes are authorized when no substantive change, i.e., one that would affect the original classification determination or a major duty or responsibility, is added.

For a supervisory position, the PD consists of the activities supervised and information about the factors contained in OPM's General Schedule Supervisory Guide. The PD does not need to include a detailed discussion of the work performed by subordinates, but should identify the activities supervised. It is important there be consistency between a supervisor's and subordinates' position descriptions concerning the level of supervision given and received. The HCM classifier can assist in developing the appropriate factor descriptions.

Standardized PDs (SPDs) are authorized for positions that involve identical work and are classified with the same title, series, and grade. SPDs promote efficiency and help expedite requests to fill vacant positions.

4. Supervisory Certification

The immediate supervisor certifies the accuracy of the position description by signing a position description coversheet attesting to the following:

"I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes, relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations."

5. Classification Certification

An authorized classifier certifies the position has been classified as required by Title 5, U.S. Code, in conformance with the most applicable standards published by the U.S. Office of Personnel Management.

6. Inaccurate Position Descriptions

PDs that do not adequately or accurately describe the work requirement must be revised and re-classified. If the grade level of a position is determined to be higher, the PD must be rewritten to reflect the higher level duties and/or responsibilities and the position advertised under merit promotion procedures unless the accretion-of-duties criteria are met as an exception to the competitive process.

7. Recertification

At a minimum, position descriptions must be recertified at least once every 5 years, including when filling a vacant position or for all personnel actions involving a change in position, e.g., when an employee is appointed, promoted, reassigned,

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demoted, detailed for more than 120 days or transferred into the position. Managers and supervisors must certify that the duties and responsibilities of their subordinate PDs are described accurately. Issues identified during the recertification process must be rectified within 1 year.

B. Position Classification Requirements:

1. Classification Guides and Standards

All positions must be classified consistently with published OPM standards and/or guides. Evaluation decisions of OPM that have been certified (i.e., OPM has ordered, in writing, that a particular classification be assigned to a particular position or positions) to BPA or to DOE are binding upon all BPA officials. The classification of positions to which they apply may not be changed while the major duties and responsibilities remain substantially the same.

2. Determination of Pay Plan, Series, Title, and Grade

The HCM classifier will determine the proper pay plan, occupational series, title, and grade for all positions in accordance with published OPM position classification standards, guides, and classification appeal decisions.

3. Developing information through audits and position reviews

a. Desk audits are required –

I. For an accretion-of-duties situation, i.e., when an employee's duties and responsibilities have expanded.

II. When requested by management.

III. When requested by an employee as part of an employee complaint or classification appeal process.

b. Supervisory Audits are conducted with the supervisor of a position when the position is not encumbered, the incumbent is not familiar with new duties being assigned to the position, or the incumbent is not available for a desk audit. The purposes of a supervisory audit are the same as those described for a desk audit.

c. Other reviews may be appropriate and advisable in developing full position information and understanding. Sources of data include, but are not limited to the use of central files, textbooks and training materials, publications produced by or about the organization and functional statements, and interviews with employees in related organizations (such as personnel in the budget office when evaluating the budget duties in an administrative position).

4. Evaluation Statements

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- a. Evaluation statements must fully support the classification determination by reflecting the evaluation of the paramount work assigned and provide sufficient detail that someone other than the original classifier can determine the rationale behind the classification determination.
 - b. Evaluation statements must be prepared for:
 - I. All full performance-level positions for newly established positions and existing positions when vacant and are being used to recruit.
 - II. Any position audited.
 - III. All classification appeals.
 - c. Evaluation statements are maintained in Human Capital Management and are available to employees, supervisors, and evaluators upon request.
5. Misclassifications

Positions that are determined to be misclassified (i.e., the title, series, and/or grade are incorrect) must be corrected as follows:

- a. If the title and/or series are/is incorrect, it must be corrected promptly, normally by the next pay period unless the applicable supervisor(s) does not agree, in which case the DOE conflict resolution process is utilized;
- b. If the grade level of a position is determined to be higher, the position is reevaluated and a new evaluation statement prepared. The position is advertised under merit promotion procedures unless the accretion-of-duties criteria are met as an exception to the competitive process;
- c. If the grade level of a vacant position is determined to be lower, it must be corrected before the position is advertised; and/or
- d. If the grade level of an encumbered position is determined to be lower, every effort must be made to add additional duties and/or responsibilities to support the grade level, in which case the position will be treated as a newly established position and the incumbent reassigned to it. If the position cannot be modified to support the current grade level, the conflict resolution process must be pursued. If more than one position is affected, the other positions will be treated the same. If the grade of the position is determined to be unsupported, the position will be marked on the cover sheet "Incumbency Only" and retained until a change occurs, including the Office of Personnel Management (OPM) directing the change.

C. Classification Conflict Resolution:

The conflict resolution process is an internal DOE procedure for resolving disagreements with classification determinations between servicing human resources staffs and their customers.

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D. Position Classification Appeals:

A Departmental position classification appeals process is established for employees or their representatives to challenge a DOE classification determination, i.e., the title, series, and/or grade level of their positions. If the employee disagrees with the description of his/her duties and/or responsibilities, then the grievance process available to the employee must be used to resolve that issue before an appeal will be accepted. Employees and their representatives have the right to appeal at any time and without notice to anyone.

E. Accretion of Duties:

1. Accretion of duty promotions are authorized up to GS-14 or equivalent but should be rare.
2. The situation requires an audit and evaluation statement and must be approved by the applicable Human Resources Director (HRD).
3. In order for the employee to be promoted as an exception to merit promotion procedures, all of the following criteria must be met:
 - a. The employee continues to perform the same basic function.
 - b. The majority (more than 50%) of the major duties of the former position are absorbed into the new position; the former position description must be cancelled.
 - c. The new position has no further promotion potential beyond the higher grade level identified as a result of the review.
 - d. No other positions within the organizational unit, whether encumbered or not, are adversely affected by the action; e.g., the new duties were moved from another position and the grade of that position is jeopardized as a result.
 - e. The new duties could not reasonably be assigned to any other position within the organization.
 - f. The new position does not involve the addition of project leader, group leader, team leader, or supervisory duties to a non-supervisory or non-leader type position.
 - g. The new position is not a reclassification from a one-grade interval to a two-grade interval position, e.g., from an Accounting Technician, GS-525 to an Accountant, GS-510.
 - h. The new position must be in the same series as the former position.

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- i. There is no reduction-in-force or transfer of function being planned or implemented within the organization.
- j. The employee meets all eligibility requirements for the new position.

F. Position Classification Accountability:

BPA staff who have been delegated classification authority are responsible for the proper exercise of that authority. Positions must be classified in accordance with OPM's established classification policies, principles, standards, and guides.

Positions must be classified by individuals who have had proper training and experience. All classifiers must complete a comprehensive, fundamental course on position classification before they are authorized to classify new positions or recertify existing ones.

G. Effecting Classification Actions:

- 1. Classification errors must be corrected by the beginning of the fourth pay period from the date the error is confirmed.
- 2. New classification standards must be implemented within 12 months from the date of receipt.
- 3. Vacant positions identified for downgrading or upgrading because of classification error, application of new standards, or directed by authorities outside BPA may not be refilled prior to correcting the classification error.

H. Availability of Position Classification Standards and Guides:

Position classification standards, guides, and related material are to be available for review by any BPA employee regardless of duty location.

6. Procedures

A. Classification Process:

- 1. Classification Review
 - a. Upon receipt of a classification request, the classifier will determine whether the position description is adequate for evaluation and will ascertain its accuracy based on existing knowledge, readily available information, or data developed in considering the request.
 - b. The classifier will determine whether the action is routine or non-routine. Examples of routine actions include those that are "vice-former-incumbent" actions for which there is no apparent classification issue, actions to establish new positions that are consistent with established BPA patterns, etc. Examples of non-routine actions include those that set a precedent (i.e., are

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not consistent with established BPA patterns), actions for which the proper classification is not readily apparent, actions that may have implications across BPA organizational lines, etc.

- c. If the action is routine, there is no requirement for a substantive classification review. If the action is non-routine, the classifier will complete a substantive classification review. The review shall include consultation with the initiating manager if there is any question about the sustainability of the classification request.
- d. If the results of the review sustain the classification request, the classifier will process the action.
- e. If the results of the review do not sustain the classification request, the classifier consults with the initiating manager and presents the findings, including any alternatives (e.g., additional duties or responsibilities) that would sustain the classification requested. Upon receipt of the findings and options presented, the manager must choose among the following alternatives:
 - I. Accept the classification findings and request that the classifier proceed with the modified request.
 - II. Accept any alternatives identified by the classifier, make any needed changes to the position description, and request that the classifier proceed with the modified request.
 - III. Prepare a memorandum stating the business need for the original classification requested, and forward the memorandum to the organization's Senior Vice-President (or Vice-President if there is no Senior Vice-President) for concurrence.
- f. If a Senior Vice-President (or Vice-President) receives a request under paragraph e-III above and does not concur, the memorandum is returned to the initiating manager who must choose another option under paragraph d above. If the request is concurred with, it is then forwarded to the HRD for consideration.

2. Review by HRD

Upon receipt of a request under paragraph e above, the HRD follows the Classification Conflict Resolution Process established by DOE and described under 11.02 below.

3. Requests for Desk Audits

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HCM will conduct desk audits when requested by the manager of a position. HCM may conduct a desk audit when requested by other management officials for valid business reasons (e.g., as part of a dispute resolution process). Employees who wish to question the accuracy of the classification of their positions may do so by initiating a classification appeal as found in Section C: Classification Appeals below.

B. Classification Conflict Resolution:

1. The HRD will have another classifier perform an independent review of the position. This is normally a co-worker or supervisor of the original classifier but may be a classifier from another servicing human resources office. Every effort should be made to support the current classification or what the customer is seeking.
2. In the event there is still disagreement with the outcome after the second review, the HRD will submit a request to have a final determination rendered at a higher level. This involves the submission of all pertinent information from the applicable management official(s) and the classifiers. The DOE Director, Office of Human Capital Policy, Accountability, and Technology will make the final determination.

C. Classification Appeals:

1. Coverage
 - a. Procedures in this section apply to any BPA General Schedule employee who believes the classification of his or her position is incorrect.
 - b. A General Schedule employee may seek adjustment of the pay plan, series, title (if one is prescribed), or grade of a position. A request for such adjustment will be accepted from the employee officially assigned to the position or his/her representative that has been designated in writing.
 - c. All levels of management and supervision are responsible for protecting and publicizing an employee's right to seek adjustment in the pay plan, series, title, or grade of the position, and for ensuring that employees may execute this right without restraint and without fear of reprisal or any subsequent prejudice.
2. Exclusions
 - a. The accuracy of the official position description, including the inclusion or exclusion of a major duty in the official position description. However, any doubt concerning the accuracy of the position description must be resolved, by desk audit if necessary, before the proper classification can be determined. This does not in any way diminish the exclusive responsibility of management to decide what duties will be assigned and performed.

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- b. An assignment or detail outside the scope of normally performed duties outlined in the official position description.
- c. The accuracy, consistency, or use of agency supplemental classification guides.
- d. The title of the position unless a specific title is authorized in a published OPM classification standard or guide, or the title reflects a qualification requirement or authorized area of specialization.
- e. The series, grade, pay system, or title of a position to which the employee is not officially assigned by an official personnel action.
- f. An agency's proposed classification decision.
- g. The series, grade, pay system, or title of a position to which the employee is detailed or promoted on a time-limited basis, except that employees serving under time-limited promotions for 2 years or more may appeal.
- h. The classification of the employee's position based on position-to-position comparisons and not standards published by OPM.
- i. The accuracy of grade level criteria contained in an OPM classification guide or standard.
- j. A classification appeal decision previously issued by OPM unless there has been a subsequent change in the governing classification standard(s) or the major duties of the position.

3. Classification Appeal Rights

An employee may file a classification appeal at any time once the employee has been assigned to a position with a Standard Form (SF) 50 Notification of Personnel Action. General Schedule employees may appeal within DOE or may elect to appeal directly to OPM. Supervisors and employees can find more information at OPM's website - [OPM Employee Fact Sheet](#).

4. Representation and Use of Official Time

Employees have a right to the representative of their choice in preparing their classification appeal. The employee must designate the representative in writing. If the choice will result in a conflict of interest or position, unreasonable costs to the government, or undue interruption of the representative's official duties as determined by the supervisor, it may be disallowed. Official time is authorized only when it is necessary to obtain information not available during non-work hours. Designation as a representative does not convey a right to the representative to be present during fact-finding sessions, except during a session with the employee when requested by the employee. Also, a representative may not participate in OPM on-site audits unless specifically requested to do so by OPM.

5. Classification Appeal Procedure

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A classification appeal is a formal request in writing by the employee for a review of the employee's official pay plan, series, title, and/or grade, to correct what the employee believes is an incorrect classification. Employees and designated representatives may request assistance from an HCM Specialist regarding regulatory and procedural concerns.

a. **Content of Appeal:** Employees must include the following information in an appeal:

- I. The employee's full name, home or office mailing address, email address, applicable telephone number, and days and times normally available to be contacted.
- II. If a representative is used, the same information as in subparagraph a. (Note: DOE may disallow an employee's representative when the individual's activities as a representative would cause a conflict of interest or position; the employee who cannot be released from his or her official duties because of the priority needs of the Government; or the representative is an employee whose release would give rise to unreasonable costs to the Government.)
- III. A description of the organization location of the position, including, the organization title at the lowest level. Include a current organization chart and functional statement that reflects the location of the position if possible. If the organization information on the PD coversheet is not accurate, then that issue must be resolved through the available desk audit process before submitting the appeal.
- IV. A copy of the current PD showing the title, pay plan, series, and grade/level, and position number. If appropriate, include a statement that the employee considers the official position description to be complete and accurate (whenever possible the employee and the supervisor should agree on the description before an appeal is filed).
- V. The requested title, pay plan, series, and/or grade/level.
- VI. The reason(s) for the request, including the basis for why the current classification is believed to be incorrect; a comparison of the applicable standard(s) to the position that were used to classify the position, along with any standard(s) that the employee believes should have been considered; and any additional information that the employee feels should be considered.

b. **Office to Which Appeals Should be Addressed:**

- I. The GS or equivalent pay plan employee has the right to file an appeal directly to OPM or through DOE to OPM in accordance but may not file an

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appeal with DOE and OPM concurrently. If filed through DOE, then the DOE appeal process will be used and the proposed outcome provided to OPM.

- II. Although employees may appeal the classification of general schedule positions directly to OPM, both OPM and DOE prefer that appeals be filed first with DOE. This helps to establish a sound factual basis for a fair and accurate evaluation, and it provides an opportunity for resolution of the problem within DOE.
- III. Employees electing to appeal within DOE should first request that HCM reconsider the classification. The request is sent to the HRD and must include the information specified in "CLASSIFICATION APPEALS\Classification Appeal Procedure\Content Appeal" noted above. The classification shall be reviewed by a different classifier from the one who made the original classification decision. If the employee is not satisfied with the decision of the HRD, the appeal may then be filed with the DOE.
- IV. If the classification determination was made by the servicing Classifier, the Human Resources Director will review the appeal and provide a recommendation to the Director, Office of Human Capital Policy, Accountability, and Technology who will make the agency determination.
- V. If the classification determination was made by the applicable conflict resolution official, the agency determination will be made by the Director, Office of Human Capital Management.
- VI. Employees electing to appeal directly to OPM are urged, although they are not required, to file their appeal through HCM. Such appeals should be addressed to the appropriate OPM office, but transmitted through HCM. It is mandatory for BPA to forward such appeals to the appropriate OPM office within 60 calendar days of their receipt from the employee. Upon request, all information submitted by BPA concerning an employee's appeal will be made available to the employee.
- VII. A final agency determination will be rendered within 60 calendar days of receipt and acceptance of the appeal.
- VIII. Filing an appeal with either BPA or OPM does not automatically stop a classification action. Such actions may be taken either by BPA at its own volition or under order from OPM.

6. Reduction in Grade or Pay

- a. Notice to Employee Not Entitled to Grade Retention: When a position has not been classified at the current or higher grade for at least a year, the incumbent is not eligible for grade retention and the demotion is an adverse action. It must be affected in accordance with 5 CFR, Part 752, and normal procedures

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for adverse actions, including at least 30-days advance written notice. The notice must state why the position is being downgraded; what efforts have been made to avoid demoting the employee; and why the efforts failed. It should not imply that a final decision has been made to demote the employee, though it is proper to state that it has been decided to downgrade the position. After the notice period, if it is decided that demotion cannot be avoided, the employee must be given a written notice of that decision. It must explain the employee's right to appeal the adverse action or, if applicable, to grieve it under a negotiated grievance procedure. It must also explain the employee's right to file a classification appeal and the time limits for filing in order to preserve any retroactive benefits, and it should explain the employee's entitlement to pay retention. An employee can save pay for two years.

- b. Notice to Employee Entitled to Grade Retention: When a classification decision will result in a loss of grade and the affected employee is entitled to grade retention, the downgrading is not an adverse action. However, the employee must be notified in writing before the action is taken. The notice should specify why the position is being downgraded; what efforts have been made to reassign the employee; and why the efforts have failed. It must also inform the employee of the right to appeal the classification decision and of his or her entitlement to grade retention, as required by 5 CFR 536.404, Issuance of Employee Letters.
- c. Time Limits: In certain circumstances, employees not entitled to grade retention may suffer a loss in pay when they are downgraded. Such an employee who wins a timely appeal is entitled to back pay retroactive to the date of the downgrading. However, in order to be timely, the appeal must be filed no later than 15 calendar days after the effective date of the downgrading. Any further appeal from a final decision within BPA must be filed with OPM no later than 15 calendar days after receipt of the BPA appeal decision, or 15 calendar days after the effective date of the action taken as a result of the classification decision, whichever is later. Employees must be fully informed of all applicable time limits at the time that they are given the decision. In certain cases extensions may be granted in consideration of extraordinary circumstances beyond the control of the employee. Note, however, that nothing in this paragraph diminishes an employee's right to file a classification appeal at any time.

7. Authorities & References

- A. BPA HR Directive 410-1: Managing Positions, Organizations, and Workforce Restructuring

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- B. 5 U.S.C., Chapter 23, Merit System Principles
- C. 5 U.S.C., Chapter 51, Classification
- D. 5 U.S.C., Chapter 53, Pay Rates and Systems
- E. 5 U.S.C., Chapter 75, Adverse Actions
- F. 16 U.S.C. 832, Bonneville Project Act of 1937 (as amended)
- G. 5 CFR, Part 210, Basic Concepts and Definitions (general)
- H. 5 CFR, Part 335, Promotion and Internal Placement
- I. 5 CFR, Part 511, Classification Under the General Schedule
- J. 5 CFR, Part 536, Grade and Pay Retention
- K. 5 CFR, Part 752, Adverse Actions
- L. DOE Order 320.1C1, Acquiring and Positioning Human Resources, Approved 9-6-02, Chg 1: 11-21-03.
- M. DOE Order 328.1, Human Capital Management Accountability Program, Approved 8-1-08
- N. DOE Order 352.2, Position Management and Classification, Approved 04-01-15
- O. DOE Order 333.1, Administering Workforce Discipline, Approved 05-14-15
- P. Introduction to the Position Classification Standards (TS-134), OPM, August 2009
- Q. The Classifiers Handbook (TS-107), OPM, August 1991
- R. Handbook of Occupational Groups and Families, OPM, May 2009
- S. General Schedule Position Classification Standards, including Job Family Standards and Position Classification Functional Guides

8. Contacts

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9. Revision History

Version Number	Issue Date	Brief Description of Change or Review
1.0	3/24/2017	Initial Issuance

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