

00708

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

FILE: B-186760

DATE: October 8, 1976

MATTER OF: Position Classification - Delay in Effective Date

DIGEST: Employees claim Air Force improperly delayed implementing classification actions moving them from quality control wage board position to one in General Schedule. New multiple GS-8 position was classified March 17, 1975. More than 200 employees had to be trained for approximately 90 days in new duties beginning in June 1975. Then classification audits of each employee had to be performed. Audits were completed December 1, 1975, and agency processed personnel actions for all employees effective December 20, 1975. GAO finds no arbitrary delay nor any basis to permit retroactive personnel actions.

By letter of June 3, 1976, Melvin L. Jacobsen requested a Comptroller General decision concerning an alleged unwarranted delay in implementing new classification standards which changed Quality Control Inspectors, WG-12, employed by the Department of the Air Force at Hill Air Force Base, Utah, to Quality Inspection Specialists (Aerospace), GS-1960-08. Mr. Jacobsen, as a member of the American Federation of Government Employees, represents some 217 employees who were affected by the change in classification. Since the subject matter previously had been appealed to the Denver region of the United States Civil Service Commission, administrative reports on Mr. Jacobsen's request were obtained from the Civil Service Commission Regional Office and from Hill Air Force Base.

Mr. Jacobsen states that the subject position description was effective March 15, 1975, and should have been put into effect prior to September 15, 1975. A copy of a position description for Quality Inspection Specialist (Aerospace), GS-1960-08, was submitted with the request for decision. The description, which apparently was unlimited as to the number of incumbents, indicates that the position was classified on March 17, 1975. Mr. Jacobsen states that management personnel were ready to implement the new positions prior to September 15, 1975; however, implementation was delayed until December 20, 1975, because Mr. Webster of Classification desired a bench audit of the positions.

B-186760

Mr. Webster, by letter dated July 21, 1976, set forth the events leading to the subject personnel changes, in pertinent part, as follows:

"The proposal to change the position was originated by our Headquarters Air Force Logistic's Command staff, and the Ogden Air Logistic Center, Directorate of Maintenance staff, and management. The proposal was to change the Quality Management function, responsibility and program direction. This change in effect required a new approach by the Quality personnel in their performance of their jobs. To implement this change the classification specialist assigned to the organization and the Quality Management personnel were tasked to develop a proposed position description that would depict the desired new method of accomplishing the Quality Inspection tasks. This position description dated 15 March 1975 was to be used as a format of duties to be assigned by Quality Inspection Supervisory personnel in accomplishing the implementation of the new Quality Management concept.

"In a meeting with myself as the Position Classification Supervisor and Management of the Maintenance organizations concerning the implementation of the new concept determined that (1) Quality Inspection supervisors would begin in June of 1975 to assign and begin to train their employees in the new duties, (2) because it was anticipated that not all of the Inspectors would assimilate the new duties and would, therefore, not be classified to the GS-1960 series, which would result in promotion, all of the inspectors be ranked according to merit principles, which included panel interviews, so that those who would be later promoted because of the assignment of new duties could be promoted in accordance with competitive principles, (3) employees were assigned the new duties based on management and workload requirements in ranking order of merit promotion roster,

B-186760

(4) all Inspectors would be audited by a Classification Specialist and an Inspection Supervisor at a later date, to begin approximately 90 days after assignment of duties began to determine that employees were accomplishing their assignment in accordance with the 15 March 1975 position description, (5) all of the Inspectors would be audited because it was anticipated that not all would be fully performing in accordance with the new description, (6) it was requested by Maintenance management (Mr. Ray Close) that the results of the 100% desk audit position survey be implemented on simultaneous date for all inspectors, this was mutually agreed to by myself and the Local AFGE 1592 representatives, (7) the Position Classification Specialist working for me, who would be conducting these audits worked out a schedule with the Quality Control Supervisors, due to the number of Inspectors involved (217 in all), and the extent of time required for each audit (20 to 40 minutes), the earliest the total survey could be completed was 1 December 1975, (8) the results of this survey were implemented at the earliest possible effective date (20 December 1975) (beginning of pay period) after the completion of the survey allowing for time to process the necessary paperwork. "

Mr. Webster pointed out that the position changes were not taken as a result of a new Classification Standard. On the contrary, what occurred was the implementation of a new management concept in quality control which did take time. Time had to be allowed for the assumption of new duties on the part of each incumbent. Personnel actions could only be processed after the assignment and performance of the new duties were verified. In the circumstances, Mr. Webster urges that the time taken to make the subject changes was not unreasonable.

Although management could have devised a different method to accomplish the subject changes, such as detail during the

B-186760

transition period between the WG-12 and the GS-8, we cannot, on the record before us, hold that it arbitrarily or capriciously delayed taking personnel action until December 20, 1975.

With respect to the effective date the general rule is that an employee is entitled only to the salary of the position to which appointed, regardless of the duties performed. Thus, in a reclassification situation, an employee who is performing duties of a grade level higher than the position to which he is appointed is not entitled to the salary of the higher level position unless and until the promotion is classified to the higher grade and he is promoted to it. B-180056, May 28, 1974. See also Ganse v. United States, 180 Ct. Cl. No. 183 (1967), and 35 Comp. Gen. 153 (1955). Compare the rule in 53 Comp. Gen. 216 (1973) where the position in which the employee was serving was reclassified to a higher grade.

On review of the record we find no basis that would permit effecting retroactively the personnel actions from WG-12 to GS-8.

Deputy


Comptroller General
of the United States