

Foreign Service Grievance Board *X-~"

February 20, 1975

MEMORANDUM

Findings of the Board in the Case of

[REDACTED]
[REDACTED] of Proceedings 74-253-AID-94

On November 27, 1974, [REDACTED] filed a grievance with the Board which was identical with one he filed with the Agency for International Development (AID) on November 22, 1974. Since the grievance had not been processed through **the informal** procedures of AID, as required by the regulations, the Board forwarded it to that agency for its consideration. The final informal review by the Director of Personnel and Manpower for AID was completed on December 24, 1974. On January 2, 1975, the Board took jurisdiction and ordered an appropriate investigation. This included a review of the Record of Proceedings in this case, of [REDACTED] official personnel record, and of pertinent regulations. There was also a discussion with the grievant.

[REDACTED] grievance goes to his scheduled separation from AID as a consequence of a reduction in force (RIF). A letter dated November 15 advised him **of his separation after thirty** * days. On December 20, 1974, however, he **was advised** that he [REDACTED] had been given an extension to March 15, 1975, as a result of a request for his services by the Office of International Training.

[REDACTED] grievance encompasses ten points, mostly having to do with the correctness of AID's procedures in carrying out the reduction in force. The Board has not considered aspects of the grievance which are complaints against the RIF as such, or about purely procedural matters in connection with the RIF, since the Civil Service Commission is the proper forum to hear such appeals.

The Board, has, however, looked into the grievant's complaint that the Personnel Action dated October 30, 1974, **was in error** in assigning him for RIF purposes to the category of **Secondary** Education Advisor and also in assigning him the occupational code (1710.22) which accompanies that title.

Background

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On June 12, 1974, AID put into effect an amendment in the reduction in force regulations by issuing Manual Circular **476.2**. This amendment provided that the employee's occupational category

is the six-digit occupational code of the position occupied by the employee in Washington or overseas. The amendment also provided that the occupational code of an employee on the complement will be that of the last permanent position, either overseas or in the United States. This six-digit code is commonly referred to as the AOSC (Agency Occupational Specialty Code).

The grievant was transferred to Washington from [REDACTED], and assigned to the complement as of July 9, 1972. He has remained on the complement since that

In his grievance submission [REDACTED] stated that he has never served AID as a Secondary Education Advisor. In a conversation with the investigating Board member he said he thought he should be considered as Education Advisor,* Vocational and Technical, for which the AOSC is 1710.40. In [REDACTED], he stated^ he served as "Teacher Education Advisor, Relief and Rehabilitation Advisor, and Vocational Education Advisor-^r

Findings

[REDACTED] administrative file reveals that he was transferred from [REDACTED] to [REDACTED] on September 7, 1969. He held three distinct assignments in [REDACTED]. His first title was Education Advisor Teacher Training, as indicated in the Personnel Action effecting his transfer to [REDACTED]; the occupation code is shown as in the 1710 series; no full six-digit code is given.

Effective June 10, 1970, he was reassigned to [REDACTED] and his position title changed from Education Advisor teacher Training to Relief and Rehabilitation Advisor Area. The occupation code was changed from the 1710 series to the 0187 series.

Effective January 3, 1971, he was reassigned from the Relief and Rehabilitation position back to [REDACTED] to a position with the title Education Advisor Secondary; the code series is 1710; no six-digit code is shown. He retained this position until his transfer back to Washington and the complement.

The grievant's performance folder shows that for the period of his service in [REDACTED] he received five efficiency reports. The first two reports, covering the periods from September 10, 1969 to December 31, 1969, and from January 1, 1970 to May 28, 1970, respectively, show his title as Education Advisor Teacher Training. The third report, for the period May 26, 1970 to December 31, 1970, shows his title to be R-4 Relief/Rehabilitation Advisor. His fourth and fifth reports, covering the period from January 1, 1971 to December 31, 1971, and from January 1, 1972 to June 28, 1972, respectively, give his title as Education Advisor Secondary. The grievant's signature is affixed to all of the Above-mentioned

reports, including the .last two which show his title to be Education Advisor Secondary.

A review was made of the efficiency reports covering his last assignment in [REDACTED]. Among other listed duties are the following: "represents Education Division in matters pertaining to secondary and vocational/technical education"; "maintains liaison with other assistance agencies which are active in the field of secondary technical and vocational education"; "maintains liaison " with Federal and State Ministries of Education and all Federal and State activities concerned with secondary, vocational, and technical education."

It is clear from the above and from the narrative portion, of the efficiency reports that the grievant had duties involving secondary and vocational and technical education. In view of this fact, the title "Education Advisor Secondary" would seem to be more appropriate than "vocational and Technical Advisor" since it is more comprehensive and since throughout the reports the primary reference is to secondary education so far as duties and responsibilities are concerned. Reference to the reports makes it clear that the title was not intended to limit the grievant to a narrow spectrum of duties. He continued, for instance, to have some responsibilities for a number of emergency relief projects related to education even after he left his assignment in the Relief and Rehabilitation area for the position as Education Advisor. The reviewing officer for his last efficiency report in [REDACTED] stated: "His performance on Relief and Rehabilitation projects and in the education sector has been of a very high standard."

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The Board finds that the grievant did indeed have responsibilities for vocational and technical education as he asserted, but that the record does not bear out his contention that he never served AID as a Secondary Education Advisor.

It is the Board's finding that the AOSC-1710.2, issued him by the Personnel Action of October 30, 1974, is that of his last permanent position in [REDACTED], where his title was Education Advisor Secondary, and that this AOSC was issued in accordance with Manual Circular 476.2, dated June 12, 1974. The Board notes that there is no claim that the regulation itself was not properly promulgated.

Conclusion

The Board concludes that it has no basis to sustain the grievant's

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charge that the title and AOSC assigned to him in accordance with Manual Circular 476.2 are incorrect, and therefore must deny his grievance.

William E. Simkin
Chairman Foreign
Service Grievance Board

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