

there is no published standard is not placed in the class and grade consistently with published standards, it shall, after consultation with appropriate officials of the agency concerned, place the position in its appropriate class and grade and shall certify this action to the agency. The agency shall act in accordance with the certificate, and the certificate is binding on all administrative, certifying, payroll, disbursing, and accounting officials.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 455; Pub. L. 95-454, title IX, §906(a)(2), (3), Oct. 13, 1978, 92 Stat. 1224.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row (a) shows 5 U.S.C. 1102(b) and Oct. 28, 1949, ch. 782, §502(b), 63 Stat. 958. Row (b) shows 5 U.S.C. 1103 and Oct. 28, 1949, ch. 782, §503, 63 Stat. 958.

In subsection (b), the words "to which this chapter applies" are omitted as unnecessary in view of section 5102. The words "appropriate officials" and "administrative, certifying, payroll, disbursing, and accounting officials" are substituted for "appropriate officers and employees" and "administrative, certifying, payroll, disbursing, and accounting officers", respectively, to preserve the application to members of the uniformed services who are excluded from the definition of "officer" and "employee".

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1978—Subsecs. (a), (b). Pub. L. 95-454 substituted "Office of Personnel Management" and "Office" for "Civil Service Commission" and "Commission", respectively.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

§ 5111. Revocation and restoration of authority to classify positions

(a) When the Office of Personnel Management finds that an agency is not placing positions in classes and grades in conformance with or consistently with published standards, it may revoke or suspend the authority granted to the agency by section 5107 of this title and require that prior approval of the Office be secured before an action placing a position in a class and grade becomes effective for payroll and other personnel purposes. The Office may limit the revocation or suspension to—

- (1) the departmental or field service, or any part thereof;
(2) a geographic area;
(3) an organization unit or group of organization units;
(4) certain types of classification actions;
(5) classes in particular occupational groups or grades; or
(6) classes for which standards have not been published.

(b) After revocation or suspension, the Office may restore the authority to the extent that it is satisfied that later actions placing positions

in classes and grades will be in conformance with or consistent with published standards.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 455; Pub. L. 95-454, title IX, §906(a)(2), (3), Oct. 13, 1978, 92 Stat. 1224.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row shows 5 U.S.C. 1104 and Oct. 28, 1949, ch. 782, §504, 63 Stat. 959.

In subsection (a), the words "in whole or in part" are omitted as unnecessary in view of the specific authority to limit the revocation or suspension. The words "The Commission may limit the revocation or suspension to" are substituted for "Such revocations or suspensions may be limited, in the discretion of the Commission, to" to eliminate redundancy.

In subsection (b), the words "After revocation or suspension" are substituted for "After all or part of the authority of the department has been revoked or suspended". The words "may restore" are substituted for "may at any time restore" to eliminate redundancy.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1978—Subsecs. (a), (b). Pub. L. 95-454 substituted "Office of Personnel Management" and "Office" for "Civil Service Commission" and "Commission", respectively, wherever appearing.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

§ 5112. General authority of the Office of Personnel Management

(a) Notwithstanding section 5107 of this title, the Office of Personnel Management may—

- (1) ascertain currently the facts as to the duties, responsibilities, and qualification requirements of a position;
(2) place in an appropriate class and grade a newly created position or a position coming initially under this chapter;
(3) decide whether a position is in its appropriate class and grade; and
(4) change a position from one class or grade to another class or grade when the facts warrant.

The Office shall certify to the agency concerned its action under paragraph (2) or (4) of this subsection. The agency shall act in accordance with the certificate, and the certificate is binding on all administrative, certifying, payroll, disbursing, and accounting officials.

(b) An employee affected or an agency may request at any time that the Office exercise the authority granted to it by subsection (a) of this section and the Office shall act on the request.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 456; Pub. L. 95-454, title IX, §906(a)(2), (3), (17), Oct. 13, 1978, 92 Stat. 1224, 1226.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row shows 5 U.S.C. 1101 and Oct. 28, 1949, ch. 782, §501, 63 Stat. 958.