

Classification: Attorney-Advisor, NH-0905-IV.

Local Title:

Employing Office Location: Orlando, Florida

Duty Station: Orlando, FL

Org Info: Agency: Assistant Secretary of the Army (Acquisition, Logistics and Technology) ASA(ALT)

1st Div: Program Executive Office, Simulation, Training and Instrumentation (PEO STRI)

2nd Div: Immediate Office of the Deputy PEO

3rd Div:

4th Div:

Supervisor's Certification: 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.

Immediate Supervisor: Harlan F. Gottlieb

Title: Chief Counsel

Signature: _____ /s/ _____ **Date:** 3/28/03

Higher Supervisor or Manager: _____

Title: _____

Signature: _____ **Date:** _____

Classification/Job Grading Certification: I certify that this position has been classified IAW Acquisition Workforce Personnel Demonstration Project broadbanding criteria.

Classification Official: James L. Laughlin, COL

Title: Chief of Staff

Signature: _____ /s/ _____ **Date:** 4/2/03

| | | | |
|---|---------------------|------------------------------|-----|
| FLSA: | Exempt | BUS Code: 8888 | 407 |
| Drug Test: | No | Emergency Ess: | |
| Key Position: | | OPM Functions Code: | |
| Sensitivity: | NCS | Status: Competitive | |
| Reason for Submission: | Acq Demo Conversion | Subject to IA: Yes | |
| Previous PD Number: | Various | Mobilization: | |
| Envir. Diff: | | Career Prg ID: | |
| Acq Posn Category: | A | CAPL Number: | |
| Acq Career Level: | 3 | Acq Posn Type: 1 | |
| Acq Special Asgmt: | | Acq Prog Ind: | |
| Career Spec – Primary: | | Career Spec – Sec: | |
| Cont Job Site: | | Mobility: | |
| Financial Disclosure: [] Public Financial | | [X] Confidential Financial | |
| [] Supervisor | [] Manager | [X] Neither | |

Citation 1: USOPM PCS for General Attorney Series, GS-0905, TS-24, 10/59

Citation 2: AWF, PDP, BLD, Federal Register, Volume 64, Jan 99

**Acquisition Workforce Demo Project
Position Requirements Document**

I. Organization information:

Serves as a senior Attorney-Advisor in the Office of the Deputy Program Executive Officer (DPEO), PEO Simulation, Training and Instrumentation.

II. Position information:

Attorney-Advisor, NH-0905-IV

III. MAJOR DUTIES

1. As an Ethics Counselor for PEO STRI provides advice regarding standards of conduct, conflicts of interest, and conduct of the PEO Ethics Program. Advises PEO STRI managers, supervisors and employees on the Standards of Conduct and prohibited conflicts of interest set forth in the Ethics in Government Act, and other ethics statutes. Renders legal opinions involving allegations and investigations of conflicts of interest and recommends appropriate corrective action. Reports to the Chief Counsel all sensitive ethics issues and complex policy matters brought to the Attorney Advisor's attention. Reviews sensitive financial disclosure reports and resolves actual and apparent conflicts of interest. Monitors and periodically evaluates the PEO 's financial disclosure reporting system to ensure timely filing, review of all reports and resolution of actual and apparent conflicts of interest.

2. Reviews and analyzes legislation, case law and regulatory developments pertaining to Federal acquisitions. Prepares memoranda or reports analyzing facts and issues, explaining the application of Federal, State and local laws affecting the PEO 's multi-million dollar procurement activity. Assists, as necessary, the Navy Office of Counsel in reviewing solicitations, awards, contract termination's and other acquisition matters. Also assists the Navy Office of Counsel, as necessary in representing the Government before the General Accounting Office (GAO) and the Contract Appeal Boards. Recommends appropriate, legally sufficient actions to facilitate successful accomplishment of PEO STRI missions. Provides legal counsel on a variety of complex administrative legal issues

related to PEO STRI acquisitions and that affect the PEO 's mission.

- Serves as a Labor Counselor advising the Chief Counsel and the PEO STRI Human Resources Analyst (when required or requested) in the development of policy and procedures for implementation within PEO STRI, with respect to civilian personnel, labor and equal employment law. Represents the Government, when appropriate, in appeals to the Merit Systems Protection Board (MSPB) and the Federal Labor Relations Authority (FLRA). Acts as the Agency Representative in formal proceedings in Equal Employment Opportunity cases. Represents the agency in other forms of non-contract litigation filed in State or Federal District Court. Responsible for the preparation and presentation of the Agency's case before administrative tribunals. Before these administrative bodies, federal district courts and appellate courts (when delegated by the Department of the Army), the Attorney Advisor is solely responsible for all decisions regarding tactics, theory of the case and settlement negotiations.

3. Upon receipt of notice of State or United States District Court litigation involving the PEO, prepares and forwards litigation reports through Department of the Army to the Department of Justice. When circumstances or filing deadlines require, deals directly with the Department of Justice in formulating initial tactics and responses. When requested by the Department of Justice, drafts motions for filing in the Federal District Court, interviews witnesses, takes depositions, prepares affidavits, and otherwise participates in the conduct of Federal District Court Trials with the status "of Counsel." Serves as the PEO representative for the negotiation and settlement of all forms of litigation.

- Reviews, researches and provides legal interpretation to the Chief Counsel on a wide range of Federal fraud statutes, including but not limited to, the Civil False Claims Act, the Program Fraud Civil Remedies Act, the criminal statutes of the United States Code, the Major Fraud Act of 1988, the Truth in Negotiations Act, the applicability of the Federal Acquisition Regulations and their implementing regulations, Executive Orders, and implementing agency regulations and directives. Determines the requirements for the PEO's compliance with each statute. Provides preventive legal advice, assistance and information as appropriate.

- Conducts legal reviews as required relating to disposition of requests pursuant to the Freedom of Information Act and Privacy Act.

- Provides advice, recommendations and course of action to Military Officers and Enlisted Personnel in matters traditionally considered "legal assistance." This includes the preparation of wills and powers of attorney.

Performs other duties as assigned

Critical Acquisition Position

"This is a Critical Acquisition Position. Unless specifically waived by the appropriate Army official, (i.e., the Director of Acquisition Career Management, the Army Acquisition Executive, or the Secretary of the Army) or if the employee is "grandfathered" under 10 U.S.C. 1736(c)(1), the following are statutorily mandated requirements (Reference: 10 U.S.C. 1733 and 1737):

(1) Selectee must be a member of an Acquisition Corps at the time of appointment.

(2) Selectee must execute, as a condition of appointment, a written agreement to remain in Federal service in this position for at least three years. In signing such agreement, the employee does not forfeit any terms or conditions of employment."

IV. Factors:

Factor: 1. - Problem Solving Level IV.

Work is timely, efficient, and of acceptable quality. Completed work meets project/program objectives. Flexibility, adaptability, and decisiveness are exercised appropriately.

Defines, establishes, and directs organizational focus (on challenging and highly complex project/programs). Identifies and resolves highly complex problems that cross organizational boundaries and promulgates solutions. Resolution of problems requires mastery of the field to develop new hypotheses or fundamental new concepts. Assesses and provides strategic direction for resolution of mission critical problems, policies, and procedures. Works

at senior level to define, integrate, and implement strategic direction for vital programs with long-term impact on large numbers of people. Initiates actions to resolve major organizational issues. Promulgates innovative solutions and methodologies. Works with senior management to establish new fundamental concepts and criteria and stimulate the development of new policies, methodologies, and techniques. Converts strategic goals into programs or policies.

Factor: 2. - Teamwork/Cooperation Level IV.

Work is timely, efficient, and of acceptable quality. Personal and organizational interactions exhibit and foster cooperation and teamwork. Flexibility, adaptability, and decisiveness are exercised appropriately. Leads/guides/mentors workforce in dealing with complex problems. Solves broad organizational issues. Implements strategic plans within and across organizational components. Ensures a cooperative teamwork environment. Leads/guides workforce in achieving organizational goals. Participates on high-level teams. Is sought out for consultation.

Factor: 3. - Customer Relations Level IV.

Work is timely, efficient, and of acceptable quality. Personal and organizational interactions enhance customer relations and actively promote rapport with customers. Flexibility, adaptability, and decisiveness are exercised appropriately. Leads and manages the organizational interactions with customers from a strategic standpoint. Works to assess and promulgate political, fiscal, and other factors affecting customer and program/project needs. Works with customer at management levels to resolve problems affecting program/projects (e.g., problems that involve determining priorities and resolving conflicts among customers' requirements). Works at senior level to stimulate customer alliances for program/project support. Stimulates, organizes, and leads overall customer interactions.

Factor: 4. - Leadership/Supervision Level IV.

Work is timely, efficient, and of acceptable quality. Leadership and/or supervision effectively promotes commitment to mission accomplishment. Flexibility, adaptability, and decisiveness are exercised appropriately.

Establishes and/or leads teams to carry out complex projects or programs. Resolves conflicts. Creates climate where empowerment and creativity thrive. Recognized as a technical/functional authority on specific issues. Leads, defines, manages, and integrates efforts of several groups or teams. Ensures organizational mission and program success. Fosters the development of other team members by providing guidance or sharing expertise. Directs assignments to encourage employee development and cross-functional growth to meet organizational needs. Pursues personal professional development.

Factor: 5. - Communication Level IV.

Work is timely, efficient, and of acceptable quality. Communications are clear, concise, and at appropriate level. Flexibility, adaptability, and decisiveness are exercised appropriately.

Determines and communicates organizational positions on major projects or policies to senior level. Prepares, reviews, and approves major reports or policies of organization for internal and external distribution. Resolves diverse viewpoints/controversial issues. Presents organizational briefings to convey strategic vision or organizational policies.

Factor: 6. - Resource Management Level IV.

Work is timely, efficient, and of acceptable quality. Resources are utilized effectively to accomplish mission. Flexibility, adaptability, and decisiveness are exercised appropriately.

Develops, acquires, and allocates resources to accomplish multiple project/program goals. Formulates organizational strategies, tactics, and budget/action plan to acquire and allocate resources. Optimizes, controls, and manages all across projects/programs. Develops and integrates innovative approaches to attain goals and minimize expenditures.

Incumbent must be able to obtain and maintain a Secret security clearance.

May be required to travel by commercial air to various areas of the U.S. and overseas.

KNOWLEDGE, SKILLS, AND ABILITIES (KSAS) FOR QUALIFICATION PURPOSES.

Requires a fully qualified attorney admitted to practice before the highest court of a state, D.C., a territory, or before a federal court.

Extensive knowledge of federal statutes and regulations in the area of government contract law, civilian personnel law, the Freedom of Information Act, the Privacy Act, the Standards of Conduct for federal employees, and the regulations implementing these laws.

Extensive knowledge of the decisions rendered by courts and administrative bodies, particularly those of the Court of Appeals for the Federal Circuit, the ASBCA (and other Boards of Contract Appeals), the MSBP, EEOC and FLRA, and the General Accounting Office (Comptroller General).

Ability to prepare and argue complex/sensitive cases before the Federal Courts and administrative authorities, such as ASBCA, MSPB, EEOC, and FLRA.

Complete knowledge of the Federal Rules of Evidence, the Federal Rules of Civil Procedure, and the rule of various other forums.

Comprehensive knowledge of the functions, relationships, and methods of operation of the various divisions of the Department of the Army and of its field activities.

Knowledge of personnel and management procedures, practices and techniques.

Ability to persuade others to initiate changes.

Ability to negotiate

Ability to communicate orally and in writing

Ability to establish and maintain relationships with key individuals/ groups outside immediate work unit

Ability to advise others