

OFFICE OF THE GENERAL COUNSEL  
Division of Operations-Management

MEMORANDUM OM 91-82

September 19, 1991

TO: All Regional Directors, Officers-in-Charge,  
and Resident Officers

FROM: Joseph E. DeSio, Associate General Counsel

SUBJECT: Establishment of GS-9 Language Specialist Position

Attached is a newly developed position description establishing a GS-9 Language Specialist position. This new position provides for the career progression of the GS-7 Language Specialist to the GS-9 level.<sup>1</sup> At the present time, Language Specialists are located in those Regions which have demonstrated the need for full-time bilingual capability, most typically in the Spanish language.

Language Specialists independently translate into the appropriate language official Board notices, such as the Notice to Employees in litigated and settled cases and the Notices of Election and ballots in representation cases. These Language Specialists also interpret testimony and translate affidavits obtained from witnesses who do not speak or understand English. Documentary evidence submitted in a language other than English is also translated.

It is apparent that our more experienced Language Specialists have developed an indepth knowledge of labor relations and work place vocabulary and idioms, as well as NLRA procedures and terminology. Substantial reliance is routinely placed upon the experienced Language Specialist's knowledge of our work to independently produce a quality translation or interpretation without supervision.

Accordingly, the GS-9 position is predicated upon the demonstration of a thorough knowledge and understanding of our procedures and terminology, beyond that required for a GS-7. Thus, in addition to interpretative/translating skills, it is expected that a GS-9 Language Specialist will be sufficiently

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1 This memorandum is not intended to modify in any manner the existing Language Assistant position. Employees in these clerical positions are classified at one grade level higher than their normal classification based upon the performance of translation/interpreting duties at least 25 percent of the time.

knowledgeable regarding labor relations idioms, NLRA terminology and procedures so as to be able to serve as the official interpreter at a representation case hearing and to assist at bilingual elections. These duties would be in addition to the normal translation and interpretive duties assigned to a GS-7 Language Specialist. An experienced GS-9 Language Specialist may, of course, assist a field examiner or attorney in the interview of witnesses, for example, by clarifying a particular response provided by the witness. However, the Language Specialist is not an investigator and should not be assigned cases for investigation or asked to independently interview witnesses in the absence of a field examiner or attorney.

It is expected that, normally, Language Specialists will continue to be hired at the GS-7 level, utilizing appropriate OPM procedures. GS-7 Language Specialists will be eligible for promotion to the GS-9 level after 12 months in grade. Such promotion action will be effected based upon the Regional Director's determination that the employee has demonstrated the ability to perform at the GS-9 level, i.e., the employee must otherwise meet performance rating requirements for promotion, (no less than a Fully Successful rating in each critical element). Employees who meet the qualifications for promotion at this time may be promoted upon approval of the Regional Director.

It is our belief that the establishment of the GS-9 Language Specialist position will enable us to recruit and retain highly qualified individuals for this critical aspect of our work. Further, we anticipate that this position will result in a savings to the Agency with respect to the cost of providing interpretation services at representation case hearings.

Please consult with your Assistant General Counsel regarding any questions you may have regarding this memorandum, or if you are of the view that the volume of bilingual work in your Region would warrant the establishment of a Language Specialist position.

J. E. D.

cc: NLRBU

MEMORANDUM OM 91-82

**POSITION DESCRIPTION** (Please Follow Instructions on the Back)

2. Reason for Submission <input type="checkbox"/> Redescription <input checked="" type="checkbox"/> New <input type="checkbox"/> Reestablishment <input type="checkbox"/> Other		3. Service <input type="checkbox"/> Hdqtrs. <input checked="" type="checkbox"/> Field	4. Employing Office Location <b>Washington, DC</b>	5. Duty Station <b>Regional, Subregional &amp; Resident Office</b>	6. OPM Certification No.
Explanation (Show any positions replaced)		7. Fair Labor Standards Act <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Nonexempt		8. Financial Statements Required <input type="checkbox"/> Executive Personnel Financial Disclosure <input type="checkbox"/> Employment and Financial Interests	
		10. Position Status <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Excepted (Specify in Remarks) <input type="checkbox"/> SES (Gen.) <input type="checkbox"/> SES (CR)		11. Position Is: <input type="checkbox"/> Supervisory <input type="checkbox"/> Managerial <input checked="" type="checkbox"/> Neither	
				12. Sensitivity <input type="checkbox"/> 1-Non-Sensitive <input type="checkbox"/> 3-Critical Sensitive <input type="checkbox"/> 2-Noncritical Sensitive <input type="checkbox"/> 4-Special Sensitive	
				9. Subject to IA Action <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
				13. Competitive Level Code	
				14. Agency Use	

15. Classified/Graded by	Official Title of Position	Pay Plan	Occupational Code	Grade	Initials	Date
a. U.S. Office of Personnel Management						
b. Department, Agency or Establishment	<b>Language Specialist</b>	<b>GS</b>	<b>1040</b>	<b>9</b>		
c. Second Level Review						
d. First Level Review						
e. Recommended by Supervisor or Initiating Office						

16. Organizational Title of Position (if different from official title)

17. Name of Employee (if vacant, specify)

18. Department, Agency, or Establishment <b>National Labor Relations Board</b>	c. Third Subdivision <b>Regional, Subregional and Resident Office</b>
a. First Subdivision <b>Office of the General Counsel</b>	d. Fourth Subdivision
b. Second Subdivision <b>Division of Operations Management</b>	e. Fifth Subdivision

19. Employee Review—This is an accurate description of the major duties and responsibilities of my position.

Signature of Employee (optional)

20. **Supervisory 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.

a. Typed Name and Title of Immediate Supervisor	b. Typed Name and Title of Higher-Level Supervisor or Manager (optional) <b>Joseph E. DeSio, Associate General Counsel Division of Operations Management</b>
Signature _____ Date _____	Signature _____ Date _____

21. **Classification/Job Grading Certification.** I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.

Typed Name and Title of Official Taking Action <b>Anthony I. Wonkovich, Chief Personnel Operations Section</b>	22. Position Classification Standards Used in Classifying/Grading Position <b>Information for Employees.</b> The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management. Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or the U.S. Office of Personnel Management.
Signature _____ Date _____	

23. Position Review	Initials	Date								
a. Employee (optional)										
b. Supervisor										
c. Classifier										

24. Remarks

25. Description of Major Duties and Responsibilities (See Attached)

Introduction: The incumbent serves as interpreter-translator in a Regional, Subregional or Resident Office of the National Labor Relations Board. Translates from one or more foreign languages into English and vice versa, official documents and correspondence requisite to the filing, investigation, and further processing of cases. Interprets and translates from one or more foreign languages and vice versa, testimony and instructions at formal hearings and statements in interview.

Major Duties:

- Translates from a foreign language to English documents in files of representation and unfair labor practice cases scheduled for formal hearings or appealed to the Board in Washington.
- Translates into English incoming mail received from the foreign language-speaking community, e.g., specific complaint letters, replies to regional office case inquiries, requests for agency assistance in specific situations, and translates into a foreign language necessary written response to such correspondence.
- Translates into foreign language "Notices" (to employees or union members) that are to be posted by the respondent in accordance with the terms of settlement agreements or as directed by Board orders in unfair labor practice cases.
- Translates into a foreign language official press releases for publication in local newspapers. For the information of the regional office staff, translates into English, articles, editorials and other information published in local newspapers pertaining to activities of the regional office or the agency.
- Translates into a foreign language agency and regional office printed forms used in case processing, such as backpay forms, Settlement Agreements, Request to Proceed, Notice of Election, Instructions to Employees Voting by U.S. Mail, Agreement for Consent Election, etc.
- Acts as interpreter and translator for field examiners and field attorneys in conducting personal interview or telephone conversations with foreign language-speaking persons coming to or calling the regional office, and in taking statements and affidavits in connection with petitions and charges; includes preparing affidavits, on occasion with close supervision. Accompanies examiners and attorneys to locations throughout the region to assist them in interviewing witnesses and taking sworn statements in cases under investigation.

- As assigned, attends formal hearings in representation and unfair labor practice cases to monitor official interpretations from English to a foreign language, and vice versa, of various proceedings in order to keep the regional office staff apprised of any problems in the accuracy of the official interpretations being entered in the record.
- In addition to normal translation assignments, e.g., documents such as affidavits and memoranda, Notices of Election and Notices to Employees, incumbent performs simultaneous translation of witness testimony at Agency representation hearings and elections.
- Performs other duties as assigned.

Factor 1 - Knowledge Required by the Position:

- Fluency in a foreign language(s) that has been supplemented by experience, graduate education, or advanced training in order to translate such material as official documents and correspondence.
- Knowledge of English to produce idiomatic translations using the correct grammar, syntax, and spelling.
- Skill in translating to read and understand the material in one language and mentally transfer the material into the second language.
- Through knowledge of labor relations vocabulary and idioms, NLRA procedures and legal terminology to independently produce accurate translations.

Factor 2 - Supervisory Controls:

- The incumbent receives assignments from supervisor and requestors and other various sources, but the supervisor does not assist in planning how translations and/or interpretations will be completed. The supervisor provides overall guidance within Agency policy limitations by reiterating the importance of the mission of the Agency and the work requirements of the field office.
- Incumbent determines sources for research, and consultation, handles problems with assignments independently, and coordinates the work with others as necessary.
- Completed work is usually reviewed only to verify that it has met the requirements indicated by the user and the standard expected by the Agency.

### Factor 3 - Guidelines:

Guidelines are in the form of oral and written instructions and include such guides as the National Labor Relations Act, as amended, NLRB Rules and Regulations and Statements of Procedure, Regional Office instructions, NLRB manual and case handling memoranda, the Dictionary of Occupational Titles, Black's Law Dictionary and appropriate foreign language dictionaries. However, the above-stated guidelines are less applicable to specific situations and require adapting them to the situation at hand. Incumbent frequently deals with material or situations that include legal terminology and/or issues not found in common reference material which therefore have limited usefulness. Incumbent uses less common references, i.e., previous translated "casework", textbooks on the subject-at-hand, not only to establish the correct terminology, but to gain an understanding of the subject matter so that the translation is idiomatic.

Incumbent develops card files, technical glossaries, and other material as an aid in completion of his/her work. Incumbent uses judgment in determining sources of information to aid in translation, in deciding how literal a translation should be, or in making a recommendation on the necessity of a translation.

When interpreting, incumbent uses judgment in quickly deciding on the appropriate phrase, for example; in intervening if incumbent feels that speakers do not understand each other, in asking their own question if it will help to elicit needed information.

### Factor 4 - Complexity:

The incumbent must have a good understanding of case processing procedures and the established deadlines for preparation of materials. Incumbent is expected to use initiative in organizing assignments and handling matters in order of priority. Functions performed are diversified because of the wide variety of case situations, industries involved and operational problems presented. The position requires familiarity with labor relations, understanding of the policies and processes of the Board and the General Counsel; and familiarity and understanding of legal and NLRA terminology.

### Factor 5 - Scope and Effect:

The incumbent is responsible for the accuracy of translations assigned. Many of the documents to be translated are very important to the status of a case and frequently have short deadlines for filing or for transmittal to parties, counsel or the Board, requiring that the incumbent recognize the urgency and importance of specific material. Delays or errors in accomplishing the translation could result in serious delays in case processing. Accurate translations of correspondence, legal documents, sworn statements, evidence, Board decisions, officials forms and instructions and similar materials are essential to the

proper disposition of cases and effective regional office operations.

Factor 6 - Personal Contacts:

Personal contacts are with attorneys or field examiners and other individuals in the office and when necessary foreign language speaking persons coming to or calling the office.

Factor 7 - Purpose of Contacts:

The purpose of the contacts is to provide and monitor oral and written translations and to monitor official interpretations at NLRB representation and unfair labor practice proceedings.

Factor 8 - Physical Demands:

The work is sedentary in nature. However, there is some bending, stooping, standing and walking.

Factor 9 - Work Environment

The work is normally performed in an office setting. As necessary, may require some travel to locations throughout the office area.



Title, Series, and Grade Language Specialist, GS-1040-9

Organization Regional, Subregional or Resident Office Position #

EVALUATION FACTORS		Factor Level	Points Assigned	Standard Used (Rmk# FL#, etc.)	Comments
1.	Knowledge Required by the Position	1-6	950	Language Specialist GS-1040 Series	
2.	Supervisory Controls	2-4	450		
3.	Guidelines	3-3	275		
4.	Complexity	4-3	150		
5.	Scope and Effect	5-3	150		
6.	Personal Contacts	6-2	25		
7.	Purpose of Contacts	7-1	20		
8.	Physical Demands	8-1	5		
9.	Work Environment	9-1	5		
S U M M A R Y	Total Points		2030	Remarks: As appropriate desk audit findings or other considerations not previously documented which affect final grade.	
	Grade Conversion	GS-9			

