



United States Office of Personnel Management

Office of Merit Systems Oversight and Effectiveness
Digest of Significant Classification Decisions and Opinions
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Standard: [Fire Protection and Prevention Series, GS-0081](#) (September 1991)
Factor: N/A
Issue: Use of the mixed-grade rule in evaluating driver/operator positions

Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's consideration of a group appeal. The Fire Department operated a small number of fire-fighting vehicles comparable in complexity to those described at the GS-6 level of the standard (e.g., pumpers, aerial ladder trucks, crash-rescue trucks). At issue was whether the driver/operators of both the primary pumper and the booster pumper could be credited with performing GS-6 level work. The region requested an advisory opinion from the Office of Personnel Management's Office of Classification on the relevance of previous guidance (*Digest of Significant Classification Decisions and Opinions*, Number 12, page 1) on the grade-level impact of emergency work.

Resolution

The Office of Classification issued two advisory opinions stating that firefighting work is similar to emergency work of other occupations, such as police and guards, in that the frequency and nature of emergencies cannot be predicted. Specifically, the Office of Classification advised:

Firefighters, therefore, are trained to respond to a variety of conditions that might occur at a particular installation. They must be prepared to react to each emergency with a response appropriate to the conditions encountered. Consequently, firefighters are often trained for duties and functions that they do not "regularly" perform, such as driver/operator duties.

There is a fundamental difference, however, between the use of specialty training by firefighters and police. Firefighters' assignments can be controlled in the sense that, on each shift, a full-time driver/operator is typically assigned for each piece of equipment and the individual performs those duties in response to any and all alarms for the entire shift These assignments require that the full level of proficiency be maintained and applied on a moment's notice.

The Office of Classification further advised that regular and recurring work as a driver/operator was grade controlling so long as at least 25 percent of the employee's time is used in some combination of: (1) driving firefighting vehicles described at the GS-6 grade level, (2) training to drive these vehicles, or (3) serving as the designated driver/operator.

In the appealed case, the activity's firefighting vehicles included two pumpers. The back-up pumper was used to boost water pressure to the primary pumper from which the lines were run. The driver/operator of the primary pumper determined the path to the potential fire site, determined the number of lines to be used, and relayed pressure requirements to the operator of the booster pumper.

The region concluded that the duties performed by the driver/operator of the primary pumper fully met the intent of the GS-6 level criteria, but determined that the driver/operator of the booster pumper did not perform the full range of duties and responsibilities envisioned by the GS-6 criteria. Consequently, the region concluded that only the duties of the driver/operator of the primary pumper warranted evaluation at the GS-6 level. The region further concluded that the GS-6 work was grade controlling so long as 25 percent of the employee's time was expended on some combination of: (1) driving the primary pumper, (2) training to drive this vehicle, or (3) maintaining a state of readiness as the designated driver/operator. The region concluded that one position of driver/operator of the primary pumper on each shift warranted classification at the GS-6 level.