

**JOB GRADING APPEAL DECISION
OFFICE OF PERSONNEL MANAGEMENT
CHICAGO FIELD SERVICE OFFICE**

Appellant: **[Appellant]**
Job Number: FO1035
Agency Grading: Automotive Worker Supervisor
WS-5823-8
Job Location: U.S. Department of Justice
Federal Bureau of Prisons
[Installation]
[City, State]
Office of Personnel Management Decision: **Automotive Worker Supervisor
WS-5823-8**
OPM Decision Number: C-5823-08-02

This appellate decision constitutes a certificate that is mandatory and binding on administrative, certifying, payroll, and accounting offices of the Government. It is the final administrative decision on the grading of the job, not subject to further appeal. It is subject to discretionary review only under the conditions specified in 5 C.F.R. 532.705 (f).

/s/

FREDERICK J. BOLAND
CLASSIFICATION APPEALS OFFICER

6/3/97

DATE

INFORMATION CONSIDERED

- ▶ Appellant's letter dated May 1, 1996, and earlier correspondence.
- ▶ Agency letter dated July 5, 1996, and its enclosures.
- ▶ Copy of the official description of the appellant's job, number FO1035.
- ▶ Copy of the Department of Justice's decision regarding the review of the appellant's job through the agency job grading appeal process.
- ▶ Copy of the official description of the appellant's supervisor's job.
- ▶ Copy of the appellant's performance standards.
- ▶ Copy of the organization chart and statement of functions for [Activity], [Installation], [City, State].
- ▶ Agency analysis of inmate work provided through memos dated July 23, July 30, and October 4, 1996.
- ▶ Audit of the appellant's job by telephone discussion with him on February 6, with his supervisor on January 31, and by onsite visit on May 1, 1997.

EVALUATION CRITERIA

- ▶ OPM Job Grading Standard for Supervisors, dated December 1992.
- ▶ OPM Job Grading Standard for Automotive Mechanic, WG-5823, dated June 1990.
- ▶ OPM Job Grading Standard for Engineering Equipment Operator, WG-5716, dated January, 1969.

INTRODUCTION

The appellant, an employee of the Federal Bureau of Prisons (BOP), [Installation], [City, State], contests a classification decision made by the Department of Justice. He is assigned to job number FO1035, graded as an Automotive Worker Supervisor, WS-5823-8.

The appellant believes that the inmate workers under his supervision possess knowledges and skills and work with sufficient independence and responsibility to be considered working at the WG-8 worker level. He feels that Factor II - Level of Work Supervised, of the Job Grading Standard for Supervisors should be evaluated as WG-8. He disagrees with the Department's determination that the level of work performed by the inmates under his supervision equates to the WG-5823-7 level.

JOB INFORMATION

The purpose of the appellant's job is to supervise and train inmates assigned to the [activity], which performs scheduled maintenance, corrective maintenance, and repair of vehicles used at the facility.

The appellant also supervises inmates in the operation of the institution's vehicles, which include engineering and construction equipment.

The [activity] maintains over-the-road vehicles including passenger cars, pick-up trucks, heavy trucks, buses, tractors, forklifts, lawn equipment, various pieces of farm equipment, engineering and construction equipment, and a motorboat. The majority of the work carried out by inmates involves servicing, maintenance, repair, and overhaul of combustion-powered vehicles. Work performed ranges from routine servicing of vehicles and equipment, e.g., oil changes, fueling, tire changes, fluid checks, and other preventative maintenance, to rebuilding of engines, transmissions, and other systems. All worn or faulty systems are repaired, reconditioned or rebuilt to assure safe, trouble free operation. In addition to maintaining vehicles, the appellant and his inmate crew operate engineering and construction equipment in support of the other trade shops at the institution. Engineering and construction equipment in the [activity's] inventory includes a road grader, a backhoe, a trencher, and a bulldozer. The appellant estimates that approximately 80% of his time is devoted to garage supervision and 20% is devoted to equipment operation.

The appellant is responsible for ensuring that maintenance and repair work needed to keep the institution's fleet of vehicles and equipment in good working condition is carried out as required or specified, using available inmate labor. Inmates assigned to the appellant may have excellent mechanical experience, but many usually require additional training. The appellant assigns inmates to particular jobs, making assignments according to the individual inmate's knowledge and skills. He matches the difficulty of the work with the skill of the inmates as best he can. Inmates receive on-the-job training as required.

The appellant's [activity] crew consists of inmates from the prison camp population, currently 6 in number, most of whom came with some mechanical experience. The number of inmates assigned varies depending on the availability of competent inmates in the prison population. The crew, which ranges in size from 6 to 10 inmates, usually has 7 or 8 inmates. The length of time the inmates are assigned to the appellant's crew averages 12 to 18 months, but may vary from as few as 6 months to 2 years.

The appellant is responsible for planning and scheduling maintenance and repairs on vehicles. He determines necessary regular vehicle maintenance schedules, specifying in detail what materials and procedures are required for individual vehicles and what timetable should be followed, i.e., daily, weekly, monthly, and quarterly. The appellant determines inmate work schedules and materials needed. He assigns vehicle maintenance work on a daily basis to inmates. He requires inmates to perform testing and troubleshooting to ascertain the nature of mechanical problems. Then, based on the information they provide, the appellant determines what actions are required to meet the institution's needs. The inmates explain their plan before the work commences. The appellant reviews the appropriateness of the proposed course of action and approves or modifies it. While inmates identify specific parts and materials necessary to complete assigned work, review and concurrence of the appellant is required to obtain needed repair parts. The appellant acquires needed parts from inventory or orders necessary parts. Inmates are permitted to select tools they need to perform their work assignments and the appellant accounts for all tools at noon and at the end of each day.

The appellant is also responsible for the operation of the heavy equipment assigned to the [activity]. The appellant receives requests to excavate, trench, or level earth from other shops at the institution. Common requests include excavating in support of underground utility repair work or clearing and grading land for construction of buildings or roads. The appellant reviews the work request and determines the appropriate equipment for the job and the level of skill necessary to operate the equipment. If capable inmates are available on his crew, he assigns the work to inmates. For the more difficult assignments, he either personally performs the work or personally supervises inmates performing the work. Many of the requests for excavating are of an emergency nature (e.g. repairing underground utility lines), which requires altering scheduled work to react to the emergency. Many of the vehicles in the garage are equipped with snow plows and the appellant is responsible for snow removal at the institution. Both the appellant and inmate crew members operate snow removal vehicles.

The appellant ensures quality maintenance and repair of vehicles. He sets the standards for quantity and quality of work produced by inmates. He determines work assignments for his crew based on established maintenance schedules and equipment operation requests, taking into consideration the experience, skill, and training of the available inmates. He demonstrates proper methods and procedures for accomplishing various tasks. He inspects and tests all installations to ensure that work has been completed as specified and that appropriate trade standards have been met. He also is expected to provide an environment in which inmates can develop and use their skills as mechanics.

The appellant evaluates the inmates' work performance, recommends training, establishes performance pay levels, and maintains time and attendance records on a monthly basis. He counsels inmates, hears grievances on work-related issues, and initiates disciplinary action where warranted. He maintains required progress reports, logs, and production status reports on all work for which he is responsible. The appellant also maintains records on equipment use, tools, materials, and parts on hand and ordered, etc. He prepares requisitions for materials and equipment, including equipment justifications.

In addition to the primary function of overseeing the work of inmates, the appellant also performs nonsupervisory duties similar to those performed by the inmates and other duties in support of the garage. These duties include serving as dispatch officer with responsibility for assigning vehicles and for coordinating with other departments concerning trips involving institution vehicles; preparing and following up on purchase requirements for timely ordering of equipment, supplies, and materials in his role as Cost Center Manager; serving as Accountable Property Officer with responsibility for an inventory of more than one million dollars of equipment; determining, controlling, and reporting the fuel requirements for the institution; and coordinating with other supervisors on material, chemicals, and equipment to be used at the institution.

ANALYSIS AND FINDINGS

Pay System Determination

A supervisory job is exempt from the General Schedule only if the paramount requirement of the job is knowledge and experience in trades, crafts, or laboring. The primary supervisory duty for the

appellant's job is the maintenance and repair of the [Installation's] vehicles through the direct oversight and instruction of inmates. The chief requirement of this job, then, is knowledge and experience in the automotive trades. Consequently, this job is exempt from the General Schedule and falls under the Federal Wage System (FWS).

Code and Title Determination

The occupational code of a supervisory job is normally the same as the code for the kind of work that is supervised. When work of more than one occupation is supervised, the occupational code of a supervisory job is the same as the code of the occupation that best reflects the overall nature of the work of the occupations supervised and/or that is the most important for recruitment, selection, placement, and other personnel purposes.

The work supervised by the appellant involves trades and practices represented by the Automotive Mechanic, WG-5823 occupation, the Engineering Equipment Operator, WG-5716, and other occupations. From a recruiting and placement standpoint, none of the occupations reflects more demanding work or better encompasses overall operations than the Automotive Mechanic occupation.

Supervisory jobs are identified by the job title of the occupation selected for code determination, followed by the supervisory designation. Therefore, the appropriate title for the appellant's job is *Automotive Worker Supervisor*.

GRADE DETERMINATION

Jobs responsible for the technical and administrative supervision of subordinates in trades and labor work are graded by the Job Grading Standard for Supervisors when such responsibility is a regular and recurring part of the job and exercised on a substantially full-time and continuing basis. When both supervisory and non-supervisory work are a regular and recurring part of the job, the final grade of the job is the supervisory or nonsupervisory grade that results in the higher pay rate for the job. Accordingly, we first examine the appellant's supervisory duties and then his personally performed work for comparison.

The grading plan for wage grade supervisors consists of three factors: Nature of Supervisory Responsibility, Level of Work Supervised, and Scope of Work Operations Supervised.

Factor I: Nature of Supervisory Responsibility

This factor covers the nature of supervisory duties performed and the type and degree of responsibility for control over the work supervised. Four basic supervisory situations are described in terms of planning, work direction, and administrative responsibility. To be credited, the level of supervisory responsibility described for a situation must be fully met.

The appellant does not disagree with his agency's assignment of Situation #2 to this subfactor, with which we concur. He is responsible for each of the seven Planning elements and each of the three Work Direction elements of Situation #2. The Administrative elements described under Situations #1 and #2 do not all directly apply to inmate supervision; however, the appellant has equivalent

administrative responsibility for training, counseling, and motivating inmates. Unlike Supervisors in Situation #3, he is not responsible for work operations carried out by subordinate supervisors in two or more separate organizational segments or groups.

We evaluate this factor of the appellant's work as Situation #2.

Factor II: Level of Work Supervised

This factor concerns the level and complexity of the work operations supervised and their effect on the difficulty and responsibility of the Supervisor's job. All substantive work for which the Supervisor is technically accountable (either directly or indirectly through subordinate supervisors, team leaders, or others) is considered. Excluded from consideration is support or facilitating work, work that is graded based upon supervisory or leader standards, work that is graded higher than normal because of extraordinary independence from supervision, and work personally performed by the Supervisor. When the Supervisor is accountable for two or more functions, each with its own primary purpose or mission, the different occupations directly involved in carrying out the separate functions must be identified and evaluated separately.

The main purpose or mission of the [Activity] is maintenance and repair of the [Installation's] vehicles. As a secondary function, operation of the engineering equipment is also assigned to the [Activity]. Because inmates work under job descriptions and pay levels outside the FWS, their equivalent FWS grades must be determined based upon a comparison of their duties and responsibilities against OPM standards. Grading determinations by the appellant's agency find one inmate on the appellant's crew performs the equivalent of GS-303 Clerical work, another WG-5716 Engineering Equipment Operation, and the remainder WG-5823 Automotive Mechanic work. Barring specific evidence to the contrary, the classification of subordinate jobs is presumed accurate when deciding supervisory job grading appeals. The appellant disputes his agency's grading only regarding the level of the WG-5823 work, which is considered below. Not considered are the work the appellant personally performs, clerical or other General Schedule work, and emergency or other temporary assignments given his crew. Such work is properly excluded from consideration, as required under the FWS grading principles.

(Engineering Equipment Operation is a separate function assigned the [Activity] and evaluated separately from the automotive repair function. The agency evaluates such work at the WG-8 level, which makes it no higher than other work considered below. Even if it were higher graded, the single job by itself would not accurately reflect the overall complexity of operations supervised.)

The Job Grading Standard for the Automotive Mechanic, WG-5823, contains four factors for determining grade level: Skill and Knowledge, Responsibility, Physical Effort, and Working Conditions. In order for a grade to be credited to the inmates' work, each of the four factor levels at the grade must be fully met.

The appellant directs the inmates in accomplishing maintenance and repairs on a full range of combustion powered vehicles including passenger cars, pick-up trucks, heavy trucks, buses, tractors, forklifts, lawn equipment, various pieces of farm equipment, engineering and construction equipment, and a motorboat. The inmates perform routine servicing and preventive maintenance services on the

vehicles. Routine servicing of vehicles includes oil changes, fueling, tire changes, transmission and other fluid checks, etc. Routine scheduled maintenance of vehicles includes replacing spark plugs, belts, and hoses; checking engine components; performing tune-ups; locating and replacing worn or defective parts; and similar measures. In addition, some inmates assigned to his crew possess or develop the skill to perform more complicated and complex repairs and mechanical work such as overhauling engines, rebuilding transmissions, performing fuel system repairs, etc.

Inmates perform visual and auditory checks to locate and detect worn or poorly adjusted parts. The most experienced inmates use computer diagnostic and test equipment to determine causes of mechanical problems or failures. The inmates discuss with the appellant what they believe must be done to correct the problem and request the parts, if necessary, to accomplish repairs. The appellant considers the inmate's recommendations and determines the appropriate course of action. If a new part is needed, inmates research repair manuals and parts manuals to determine the appropriate part. The appellant approves and submits the parts request if he agrees with the diagnosis and recommended corrective actions. The appellant is responsible for ensuring that the most cost-effective repair methods are used by the inmates. The appellant inspects and tests work upon completion to ensure that the problem has been corrected and accepted trade standards and specifications have been met. Upon completion of work by his crew, the appellant inspects and tests all vehicles and equipment to ensure roadworthiness.

The appellant is available to provide technical supervision, and makes assignments to correspond to skill levels of available inmates. The inmates generally possess at least basic mechanical skills and skill with tools and equipment, and they can read and interpret repair manuals and parts manuals.

The Skill and Knowledge criteria for the WG-8 level in the Automotive Mechanic Job Grading Standard include removing, replacing, cleaning, and installing a variety of parts, components, and accessories such as filters, radiators, engine thermostats, wheel cylinders, universal joints, wheel bearings, springs, shock absorbers, mufflers, components of heating and air conditioning systems, brake components, catalytic converters, clutch assemblies, carburetors, and suspension components such as lower control arms, struts, constant velocity joints, and stabilizer arms. Workers at this level must have the ability to determine when parts should be cleaned and reinstalled or replaced with standard parts. They must have a basic understanding of electricity and hydraulics, and the skill needed to make adjustments and settings, such as performing engine tune-ups, setting engine timing according to specifications, and adjusting brakes and power steering mechanisms. They must have a basic understanding of on-board computer diagnostic systems and other test equipment, and the ability to test automotive computer control systems and emission systems. They must be skilled in using basic tools common to the occupation (e.g., wrenches, sockets, ratchets, impact wrenches, torque wrenches, pliers, brake tools, and screwdrivers); in operating equipment common to the trade (e.g., front-end alignment and wheel balancing equipment, turning and grinding equipment for servicing brake drums and discs or rotor assemblies, and drilling and pressure bleeding devices); and in operating a small variety of test equipment (e.g., engine analyzers, capacity testers to determine if batteries are discharging or need replacement, hand-held computer diagnostic equipment, circuit testers, micrometers and dial indicators, tachometers, dwell meters, and battery hydrometers). The regularly scheduled work carried out by the inmates, after receiving appropriate training, is most like these kinds of assignments.

At the WG-10 level, the standard depicts a thorough knowledge of make-up, operation, and installation of complex major systems; the ability to test and troubleshoot major systems to determine how far to tear down major components and what parts to rebuild or to replace; and the skill to use specialized tools such as lathes and electronic test equipment. Some highly skilled inmates (generally those designated in the highest pay grade - number 1) may, on occasion, demonstrate the ability to troubleshoot, repair, and/or overhaul major components and systems such as engines, transmissions, etc. However, even these inmates' recommendations for major repairs are discussed with the appellant and actions are subject to the appellant's concurrence or approval. Other inmates clearly perform such tasks as most subjourney level workers would, i.e., as part of their training.

At the WG-8 responsibility level, the supervisor assigns work orally or through work orders indicating the nature of the work to be done. The supervisor provides assistance when standard procedures fail, for more complex tasks, or when a task is performed for the first time and checks completed work for compliance with instructions. The level of inmate supervision at the [Activity] equates to WG-8 responsibility. The appellant makes assignments; is available in the workplace to observe work; provides periodic guidance, particularly if inmates are having difficulty with a task; and checks all completed work to assure high quality standards are achieved. The inmates select tools to perform the work, leaving a personalized "chit" at the tool's silhouette on the tool board to signify which tools have been selected by the inmate.

At the WG-10 Responsibility level, employees use judgement and make decisions independently. They independently determine the type and extent of repairs needed with little or no checking during the progress of the work or upon completion of the work. The WG-10 standard is not met. While some inmates make judgments and decisions on what to do and what is necessary to do the work, the appellant must review their determinations and all work is inspected both in progress and upon completion.

The Physical Effort criteria and the Working Conditions criteria are the same for the WG-8 and 10 levels, reflecting their common work environment. Both workers and mechanics are expected to endure tiring, awkward, and uncomfortable positions, extended standing, and carrying parts and tools. All are expected to work in environments with drafts, noise, and fumes and are exposed to dirt, dust, grease, shocks, etc.

Summarizing, inmate duties, particularly those performed by the most experienced inmates, fully meet the WG-8 Automotive Mechanic criteria for all four factors. Since all four factors are fully met at the WG-8 level, the level of work supervised is determined to be WG-8. The criteria for WG-10 are not fully met and, therefore, inmate duties cannot be evaluated at the WG-10 level. We evaluate the base level of the work supervised by the appellant at WG-8.

Factor III: Scope of Work Operations Supervised

This factor considers supervisory responsibilities in terms of: (1) the scope of the assigned work function and organizational authority; (2) the variety of functions supervised; and (3) the physical dispersion, work coordination, and location of subordinate employees.

Subfactor A: Scope of Assigned Work Function and Organizational Authority.

This subfactor covers the purpose of the job in the organization, the extent and nature of the job's authority, and the importance of the job's decisions.

The appellant does not disagree with his agency's assignment of Level A-2 to this subfactor, with which we concur and for which we credit 45 points.

Subfactor B: Variety of Functions.

This subfactor covers the difficulties of technical supervision of work functions. Similar or related work functions have a common or related body of knowledges, skills, work procedures, and tools (e.g., pipefitting and plumbing, carpentry and woodworking, etc.). Work that is incidental or in support of the primary function is not considered.

The appellant provides technical supervision to inmates engaged primarily in automotive mechanical functions, none of which exceed the WG-8 level. In addition, he directs an inmate who operates engineering equipment equivalent to that found at the WG-8 level of the Engineering Equipment Operator, WG-5716, standard, according to his agency's work analysis. This fully meets the criteria for Level B-4, which covers supervisors who direct the work of subordinates in dissimilar or unrelated occupations at grades 8-13.

Level B-5, which covers supervision of work at grades 14-15, is not met. Consequently, we evaluate this subfactor at Level B-4 and credit 60 points.

Subfactor C: Workforce Dispersion.

This subfactor covers the difficulty of monitoring and coordinating work of non-supervisory and supervisory personnel based upon the duration of work projects, the number of work sites, the frequency of dispersion, and the necessity to monitor and coordinate the work. No points are credited for this subfactor if subordinates are located in the same contiguous work area with the supervisor, when dispersion occurs infrequently, or when dispersion is inherent and the work is performed in the absence of direct supervision (e.g., as when operating a motor vehicle).

The appellant does not disagree with his agency's assignment of no points for this subfactor, with which we agree.

The total credit for Factor III is 105 points, which equates to Level B (70 to 110 points) of the conversion chart on page 20 of the standard.

Tentative Grade Assignment

According to the Grading Table on page 23 of the standard, Supervisory Situation #2 coupled with a WG-8 level of work supervised and level B work scope equates to the WS-8 grade level.

Grade Adjustment

Both upward and downward grade adjustments from the tentative grade are required based on certain circumstances. A situation requiring a downward adjustment is offset by an upward adjustment. Grade level adjustments may not exceed one grade level.

Downward

A downward adjustment is indicated when the tentative grade would be the same grade as the Supervisor's superior. The appellant's superior is a WS-14 and no downward adjustment is indicated.

Upward

Upward grade adjustments are indicated for borderline jobs and work situations that impose special or unusual demands on the supervisor.

Borderline Jobs

An upward adjustment is indicated when the supervisory job substantially exceeds the situation credited under Factor I and the base level of work determined under Factor II is not the highest level of subordinate work for which the supervisor has full technical responsibility. The appellant's responsibility does not exceed the level credited under Factor I (i.e., Situation #2) and the base level of work determined under Factor II (i.e., WG-8) is the highest level of work supervised by the appellant. Therefore, a grade adjustment based on borderline conditions is not appropriate.

Special or Unusual Demands

In some situations, special staffing requirements may impose a substantially greater than normal responsibility for job design, job engineering, work scheduling, training, counseling, motivating, and maintaining security. This may occur under special employment programs and at correctional institutions having *exceptionally* difficult attitudinal, motivational, control, and security problems. An upward grade adjustment is indicated when exceptional conditions affect the majority of the subordinate workforce and 1) are permanent and continuing, 2) require the tailoring of assignments, tasks, training, security, and other supervisory actions to individuals, and 3) require regular and recurring counseling and motivational activities.

The special demands grade adjustment does not automatically apply to all correctional institution supervisors, but only to those facing all three conditions specified. The appellant notes that inmates from the minimum security work camp environment have a different mentality because they are outside the fence, implying that minimum security inmates are generally more willing to work. Although inmate skills vary greatly, inmates generally bring some mechanical skills into the work environment. Assignments are individually tailored based on work knowledges, but no more so than would be expected in a supervisory situation involving unskilled workers outside of a correctional institution environment. The appellant indicated that some inmate counseling occurs. In association with documentation of inmates' hours worked and pay, inmates receive a monthly performance appraisal which includes individual feedback on both work performance and behavior in the work environment. Occasionally, based on the inmate's demeanor, the appellant will approach an inmate

to find out what the problem is and how the situation might be resolved. The appellant recounted one recent example where he provided specific counseling to an inmate who had experienced a death in his family. The appellant indicated that counseling is not a daily event but he does counsel inmates on occasion.

The above instance of counseling does not demonstrate that there are exceptional demands requiring that the appellant regularly attend to counseling and motivational activities for most of his crew, that he tailor assignments, training, security measures, etc., on an individual basis for most of the workers because of exceptional demands, and that such activities and requirements are a permanent and continuing part of his work. The appellant must maintain overall security and control of tools, parts, and raw materials used in the work environment. The general circumstances referenced by the appellant largely pertain to all correctional institutions and are credited under Factor I in lieu of the fuller administrative requirements otherwise absent from his job. Consequently, no upward grade adjustment can be credited for special demands.

Neither downward nor upward adjustments to the WS-8 tentative grade are indicated. Accordingly, we next examine the appellant's personally performed work to determine which duties represent the higher pay rate for the job.

Personally Performed Work

In situations where supervisors also perform nonsupervisory work on a regular and recurring basis, each type of work is graded separately. The final grade of the job is then determined by selecting the supervisory or nonsupervisory grade which results in the highest pay rate for the job. The appellant personally performs work in two areas, automotive repair and engineering equipment operation. His automotive repair work equates to the WG-10 journey level of the Automotive Mechanic, WG-5823, job grading standard. His engineering equipment operation cannot exceed the WG-10 level unless it regularly involves fine grading of rough terrain, as defined in the WG-5716 standard, which it does not. In the [City, State] Wage Area, the representative rate for WS-8 (step 2, \$20.38) is more than the representative rate for WG-10 (step 2, \$16.60). Therefore, the appellant's supervisory duties determine his pay grade.

DECISION

For the reasons stated above, the proper job grading of the appellant's job is Automotive Worker Supervisor, WS-5823-8.