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**Pay Category Appeal Decision
Under section 5103 of title 5, United States Code**

Appellant: [Appellant]

Agency classification: Instrument Mechanic
WG-3359-10

Organization: Department of the Navy

OPM decision: Federal Wage System

OPM decision number: C-3359-00-01

_____/s/_____
Kathy Day
Classification Appeals Officer

_____/3/28/00_____
Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the Introduction to the Position Classification Standards, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[Appellant's representative]

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Introduction

On December 28, 1999, the Atlanta Oversight Division of the U.S. Office of Personnel Management (OPM) received a pay category appeal from [appellant] who works in the [organizational location], Department of the Navy, [geographic location]. His job was changed from General Schedule (GS) to Federal Wage System (FWS) as the result of a classification consistency review by his agency. A subsequent appeal decision issued by the Defense Civilian Personnel Management Service (CPMS) sustained the agency determination that changed his job from Engineering Technician, GS-802-9, to Instrument Mechanic, WG-3359-10. The appellant believes that his job should be placed in the GS. We have accepted and decided his appeal under section 5103 of title 5, United States Code (U.S.C.).

General issues

The appellant's job was moved from GS to FWS as the result of an OPM directed classification consistency review. In his appeal to the agency, the appellant contends that his agency misapplied OPM guidance related to determining the proper pay system for his position. He also contends that the calibration work he performs is secondary to regular and recurring duties involving providing technical support to weapons systems, consultation services to other technicians and engineers, and serving as liaison for technical support groups. The appellant believes that these duties are a management requirement and, as such, are more appropriate for inclusion in GS and classifiable as Engineering Technician, GS-802-9, work.

We have evaluated the work assigned by management and performed by the appellant. In reaching our decision, we carefully reviewed the information provided by both the appellant and his agency, including the appellant's job description of record [#].

Job information

The mission of the [organizational location] is to provide complete mechanical and electrical/electronic calibration support to the [organization] and other fleet activities and organizations. The [organizational location] is responsible for ensuring that equipment is calibrated, meets specifications, and is properly and efficiently used. It provides technical guidance related to equipment calibration and certification; calibration support for standards and traceability to standards developed by the National Institute of Standards and Technology; and on-site calibration for weapons systems and complete test systems. Responsibilities include repairing, reworking and calibrating precision test equipment; maintaining measurement standards; operating the shipboard pressure and temperature standards program; and providing technical support and repair services for the fleet.

The appellant is responsible for the calibration of Test and Measurement Equipment (T&ME) and the measurement of physical and dimensional measurement characteristics such as current, pressure, vacuum, temperature, humidity, precision mass, optical, force, and others. He calibrates, certifies, cross-checks, maintains, repairs or modifies T&ME as well as measurement of standards of the Advanced Capability Standards Laboratory, other calibration laboratories, and other customer activities. He also conducts on-site field surveys and quality assurance audits to assure calibration capability requirements are met at shore and shipboard calibration laboratories. He notes deficiencies and discrepancies, investigates problems, develops

alternative solutions, prepares comments and recommendations, and conducts any required follow-ups.

During our fact finding, the appellant reported that the work of his present position involves 10 percent repair work, 70 percent calibration work, and 20 percent administrative work (e.g., locating test procedures on the automated system or manually pulling procedural documents and manuals, contacting equipment users and manufacturers, engineers, technicians and other mechanics, etc.).

Pay category determination

Section 5102 of 5 U.S.C. requires that a pay category determination be made as the first step in the position classification process. Section 5102(c)(7) exempts from the GS employees in recognized trades or crafts, or other skilled mechanical crafts, or unskilled, semiskilled, or skilled manual labor occupations, and other employees in positions having trade, craft, or laboring experience and knowledge as the paramount requirement. The OPM Introduction to the Position Classification Standards defines paramount requirement as the essential, prerequisite knowledge, skills, and abilities needed to perform the primary duty or responsibility for which the position has been established. Whether particular types of positions are trades, crafts, or manual labor occupations within the meaning of title 5 depends primarily on the most important requirement for the performance of a primary duty or responsibility for which the position exists. If a position clearly requires trade, craft, or laboring experience and knowledge as a requirement for the performance of its primary duty, the position is under the FWS regardless of its organizational location or the nature of the activity in which it exists.

The Introduction goes on to say that "A position is exempt from the General Schedule if its primary duty involves the performance of physical work which requires knowledge or experience of a trade, craft, or manual labor nature," and that "A position is subject to the General Schedule, even if it requires physical work, if its primary duty requires knowledge or experience of an administrative, clerical, scientific, artistic, or technical nature not related to trade, craft, or manual labor work."

The Introduction to the Electronic Equipment Installation and Maintenance Family, WG-2600, provides valuable guidance on differentiating between FWS and GS work. In distinguishing between mechanic (FWS) and technician (GS) work, "the difference between the electronic mechanics and electronic technicians is not so much in the types of skills, knowledges, and abilities possessed but in the degree to which they are possessed and the manner in which they are used." In assessing testing work, performing testing is an "inherent part of a trades function such as repair, maintenance, installation, and fabrication." Such trades work "includes making measurements to diagnose malfunctions, to align and calibrate equipment, and to assure that equipment operates within prescribed standards and tolerances. . . . Positions in which the performance of such testing work is the paramount requirement are trades positions." Testing work is GS technician work when it is "part of engineering functions . . . concerning projects such as the development or evaluation of new or modified electronic systems or monitoring of frequency emissions by licensed stations. In these cases, they are not only doing the testing but evaluate the data and form engineering conclusions as to the acceptability of equipment modifications, validity of testing procedures and data, or legality of operations."

The guidance further states that, although work performed by the mechanic and technician may appear similar on the surface, a “basic difference between the technician and the mechanic is in the mental approach to the problem faced. The technician uses electronic theory, mathematical knowledge, etc., as the basis for ‘new thought’ to solve engineering problems in conventional areas of endeavor, e.g., design and construction of amplifier circuits, pulse forming networks, etc. . . . The mechanic, on the other hand, uses a similar background of electronic theory, mathematics, and experience as the basis for ‘second thought,’ i.e., to follow and understand the design concepts of others, to understand the purpose and operation of parts and circuits, to follow signal flow through assemblies and components and recognize proper wave forms and signal values in order to tune equipment for optimum performance and to locate and correct malfunctions.”

The distinction between FWS and GS work “is blurred somewhat by the innovative ability of many experienced electronic mechanics . . . exhibited in the development of shortcut procedures . . . the recognition and recommendation of correction of errors in documentation; or recommendations of methods, design changes, etc., to remedy a deficiency.” This guidance also cautions that “it is significant to note that while the mechanic's performance tends toward that of a technician, it is in response to a random condition or need. It is often valuable to and recognized by the activity but it is not an ongoing need of the activity, i.e., is not required by management, and its absence is not cause for negative action by the supervisor against the employee. It is a requirement, however, that the electronics mechanic exercise journeyman level competence in testing, repair, or other assigned work.”

While installation, maintenance, repair and testing are mentioned in GS position classification standards, e.g., Engineering Technician, GS-802, and Electronics Technician, GS-856, it is the design, development, planning, and acquisition work that is considered paramount and controls the pay category. Installation, maintenance and other hands-on work covered by these standards are secondary and usually involve an oversight role rather than doing the work.

The appellant’s primary and paramount duties flow from the mission and function of the organization in which they work. Those duties involve providing calibration and repair services for T&ME owners and customers. This work requires trades knowledge of calibration, and knowledge of electrical, mechanical, pneumatic, and/or hydraulic principles and theory and, in some instances, electronic principles and theory to calibrate equipment to conform to technical and scientific requirements, to certify its accuracy, and to identify and repair malfunctions. The appellant’s work does not require the type of development or evaluation responsibilities normally associated with engineering functions. His work involves applying established calibration approaches and protocols which is typical of higher graded trades work.

Decision

The appellant’s job is properly covered by the FWS.