

U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



Dallas Oversight Division
1100 Commerce Street, Room 4C22
Dallas, TX 75242

**Classification Appeal Decision
Under Section 5112 of Title 5, United States Code**

Appellant: [appellant's name]

Agency classification: Police Officer (Training Leader)
GS-083-06

Organization: Operations Division
Security Department
Naval Support Activity [city]
Department of the Navy
[city, state]

OPM decision: GS-083-07
Police Officer
(Instructor) may be added at agency discretion

OPM decision number: C-0083-07-02

/s/ Bonnie J. Brandon
Bonnie J. Brandon
Classification Appeals Officer

12/4/98
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. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. 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).

Since this decision changes the classification of the appealed position, it is to be effective no later than the beginning of the fourth pay period after the date of this decision (5 CFR 511.702). The servicing personnel office must submit a compliance report containing the corrected position description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action.

Decision sent to:

[appellant's name and address]

Director, Human Resources Office
Navy Support Activity [name of city]
Department of the Navy
[activity's address]
[city, state]

Director, Plans, Programs, and Diversity
Office of the Deputy Assistant Secretary
of Navy, Civilian Personnel (CP/EEO)
Department of the Navy
800 North Quincy Street
Arlington, VA 22203-1998

Chief, Classification Branch
Field Advisory Services Division
Defense Civilian Personnel Management Service
1400 Key Boulevard, Suite B-200
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Introduction

On August 6, 1998, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [name of appellant]. His position is currently classified as Police Officer (Training Leader), GS-083-06. He believes its classification should be to the GS-083 series at the GS-07/09/11 grade level progression. He works in the Operations Division, Security Department, Naval Support Activity [city], Department of the Navy, [city, state]. We have accepted and decided his appeal under section 5112 of title 5, United States Code.

To help decide the appeal, an Oversight Division representative conducted a telephone audit of the appellant's position. The audit included interviews with the appellant and his immediate supervisor. In reaching our classification decision, we have reviewed the audit findings and all information of record furnished by the appellant and his agency, including his official position description number [number of position description].

General issues

The appellant's reasons for disagreeing with the grade level classification of his position are incompatible with classification principles. First, he believes his position should be graded at a higher level than the patrolmen, sergeants, and lieutenants he trains. Although work leader positions are classified one GS grade above the highest level of nonsupervisory work led, no corresponding provision exists for classifying positions such as the appellant's to a higher grade. Secondly, the appellant submits that his position is undergraded because he performs the duties of GS-07 Supervisory Police Officers whenever the Department has manpower shortages. According to chapter 5 of *The Classifier's Handbook*, duties performed in another employee's absence cannot be considered in determining the grade of a position. Finally, the appellant believes his position is erroneously classified at the GS-06 level because he says the grade level is not consistent with civilian Police Officer Training Leader positions classified at other naval activities in the Southern Region. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to others as a basis for deciding his appeal. In short, determining the appropriate grade level of a position requires an evaluation of the whole position against appropriate grade level criteria following established classification policy and procedure.

Like OPM, the appellant's agency must classify positions based on comparison to OPM standards and guidelines. The agency also has primary responsibility for ensuring that its positions are classified consistently with OPM appeal decisions. If the appellant considers his position so similar to others that they all warrant the same classification, he may pursue the matter by writing to his agency's personnel headquarters. In doing so, he should specify the precise organizational location, classification, duties, and responsibilities of the positions in question. If the positions are found to be basically the same as his, the agency must correct their classification to be consistent with this appeal decision. Otherwise, the agency should explain to him the differences between his position and others.

Position information

The appellant certified that his position description is correct. During the telephone audit, we determined that the description of major duties and responsibilities accurately reflects the appellant's assignments. Although the duties and responsibilities are accurately described, the appellant indicates that the percentages of time he devotes to various tasks differ from those documented in his position description. He estimates that he devotes 60 percent of his time to instructional activities and 40 percent to mobile patrol assignments. As part of this 40 percent estimate, the appellant maintains that he serves as the only back-up for the Investigations Division's single investigator. Conversely, the appellant's supervisor contends that training activities absorb all but a small part of the appellant's time. The supervisor estimates that mobile patrol assignments rarely exceed 10 percent of the time, and he points to work reports that confirm the appellant spends less than four hours per week, on the average, performing mobile patrol assignments. The supervisor also emphasizes that the appellant is not the regular or primary back-up for the Investigations Division investigator and that any police officer or sergeant may be used in a back-up capacity. The supervisor volunteered that the position is new and that no comparative data exists to corroborate percentages of time. As of the date of this decision, the appellant has been assigned to the appealed position for less than six months. We are persuaded by the information presented that the percentages of time documented in the appellant's position description are valid.

The appellant's position was established in June 1997 when the military billets used to coordinate field training for a 50-officer security force were changed to civilian positions. At that time, several military members performed the training duties that are now consolidated and assigned to the appellant's position. For approximately six months after the position was converted to civilian status, one military member continued to assist the position's incumbent with performing training activities. The appellant has functioned as the sole Field Training Officer for the Department's Operations Division since his reassignment to the appealed position on June 28, 1998. The Operations Division currently has 31 civilian police officers, 11 military police, and about 9 naval reservists assigned to a police detachment. Although the appellant's supervisor believes regionalization plans may result in a merger of installations, he expects the appellant's position to continue functioning in the same manner.

The appellant's position is principally responsible for conducting mandatory Phase I and Phase II Police Officer training for Operations Division personnel. Each training phase is a 40-hour standardized course which covers physical security and law enforcement subjects developed by the U.S. Navy for Department-wide presentation to its security forces. Training modules include topics such as accident investigation, search and seizure, *Miranda* warnings, terrorism, use of force, "hot pursuits," self incrimination, and the Uniform Code of Military Justice. Student workbooks accompany each course, and instructor guides are available for use by instructors in preparing and presenting course content. During FY 1998, the individual who held the appealed position prior to the appellant instructed four classes, i.e., one Phase I and three Phase II classes. The appellant has instructed two Phase II classes since being reassigned to the position on June 28, 1998. Three students were trained in his first class, and the number trained in his second class was 12. The

Operations Division annual training plan shows one Phase I and four Phase II classes scheduled for FY 1999. The appellant estimates that 35 Operations Division staff will need Phase II training this fiscal year.

The appellant uses flip charts, overhead projector overlays, and hand-outs as instructional aids. He created about 100 overlays for Phase I and Phase II training and developed a comprehensive test for Phase II, since no standardized test was available. He augments Phase II classroom instruction about on-scene responses with a field trip in which the class goes through buildings, notes where alarms are located, and observes a demonstration of how to respond to alarms.

In addition to his instructor duties, the appellant is responsible for developing annual training plans which schedule Phase I and Phase II classes and other mandatory courses such as first aid training and quarterly weapons qualifications. As the Operations Division's Field Training Officer, the appellant maintains records of individual training plans, records incidences of training, publicizes and monitors attendance at courses offered by outside sources such as a 40-hour class on the Intoxilyzer 5000 offered by the [name of state] Department of Public Safety and Corrections, and regularly submits reports of training activity to the Security Department. He determines whether materials, such as videos marketed through various training brochures and vendor representatives, are relevant to the work of the Operations Division. If so, he recommends the purchase of these training materials.

Within the four-month period following the appellant's reassignment to the appealed position, he assisted the Investigations Division investigator with three cases. In two, the appellant was simply present when the investigator interviewed witnesses. In the third case, the appellant interviewed four individuals (some of whom were juveniles), wrote up a synopsis of the incident, took pictures of the scene, wrote up a decision with recommendations, and submitted his Information Complaint Report to the Security Officer. When needed, the appellant performs mobile patrol duties as described in items 2 b - f of his position description. According to the appellant this includes responding to calls, writing tickets, performing radar surveillance, and collecting evidence at incident scenes.

The appellant relies on Department of the Navy course materials to conduct Phase I and Phase II training and on NAV instructions and Post Orders to provide guidance for other assignments such as filling out Information Complaint Reports. All correspondence the appellant initiates is submitted to his supervisor for approval prior to release. The appellant carries a firearm when he performs mobile patrol duties and when he accompanies the investigator on an assignment. His contacts are primarily with Operations Division personnel when performing instructional duties and occasionally with outside agencies, such as the Federal Bureau of Investigation and the Drug Enforcement Agency, to arrange guest speakers for presentations at Phase I and Phase II training sessions. His assignments involve interacting with other Security Division personnel, both military and civilian, and with vendors and the general public. Most of the appellant's duties are performed in an office/classroom setting.

Series determination

The appellant's position is a mixed series position because it involves work covered by more than one occupational series: the Police Series, GS-083, and the Training Instruction Series, GS-1712.

The Classifier's Handbook states that grade-controlling work determines the series for most positions. The *Handbook* observes that, for mixed series positions, sometimes the lower grade duties are more closely related to the basic purpose of the position. In these cases, a number of factors have to be considered to determine the proper series of the position. These factors are the paramount knowledge required, the reason for the position's existence, the organizational function, the line of promotion, and recruitment sources. In applying these factors to the appellant's position, we find the following are true.

Paramount knowledge required

The primary purpose of the appellant's position is to train police officers to perform their duties. Police officers typically deal with misdemeanors and felonies, which can range from petty theft and verbal assault through murder, rape, simple and aggravated assault, domestic disputes, theft of national defense information and materials, theft of office equipment, assault on Government facilities, crowd control, and other conditions involving violations of law. Within their jurisdictions, police officers must enforce a wide variety of Federal, State, county, and municipal laws and ordinances, and agency rules and regulations relating to law enforcement. Among other things, they must be cognizant of the rights of suspects, the laws of search and seizure, constraints on the use of force, and the civil rights of individuals. The paramount knowledge required to train police officers to carry out these duties is a working knowledge of police work.

The reason for the position's existence

The main reason management established the appealed position was to provide law enforcement training and instruction to the installation's police force.

The organizational function

The appealed position is organizationally located in the Operations Division, where all police officers are assigned.

The line of promotion

Within the Operations Division, the normal line of promotion is from Police Officer, GS-083-05, to Lead Police Officer, GS-083-06, to Supervisory Police Officer, GS-083-07.

Recruitment sources

The normal recruitment source for the appellant's position is individuals with police work experience.

Considering these factors, the Police Series, GS-083, best represents the main purpose of the position, the paramount knowledge and experience required, and the normal career pattern.

The Training Instruction Series, GS-1712, covers positions involved in the direct delivery of instruction or training services of a nonprofessional nature when the paramount requirement of the work is a combination of practical knowledge of the methods and techniques of instruction and practical knowledge of the subject-matter being taught. GS-1712 occupational information explains that positions are normally classified in the appropriate subject-matter series when the paramount qualification requirements for the work and the career patterns for the position are primarily in the subject-matter field rather than in the education and training field. The *Grade Level Guide for Instructional Work* (HRC-5, dated June 1998), which is used to evaluate positions in the GS-1712 series, also notes that the key considerations in deciding the proper series for a position are the nature of the primary or paramount qualification required to do the work and the normal career progression pattern for the position. The paramount qualification required and the normal career progression pattern for the appellant's position are in the GS-083 series.

Based on this analysis, the position is properly classified to the Police Series, GS-083.

Title determination

Police Officer is the established title for nonsupervisory positions in the Police Series, GS-083. The *Grade Level Guide for Instructional Work* allows the parenthetical title "(Instructor)" to be added to official titles established for positions in subject-matter series.

The correct title for the appealed position is Police Officer, GS-083. The agency may add (Instructor) to the title, at its discretion.

Standard determination

The classification standards for the Police Series, GS-083, and the Training Instruction Series, GS-1712, and the *Grade Level Guide for Instructional Work* were used to determine the appropriate title, series, and grade level of the appealed position.

Grade determination

Evaluation using the Police Officer Series, GS-083, Position Classification Standard

The GS-083 series includes positions the primary duties of which are the performance or supervision of law enforcement work in the preservation of the peace; the prevention, detection, and investigation

of crimes; the arrest or apprehension of violators; and the provision of assistance to citizens in emergency situations, including the protection of civil rights. The purpose of police work is to assure compliance with Federal, State, county, and municipal laws and ordinances, and agency rules and regulations pertaining to law enforcement work. This standard is published in the Factor Evaluation System (FES) format. Under the FES format, positions are evaluated by comparing the duties, responsibilities, and qualifications required with nine factors common to nonsupervisory General Schedule positions. A point value is assigned to each factor in accordance with the factor-level descriptions. For each factor, the full intent of the level must be met in order to credit the points for that level. The total points assigned for the nine factors are converted to a grade by reference to the grade conversion table in the standard. A factor-by-factor analysis of the appealed work is provided.

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information and facts which employees must understand to do acceptable work and the nature and extent of the skills needed to apply those knowledges.

Work at Level 1-2 requires knowledge of a body of basic or commonly used laws, rules, regulations, procedures, and operating methods to independently perform routine, recurring kinds of fixed post and patrol assignments. This knowledge includes, for example: commonly accepted installation traffic laws and rules; regulations governing access to Federal buildings; rules covering restricted items (cameras, weapons, etc.) and conduct of visitors and employees; procedures for handling a crime in progress such as robbery, assault, or pursuit of speeding vehicles; laws and procedures involving the rights of individuals and constraints on the exercise of authority; and others of a similar nature. Police officers using this level of knowledge are normally expected to resolve those incidents which are clear-cut violations of law, rule, or regulation, and to recognize and call for assistance on more serious or complex incidents requiring greater knowledge and/or experience, especially situations involving felonies or potential felonies. Typical police duties using this level of knowledge include tasks such as responding to calls or alarms involving crimes in progress or just discovered; informing individuals about their rights as suspects and/or witnesses; operating radar or other speed detection equipment and pursuing speeding vehicles when enforcing traffic regulations or laws; and preparing various kinds of written reports about unsafe traffic conditions, accidents, encounters with individuals such as complainants, witnesses, or visitors.

At Level 1-3, police officers use knowledge of a body of standardized rules, methods, procedures, and operating techniques that require considerable training and experience, to perform a full range of operations in preventing or resolving offenses, or in conducting preliminary investigations of incidents ranging from simple rules violations to felony and capital crimes. This level includes, in addition to those required at the lower levels, knowledge and experience to perform most, if not all, of the following police tasks:

- pursuing and apprehending persons fleeing a crime scene or attempting to resist arrest;
- subduing individuals causing disturbances, such as in family disputes;

- identifying and arresting violators based on eyewitness accounts;
- taking charge of crime or accident scenes and restricting access to those persons required on the scene;
- seeking, detecting, and protecting evidence and witnesses at the scene of an incident;
- taking statements from witnesses;
- clarifying conflicting statements;
- interrogating suspects;
- detaining witnesses and suspects;
- making arrests and performing booking procedures;
- turning over to detectives or investigators information gathered at the scene of an incident; and
- participating in short-term investigations under the control of detectives or investigators.

In order to perform his instructional duties and ancillary mobile patrol assignments, the appellant must utilize knowledges described in Level 1-3. The knowledge required and nature of the skills needed by the appellant to perform his work fully meet but do not exceed Level 1-3. Employees at Level 1-4 use knowledge of an extensive body of standardized, optional, and innovative investigative procedures, techniques, and methods to detect, investigate, and resolve crimes and other incidents that are beyond the scope and requirements for solution on patrol assignments. Employees using Level 1-4 knowledges are typically involved in a variety of assignments to resolve a wide range of conditions or criminal activities that require extensive research, interviewing, planning, observing, conducting stakeout operations, and executing investigative techniques. These knowledges are not descriptive of those required by the appellant's position. The appellant principally instructs police officers in a wide variety of basic law enforcement subjects to enable them to perform GS-5 level duties. Representative of Phase I course materials are lessons on elements of assaults, vehicle and personnel movement, unlawful entry, authority of security and law enforcement personnel, etc. Phase II course materials contain lessons on jurisdiction, interviews and interrogations, incident report writing, crime scenes, juvenile interrogations, the Uniform Code of Military Justice, etc.

Level 1-3 is credited for this factor and 350 points are assigned.

Factor 2, Supervisory controls

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the review of completed work.

At Level 2-2, the supervisor makes individual assignments for traffic control points, patrol areas, or other special and recurring tasks, indicating generally what is to be done, the priority of assignments, and any special approaches to be taken by the employee. The employee uses personal initiative in carrying out recurring assignments independently without specific instructions about how to do the work or the precise methods to apply. Completed work is reviewed for technical adequacy, adherence to standard procedures and methods, and compliance with any special instructions.

At Level 2-3, the supervisor makes assignments such as long-term investigations and undercover work within the employee's scope of responsibilities and assists the employee in unusual situations which do not have clear precedents. The employee, having developed competence in the assignment, plans and carries out the steps required according to specific case conditions. The employee handles deviations from established procedures by resolving problems that arise according to standards, previous training and experience, established practices, or other controls appropriate to the immediate circumstances. Techniques used by the employee are not usually reviewed in detail.

Supervisory controls over the appealed position fully meet but do not exceed those described at Level 2-2. The appellant provides standardized training according to established lesson guides and plans. He works independently on how to present the material and how to manage training records, and his supervisor reviews completed work on occasion to ensure it conforms with established policies and guidelines. Correspondence the appellant initiates is submitted to his supervisor for approval prior to release. It primarily involves internal memoranda notifying Operations Division personnel of training course offerings. Mobile patrol and back-up investigator assignments are made by the supervisor.

Level 2-2 is credited for this factor and 125 points are assigned.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them.

At Level 3-2, procedures, instructions, and a number of specific guidelines for doing the work have been established by the organization and are readily available to the employee. Guidelines cover a variety of legal, procedural, and administrative conditions such as Federal and local laws, rights of citizens, and others; procedures for issuing citations and performing arrests; use of force and use of weapons; and authority for "hot pursuit." The number and relationships of guidelines requires the employee to use judgment in identifying and applying the proper procedures and techniques to specific actions when enforcing the law. At this level, officers may also determine which of several established alternatives to use.

At Level 3-3, guidelines are not always applicable or there are gaps in specific applicability in circumstances such as those encountered in volatile emergency situations such as terrorist attacks, armed robbery, and prolonged investigations. Because of the nature of the work assignments, the employee must use personal judgment in interpreting, adapting, applying, and deviating from guidelines.

In performing his assignments, the appellant uses NAV instructions, Post Orders, and standard operating procedures. Procedures and instructions for doing the work of the appealed position are established and readily available to the appellant. Guidelines fully meet but do not exceed Level 3-2.

This factor is evaluated at Level 3-2 and 125 points are assigned.

Factor 4, Complexity

This factor covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work.

At Level 4-2, the work includes duties that require the employee to perform related steps, processes, or methods for the completion of each assignment. Each kind of assignment comes under the same general set of guidelines and procedures. The employee identifies the conditions involved and decides what kind of action to take, including the level of force required.

At Level 4-3, the employee performs various duties requiring the application of different and unrelated methods, practices, techniques, or criteria. The work typically involves assignments that vary frequently in the nature of cases handled, extensive investigative responsibilities, and assignments that require the application of a wide variety of police techniques to resolve.

The complexity of the appellant's work fully meets but does not exceed that described at Level 4-2. The appellant's work is highly structured. Instructional materials are standardized and conventional teaching methods are usually followed in carrying out Phase I and Phase II training. Mobile patrol assignments do not involve extensive investigative responsibilities. They are usually performed under the same general set of guidelines and procedures.

This factor is evaluated at Level 4-2 and assigned 75 points.

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work (i.e., the purpose, breadth, and depth of the assignment) and the effect of work products or services within and outside the organization. Effect measures such things as whether the work output facilitates the work of others or provides timely services of a personal nature.

At Level 5-2, the employee performs a full range of police duties by following and executing specific rules, regulations, or procedures covering law and rules enforcement, patrol duties, and/or crime prevention activities for the local jurisdiction. Work products affect the acceptance of law enforcement actions, influence employees and visitors to cooperate with the security force, and set an example for conforming with laws, rules, and regulations at the installation.

At the Level 5-3, the employee treats a variety of law enforcement problems ranging from simple rules violations to felony crimes in conformance with established criteria, methods, techniques, and procedures. The results of the work contribute to crime prevention objectives in the local installation or jurisdiction and the adequacy of the local law enforcement program.

The appealed position fully meets the scope and effect described at Level 5-3. The appellant teaches police officers to perform a full range of police duties which affect the acceptance of law enforcement actions in the local installation. In fulfilling his instructional duties, the appellant must treat a variety of law enforcement problems which range from simple rules violations to felony crimes to ensure his police officer students are prepared to discharge their duties in accordance with established criteria, methods, techniques, and procedures. The results of his work contribute to crime prevention objectives of the local installation and to the adequacy of the local law enforcement program.

This factor is credited at Level 5-3 and 150 points are assigned.

Factor 6, Personal contacts

This factor includes face-to-face contacts and telephone dialogue with persons not in the supervisory chain. Levels described under this factor are based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting in which the contact takes place.

At Level 6-1, personal contacts are with employees within the immediate organization, office, project, or work unit and/or contacts with members of the general public occur in very highly structured situations where the purpose of the contacts is completely clear. Typical of this level of contacts is responding to individuals at an access control point asking for directions.

At Level 6-2, personal contacts are with employees in the same agency, but outside the immediate organization. Contacts are also with members of the general public in a moderately structured setting (e.g., the contacts are generally established on a routine basis, usually at the employee's work place). Contacts typical of this level are cooperative persons stopped for traffic violations or persons questioned as witnesses to a violation of rule or law.

The appealed position fully meets the level of personal contacts described at Level 6-2. While the appellant performs instructional activities for police officers within his immediate organization, he is also regularly involved in contacts with individuals outside his immediate organization and with members of the general public, e.g., individuals stopped during mobile patrol assignments for

violations of rules or laws, training representatives from other Federal agencies and outside organizations, and vendors engaged in training activities.

This factor is credited at Level 6-2 and assigned 25 points.

Factor 7, Purpose of contacts

The purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

At Level 7-1, the purpose of contacts is to obtain, clarify, or give facts or information that may range from easily understood to highly technical. Information exchanged may include directions to a location or person, straightforward explanations of established security procedures, or other information of a factual nature.

At Level 7-2, the purpose of contacts is to plan, coordinate, or advise on work efforts or to resolve operating problems by influencing or motivating individuals who are working toward mutual goals and who have basically cooperative attitudes. Work activities involving these contacts typically require the employee to explain and gain acceptance by employees and visitors at the installation.

The purpose of the appellant's contacts fully meet but do not exceed that described at Level 7-2. The purpose of the appellant's contacts are to ensure that Phase I and Phase II training content is fully communicated and understood by course participants, that training opportunities are identified and made available to Security Department personnel, and that visitors to the installation understand rules and laws pertaining to law enforcement activities at the installation.

This factor is evaluated at Level 7-2 and assigned 50 points.

Factor 8, Physical demands

This factor covers the requirements and physical demands placed on the employee by the work assignment. This includes physical characteristics and abilities and the physical exertion involved in the work.

At Level 8-1, the work is primarily sedentary, usually accomplished while the employee is seated at a desk or table. Some walking, standing, or driving an automobile may be required in the course of a normal workday. Items carried typically are light objects such as notebooks. No special physical effort or ability is required to perform the work.

At Level 8-2, the work requires regular and recurring physical exertion such as long periods of standing, walking, driving, stooping, and similar activities. Employees engage in such exertions when responding to alarms, pursuing suspects, or participating in weapons or other kinds of training activities.

The physical requirements of the appellant's position equate to that described in Level 8-1. His work is primarily sedentary, although there is some walking, bending, and carrying of supplies and equipment related to his instructor duties. He is required to carry a firearm or other authorized weapon, but lifting of moderately heavy objects is not normally required.

This factor is evaluated at Level 8-1 and assigned 5 points.

Factor 9, Work environment

This factor considers the risks and discomforts in the employee's physical surroundings or the nature of the work assigned and the safety regulations required.

The work at Level 9-1 is primarily performed in an office-like setting involving everyday risks or discomforts which require normal safety precautions typical of places such as offices, meeting and training rooms, residences, and private or commercial vehicles. The work area is adequately lighted, heated, and ventilated.

At Level 9-2, the work is performed in settings in which there is regular and recurring exposure to moderate discomforts and unpleasantness, such as high temperatures in confined spaces or adverse weather conditions during extended periods of traffic and patrol duties. The work also involves moderate risk and discomfort when working outdoors without shelter or operating vehicles for extended periods of time over rough terrain.

The appealed position meets but does not exceed the definition of Level 9-1. The appellant primarily performs his assignments in an office and classroom setting. When he performs mobile patrol duties, he is usually inside a police vehicle.

This factor is credited at Level 9-1 and assigned 5 points.

In accordance with the FES criteria published in the standard for the GS-083 series, the appellant's position is evaluated as follows:

Factor	Level	Points
1. Knowledge Required by the Position	1-3	350
2. Supervisory Controls	2-2	125
3. Guidelines	3-2	125
4. Complexity	4-2	75
5. Scope and Effect	5-3	150
6. Personal Contacts	6-2	25
7. Purpose of Contacts	7-2	50
8. Physical Demands	8-1	5
9. Work Environment	9-1	5
TOTAL POINTS		910

The assignment of 910 points falls within the range of GS-05 (855 - 1100) in the grade conversion table published in the standard.

Evaluation using the Grade Level Guide for Instructional Work

The *Grade Level Guide for Instructional Work* provides general criteria for determining the grade level of nonsupervisory instructor work. Instructor work involves activities such as preparing daily work plans which cover instructional methods and techniques, training materials and training aids, and time schedules; training in traditional classroom situations where the instructor guides students; and evaluating the progress of students and advising and assisting them to master course materials. The guide takes into account the mixed nature of positions involving training work that are classified in subject-matter series.

The criteria contained in this guide are developed around two broad classification factors:

- (1) Nature of Assignment. This factor encompasses such aspects as the knowledge, skill, and ability required to perform the work, and the complexity and difficulty of the duties and responsibilities assigned.
- (2) Level of Responsibility. This factor includes such things as independence; the extent to which guidelines for the work are available or must be developed; and the kinds of contacts required to perform the work.

At the GS-05 level, instructors are normally receiving formal classroom instruction and/or on-the-job training. They frequently serve as assistant instructors under the guidance of a senior instructor or

conduct training sessions that cover well-established, factual topics under detailed guidelines. Supervision received at this level is very close and guidelines are specifically prescribed and usually detailed. Classroom sessions are audited frequently by supervisory personnel.

At the GS-07 level, work may be developmental or non-developmental. Non-developmental GS-07 level instructor assignments typically involve short, repetitive courses or course units that are highly structured. The instructor works independently. At this level, instructors make suggestions for course modification which are primarily procedural. Examples of courses taught by GS-07 level instructors are courses in the operational use and maintenance of hand and shoulder weapons.

The appellant's instructor assignments are non-developmental in nature and involve teaching repetitive courses that are highly structured. His principal responsibility is to conduct mandatory Phase I and Phase II Police Officer training for Operations Division personnel. Each training phase is a 40-hour standardized course which covers physical security and law enforcement subjects developed by the U.S. Navy for department-wide presentation to its security forces. Training modules include topics such as accident investigation, search and seizure, *Miranda* warnings, terrorism, use of force, "hot pursuits," self incrimination, and the Uniform Code of Military Justice. Student workbooks accompany each course, and instructor guides are available for use by instructors in preparing and presenting course content. The grade level of the appellant's instructor work is equivalent to GS-07.

Decision

The proper grade level of the appellant's position is determined by considering what is the paramount regularly assigned work of the position and the highest level of work assigned to and performed for the majority of time. The appellant is engaged in teaching and performing related training work approximately 80 percent of the time, and his instructor responsibilities and assignments are paramount to his position; therefore, the proper grade of the appealed position is GS-07. Accordingly, the appellant's position is properly classified as GS-083-07. Police Officer is the established title for nonsupervisory positions in the Police Series, GS-083. The *Grade Level Guide for Instructional Work* allows the parenthetical title "(Instructor)" to be added to official titles established for positions in subject-matter series. The correct title for the appealed position is Police Officer, GS-083. The agency may add (Instructor) to the title, at its discretion.