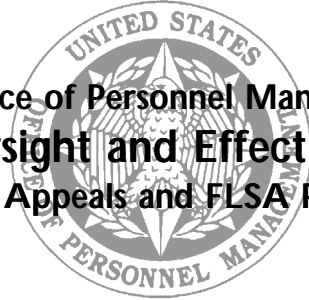


U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



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

Classification Appeal Decision
Under Section 5103 of Title 5, United States Code

Appellant: [appellant]

Agency classification: Welder
WG-3703-10

Organization: [activity]
U. S. Army Engineer District
U. S. Army Corps of Engineers
[city, state]

OPM decision: Classifiable to the Federal Wage System

OPM decision number: C-3703-00-01

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

11/16/99
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).

Decision sent to:

[appellant's name and address]

[servicing personnel office]

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Introduction

The Office of Personnel Management's Dallas Oversight Division accepted a classification appeal on July 16, 1999, from [the appellant], an employee of the [geographic designation] District of the U.S. Army Corps of Engineers. [The appellant] is assigned to the [activity]. The agency has classified the position as Welder, WG-3703-10. The position description was recently updated by the appellant and his first- and second-level supervisors, but the classification remained unchanged. The appellant believes the primary duties of the position require knowledge and experience of a technical nature not related to trades and crafts work. He believes the position should be included under the General Schedule and filed an appeal with this office under the authority of section 5103 of title 5, United States Code.

The appellant and his supervisor have certified as to the basic accuracy of the statement of duties, skill and knowledge requirements, responsibilities, and working conditions contained within the revised position description, [number]. The position description is adequate for classification purposes. In addition to review of the written record, a representative of the Dallas Oversight Division conducted telephone interviews with the appellant and his first- and second-level supervisors to obtain additional information. All of this information was carefully considered in reaching our final decision.

Job information

One of the functions of the [activity] is to provide maintenance and repair support for all civil works water resource development projects throughout the [geographic] Districts. The maintenance fleet provides equipment, facilities maintenance, and repair services and support to Project Managers. The [appellant's activity] includes the floating plant crew, i.e., a towboat operator, a small craft operator, a general equipment mechanic, a crane operator, and four river/harbor maintenance workers. The section also includes three electricians, two crane operators, a maintenance mechanic, a heavy mobile equipment mechanic, and the appellant's position.

The appellant plans, designs, constructs, and performs repairs, modifications, and replacement of all types of installed operating equipment, metal structures and fabrications, control valves and gates, piping systems, auxiliary equipment, and floating plant at all types of civil works water resource development projects. He calculates loads, sizes, dimensional fits, weights, moments, and other aspects using standard formulas, criteria, and handbook tables. The appellant applies a broad knowledge of a variety of fabrication processes and methods and often visits the work site to obtain or verify data during planning stages. He consults with the project originator and the supervisor when problems arise because of unsuitable materials or unrealistic fabrication requirements. He provides information on characteristics of materials and methods and techniques of shaping and machining metals which bear on design specifications, experimenting with metals and techniques to reach a practical solution to the fabrication objectives.

The appellant performs various trades and craft tasks in the planning, layout, welding, and metal forming and shaping. Assignments require the use of advanced shop mathematics to calculate angles, contours, ratios, distances between centers, tapers, eccentricities, clearances, and to establish tolerances needed. He uses a variety of materials such as ferrous and nonferrous metals and alloys, Teflon, nylon, rubber and other synthetic materials in conjunction with mechanical, electrical, pneumatic, and hydraulic components, parts, and subassemblies. The appellant uses metal forming and shaping machines, i.e., sheet metal rollers, band saws, brakes, shears, hydraulic presses, cut-off saws, drill presses, and milling machines. He also uses specialized power tools such as grinders, saws, and chisels, as well as many different hand tools and measuring instruments. Welding duties involve a wide variety of ferrous and nonferrous metals using various gas torch and electric arc welding processes. Some of this work requires close tolerance welds of radiographic quality.

Pay category determination

The *Introduction to the Position Classification Standards* contains guidance for use in determining coverage by the General Schedule or the Federal Wage System. 5 U.S.C. 5102(c)(7) exempts from coverage under the General Schedule those “employees in recognized trades or crafts, or other skilled mechanical crafts, or in unskilled, semiskilled, or skilled manual-labor occupations, and other employees including foremen and supervisors in positions having trade, craft, or laboring experience and knowledge as the paramount requirement.” The “paramount requirement” of a position refers to the essential, prerequisite knowledge, skills, and abilities needed to perform the primary duty or responsibility for which the position has been established. In some situations, the proper pay category cannot be easily determined by direct application of the law or OPM classification standards and guidance. In these borderline situations, it is necessary to evaluate other factors. These include the nature of work products or services of the organization, working relationships with other positions in the organization, normal lines of career progression, equitable pay relationships with other positions in the immediate organization, and management’s intent or purpose in creating the position.

The GS-802 Engineering Technician Standard also includes guidance on distinguishing between General Schedule engineering technician and Federal Wage System positions. This guidance acknowledges that these positions sometimes involve overlapping activities, i.e., some engineering technician work requires various degrees of craft skill while advanced levels of work in a skilled trade often involves some duties and knowledge requirements that are similar to those of engineering technicians. In some cases, the contribution to design and development or other technical aspects of the work of a position requiring competence in a trade may be significant in evaluating the position’s level of difficulty and responsibility, and the qualifications required for the work. It does not necessarily follow that such positions are under the General Schedule.

Briefly, the position description states that the appellant must possess practical trades knowledge of materials, construction practices and techniques, fabrication processes, and repair processes; a practical knowledge of the methods of mechanical and structural engineering; and a practical

knowledge of the construction, application, properties, operation, and limitations of structures, machinery, devices, and materials incorporated into completed civil works water resource projects, i.e., dams, spillways, outlet works, navigation locks, hydroelectric powerhouses, etc. He must possess the skills and knowledge to design, develop, plan, lay out, and fabricate the requested items. The appellant must have a practical working knowledge of and ability to apply mechanical and structural engineering principles, techniques, and theories in the design and development of project items. He must be familiar with the effects of hardening, annealing, and stress relieving of metals and alloys to choose the proper materials. He must have a working knowledge of the physical properties of metals, alloys, rubber, and synthetic materials to choose proper materials; welding standards and reactions of metals to different welding and shaping techniques; and the ability to use precision measuring instruments.

The appellant indicated his assignments do not involve work on the structure of the locks, but on the operating machinery, special tools, and apparatuses for their operation. The supervisor indicated that the appellant seldom gets involved in the day-to-day routine projects. His primary assignment areas involve the nonroutine, e.g., replacement of the pipes for the hydraulic system, devising ways to repair or modify existing equipment that needs replacement, and constructing devices to assist others in completing the maintenance work.

The appellant provided pictures and information pertaining to some of the projects he has been assigned in recent years. These include a hydraulic device used to assist in the removal of the pins that connect the links of the large chains used to open and close control gates on the navigation system, a device to store and control the respooling of five different dimensions of cables for the crane on the floating plant, and a semiautomated machine to assist in welding high pressure hydraulic pipe lines to replace old lines on the navigation system. He has also devised and built a container to hold, lock in place, and protect flammable gas cylinders used on the barge; a control console for the barge deck to remotely operate the generator located below and the hydraulic spuds; an adjustable hydraulic “soft stop” system to prevent damage to lock gates to replace the old, damaged original system; warning signs for dam locations that are required to withstand heavy wind conditions; various custom-made storage devices to load and store equipment on and off the barge; and the redesign of storage space on the barge, including modification of the hatch and creation of a watertight bulkhead.

The GS-802 guidance further supplements the criteria contained in the *Introduction to the Position Classification Standards*. This additional guidance pertains to positions of fabrication mechanics. Such positions, which include modelmakers, instrument makers, glassblowers, and other mechanics, contribute to design and development in fabricating items but are excluded from the Engineering Technician series. The work may involve conceiving and fashioning a new piece of equipment or improvement of fabrication methods and techniques.

The guidance contained in the GS-802 standard provides an illustration of a shop work situation in a research and development activity that is comparable to that of the appellant's. The lock and dam system is unique, but the age of these systems and the equipment needed to operate,

maintain, and repair them provides comparable challenges to those found in a research and development activity. The appellant's assignments come through the supervisor from an engineer inspector or project manager and are generally made orally, without detailed instructions. The appellant makes unreviewed trade judgments and decisions on how the items will be fabricated, including determining specifications required to achieve the desired operating characteristics. The supervisor or project originator depends on the appellant's experience and judgment for selecting materials, work processes, and fabrication techniques.

The guidance in the GS-802 standard goes on to state that the requirement for contributing and relating practical trades knowledge of materials and manufacturing processes and fabrication details to engineering design and development is an inherent part in some trades and not a normal function of an engineering technician. Experienced instrument makers, glassblowers, welders, and other laboratory mechanics are expected to contribute to some extent to the design of the device fabricated, to improve or modify fabrication methods for special assignments, and to experiment with use of new materials. Such contributions to design and development represent a higher level of competence in the trade rather than a basis for identification as an engineering technician.

Job grading standards show that skilled craftsmen may be required to plan and lay out work where work orders or prints may be missing or incorrect or where assignments are expressed only in terms of required results; devise complex templates and patterns; determine work procedures and equipment required; accomplish untried tasks; troubleshoot and determine repair processes; devise jigs and fixtures to assist in accomplishing tasks; complete projects that are accepted as prototypes; and/or apply a knowledge of several related trade procedures. We find this appropriate to the appellant's situation, i.e., the appellant relies on his knowledge and experience in a variety of skilled crafts; i.e., welding, sheet metal, and machinist work, to devise methods and plans, choose materials, and complete the assigned projects, sometimes overseeing the work of other craftsmen such as electricians.

As indicated previously, the primary mission of the organization is the maintenance and repair support for the water resource projects. Management officials indicate that the intent of the original position requires the craft skills. One official indicated his belief that as a result of the downsizing mode combined with the appellant's abilities and experience, the appellant has become more involved in the planning and design processes than what would typically be expected of a welder position. Normal career progression for the position is not clear, based on organizational information obtained.

Decision

Based on consideration of all the information contained in the appeal record and the information provided as guidance in the previously mentioned classification sources, we find the appellant's position is properly covered by the Federal Wage System.