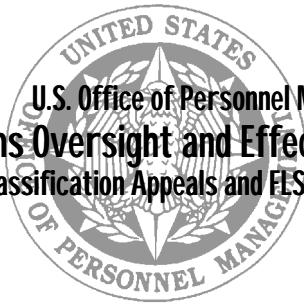


U.S. Office of Personnel Management  
Office of Merit Systems Oversight and Effectiveness  
Classification Appeals and ELSA Programs



Philadelphia Oversight Division  
600 Arch Street, Room 3400  
Philadelphia, PA 19106-1596

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

**Appellant:** { appellant's name }

**Agency classification:** Engineering Technician  
GS-802-9

**Organization:** Facilities Maintenance Engineering Division  
Public Works Department  
Naval Computer and Telecommunication  
Center [location]  
[location]

**OPM decision:** Engineering Technician  
GS-802-9

OPM decision number: C- 0802-09-34

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Robert D. Hendler  
Classification Appeals Officer

/s/ 2/17/99

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Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), 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 (PCS's), appendix 4, section G (address provided in appendix 4, section H).

### **Decision sent to:**

[appellant's name]  
[appellant's address]

Director  
Human Resources Office  
Naval [activity name]  
U.S. Department of the Navy  
[address]  
[location]

Director, Plans, Programs, and Diversity  
Office of the Deputy Assistant Secretary  
of Navy, Civilian Personnel (CP/EEO)  
U.S. 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  
Arlington, VA 22209-5144

## Introduction

On November 13, 1998, the Philadelphia Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [appellant's name]. His position currently is classified as Engineering Technician, GS-802-9. However, he believes the classification should be Engineering Technician GS-802-11. He works in the Facilities Maintenance Engineering Division, Public Works Department, Naval Computer and Telecommunication Center [name], [location]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

## General issues

The appellant believes that his position description (PD) compares favorably with the Engineering Technician, GS-802-11 responsibilities, knowledge requirements and nature of assignments. He believes that the GS-11 level is met as regards knowledge required in that, when he is performing the duties of his position, a comprehensive, intensive and practical knowledge of all those areas is needed to apply new methods, approaches and procedures to the areas of responsibility. He further maintains that supervision is provided in broad assignments and that he completes projects and studies with little or no supervision. His work generally is reviewed for adequacy and conformity to assignment and sound judgment. In addition, he states that most of his work is self-generated, based on mission needs and requests by others in the command. Overall technical and administrative assistance from his supervisor is needed infrequently. He further states that, although guidelines for the work are available, they are not completely applicable and judgment is required in interpreting and adapting the guidelines.

In his appeal rationale, the appellant questioned whether his position was classified consistently with what he believes are similar positions. Specifically, the appellant maintains that his position is equivalent to GS-802-11 positions at other locations within his agency. 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 PD to others, that may or may not be classified properly, as a basis for deciding his appeal.

A PD is the official record of the major duties and responsibilities assigned to a position by a responsible management official; i.e., a person with authority to assign work to a position. A **position** is the duties and responsibilities which make up the work performed by an employee. Title 5, U.S. C., section 5106 prescribes the duties, responsibilities and qualifications required by those duties and responsibilities as the basis for determining the classification of a position. The Introduction to the PCS's (Introduction) further provides that "As a rule, a position is classified on the basis of the duties actually performed." Additionally, 5 CFR 511.607(a)(1), in discussing PD accuracy issues, provides that OPM will decide classification appeals on the basis of the actual duties and responsibilities assigned by management **and** performed by the employee. The point here is that it is a real operating position that is classified, and not simply the PD. Therefore, this decision must be based on the actual work assigned to and performed by the appellant, not merely a review of his PD of record.

Like the Office of Personnel Management (OPM), the appellant's agency must classify positions based on comparison to OPM position classification standards (PCS's) and guidelines. Section 511.612 of 5 CFR, requires that agencies review their own classification decisions for identical, similar, or related positions to insure consistency with OPM certificates. Thus, the agency has the primary responsibility for ensuring that its positions are classified consistently with OPM appeal decisions or related positions to insure consistency with OPM certificates. Thus, the agency has the primary responsibility for ensuring that its positions are classified consistently with OPM appeal decisions.

Our analysis of the appellant's position is based on the specific characteristics of the programs managed by him. In our review of the PD's provided by the appellant, we found material differences between his duties and those in the PD's. For example, one position is part of Navy's primary facilities engineering organization and appears to manage projects substantially more complex than those assigned to the appellant as discussed below. Another is a part of PD of a professional engineer that, by its very nature, would require different qualifications than those of a technician position. The other PD's are for positions in the Business and Industry Group, GS-1100, and are not assigned the technical work vested in the appellant's position. If the appellant considers his position identical to, so similar to, or related to others that they warrant the same series, title, and grade as assigned his position by this decision, he may pursue this matter by writing to the cognizant agency human resources office. In so doing, he should specify the precise organizational location, series, title, grade, duties, and responsibilities of the positions in question. The agency should explain to him the differences between his position and the others, or classify those positions in accordance with this appeal decision.

As a part of his appeal rationale, the appellant applied the Factor Evaluation system (FES) Primary Standard (PS) contained in the Introduction and obtained a total of 2,685 points, placing the position at the GS-11 level. PCS's must be applied within established OPM position classification theories, principles, and practices. The Introduction states that the PS may be used for supplemental guidance but only in conjunction with other FES standards. It may not be used alone to classify a position unless when evaluating an individual FES factor which falls below the lowest or above the highest factor level described in the applicable FES standard. As discussed below, the appellant's work is covered by a directly applicable narrative PCS. Therefore, the appellant's proposed direct application of the PS to the appealed position is inappropriate.

The classification appeal process is a de novo review that includes a determination as to the duties and responsibilities assigned to the appellant's position and performed by the appellant, and constitutes the proper application of PCS's to those duties and responsibilities. Therefore, the appellant's perceptions regarding the fact finding and other methods used by his employing agency in reaching its decision on the classification of the position are moot.

The appellant and his supervisor agree the appellant's PD of record (PD #LO96214001) is accurate. Our telephone audits with the appellant on January 22, 1999, and interviews with his immediate supervisor, [name], on January 25 and February 3, 1999, confirmed that the PD contains the major

duties and responsibilities assigned by management and performed by the appellant and is hereby incorporated by reference into this decision.

### **Position information**

The appellant's PD states that he serves as a project manager for facility support and small purchase contracts. As such, he develops and performs engineering/technical review of contract plans and specifications; prepares detailed cost estimates for competitive bidding; conducts pre-performance conferences with successful contractors to review contract requirements; maintains contact with quality assurance personnel who oversee contracts; and as appropriate, he develops recommendations for changes/modifications to contracts. He also develops and formulates an effective facilities preventive maintenance and control inspection program and maintains a technical overview of facility engineering to include public works repair, maintenance and construction programs, Navy energy programs, and contract administration. The primary requirement of the position is to apply a practical knowledge of engineering methods and techniques as they relate to facilities, construction, energy and materials.

### **Series, title, and guide determination**

The agency has placed the position in the Engineering Technician Series, GS-802 and titled it Engineering Technician in conformance with titling practices of the GS-802 PCS. The appellant agrees with the series and title determination made by the agency, and we concur. The position is allocated properly as Engineering Technician, GS-802, for which there is a directly applicable published PCS.

### **Grade determination**

The GS-802 PCS uses two classification factors for grade determination: *Nature of Assignment and Level of Responsibility*. These factors are definitive for the grade evaluation of engineering technician work. They serve to provide both the framework within which the occupation is structured and specifically applicable criteria for the evaluation of levels of work.

#### *Nature of Assignment*

This factor includes the scope and difficulty of the project and the skills and knowledges required to complete the assignment.

GS-9 engineering technicians typically perform a variety of work relating to the area of specialization that requires applying a considerable number of different basic but established methods, procedures, and techniques. Assignments usually involve independent responsibility for planning and conducting a block of work that is a complete conventional project of relatively limited scope, or a portion of a larger and more diverse project. They require study, analysis, and consideration of several possible courses of action, techniques, general layouts, or designs, and selecting the most appropriate. Assignments generally require consideration of numerous precedents and some adaptation of previous

plans or techniques. Often changes or deviations must be made during progress of an assignment to incorporate additional factors requested after commencement of the project or to adjust to findings and conclusions which could not be predicted accurately in the original plans.

GS-9 assignments typically require coordination of several parts, each requiring independent analysis and solution. When phases or details are performed by other groups or personnel outside the organizational unit, the engineering technician reviews, analyzes, and integrates their work. In addition, assignments at this level require a good understanding of the effect that recommendations made or other results of the assignment may have on an item, system, or process and its end-use application.

Typical assignments performed by GS-9 engineering technicians include checking and analyzing detail and assembly drawings of moderately complex items of equipment of conventional design to determine whether the design and drawings are complete and correct and whether design conforms to production requirements, proper tolerances, clearances, fits, finishes, materials, and dimensions. To control costs, they check that standard parts, available materials, and commercial items are used so far as practicable. GS-9 engineering technicians also recommend changes to correct errors or nonconformance with established practice or agency standards. For example, when electrical repair, modification, or replacement is required, they prepare plans, specifications, and cost estimates for new construction or major modification of existing electrical exterior distribution systems and interior wiring for light and power in a variety of small conventional buildings such as residences, barracks, bakeries, small shops, and offices. On electrical alteration and repair projects they make field investigations to collect data needed for design, to determine nature and condition of existing facilities, and to determine what should be done to provide, improve, or restore service under the existing conditions. They also review comparable electrical designs prepared by engineering firms for conformance to design criteria and instructions. Standards, agency guides, and instructions are generally applicable to the design problems. When road work is required, they prepare plans, specifications, and estimates for roads including surfacing and pavements of various kinds not subject to extreme conditions of climate or loading. The requirements (e.g., load bearing capacity) are stipulated and the work involves applying established engineering practices in designing the concrete slab, foundation, and drainage structures.

The appellant performs his work in support of a relatively small installation staffed with approximately 125 military and 100 civilian personnel. He engages in facilities maintenance and management, energy management, contract support management, administrative support, and planning and engineering. Consequently, he is required to have knowledge in a number of different aspects of engineering technician work. A typical assignment is developing contract completion requirements, from simple door replacement to replacement of motor generator sets. He administers contracts of ongoing services, such as road repair, janitorial services, and grounds maintenance. The appellant assigns Quality Assurance Evaluators (inspectors) to monitor compliance with the contracts for which he is responsible. He sets up preconstruction conferences with contractors to discuss scheduling within the timeframes established by the contract.

Another typical assignment is receiving and distributing necessary operations maintenance manuals from contractors, assuring they are complete and appropriate. For example, the contractor who installs a new system must provide maintenance and repair manuals, not just installation manuals. Based on them, the appellant prepares a maintenance plan and schedule for maintaining the system. He assures that the specifications and drawings provided by the contractor are reviewed by all those responsible for operating and maintaining the system. The systems involved are in small conventional buildings none of which is more than two stories high. The largest building is a power plant, generating 15 megawatts, having an area of approximately 12,000 square feet. There are approximately 40 buildings, about half of which contain between one and four military housing units each, for a total of 61 housing units. The remaining buildings are of one and two stories including offices, recreational facilities, a commissary, a first aid station, a one-story supply warehouse, and a transmitter building. The largest structures are the 26 transmitter towers, ranging in height from 800 to 980 feet.

The appellant makes recommendations for major modifications, repairs, or replacements of existing systems in these buildings if he believes such changes would be the most economical approach. If the proposals are approved, he is involved in review of the project design. He also makes general recommendations for efficiency, such as recommending ways to reduce energy consumption, and serves as the collection point for maintenance and repair data, such as current tensions on the guy wires on the transmission towers and whether movement of the towers are within published tolerances. Examples of the recent more complex activities of the appellant include: (1) developing performance specifications for repair of an underground storage tank, for inclusion in a contract for such repair; (2) researching the regulations of the State of Maine Department of Environmental Regulation, finding a way to reduce the cost of asbestos abatement in an ongoing asbestos abatement project; (3) researching the same regulations, establishing that the underground storage tank environmental engineer thought was noncompliant was compliant; and (4) using parts of maintenance procedures from appropriate manuals, the appellant developed a preventive maintenance program specific for the antenna systems at the installation.

The nature and extent of the appellant's work contacts closely match those described as typical of the GS-9 level. He is relied upon in selecting the most appropriate standard procedure or making standard modifications to those procedures, i.e., modifications that have been used in the past or are manifestly appropriate for being based on standard engineering procedures. For example, he determines when repair or replacement of parts of the various electrical, heating, etc. systems in the buildings he maintains is needed and the parts to be used in effecting those repairs. He develops contract requirements, from simple door replacement to replacement of a motor generator set.

The breadth and scope of these activities, when taken as a whole, satisfy the intent of the GS-9 level.

In contrast, GS-11 engineering technicians perform work of broad scope and complexity that requires application of: (1) demonstrated ability to interpret, select, adapt, and apply many guidelines, precedents, and engineering principles and practices which relate to the area of specialization; and (2) some knowledge of related scientific and engineering fields. They plan and accomplish complete projects or studies of conventional nature requiring the independent adapting of a general fund of

background data and information and interpretation and use of precedents. They are typically confronted with a variety of complex problems in which considerable judgment is needed to make sound engineering compromises and decisions. Other related interests must often be considered, entailing frequent coordinative action with personnel in the fields concerned. There is a continuing requirement for contact work. Initiative, resourcefulness, and sound judgment are needed in planning and coordinating phases of assignments and in selecting which of several sound alternatives is to be used in arriving at acceptable engineering compromises. Ingenuity and creative thinking are required in devising new ways of accomplishing objectives, and in adapting existing equipment or current techniques to new uses.

By comparison, engineering technicians at lower levels receive assignments that are usually segments or phases of the type independently carried out at the GS-11 level or that involve less complex systems and facilities requiring design adaptation. GS-9 engineering technicians apply standard engineering methods and techniques whereas GS-11 engineering technicians are typically required to be creative in devising ways to accomplish the work. The complexity of the systems with which GS-11 engineering technicians work is typified by preparing designs and specification for various utility systems such as heating, plumbing, air conditioning, ventilating, pumping, gas supply, and pneumatic control systems. These assignments characteristically involve utility systems for office buildings, technical laboratories, experimental buildings, pumping stations, and flood control facilities, where the complexity or non-conventional nature of the buildings and facilities entails design problems requiring considerable adaptation of precedents or design of features for which precedents are not directly applicable. GS-11 engineering technicians technically review contractor-prepared designs and specifications for such systems.

The assignments handled by the appellant, as described previously, including the more complex activities of the appellant, also described previously, do not meet the levels of complexity or requirements for extensive modification of existing standards required at the GS-11 level. Although the appellant's activities might result in considerable savings for the installation, the modifications of existing procedures are not as extensive, and do not require the creative adaptations and innovations, as are envisioned at the GS-11 level. Also, the systems upon which the appellant works are not as extensive and complex as those typical of the GS-11 level, where large systems, involving sequential decisions with various cost-benefit alternatives, are common. Therefore, this factor is credited at the GS-9 level.

#### *Level of Responsibility*

This factor includes the nature and purpose of person-to-person work relationships, and supervision received in terms of intensity of review of work as well as guidance received during the course of the work cycle. The personal contacts that the engineering technician maintains with others, and the extent to which his technical judgments are relied upon without detailed review are important considerations in determining the level of responsibility.

At the GS-9 level, the supervisor outlines requirements, provides information on any related work being performed, and furnishes general instructions as to the scope of objectives, time limitations,



priorities, and similar aspects. The supervisor is available for consultation and advice where significant deviations from standard engineering practices must be made and gives more detailed instructions when distinctly new criteria or new techniques are involved. The supervisor observes the work for progress and for coordination with work performed by other employees or other sections and for adherence to completion and cost schedules. Standard methods employed are seldom reviewed but review is made for adequacy and for conformance with established policies, precedents and sound engineering concepts and usage. Personal work contacts are primarily to resolve mutual problems and coordinate the work with that of personnel in related activities. Some contacts are made with using agencies for whom work is done, and with contractors and architect-engineer firms. Typical contacts are made to clear up doubtful points, advise as to discrepancies found in meeting contract terms, consider recommendations for acceptable substitutes, and promote adherence to agency standards and concepts of good engineering. Contacts outside the agency are usually arranged under supervisory guidance.

The appellant works with the relative freedom from supervision, makes the types of technical judgments, and is engaged in the types of contacts typical of the GS-9 level. He works directly for the Assistant Public Works Officer, and states that he gets little direct supervision on the various maintenance and repair work done in-house and that he also prepares some of the contract requirements himself. In the latter case, he sometimes uses the services of a Planner and Estimator (PE), and reviews the work of the PE before including in the contract requirements. The appellant's development of contract requirements, however, is all reviewed by his immediate supervisor before submission to the contracts division. The detailed cost estimates he develops for contracts also are reviewed by his immediate supervisor.

Prior to the award of contracts, the appellant is responsible for providing potential contractors with all correct and necessary information and providing appropriate transportation and escorts for them to examine the site. He sets up pre-construction conferences to discuss scheduling for completion of the various phases of a contract and recommends the agreed upon schedule to his supervisor for inclusion in the contract. He also recommends approval or disapproval of contract submissions for materials and equipment to be used and indicates his justifications when submitting the recommendations to his supervisor. If a contractor does not perform the entire contract, the appellant makes a recommendation to either allow changes of dates for completion or penalty to be assessed for the portion of the contract in default. However, the appellant, while making these recommendations which carry the weight of his expertise, does not have the authority to approve or modify a contract.

When situations arise which require a determination of whether repair or replacement is the most economical and practical approach, the appellant writes his proposal and justification. If it is approved, he reviews the design. When contracting is required, he is involved as described above. He is also responsible for implementing the plan to reduce energy consumption by a fixed percentage each year, making such determinations as to how many units using certain quantities of electricity may safely be put on line simultaneously.

In contrast, GS-11 engineering technicians have considerable freedom in planning work and carrying out assignments. The supervisor makes assignments in terms of the major objectives, providing background information and advice on specific unusual problems which are anticipated or on matters requiring coordination with other groups. Unusual or controversial problems, or policy questions arising in the course of a project, may be discussed with the supervisor but technical supervisory assistance is infrequently sought or required. The supervisor is usually informally advised regarding progress but there is little review during progress of typical assignments. Completed work in the form of recommendations, plans, designs, reports, or correspondence is reviewed for general adequacy, conformity to purpose of the assignment, and sound engineering judgment. By comparison, engineering technicians at lower levels receive advice and guidance on the application of nonstandard methods and techniques or in the solution of complex problems requiring significant deviations from established practice.

GS-11 engineering technicians customarily make contacts in the course of their work with the same groups of individuals as do engineering technicians at lower levels and the purpose of the contacts are similar. Because of the increased scope of GS-11 assignments, these contacts tend to become more extensive than at lower levels. Contacts with contractors and other personnel regarding complex engineering and administrative problems are carried out without close supervision. However, the engineering technicians generally discuss the approach to be taken with the supervisor.

Supervisory assistance is infrequently sought or required. The supervisor is usually informally advised regarding progress but there is little review during progress of typical assignments. Completed work in the form of recommendations, plans, designs, reports, or correspondence is reviewed for general adequacy, conformity to purpose of the assignment, and sound engineering judgment. By comparison, engineering technicians at lower levels receive advice and guidance on the application of nonstandard methods and techniques or in the solution of complex problems requiring significant deviations from established practice.

The appellant has considerable freedom in carrying out assignments. The planning of his work is largely structured by, and to a considerable degree reactive to, the daily demands of maintenance, repair, and ongoing monitoring of contract work and continuous programs, such as energy usage reduction. However, the methods and techniques required, while extensive, are generally readily available in manuals, well standardized, and extensively documented so that there is little demand for application of nonstandard methods and techniques or the need for significant deviations from established practice. Therefore, there is little need for close supervision of the appellant's work.

The appellant prepares contract completion requirements and detailed cost estimates for the contracting office, which makes final determinations. The appellant does not have authority to either change existing contracts or make new contracts, although he does provide technical input and procedural suggestion. Should a contractor fail to perform the contract, the appellant estimates how much of the contract is in default and passes his recommendations for penalties to be assessed or termination of a contract to the contracting office, but does not have authority to assess penalties or modify or terminate contracts. The nature and complexity of the contracts the appellant oversees are less complex than those envisioned at the GS-11 level as they deal with structures, and systems within those structures, that are smaller and simpler, and that do not require the complex and

extensive modifications and deviations from the standard plans and operating procedures often required at the GS-11 level. The scope of his assignments, previously discussed, is not such as to require the contacts or levels of responsibility typical of the GS-11 level. Therefore, this factor is credited at the GS-9 level.

**Decision**

The appellant's position is correctly classified as Engineering Technician, GS-802-9.